

Rebirth Of Ethics Is Asked

Nation Tainted By Watergate, Blackmun Says

By John P. McKenzie
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Supreme Court Justice Harry A. Blackmun called yesterday for "rebuilding the ruins" of Watergate to remove the "taint and corruption in our public life."

Addressing 750 members of the American Bar Association and their families, Blackmun spoke pointedly of the political scandals, many of which involve lawyers, which form the backdrop for the 96th ABA annual convention here.

"The pall of Watergate, with all its revelations of misplaced loyalties, of strange measures of the ethical, of unusual doings in high places, and by lawyer after lawyer after lawyer, is upon us," Blackmun said.

Blackmun, a 1970 Nixon appointee, said the Watergate atmosphere "is something that necessarily touches us all, irrespective of political inclination. The very glue of our ship of state seems about to become unstuck."

The occasion was the bar association's prayer breakfast, for which Blackmun used as his text the Old Testament book of Nehemiah. The book, which tells of the rebuilding of the walls of Jerusalem four centuries before Christ, contains a biblical reference to "Water Gate."

In describing the dedication of the wall, Nehemiah's Chapter 12, Verse 37 says the Water Gate was the Jerusalem gate where many of the celebrants gathered at the dedication of the wall, which had been built despite threats by hostile outsiders.

"One may say that our Jerusalem is in ruins," said Blackmun. One may question, he added, "whether its foundations are eroding . . . There is a sadness all about us."

Then, invoking "the spirit of Nehemiah," Blackmun asked whether America and its leaders have the will for the needed rebuilding task.

"Will it be said that, despite the opposition of announced displeasure, accusation, ridicule, anger, confusion, infiltration, blandishment, threat, temptation, and those repeated invitations to come down to the Plain of Ono and to delay and compromise and rationalize, we held steady and built again?" the justice asked.

Blackmun recalled that the nation had experienced troubles throughout history, including the "plundering of our national resources," Teapot Dome and "in the other scandals, large and small, that have rocked every administra-

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HARRY A. BLACKMUN
... "pall is upon us"

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tion of recent times and today, in certain aspects of the Watergate."

And Watergate, he noted, occurs at a time when present and former congressmen and a high-ranking federal judge (Otto Kerner of Illinois) have been prosecuted for crimes. "One sees conceded lawbreaking of various kinds," he said. "One senses a laxness in public life that 20 years ago, if indulged in, could not be politically surmounted."

After citing Biblical selections read by former Justice Arthur J. Goldberg and Superior Court Judge Nelson of Boston, Blackmun closed the lay sermon by asking, "Which will prevail—the better angels of our nature, to use Mr. Lincoln's words, or something far, far less?"

Many in the breakfast audience were visibly moved by the justice's quietly delivered speech. ABA president Robert W. Meserve, who presided, appeared near tears and had difficulty closing the meeting.

The willingness of Blackmun, the soft-spoken and conservative jurist, to speak to the bar on moral issues of Watergate, came as a surprise to many. While some bar leaders have been pressing for ethical reform, others have denied that Watergate has uncovered inadequacies in the standards of the legal profession.

The convention moves into full swing today with Chief Justice Warren E. Burger's annual "State of the Judiciary" address and the opening of the 318-member House of Delegates to questions of professional concern and political controversy.