

IN COMMENTING on the indictments of his former top officials and campaign executives which were handed down yesterday by the Watergate grand jury, President Nixon made three points that are indisputably true. Via his deputy press secretary, Gerald Warren, the President expressed his hope that the trials would "move quickly to a just conclusion," observed that the "judicial system is the proper forum for the resolution of the questions concerning Watergate," and reminded the public that "those indicted are presumed innocent unless proof of guilt is established in the courts." To the extent that we are talking strictly about the individual rights of individual persons accused of individual crimes, he has offered sound and relevant advice.

But to the extent that we are also inevitably talking about a collective enterprise conducted under the auspices of the government and ultimately aimed at deforming its processes of justice, it is idle to suppose that the grand jury's action will not be taken as a profoundly disturbing commentary on the manner in which Mr. Nixon's government discharged its public trust. It is not necessary to prejudge the guilt of any of these particular men, for example, to conclude from the evidence of one's senses that there was indeed an effort to cover up the extent of administration involvement with the Watergate burglars. Nor is it improper or presumptuous to conclude from the conflicts in sworn testimony which are enumerated in the indictments that fraud and deception have occurred on a large scale. With respect to the seven men indicted yesterday, the adjudication of the specific charges must now be left to the courts. It would be good for everyone involved—including the American public—if those questions could be speedily resolved after so protracted a delay.

It is self-evident, however, that the court action deriving from these indictments will resolve only a handful of the questions that have been raised in connection with that saga of scandals known as Watergate. And that is not merely because these indictments are the product of only one of five separate investigations into

separate aspects of the case or because indictments may be forthcoming shortly in relation to the activities of the "plumbers," the milk case and so forth. The point is that none of these court actions can settle the large, pervasive and unresolved questions of Mr. Nixon's own role and responsibility that have been raised over the past 20 months. It is important to remember that the question of Mr. Nixon's involvement was not even addressed in the indictments made public yesterday and that this cannot be taken, by itself, as evidence one way or the other. On the contrary, the Special Prosecutor has apparently chosen not to challenge the argument of Mr. Nixon's lawyers that a President must be impeached before he can be subjected to criminal prosecution. Whether, and to what extent, the grand jury may have reached its own conclusions concerning the President cannot be firmly established from its public actions yesterday, or even from the fact that it submitted sealed material to Judge Sirica.

What we are left with, then, with respect to the President, is an impeachment process under way in the House and a strong presumption that Judge Sirica has in hand some material which bears in some fashion on the role and conduct of the President. What seems to be missing, however, is a clear sense of what the next step is. A great deal rides on what it is that Judge Sirica finds in the sealed material and what he determines to be the proper use for it. But the speediest possible resolution of the larger Watergate case, in its totality, also depends to a large degree on the President's genuine willingness to cooperate with that tribunal which he himself insists has exclusive jurisdiction in his case, namely the investigation now going forward in the House Judiciary Committee. It would be a mockery of his White House statement yesterday, and a revealing comment on it, if the President, having urged expeditious resolution of charges levelled against others, were to continue to impede the investigation into his own activities.