

Oral history interview with William B. Saxbe
Conducted by Karl Weissenbach and Sam Rushay
Mechanicsburg, OH
September 27, 2002

Q: Good morning.

Saxbe: Good morning

Q: It's September 27, 2002, and we'd like to thank you, Mr. Saxbe, for inviting us to your home to conduct this interview. First of all, I'd like to ask if you would briefly discuss your political experience as attorney general of Ohio, and as a member, and majority leader, and speaker of the Ohio House of Representatives.

Saxbe: Well, I was in the army five years, and I came out and had no idea what I was going to do. And I finally decided to go to law school. And I was on the GI bill. And, odd jobs, I was a mechanic, I did a little bit of everything. And I'd been a pilot in the Air Force, and in the horse cavalry, and the tanks, and the whole bit. Anyhow, we decided that I had to get something interesting, and then I decided to run for the legislature while I was in law school. And I did, and I was elected, and I didn't contribute much my first term because I was busy in law school. But I showed up. And then I got interested in the legislature, and on my third term I was majority leader of the House, and the fourth term I was speaker. And I think that was the best job I ever had in politics because this was after the war and things needed to be done. The governor was indifferent, he was saving money and not spending it, and he had a \$100 million surplus. And, so anyway, I was able to get a successful legislative program, and pushed it through. And that really inspired me to get active in politics. So then I ran for the Senate in the primary and got beat, but it set me up all over the state for later campaigns. And I enjoyed that, and I enjoyed politics, and found out that I had some ability to do that.

But as attorney general, which was my next office, and I served eight years there, I got into a lot of things that needed to be done there. For instance, the counties, and especially the rural counties, have no police training of any kind. They are elective office, and they hired people that were near to them, but again no professionals. They just, and in the small towns like this they just gave the guy a cap and a club and he was a policeman. So I started schools and, opened to all, it was opposed by the sheriffs. But it turned out to be one of the best things that I ever did because it got people trained. All that we had at the beginning was just a little fingerprint operation, and we opened it up and every, finally it got so that every policeman had to attend the academy before he was qualified to be a local policeman. Of course the cities had their own academies, so this was more of a rural thing. And this, I got more and more into this activity in law enforcement. I set up people in my office that could go out and help local prosecutors who generally had little experience in running a prosecution. And if they had a big deal, or a gang, or something like that, we'd send these people out, and they were good trial attorneys, and they helped them. And so I got interested in law enforcement, which the attorney general never had before in Ohio. They were strictly advisers to the various departments and legal enforcements of Ohio laws that is, that applied, but had no local criminal responsibility of any kind. So that was eight years that, I got a lot of experience in going around the state. And of course I ran and I was

defeated one time, came back, was elected three more terms. There were two-year terms there at that time.

Q: Okay. Would you briefly discuss your law practice?

Saxbe: Well I started out right here in Mechanicsburg. The first fee I collected was a dollar for notarizing a paper that some guy had to send in for the state. But I was doing divorces and I was doing estates, rather small here, and just a general practice here in Mechanicsburg. And that was all the time pretty much I was in the legislature. We lived here. I drove back and forth to Columbus. We got \$2000 a year, and as speaker I got \$2500 a year, a big deal. But when I was speaker I knew people all over the state. And so when I ran for the Senate, as I mentioned before, I had these people well organized. I didn't win, but it set me up for later political life.

Q: In 1968 you were elected to the US Senate.

Saxbe: Correct.

Q: A November 18, 1973 *Washington Post* article said, however, that you were "dissatisfied with the Senate." Were you anxious to leave the US Senate after your term ended?

Saxbe: Yes. And I'll tell you why. My campaign, we didn't have any money, my total campaign cost about \$3 million, which was like pulling teeth. But I found out that if you're going to ask people for big money, and today it would cost \$15, \$20 million to run here in Ohio, that they damn well want their money's worth. That they lean on you. And they want senators at that time, and maybe still today, like Byrd of West Virginia, where everything he can get, his job is to get it to West Virginia. And I had these pressures. And I said, "well, I'm up here to make good law, and I'm up here to, I'm not here as a recruiter." And I wasn't about to go into a campaign and ask people for \$10, \$15 million. I'd be a captive—

Q: – of special interests.

Saxbe: – of special interests. And I didn't want to be. And my record in the Senate indicates that I was kind of a wild hare. And I did what I thought was right. But at that time, maybe still today, they don't want Senators like that. They want Senators that fetch and carry. And I decided that I just couldn't be that kind of a Senator. And then of course I ran into this, the National Manufacturers Association asked me to make a speech at their banquet in New York and, at the Hilton. And I made a speech that said, "look, the FBI's been busy doing this stolen car business, and that stuff, and never got into mobs, and Hoover didn't do that." And I certainly wasn't interested in Hoover, and yet that's the way the FBI was run. And as far as the silk stocking and the big business, they were left entirely alone. And I made this speech, and I said that, and it went over like a lead balloon. And I had given them a copy of my speech, and the president came to me, now this was the Ohio manufacturers, the national manufacturers, said, you know, "we don't want this kind of a speech. We want this crowd to be jolly." And, well, I said, "if you want entertainment, get Bob Hope." And, but, this is the way I feel about it, that the manufacturers and the big corporations in this country do pretty much what they want to do. They control local legislatures, and they've got a bunch of Senators that run errands for 'em and

Representatives. And I think that the FBI has been spending the time and their money on small-time criminals and not getting into the mobs or getting into big business violations.

Q: In October of 1973 the so-called “Saturday Night Massacre” occurs when Attorney General Richardson—

Saxbe: Richardson.

Q: —Elliot Richardson resigns rather than fire the special prosecutor. In your memoirs you said that you were excited, interested in taking the job of attorney general. You were interested in, very interested in the challenges that that would pose. Why were you interested in stepping—

Saxbe: Well.

Q: —into that situation, a very difficult and challenging one.

Saxbe: I felt that, I had known Richardson over the years. We weren't close, but he was an attorney general in Massachusetts, and I'd see him at the attorney generals meeting and so on. And I wasn't particularly fond of him. And instead of flouncing out as attorney general he should have confronted Nixon at that time. And he was the attorney general and if Nixon wanted to fire him that was his business. But the idea that he couldn't face up to the problems of Watergate as an individual and as the attorney general of the United States where a great wrong was done and if he'd had toughed it out I think it would have been better for Nixon. Instead of, he didn't have to fire that guy, that was, let Nixon kick him out. And—

Q: Because you think it was, you think he could have avoided, he, the President, could have avoided a huge public relations disaster.

Saxbe: Oh, I think so, yes. And I was interested in being attorney general. It's the best lawyer job in the United States. I thought that Mitchell had been a terrible attorney general, and most of Nixon's problems emerged from Mitchell's mouth. He knew nothing about politics, he was a bond lawyer in New York, and yet he was set up to handle a very difficult period in our history. So, I knew that something had to give. And then the interim FBI guy was, after Hoover's death, was found burning important papers in his backyard. And that kind of thing. And, you know, they needed somebody in there that could run the country as it should be run and not get involved in Watergate. And Nixon came to me and, when I was first in, and he was determined that we were going to defend him. And, I said, because Knox, one of the historical attorney generals, had defended a president, and there were a couple of times that attorney generals intervened. If it was a put-up thing I could understand it, but when there was a real crime committed [00:15:00, tape 1] I don't think the attorney general, he had his job to do, and once he joined that mob.

And Nixon lied to me. I asked him directly, “were you involved in the Watergate?” “No, I knew nothing about it.” And of course when the tapes came out, why, it. So, I determined to tough it out.

Q: Your nomination to be US attorney general was clouded by controversy about the Constitutional provision concerning taking an office for which you had voted a salary increase—

Saxbe: Yeah.

Q: —during the same Congressional term.

Saxbe: Well this was the first week I was in Congress, and they got this through because there was a deadline in that year. And I voted for it 'cause I thought the attorney general ought to have more money. And I never realized that it was an impediment later, but I, hell, I'd have taken the job for nothing. And when I came along why they said, "you can't serve because you voted for an increase in the salary," which it had been five years before, in the first week I was in the Senate. And so I didn't mind it being reduced. The Democrats, the people who didn't want me to be attorney general in the Senate, weren't going to do anything for me. And the Democrat friends of mine in the House finally said, "what the hell, if the guy was nuts enough to want to be Senator, be attorney general, let's deal him a chance at it."

Q: In your memoirs you credit Representative William Keating with having "had as much to do with my nomination for attorney general as anyone—more, in fact."

Saxbe: Well, he's the first one who came to me, "would you be interested?" I had known Keating, he had worked for me when he was first out of law school. He was from Cincinnati, and he did a good job. And so I hadn't even thought of it. And I said, "sure." But I said, "Nixon's never going to appoint me attorney general after I've turned him down on these things." Well, he said, "just wait and see what I can do." Well, Bryce Harlow was a friend of his in Cincinnati, and, well he'd known him there. And Bryce Harlow and a Congressman, whose name I can't recall but was close to me at the time, had an important job in the White House. And those two guys were the ones that talked Nixon into doing it. And that's why I say if Keating hadn't started it, it would never have happened.

Q: I was going to ask you what other contacts either inside or outside of the White House were influential in your nomination and selection?

Saxbe: Well.

Q: You mentioned Harlow.

Saxbe: Those people in the White House realized that they had to have an attorney general that could get confirmed. And I had a lot of friends in the Senate, and eight or nine of 'em that I've crossed swords with them, didn't support me. I think there were eight or nine voted against me. And they gave me a hard time in the appearance before their committee. But it was done at the way that I thought it would turn out because I had friends on both sides. I hadn't been partisan, in fact probably not partisan enough. But they had the same attitude that if a guy is nuts enough to take that job why we won't stand in his way. And I think I had nine votes against me, and those were wracked up by Byrd. And he was the cross-examiner. And, because I had once said

jocularly that “the best thing that came out of West Virginia,” and he said, “oh, me?” And I said, “no, an empty bus.”

Q: You were known as being a critic of some of President Nixon’s policies, on the bombing of North Vietnam, the Christmas—

Saxbe: Yeah, well.

Q: — the so-called Christmas bombing of 1972.

Saxbe: I thought the whole, I served five years on active duty in World War II, and I was called back in during Korea, and I had served in the National Guard and continued to serve even up until the time I was in the Senate. And so I was, I had enough military training to know that they weren’t going to succeed in what they were doing in Vietnam. You can’t go into that kind of a jungle with the operations like you could in some of the Arab countries today. So I, well, I think I was the first one that said, “well, let’s just declare that we won and get out because we, you can’t run down individuals with rifles and mortars in the jungle when it’s their country.” So when I, Nixon, I said at one time when he started to expand the war into Cambodia, “I think he’s out of his senses.” And some people interpreted it profanely with other words, but I felt that way. So that didn’t, and this was before he made me attorney general, so I was surprised.

Q: Had you campaigned for President Nixon or done other work for him before or after his elections?

Saxbe: Well, I never had too much of an opportunity. Certainly I supported him and, but, in 1968 in his campaign I was running for the Senate, so I would appear with Nixon when he came to Ohio. But other than that I came out of it, and stayed away from him. And in 1972 I attended the convention, but I didn’t attend many sessions. I was there and that was about it. I wasn’t on any of his straw-hat gang. All the Nixon men, that was interesting at that time, they wore straw hats as they worked the floor. So you could tell who the Nixon guys were. And Bill Minshall and others from Ohio were Congressmen and, that were the straw-hat gang. And it was a pretty mechanized convention.

Q: What was your impression of the Watergate break-in as you undertook your responsibilities as US attorney general?

Saxbe: Well, at first I couldn’t believe it. It was such a stupid thing to do. And I’m convinced it was all Mitchell’s doing because he knew nothing about politics or law. And so when this happened I said, “well, that surely can’t be true.” So, for awhile I just idled along and said, “what the hell, this’ll straighten out because nobody’d be stupid to do something.” What could they get? What could they find? If they’d gone in and asked for it they’d probably given it to ‘em. So I was not on board to say that this, there was no defense for what they did. I kept my mouth shut, waited to see what was gonna happen.

Q: And you received President Nixon’s personal assurance that he had no knowledge of—

Saxbe: Oh, yes. Yeah.

Q: —the Watergate break-in or the subsequent cover-up.

Saxbe: That's where he lied to me. I asked him directly, now this was before I was sworn-in, or shortly thereafter. Was, "did you have anything to do with this foolish thing?" "I didn't know anything about it." And maybe he didn't. I don't know. But the tapes certainly indicated that he never denied it, on the tapes.

Q: I was going to say as the scandal progressed and the revelations about the President's own knowledge of the cover-up became public knowledge, did you at any point ever think of resigning?

Saxbe: No, I had no reason to resign. Somebody had to run the attorney general's office, and I felt I could do it, and I did. And—

Q: Because that was a criticism you had had—

Saxbe: And I wouldn't have resigned if he'd asked me.

Q: Because that was a criticism you had had of Elliot Richardson.

Saxbe: Sure.

Q: You felt that he should have stayed and made the President fire him.

Saxbe: I think that Nixon would have been greatly served to level with, when I was, just a week before I was sworn-in I went out to Richardson's house and said I'd like to come out and talk to him. I thought he could help me. And we had a cup of coffee, and he was colder than a mother-in-law's kiss. And I really got nothing out of him. He obviously was not going to help me in any way that he could.

Q: At the Ohio Historical Society in June you said that Richardson had done "a great disservice" to President Nixon. Instead of resigning he should have made the President fire him.

Saxbe: That's right. He should have toughed it out. He didn't. But I always felt that Richardson was kind of soft. He was the ambassador to England, you know, for a while. And when I went over there for some reason, I traveled a lot, he invited Mrs. Saxbe and I to stay at the residence. And he locked himself in a room, I never saw him. So he was that kind of a guy.

Q: I'd like to revisit the question of why you wanted the job. Did you have any reluctance, knowing the experience that Richardson had had, and the—

Saxbe: He'd been an attorney general.

Q: —the terrible scandal that was evolving. A lot of people, I think, would have shied away from stepping into the difficulty, the challenge of the attorney general and I, you know, I was impressed in your memoirs by your anxiousness to do it. You were interested in doing it.

Saxbe: I wanted to keep the machine going. And to be in some respect in the government. And I was determined—

[pause]

Q: As you undertook your responsibilities as US attorney general, how did you intend to conduct the office differently than had Elliot Richardson?

Saxbe: Well, I wasn't that familiar with the attorney general's office, to tell you the truth. And so I hired, I didn't hire, I borrowed people to go in there to see what was running and what wasn't. Well, Richardson had come up with a reorganization plan which he had already started on to completely shake up the Justice Department. He was going to have two levels of deputies, one for administration and one for law. Well, you can't do that. If you are going to have a guy that can work in your name, you can't have two different people. So they came back and said this thing is not going to work, to Richardson. And then they had some people in there that were running (00:30:00) their own empire. The guy on administration, the hiring and firing and so on and so, he wasn't, he didn't give a damn who the attorney general was, he was running his own shop. And we found that out, and he was going to be even given a bigger job under his reorganization. In fact, he had already started moving people into this. So, we did knock that out. And the attorney general's office has remained the same since I did. And it was a kind of a chart work deal of, we'll move this guy and we'll move this guy in this responsibility. And some of these people had been in these slots and doing a good job. And I thought it was no time for me to go in there and start firing people and moving into new jobs and so on. I needed all the help I could get, the anti-trust and having a lot with Haig [?] done, and some of the others did also, and immigration and naturalization and all that was in a terrible shape.

Q: Did President Nixon express any interest in the Justice Department, *per se*? Did you have meetings with him about the structure of the Justice Department or about Watergate?

Saxbe: Well, I didn't talk to him about Watergate. It was being talked about too much. But I did, well, here, we had these suits. The IBM suit had been pending for ten years. What are you going to do with it? Well it was entered into when they had a monopoly because the computers came in, they had a lock up on it. And probably they were antitrust at that time. But in the fifteen years after that, hell, everybody had a computer. They had no edge on it. So I said that I thought we ought to drop that suit because we were gonna be spinning our wheels in trying to make a case out of it claiming that they had a monopoly, which as it turned out they did have a monopoly at one time. But as it disintegrated it wasn't by law it was competition, which was good.

The other one was the AT&T case. And I went to Nixon, well I went to him on both of these and, when I went there with AT&T I knew something about that because we had had a problem in Ohio. And, you know, you couldn't own your own telephone. You had to buy a telephone

from them. And so many things that were completely out. And if you bought your own telephone, they'd cut your line. This kind of silly stuff, they had such a monopoly. So I went to him, and I said, "now do you have views on the AT&T suit?" He said, "do what you have to do." I mean those were the words. I said, "well, what do you mean by that? Do you mean to go ahead with the suit or throw it out?" He said that "you're the attorney general. You do what you have to do." I didn't, what I wanted to be sure that he wasn't giving me a message that, to do it.

So I didn't go to him with many problems. I did go to him with the FBI that, we had a docile former chief of police in Kansas City, who was anxious and willing to do a good job. But it took a long time to get the Hooverism out of the FBI. And we did start that. I went out to the academy to the graduating class and said, "look, those days are over. And if you think you're going to be sent to Butte because of a mistake, it's not going to be on a personal basis." And I said the academy is going to have to teach that they are part of the Justice Department and not an individual agency run by one man. And Kelley, who was—

[pause]

Saxbe: Well, what I was talking about were two important cases that I had to decide on. One was the telephone case and the other one we've talked about. And the reasons were that it was a monopoly that they maintained very carefully. And they had a lock-up on it. And we won the case finally after six years and Judge Green ruled on it. It didn't turn out the way I wanted. I thought they should have left AT&T the long line business and it turned out just the other way around. But anyhow the proliferation of telephones and telephone companies today indicate that, how tight they had to live on at that time because they couldn't do it.

Now, let's go on.

Q: You have said that you were "tired of exceptions in the process of justice.... It is time the exceptions were stopped, and the one place to begin is with the white-collar criminal," from your memoirs.

Saxbe: Well.

Q: Given recent scandals given companies such as Enron do you think that your messages with regard to big business ring true today?

Saxbe: Oh, I think I was right at the time. You didn't have to be a detective to tell that there were abuses. And, frankly, there weren't laws at that time to handle the, of course there was, still wasn't laws today when these things happened, but [00:45:00, tape 2] there were violations of constitutional law on some of these corporate activities. I don't think anybody dreamed the extent of Enron and people like that, the greed that showed up in that, but it was there at the time, but not in that degree because the corporations weren't that big. And most of the big corporations were in manufacturing and sales and not in worldwide communications and those kind of things that allowed them to operate off-shore and to just play their own game. So I thought that there was room at that time, but in a different level than Enron and those. And

that's what I was talking about, that was in my speech that I gave to the National Manufacturing Association in New York, and it, as I say, it wasn't well received.

Q: Getting back to Watergate for a moment. What were your duties *vis-a-vis* the Ervin Committee and the House Judiciary Committee?

Saxbe: Well, at the Ervin Committee I called it a "kangaroo court" because it was a dog and pony show that they were just throwing these things around and everybody was getting on TV, and it didn't turn up one damn thing that wasn't known. And I think there was some good people there, Howard Baker, for instance, did a good job. Fred Thompson, who was his attorney. But most of it was just scraping the surface of the thing and was more of an entertainment than anything else. So I didn't make any friends then. First, Ervin was a pompous old southern judge, and he just enjoyed the hell out of it.

Q: How about the House Judiciary Committee?

Saxbe: I didn't get involved in the House Judiciary Committee. They didn't go so far afield as, but, I didn't, they didn't get the publicity that the Ervin Committee did either.

Q: Would you care to discuss your involvement in the case *US v. Nixon* or in other Watergate cases?

Saxbe: Oh, at the time that I was going in as attorney general they were also choosing a prosecutor, independent prosecutor, which turned out to be Jaworski. They had several other people whose names were mentioned, but they didn't chin the limb. But Jaworski, who came in, had a reputation of being a competent, independent person, non-political. And that's why he was approved. And when I went before the Senate committee and when Jaworski went there, I sat in and I was questioned closely, "am I going to interfere with Jaworski?" Well frankly I was relieved as hell that we didn't have to get involved. We had plenty to do without being involved in that. And I certainly wasn't going to interfere with him, and I was going to wish him well. And I told him that he could have anybody out of the Justice Department that wanted to go with him. I wasn't going to send over somebody reluctantly but if, and he did, he took quite a few people from the Justice Department that were a part of his team. And they came back to the Justice Department after it was over.

So I was greatly relieved that the attorney general didn't have to do that job. I wasn't going to defend Nixon, but neither was I going to prosecute him if it was necessary. I suppose I would have if they nailed it down, but at the time I didn't have too much confidence in our criminal section. Peterson had already made some mistakes and, but he was basically a good man, and he did a job that I wanted him to do. He cooperated with Jaworski. But, and you never knew which people in Justice under Mitchell were part of Mitchell's intrigues. So I didn't want to ride in there with a bunch of half-hearted people, or people that might be further disclosed as some of 'em were.

Q: You said in your memoirs that you “stayed out of Jaworski’s way, as I promised Congress I would do—or I tried to do so.” What did you see was the proper relationship between the Justice Department and the Special Prosecutor?

Saxbe: To give him all the support he asked for and not interfere. And that’s the way it worked out.

Q: You go on to relate the pressures you were under from the White House “to shut down the Watergate investigations.”

Saxbe: Yes.

Q: President Nixon, you said, wanted you to have the FBI “get after the CIA.”

Saxbe: Well, that was one of the most squirrely things that I got from Nixon. You know, he gets me off in a corner and starts whispering to me that, you know, that CIA, and hell, it hadn’t been too much time before that where he was blaming the FBI. And so I paid no attention to that and it was, in fact I was so surprised I couldn’t believe it.

Q: Why do you think he took that approach? I mean that was kind of an ironic twist—

Saxbe: Somebody must have been feeding it to him. Some of these guys that were, he had all these odd chaps, that one guy that ran around with the motorman’s nickel machine so that he could have money for telephones. And he had some of these characters.

Q: McCord?

Saxbe: What was his?

Q: McCord? No.

Saxbe: No, I can’t remember his name. But he wore that change machine on his waist so he could go into a telephone.

Q: That’s the second time I’ve heard that observation in the last year.

Saxbe: Really?

Q: Yeah.

Saxbe: I thought that was about the dumbest thing I ever heard, get these characters out and some of them went to jail later on.

Q: Well, what was, as you know, ironic about it, it was an ironic twist to his June 23, 1972 request to have the CIA turn off the FBI’s investigation of Watergate.

Saxbe: Yeah.

Q: And now he seems suspicious of the CIA.

Saxbe: Well, that didn't work so he wanted it the other way.

Q: Is it possible he was getting conflicting signals from his whisperers?

Saxbe: Oh, I'm sure it was.

Q: I think that's, I think in his memoirs he even talks a little bit about getting bad advice.

Saxbe: Well, he had, I said at one time that that crowd that Nixon had running around the country, they ought to have clown suits for 'em because....

Q: Who did you work with on the White House staff? And what was your impression of the mood of the staffers and the President in 1974?

Saxbe: Well, I went to the White House frequently, public meetings with Nixon and signings and things like that, but I did most of my talking with Haig and, because he's the only one I could get answers from. And I wanted to have somebody that had Nixon's ear. But every time I talked to Nixon all he wanted to do was tell me about his troubles. And "son of a bitch people" this and so on and so forth and, but there were others in the White House who, oh, what was his name? Buzhardt and others that I could talk to, but Haig I could get answers from, and that's what I needed.

Q: What was the mood of the White House in 1974?

Saxbe: Well, it was kind of like a hospital, full of sick people. And it was discouraging because, now early on Nixon would call me over quite a bit, but after he found out that I wasn't going to dance to his tune—he wanted to get rid of Jaworski, he wanted to get rid of this guy. He asked me to get him defense, and when I got him somebody, he hired St. Clair, who I thought was very ill-prepared and did a poor job. But Jack Chester, I said I can get you the best defense lawyer that I know of is all I can tell you, and that's the extent of my involvement. And frankly the only case they won, that was a case that Jack won in the Court of Appeals, but they were like tramping pissants dealing with people that were just not capable of giving him a good defense, I thought. Not that it wasn't, might have prevailed, but that House committee was so-so, I think he could have done a lot more with them. But I think it turned out to be, the way it turned out was right because he went steadily downhill during all these things. He became so self-centered that if you tried to talk to him about something really important all he wanted to do was talk about was his problems and get sympathy, which I couldn't give him and didn't. It was an odd arrangement.

Q: On the tapes issues, what was your advice to the President?

Saxbe: I was never asked. Because I didn't know about any tapes, and he didn't tell me about any tapes. All he kept saying about taping that I can remember that was true, or I think was true, was he would go through this deal, "now Roosevelt had tapes and so and so had tapes, and Lyndon Johnson took me up and showed me wires under the Lincoln bed and he had tapes on everything," and so on. "And all I was doing was what the previous presidents had done, and it was a matter of national security." And that's about the full extent of his defense to me, which you can't go in and say, "well, I had these tapes because Johnson had 'em."

Q: Did you agree with the approach the White House took on the tapes: the claims of executive privilege and the decision to release the edited transcripts in April of '74?

Saxbe: I think that was about all they had. Yeah, I think that. But I don't think that St. Clair really developed it. You know, if the President doesn't have certain privileges and they took 'em all away from him, and I think that St. Clair could have done a better job. And I think Jack Chester could have done a good job. But I, that's what I did do, I said, "I will get you, if you want me, if you want help, I will get you a good attorney."

Q: I think, as an aside here, in talking to Mr. Chester, we did an oral interview with him, I sort of got the impression that he felt he was an outsider—

Saxbe: He was.

Q: —and he said that that effected his ability to address specific issues—

Saxbe: Well.

Q: —because he was constantly being pushed aside, he was somebody from Ohio—

Saxbe: Well, all they had Jack Chester, other than a couple of appeals cases, was running errands. And here was a high-octane guy [01:00, tape 2] and they weren't using him.

Q: You did an interview with Chester, right?

Q: Yes.

Q: Did you get that impression?

Q: Yes, very much. Very much.

Saxbe: Yeah, well I know Jack felt that way and I felt bad about it. I felt bad that I had gotten him up there. But it was an experience for Jack to be up there six months and—

Q: We all learn from experiences.

Q: You said that you would have been surprised if anything incriminating would have been on the tapes, because if there had they would have destroyed them presumably. So what was your reaction when the tapes came out and all this incriminating stuff was on the tapes?

Saxbe: Well, I was disappointed. I, but at the same time he, so many goofy things were exposed that it made you wonder “who’s thinkin’ these things up?” During the campaign that guy who was going around just raising hell against the Democrats and trying to set traps for ‘em and, you know, that’s college stuff.

Q: Donald Segretti.

Saxbe: And then—

Q: Donald Segretti.

Saxbe: What?

Q: Donald Segretti.

Saxbe: Yeah. That’s not fair. And then, of course, Haldeman and Ehrlichman, my God, I’d kicked them out two years before. They had no knowledge of government operations. And they ran a little clique there in the White House, and they were cooking up schemes all the time, and neglecting their regular duties. And I called ‘em a couple of Nazis at one time because of their arrogance and their determination to prevail at any cost.

Q: Do you see any way President Nixon could have saved his presidency?

Saxbe: Well, I’ve thought about that since I got this [list of questions]. And the only thing that, if he’d have gotten rid of Mitchell, and blamed the whole thing on Mitchell, I think he would have had a chance at least to, I don’t whether it would stick or not, but it could have been a ploy to get, “I didn’t know this was going on. I didn’t know that Mitchell would send these guys up to Watergate.” And of course Mitchell knew nothing about politics and the press, and all that stuff. And, but he, the only way he could have gotten out of it was dumping it on somebody and Nixon, ‘er, Mitchell was a good prospect. But other than that I just can’t imagine how he could avoid this. And of course he could have gotten rid of Haldeman and Ehrlichman several years before when they realized that they were running that White House and doing great mischief.

Q: You said something earlier that reminded me of what Mr. Chester had said about the handling of the House Judiciary Committee. And Mr. Chester had said that if the White House had treated them with more, more with “kid gloves”—

Saxbe: And warmth.

Q: And warmth. And it’s something that you alluded to earlier, that they could have maybe massaged the committee a little bit and not had those resolutions go through.

Saxbe: Well.

Q: Do you think there is substance to that?

Saxbe: Yeah. The only problem is that some of these financial deals, the money that was floating around. Who was it went to jail that, for, collecting this blood money that went out to these rascals that he had—

Q: I think it was Herb Kalmbach.

Saxbe: Who?

Q: Kalmbach? Kalmbach?

Saxbe: No, he was in the White House. I was thinking of, it was secretary of something. He went to penitentiary for a year or so. Anyhow, he had, it was hot money that they were passing out. I think that those kind of things just turned the committee's, "how can I support a guy that does something like this, or tolerates it, or has a cabinet member that's doing this." And—

Q: You're not thinking of Maurice Stans?

Saxbe: No, but it could—

Q: Stans didn't go to jail, though.

Saxbe: Maury could have been part of it. But he had this clique that wanted to campaign and serve just the way he did. And, but, I don't know. I think the House would have come down the same way they did. I don't think he could have exposed those people to support him. And a lot of 'em did it with tears.

Q: What is your view of the legacy of Watergate, and how did it impact on the Justice Department?

Saxbe: Well I'd like to think that I kept the Justice Department far enough away that it didn't get any serious injury. However, Mitchell's behavior, in such a partisan manner that, and I think it was abused, the Justice Department was abused by Bobby Kennedy. And if you're going to run a Justice Department you've got to run it like you're running a court. That nobody's sacred and Mitchell just didn't know much about politics or dealing with people, and so that the Justice Department suffered. And you always get some people in the Justice Department that don't operate the way you think they should, or in any other large organization. You know, with five thousand lawyers and so on you're going to get some bad apples, and so on and so forth. But I think the Justice Department escaped the denunciation that could have been put on it.

Q: As US attorney general you initiated programs that you believed would restore confidence in the Justice establishment after Watergate. Among these programs was a tightening of the procedure leading to the issuance of wiretap authorization, the release of the COINTELPRO

report, and a cutback on the number of wiretaps. Do you think you were successful in helping restore confidence in the Justice Department?

Saxbe: Yeah, I do, because between Hoover and the various attorney generals, except Bobby Kennedy, who had no respect for Hoover, they were running their own little racket. And I think that there were a lot of leaks, they avoided any really tough things, like the mob, and so the Justice Department didn't get the blame that, it could have gotten the blame, because Hoover was running his own show. Most people didn't even know whether the Justice Department even talked to him. And I made the enemy of Hoover when I was running for the Senate. I said there's two people that have served their time and should be out of there and one of them is Hoover and the other one's Hershey, who was running the draft at the time. Like all people that get in Washington, he want to keep it alive. I served in Selective Service for a while, and they had big plans.

Q: Are you comfortable with the recent extension of authorization to the FBI to use wiretaps—

Saxbe: Well.

Q: —or do you think it goes too far?

Saxbe: When Hoover was there, and after Hoover, they had what they called these “black bag jobs.” What it meant was the surreptitious use of wiretaps, and that means that they would invade a property, a room, an apartment, a house, and without any authorization; they would illegally do this. And they would, and they said that they did it on what they liked to call “double agents,” that this is a man or woman who represented another country and also represented, and so they had it both ways.

But what burned me up was the fact that the White House would send over requests, and Hoover would sign 'em, not Hoover but Mitchell, and so the first experience I had when I went over there was I got these requests, and the White House sometimes called up for a surreptitious entry. And I'd say, “well now who signs this? Who signed it?” Because Hoover was signing these. We'd get this message from the White House and I said, “well hell some GS-15 can call up and say, ‘this is the White House calling and we want such and such and such and such.’” I said, “if the White House wants it, I want the President to sign it,” because there was only a dozen or so of these. Well, Nixon, but when the next president came on he thought that was unreasonable because I said, “look, I'm not going to have some GS-15 say, ‘this is the White House calling,’ and everybody comes to attention. I want to know who's calling. And if you want a surreptitious ‘black bag job’ done, I want to know who's gonna sign it.” Well when Ford came in it really burned him up. He wasn't about to sign them. And I said, “okay, if you don't sign 'em you don't get 'em.” And so we reduced them down to practically nothing because it always burned me up that the government was, all they have to do is go in and get an order and the judge doesn't have to disclose what it is, but some other person. I mean you can still do it, that you were doing it under authority of a judge. And you can enter that property and you can put in this, but I had the feeling that these wisecracks over in the White House when they called up why they said, “this is the White House calling.” All at once you'd go to attention. “Who at the White House is calling?” We stopped that.

Q: After September 11, the FBI has been given more authority to use wiretaps, more extension of authorization to use wiretaps. Are you comfortable with that or do you think it goes too far?

Saxbe: If the President signs it that's great. If some GS-15 signs it he can deny it, then your ass is in a sling. And, no, I think that in this kind of emergency it's necessary, especially on double agents. But the idea that they just call up and say, "the White House wants this," and somebody's got to sign that, and the attorney general, Mitchell, I don't know about the other internal, whether Richardson was signing 'em or if somebody was in the Justice Department. It wasn't the White House, they weren't signing 'em from the White House.

Q: I just have a couple more questions, if you don't mind. In your memoirs you discussed the disposition of President Nixon's tapes and documents after he left office. Your opinion was that Nixon's presidential materials were his personal property. Do you agree with the course of action taken—that is the passage of the Presidential [01:15:00, tape 2] Recordings and Materials Preservation Act of 1974 and the transfer of Nixon's presidential materials to the custody of the National Archives?

Saxbe: Well, after they changed the law, that was different. But we had this, we researched it, I didn't like it, but it had been the practice for every previous president, that this was his personal—after they changed the law it was something else—but, and that's why we said that. What amazed me, though, was that they got 'em out in twenty-four hours. They backed the truck up before the ink was dry.

Q: In 1974, former Teamster president James Hoffa sued in US District Court to have the court remove the legal curb barring him from union activity until 1980. Would you care to discuss the case *Hoffa v. Saxbe, et al.*?

Saxbe: Well, Hoffa was scramblin'. He was determined to get back and take over that. And I think you read in the book where Fitzsimmons came in to see me one time, and pulled out a dirty little slip of paper out of his pants pocket and, which he said was Hoffa's writing and his signature, that said that if he was let out of penitentiary that he would not interfere or participate in union activity. I don't know whether it was real or not because it didn't have any effect on me. I thought he was a convicted criminal, and he had to serve his sentence, and that was it.

Q: The Patricia Hearst case was a high profile event during your tenure as US attorney general.

Saxbe: Uh-hmm.

Q: Would you like to comment on your involvement in it?

Saxbe: Well, I wasn't too interested in the case until I saw her picture in a bank robbery with a gun in her hand. And, you know, you can't walk into a bank with a bunch of hoods and, with a gun in your hand threatening people without violating the law. And just because she's Patti Hearst you don't kiss it off. And I said, "she's a common criminal, and we'll get her and we'll convict her," and they did, and she went to jail. So I don't see what the flap was about other than

the fact that her father had a lot of clout on the West Coast and they woulda raised some hell about it. And I was attorney general. When you've got somebody in jail that's in there properly you sure as hell keep 'em there.

Q: You were known for frankness and candor. Would you discuss your relationship with the press during your public life?

Saxbe: Pretty good. Pretty good. I haven't got any complaint. In Washington it's a little different game, you just don't just shoot off your mouth, but I did. But I've always felt that if you've got something to say you don't whisper it. And I made a lot of mistakes; I talked when I should have kept my mouth shut. But if you're going to have a free attitude you're going to have to take that chance. And I got stuck on things that I shouldn't have said, but when you talk as much as I do you're bound to say things that you shouldn't say sometimes.

Q: And one final—

Saxbe: But my press was generally good, especially in Ohio.

Q: And the last question I have for you, sir, if you don't mind is, would you like to discuss your experiences as ambassador to India and other highlights of your career after leaving the Nixon and Ford White Houses?

Saxbe: Well, yeah. I had wanted to go to India, both Dolly and I did, because we'd been there. I first went over there when the White House, I don't who, asked, we had a couple of Senators, I think, to attend representing the United States at the wedding of the Crown Prince of Nepal. Well, I had never heard of Nepal. And so the guy came around tryin' to get somebody that wanted to go, well nobody wanted to go Nepal. And I said, "I'll go." So we packed up and went to Nepal. We had a helluva good time. And we saw a lot of countries, so after that, after I got involved in the Bangladesh deal and, with the Pakistan war on Bangladesh and all of that stuff, I went over there several times, and we learned to like India and like the people. And so when things were not going good with Ford I asked, at that time Moynihan was the ambassador, and he was coming back, and so I asked would, I thought this would be a crowning thing in my career to wind up in, well it was, it was, I didn't want to go there forever but we were there two or three years and enjoyed it thoroughly. It's a fantastic embassy and residence, it, you know, we never dreamed of living in such style. We had eleven household servants and a big limousine and--

I oughta tell you a story about that. You know old Judge Bell, who was attorney general under Carter?

Q: From Georgia.

Saxbe: And, fine old man. Well, we were on a panel together out in San Francisco a couple of years ago. And some wiseacre there said, "Judge, what do you enjoy most about being attorney general?" Judge says, "sir, it's the great big black limousine that comes to get me every morning." But we lived it up over there. And I did some good. Mrs. Gandhi had never been to the residence. And we were friends. And I could talk to her, and she responded. So I felt that,

because she was colder than a, I don't know what, but she did, she even invited us to a family dinner one night and just, she and her two sons and their wives were there, and it was a very personal little food gathering. And I don't think there'd ever been another ambassador in her home.

But anyway then I came back and I had an opportunity to go with some big law firms like Jones-Davis in Cleveland and, national, in Washington. Marlow Cook and I were going to start our own firm, but I found out that his whole concept was being a lobbying firm, well, I was never a very good lobbyist. So that didn't last very long. And then I went with a very prominent Washington firm for several years and, well, I first went with Jack Chester in Columbus. But I wasn't cut out for day-today law practice, and that just didn't work out. And I wasn't that good a lawyer, to tell you the truth, because I had been in political law, and it's a damn sight different than going to court. And so I did that, and I had, came back, practiced here in Mechanicsburg, I got some good retainers, made some money first time in my life, and I enjoyed it.

Then I was approached to take over this Teamster's pension fund. Not to take it over, but to be the enforcer. In other words, to keep 'em out of trouble. Or I went up with the idea "I can keep you out of trouble. I'm not going to tell you how to run this thing, but I am going to tell you how not to run it." Because it had been a [01:25:00, tape 2] mob run outfit. And I'm proud of it. I'm quitting the end of this, of next month, and I've been there twenty years. And there're going into hard times like all pension funds because of the market, but that's something I don't have anything to do with, I don't tell 'em where to invest or how. I just tell 'em the things they can't do.

Transition from President Nixon to President Ford

I expected when he came in that he would get a new Cabinet, and he said, "no, I want you to stay." So I was living it up in Washington, and so we stayed, but he had a very unusual bunch of people that he'd brought from Grand Rapids.

Q: President Ford.

Saxbe: Yeah. And they were so jealous that somebody would be close to Ford, closer than they were, that it was impossible to, so I just quit going to the White House. And when Moynihan came back, I let it be known that I was available if he wanted to get rid of me. And I think he did, but we had no unpleasantness. Hell, I was happy.

Q: Was there a difficult transition period between the Nixon and the Ford Administrations?

Saxbe: Well, the Nixon Administration had died so convincingly that it was just a new game.

Q: New game.

Saxbe: And Ford tried to get along but he was not a powerful man. He was a good legislator and a good honest man, but he had a damn little real personality that he had to sell. He made the worst speeches anybody ever knew. They were full of content if you could keep awake. But he

was a determined man and he was dancin' as fast as he could. But if he had taken more Washington people rather than, his advisers were all from Michigan.

Q: His pardon of Richard Nixon, do you think that was a wise decision at the time?

Saxbe: No.

Q: Do you want to elaborate a little bit?

Saxbe: Well, I was surprised. He should have waited a little while. I mean—

Q: Was there pressure for him to do it then or?

Saxbe: It's like walkin' back from the grave. You don't invite someone to marry you at the grave. But, anyway, it's something he did.

Q: He didn't consult you about it?

Saxbe: No. He didn't talk to me about the draft dodgers, either.

Q: I would think that is something that he would have consulted with you about.

Saxbe: I did, too.

Q: Do you see any reason why? Is it because he relied on his Grand Rapids crowd?

Saxbe: I think so.

Q: Is that what it was? Isn't that always a problem in Washington? When a president comes in he has a tendency to rely on his—

Saxbe: Yeah.

Q: —inner circle. I say that, if you look at Nixon, President Nixon—

Saxbe: Yeah.

Q: —he had Haldeman, Ehrlichman, Mitchell, they were known as the Berlin Wall.

Saxbe: Yeah.

Q: When Carter came in, he brought in his group from Georgia. And he, because he was coming up with a new message, and I guess he felt more safe, more secure with his group of people.

Saxbe: Right.

Q: But by doing that, though, long term it seems like you would be causing yourself political harm by not acknowledging the expertise of people who know the system. Is that a fair statement?

Saxbe: Yeah. I felt that way about it. I was glad to get out of there, though.

Q: You were glad to get out of there.

Saxbe: Well, we wanted to go to India so bad that—

Q: Right. You felt like you accomplished what you wanted to accomplish at the Justice Department.

Saxbe: Yeah. And I didn't agree with him politically because I think I could have gotten Ohio for him, which I was willing to do. Which I was willing to do. He lost Ohio, and then he appointed Levy from Chicago, who didn't know any more about politics than a pig did about Sunday, and he lost Illinois.

Q: Do you think he lost the election because of Watergate and the pardoning of Nixon?

Saxbe: Well, it certainly didn't help him. Nobody questioned that he wasn't an honest man, a little bit slow but, I mean by that plodding.

Q: Right.

Saxbe: But he had good intentions and, but, you know, it's something that you just can't, you've got to be political if you're going to be president. You've got to think about it.

Q: Right. I don't have any questions, I wanted to just get a couple of comments about the Ford Administration, as well.

Saxbe: Well, I was in India practically all the time in the Ford Administration because he just served out his term.

Q: Right.

Saxbe: And it was a couple years. But he should have been reelected and he could have been because he was an honest man, and he was doing the best he could.

Q: Well, he might have won the election had he gotten Ohio.

Saxbe: Yeah. And I couldn't help him, I was in India, and he had nobody in Illinois. I doubt if Levi even voted. But this is the kind of advice he was getting.

Q: Did you think about politics, getting back into politics, after your experiences in India? Did you think about running for office again?

Saxbe: No. No, I was having too good a time. I was making money, and I was spending it.

Q: In looking at the presidency since Nixon, if you look at Nixon, Ford, Carter, Reagan, Bush, do you think the presidency has been strengthened or weakened, or does it depend on the individual who sits in that office?

Saxbe: I think it's diminished. Although I thought George Bush, and I think this George Bush is trying. And they are, you know, what you have to have to be a good president is the trust of the people, that they think you are an honorable man. And this is why I thought Ford didn't get out that, and yet he was an honorable man. Carter never impressed people as being very serious about the whole thing. And certainly some of the others, I think, particularly that Clinton didn't add to the honor of the office. And yet, but maybe the requirement scale has gone down a little bit. Maybe they don't expect as much. But it's a tremendous job. And the biggest obstacle is to surround yourself with competent people that you trust. And I'll never understand why Nixon didn't do that. How could you trust a guy like Haldeman and Ehrlichman to, they'd have been all right to run errands, but as far as politics and dealing with the public, that was—

Q: See, I don't understand that either because, you know, Nixon, I look at Nixon as being politically astute. I know that could be challenged by a host of individuals. And I guess I was surprised that he would bring in someone like Haldeman, who basically ran an advertisement business, who had no prior political skill.

Saxbe: And his only experience was in college politics.

Q: So why is it that Nixon would surround himself with people like Haldeman and Ehrlichman and John Dean. What do you think about John Dean?

Saxbe: A lightweight.

Q: A lightweight? Was he right to testify?

Saxbe: You know, he had some good people that were corrupted there, like Krogh and people like that, and people that could have turned into strong people, but he never, ever, he let Haldeman and Ehrlichman dominate 'em and—

Q: So you don't think Watergate did any lasting damage to the institution of the presidency?

Saxbe: Oh, I don't know. The, we're, we bruise easy but we heal quick, and I think our problems are not based on that at all, I think our problems are bigger and new. And I think Vietnam was the most terrible thing that ever happened to us, and the respect for government.

Q: Speaking of Vietnam, there are some who believe that in order to understand Watergate, understand Nixon's downfall, you have to look at the period. They believe that Nixon was a war

president, he was under [02:15:00, tape 3] siege by his critics, that he was being savaged by the media, that he had few if any friends in Washington, and that led to, I don't know if paranoia is the right word or not but he was—

Saxbe: Well, I think that, what you're saying would apply more to Johnson—

Q: Okay.

Saxbe: —than to Nixon.

Q: Okay.

Saxbe: But, because he left in disgrace and he should've. And he was so involved in that and I'll never know why he did it. I was on the executive committee of the attorney generals' association, the state attorney generals, and we went up to see him one time. And we had some problems, we thought we did, as to Federal-state relationships and so on. And Christ, for thirty minutes he gave us a sales talk on Vietnam, how we were winnin'. And I, the guy was so hooked on this, that that's all he lived for. "We're gonna win, we're gonna' beat those bastards." And it was a tragedy, really.

Q: President Nixon did justify a lot of what he—

Saxbe: Yeah.

Q: —what we did in terms of national security. That the instructions he gave on the tapes were a result of his interest in national security. Of course as we later learned, it was actually politics more than anything else. But as Karl has mentioned, you know, a lot of people will say that, justify his decisions in terms of being a war time president. Do you think there's merit to that?

Saxbe: You can judge people a lot by the people that they surround themselves with.

Q: I agree. [unint.] so critical.

Saxbe: And when you look at this bunch that he surrounded him--, he had some good people there. I thought Haig was a good man, but Haig was also just typical army opportunist. And, but we'll never understand all of it.

Q: Well, you know, there's still controversy about why the break-in even occurred. I mean, you look at, you read history accounts, watch television, and so forth, you still don't have the main reason.

Saxbe: Well, it's so stupid that, you know, that there's no way that you can handle it. You know, it's like a crazy guy would do this. And I think that it was Mitchell's idea. I think that's where the thing started and stopped but, God, send those guys around with a roll of tape and what do you expect to find? And—

Q: Exactly.

Saxbe: It's just so stupid that there's no way that you can rationalize it. But other things, too, that Nixon did, and Haldeman and Ehrlichman might have been in that deal, but they were gone about that time. So the only one I can think to blame it on was Mitchell and—

Q: Was that the perception in the Justice Department that, you know, when people gathered around water coolers, that this was Mitchell's doing?

Saxbe: Not too much.

Q: Not too much?

Saxbe: Not too much. I don't think he was, I don't think he interceded very much. I think that he was there four years, you know, and he just found a comfortable home, and he liked the social life in Washington, and he let the Justice Department run itself. You can't think of one thing that he did that was for the improvement of the country.

And we went to a dinner party one time at the Cincinnati, you know, where the Society of—

Q: Society of Cincinnati, yeah.

Saxbe: We were at a dinner party there one time and, we were seated there. And I had tackled him for something, and he said, Dolly was seated next us, I was Senator at the time, and Nixon [sic] said to Dolly, "you know, your husband's a real son of a bitch." And Dolly said, "well, he speaks well of you, too."

Q: That sounds like Winston Churchill and Lady Ulster.

Saxbe: Yeah.

Q: That conversation.

Saxbe: Yeah. And Martha was a character. We used to see her at parties. And I was an air inspector, and I flew up to this little town in Arkansas. And they had a crew of six people, I was not the boss of the crew, I was their pilot and also an assistant. But I was the only one that was a pilot. We flew up there and we were staying at a little hotel and this big deal in town, there was a camp there, I can't even think of the name of the camp. There was a camp there, and there was a USO, it was the only action in town. So [unint.] little town. So I went over, the six of us, I think there were six of us in this group. We went over to the USO. They had a dance and they had some girls from, local girls there, we were dancing. And I danced with this gal and a couple of others and we had a good time. And you know, when I got to, when we were in Washington, we showed up at this deal and here was this gal, she was Mitchell's wife. And she was from this little town, so I said, "I remember you," and so and so, "and I danced with you." And she said, "you must be mistaken because," but I said, "well, aren't you from Barnesville?" or something like that. "Yes, but I never went to those dances." I don't know why, but, anyway she was, you

know, she was drinking pretty good in those days. She was quite a character around town. And so, Martha Mitchell.

Q: Okay. Well, if you don't have any further comments you'd like to make, and you don't have any more questions you'd like to—

Saxbe: Well I've got a lot, but I can't think of them.

Q: Oh.

Q: Well, we all want to thank you very much for—

Saxbe: Well, I just want to tell you, though, that I have had an interesting life. I've done what I wanted to do. And if it hadn't been for the army and the legislature I'd probably be here selling cattle today rather than talking about the world. But Dolly and I have been married sixty-two years and it's—

Q: You've seen the elephant.

Saxbe: Yep.

Q: Well, thank you again for your time this morning.

Saxbe: You know where it comes from, or did you?

Q: I saw it in your book, it was from the Oxford English Dictionary.

Saxbe: Well, it probably goes back a long ways, but after the Civil War when a guy had survived a battle and come back why he would say, "I've seen the elephant." Maybe Hannibal—

Q: Well, thank you again for your time this morning, Mr. Saxbe.

Q: Thank you.

Saxbe: Okay.

