

# Special Persecution Force

By William Safire

WASHINGTON—If we believe in the jury system, we must believe that a rich, white Southern Republican like John Connally will get a fair trial from a jury in Washington, D. C., that is predominantly poor, black, and votes overwhelmingly Democratic.

If we believe in the jury system, we must believe it is possible to find jurors who can rise about all considerations of prejudice, especially political prejudice, no matter where a trial is held.

And yet there is something in law that recognizes the human frailty of jurors. To protect the accused as well as the jury system, a judge is given the discretion to grant "change of venue," moving a trial to a place where a jury less prejudiced by publicity is more likely to be found.

We can no longer avoid the fact that all Watergate trials which have been held in the District of Columbia have resulted in convictions, while the only Watergate trial held outside the District resulted in acquittal.

Washington, D. C., is by far the most political town in America; it is a one-industry town whose industry is government, where communications media is especially attuned to news of politics, and where politics is discussed in normal social intercourse more than any other city in America.

Although the Watergate trials are criminal trials, not political trials, nobody can seriously hold that there are no political overtones to these trials, no additional chance here for political prejudice to make itself felt.

But District of Columbia judges con-

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sider a change of venue to be a challenge to the machismo of local justice, as if switching a trial a hundred or more miles away from this publicity-soaked Democratic citadel would be an admission that judges could not produce a "sterile" courtroom.

Certainly they can avoid reversal on appeal by shunning the Roman-holiday tactics of the judge in Dr. Sam Shepard's trial. But what harm would it do to start holding Watergate's criminal trials in areas other than the place that has shown itself to be the home of sure-fire Watergate convictions? There is public benefit in the appearance as well as the fact of fairness; let other cities share the wealth of retribution.

In that regard, the ruination of Governor Connally, and the conviction here last week of California Lieutenant Governor Ed Reinecke, is evidence of the willingness of prosecutors to seek indictments peculiar to a reign of terror.

When the work of the Special Persecution Force is investigated—as surely it will be, when journalists tire of this new form of press release and Congressmen see paydirt in the exposure of the excess of zeal—questions like these will be raised:

What deals were made in secrecy to buy testimony? What bribes of freedom were offered, what coercion used to elicit accusations that might be perjurious? What officials were harassed for daring to criticize? What collusion was there to time indictments to the impeachment process, as in Mr. Con-

nally's indictment on the day the "abuse of power" article of impeachment was voted upon?

In the Connally case, double standards fly high: Jake Jacobsen, who was Lyndon Johnson's Dwight Chapin, has been promised the gentlest of treatment for accusing Mr. Nixon's Treasury Secretary; if this Johnson aide is as corrupt as he professes himself to be, why was he never urged to spill the beans on men in high places during his White House years?

Similarly, when it became apparent two weeks ago that Marvin Watson, once L.B.J.'s Bob Haldeman, was involved in the misuse of the F.B.I. to investigate reporters, the partisan crowdpleasers of the Special Persecution Force shut their eyes.

Instead, with much fanfare, Mr. Jaworski's men tried to create the impression of bipartisan fervor by accusing a minor aide to Hubert Humphrey of a misdemeanor. That trial will take place in St. Paul, Minnesota, where his act was alleged to have taken place, and not in the District of Columbia, where crimes are never committed by high-ranking Democrats.

At a time when the abuse of power is seen as grounds for striking down a President, it is well to keep an eye on where the power now rests, and to observe its tendency to corrupt.

The power is in the hands of ambitious prosecutors, who think they can do no wrong because they are on the side of right. That is the moment of greatest danger to individual liberty, but voices calling for evenhandedness and judicial calm are lost amid shouted imprecations, as the abuse of power is replaced by the power of abuse.