

A Courageous Judge Shields the Press

WE THINK Federal District Judge Charles R. Richey of Washington, D.C., showed very good discrimination in quashing the 11 subpoenas served by the Committee for the Re-election of the President on reporters and editors involved in covering the Watergate case. He thereby saved the Nixon Administration from an unnecessary confrontation not only with the Washington Post, the Washington Star-News, the New York Times and Time magazine, but with the First Amendment as well.

Lawyers for the Re-election Committee had sought to force the journalists to disgorge all their notes, tapes, story drafts and other documents dealing with Watergate. The judge said this raised a First Amendment question of the "first magnitude" and he stood convinced that to allow the discouragement of investigative reporting into high levels of government would raise public suspicions that no amount of legal theorizing could allay — and he's right on that. Furthermore, the Re-election Committee had made no showing that justice would suffer if it didn't get the reporters' unpublished materials.

COMPLETED CRIMINAL trials have resulted in several convictions for bugging and burglary at the Watergate. It might have been supposed that that result was vindication enough for the Democratic National Committee, which as the victim of those crimes can't conceivably have been as much damaged as the Republican perpetrators damaged themselves. But no, the Democrats have pursued a suit for civil damages of \$3.2 million and the Republicans have countersued the Democrats for \$7.5 million, and inevitably we look on both suits with skepticism. Thanks to a courageous judge, however, we can hope for a resolution of this quarrel without further molesting of the press in its lawful, sensitive and often confidential work of political fact-finding.