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## No Way to Pick a Judge

Talk about cozy. As a member of the New York State Assembly, George Friedman sponsored a bill this summer creating a new state Supreme Court judgeship in the Bronx. Wearing a second hat as chairman of the regular Bronx Democratic Party organization, Mr. Friedman helped orchestrate the party's judicial convention, which met last week to nominate candidates for that new judgeship and two others at stake in the Bronx this November.

Now, guess who is going to be a judge? None other than Mr. Friedman. The convention, controlled by party leaders, chose him for one of the three coveted openings, virtually insuring his election in the overwhelmingly Democratic borough.

In terms of experience, temperament and political independence, there might well be better choices for the state's highest trial court than Mr. Friedman. As is often the case under New York's system of judicial elections, however, his ascension

to the bench is part of a larger political deal. This one cleared the way for Bronx Borough President Fernando Ferrer to install his own hand-picked candidate, Assemblyman Roberto Ramirez, as the new party chairman, succeeding Mr. Friedman.

Mr. Friedman, not incidentally, conveniently kept his judicial ambitions in check until after his name was already on the ballot for re-election to the Assembly. The timing means that party insiders — not voters — will now get to choose his replacement, in effect choosing the next assemblyman.

Like Representative José Serrano, who waged a losing race for the party chairmanship, Mr. Ferrer and Mr. Ramirez now pledge to democratize the party and introduce a merit screening process that would, presumably, place a higher value on important judgeships, which are too often treated as golden parachutes for party loyalists. Too bad they did not think of that sooner.

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## After the Primaries *New York's Mystery General*

\* What, exactly, does the New York State Attorney General do? What should the job be?

In the end, Karen Burstein's victory in Tuesday's Democratic primary probably turned less on her answers to these questions than on her appealing manner and the usual political demographics of geography, sex and ethnicity. Money, for a change, was not the deciding factor. Ms. Burstein, a former state legislator, commissioner and judge, lagged far behind her opponents in campaign spending and fund-raising.

The general election race now pits Ms. Burstein against Dennis Vacco, a former U.S. Attorney in Buffalo. Voters can only hope that the campaign will go beyond the posturing on crime-fighting that dominated much of the primary, to discuss some of the fundamentals of the office.

Like two of Ms. Burstein's primary opponents — Charles Hynes, the Brooklyn District Attorney, and Eliot Spitzer, a former Manhattan prosecutor — Mr. Vacco argues that the office should be more concerned with criminal law enforcement. He is

trying to cast the election as a choice between a Republican concerned with citizens' safety and a Democratic "social engineer."

Ms. Burstein, meanwhile, promises a "crusade" against domestic violence and raises questions about Mr. Vacco's law-and-order credentials on the issues of gun control and protecting abortion clinics from violent protesters.

All well and good. But some of the more basic aspects of the job warrant at least as much attention. The Attorney General, as Ms. Burstein has pointed out, is not a district attorney. Who can run a huge legal shop responsibly and who would do the best job of recruiting talented professionals?

Beyond any proposed new dimensions in crime-fighting, the voters need to know how the candidates intend to handle the job's meat-and-potatoes work of defending the state against legal actions, and how they would use the Attorney General's considerable authority to bring lawsuits in the areas of consumer fraud, antitrust violations, price-fixing, civil rights, labor law, and the environment.

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