

## A New Defiance

The latest White House strategy in the Watergate debacle is an act of defiance of Congress, the courts and public opinion that almost rivals the "Saturday night massacre" of last October in its audacity and desperation.

Last October, the President fired Archibald Cox, whom he had promised a free hand as special prosecutor. Mr. Nixon tried to evade the clear command of the courts that had ordered him to produce nine tapes; instead he offered edited transcripts to be verified by Senator Stennis of Mississippi. To the public, this ingenious arrangement was depicted as a reasonable compromise between the needs of the grand jury and the "principle of confidentiality" protecting the Presidency. Back of it all, there was the firm determination to confine the office of the special prosecutor and block its access to additional evidence from the White House in the ever-widening series of scandals.

The events of this week replay the same script. In place of the tapes subpoenaed by the House Judiciary Committee, the President has again offered edited transcripts. In place of verification by Senator Stennis, the President proposes that the chairman and the ranking minority member check the tapes, unaided by legal counsel.

Once again, this self-serving maneuver is presented to the public as a fair compromise. There is an accompanying symphony of statements from Presidential aides and political allies describing the President's carefully controlled disclosures as "massive . . . compelling . . . persuasive . . . forthcoming." Back of it all, however, there is the same hard determination to tie the hands of the special prosecutor and block his access and that of the House committee to any additional White House evidence.

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James D. St. Clair, special counsel to the President, has made the White House's purpose unmistakably clear. In addition to the subpoenaed tapes for which the President supplied only edited transcripts, the Judiciary Committee is seeking tapes of another 142 conversations covering not only the Watergate obstruction of justice but also the I.T.T. antitrust case and the milk price case.

Mr. St. Clair indicated that the committee would not receive these tapes and ought to drop the I.T.T. and milk cases. At the same time, Mr. St. Clair moved in Federal court to quash the subpoena of the special prosecutor for 64 tapes, some of which overlap those sought by the House committee. This complex legal dispute, like the one last year involving Mr. Cox and the nine original tapes, could be appealed to the higher courts and take many months to resolve.

In the October crisis, Senators Ervin and Baker, as well as Mr. Stennis, initially lent themselves to the White House maneuver, but quickly backed away when they realized they were being used and that public reaction was decidedly adverse. The Republican members of the House committee, with the exception of Representative Cohen of Maine, unwisely voted against the committee's letter pointing out that the President is not in compliance with the subpoena. In doing so, they have bestowed a flickering half-light to the White House show of candor.

But as they study the damaging material in these transcripts as well as the mystifying excisions, they are not likely to be satisfied for long. No conscientious member of Congress could justify to the public a vote on the subject of impeachment if he had not heard and examined the complete evidence on the Watergate cover-up as well as any other evidence that may exist in White House files concerning the grave charges against the President.