

In his televised press conference night before last, James D. St. Clair, President Nixon's defense attorney, stressed the necessity of considering the "totality" of evidence in adjudging Mr. Nixon's liability to impeachment.

Mr. St. Clair was referring specifically to phrases employed by the President in Watergate-related conversations that—assuming words to mean what they normally mean in informal English speech—could only appear to be highly incriminating to any impartial observer.

But no, said the President's lawyer, the words are not to be understood by their apparent meaning; they have sense only in the whole context, in the entire "totality" of negthy conversations. This is supreme irony.

Mr. St. Clair can hardly be unaware that both the House Judiciary Committee and Special Prosecutor Leon Jaworski have been vainly making every conceivable effort to obtain from the President the tapes of his many conversations on Watergate, precisely in order to have the total picture of the President's involvement. This is the very issue that is now about to be judged by the Supreme Court of the United States.

It is insulting to the intelligence of the public, and more particularly of the members of Congress, for Mr. St. Clair to speak pious platitudes about the need to view the President's statements in "totality" and at the same time to fight with every means at his disposal to prevent the agencies of the public and of the Congress from acquiring the only material that can truthfully and accurately represent that totality.

Not only is the President, via the instrumentality of his defense lawyer, doing his utmost to limit Congressional knowledge of his Watergate conversations but he has even stooped to offering imperfect, incomplete and/or highly misleading transcripts of those he has supplied. It is transparent effrontery then to say that Congress may not judge fairly because the sentences or paragraphs are taken out of context or are less than total.

Mr. St. Clair's stress on "totality" was ironic in another sense as well. Far from attempting to deal with the entire broad spectrum of alleged crimes and violations of the Constitution with which his client has been charged, he has struggled to focus attention almost exclusively on the President's involvement in the payment of funds to one of the Watergate conspirators, E. Howard Hunt. Mr. St. Clair almost seems to be saying that if Mr. Nixon did not agree to blackmail in this instance, then he is innocent and the case for impeachment dissolves into thin air.

On this vital issue—the vital issue of impeachment—the President's defense counsel seems to be uninterested in "totality." For it is the totality of the Watergate picture that is so essential for the Congress to consider as it ponders the awesome task now before it.

The President of the United States is not under Congressional scrutiny for any one alleged crime or misdemeanor—and all the dexterity of the shrewdest legal counsel cannot make it so, or even appear to be so.

The President of the United States is now before the bar of public opinion, and the Judiciary Committee of the House of Representatives is considering articles of impeachment against him, because of the totality of his alleged malfeasance in office—ranging from specific alleged crimes, including obstruction of justice, all the way to violation of the limits set upon his powers by the Constitution of the United States in such phrases as the injunction to "preserve, protect and defend the Constitution" and to "take care that the laws be faithfully executed"—which, God knows, they have not been during the Presidency of Richard M. Nixon.