

The President's

Now that the latest national public opinion polls show that 73 per cent of American citizens believe Mr. Nixon is guilty of Watergate involvement, it is logical to assume that the White House, if it is consistent, will next assert that the President can't get a fair hearing anywhere in the country.

So far, the Chief Executive's spokesmen have contended only that the President could not get justice in the District of Columbia on the grounds that most Washingtonians, as shown in the last presidential election, did not vote for him. But now that the whole nation is anti-Nixon, what is to be done? Will the White House demand a change of venue to some friendly country like Russia, Egypt or China?

Mr. Nixon apparently feels he can't put his trust in the Constitution, the Supreme Court, the Congress, the special prosecutor or even the federal grand jury that recently named him an indicted co-conspirator in the Watergate coverup.

It is a noteworthy grand jury by any standard. Chosen by a computer to insure a fair cross section of the community, the 23 members have conscientiously—and at great personal sacrifice—given a good part of the last two years to the Watergate case. Their conduct has been impeccable; not even a leak or minor indiscretion in all those grueling months.

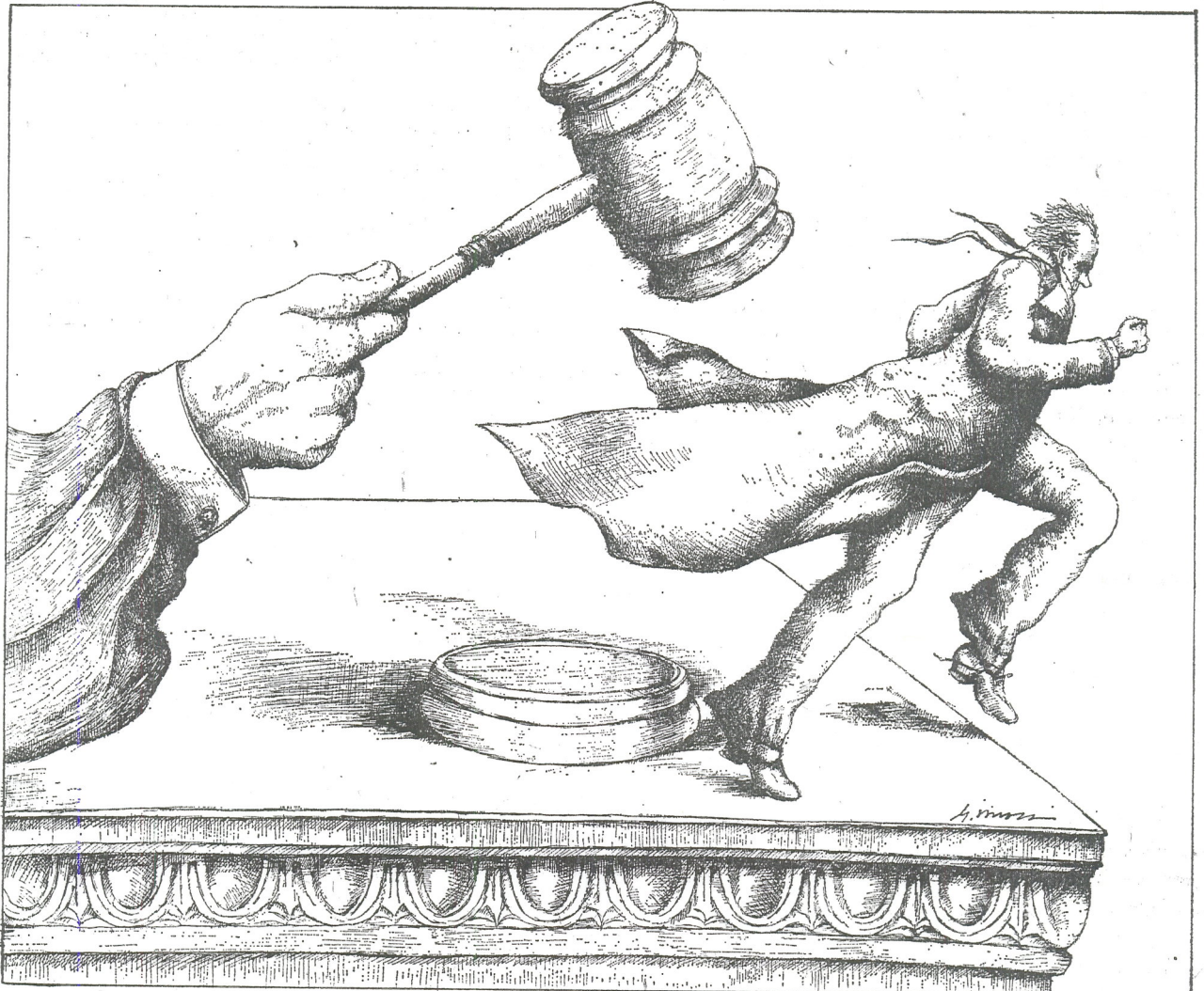
The greatest testimonial to their fairness and judgment is that all those indicted whose cases have been settled have either pleaded guilty or been convicted. Not even the White House had any criticism of the grand jury until it became known that it had unanimously named Mr. Nixon a co-conspirator, after being prevented from indicting him outright.

Since then, the jury has got a double blast from James St. Clair, the President's chief defense lawyer, and from Patrick Buchanan, a White House propagandist who specialized in attacking other Watergate investigators before turning his attention to the grand jury.

St. Clair's complaint is that the evidence presented to the grand jury did not justify naming the President a co-conspirator. Since grand jury proceedings are supposedly secret, how does St. Clair know this? Buchanan's attack is not legal—just snide.

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Quest for a 'Fair Hearing'



By Geoffrey Moss

The jury, he says, was largely composed of Democrats and blacks. The insinuation is that American citizens, even in the jury box, cannot rise above their prejudices. If that were true, it would be the end of criminal justice in the United States, but, fortunately, juries in every part of the country have consistently proved in recent years that even the most notorious defendants—Black Panthers, assassins, draft-file burners—can get a fair trial.

Well, there is no great mystery about the White House strategy. It is preparing the way, in the final showdown, for the great apostle of law and order to put himself above the law. Why else would he refuse to say whether he will obey the Supreme Court if it rules that he must turn over

the White House tapes to Leon Jaworski, the special prosecutor?

This is something the House Judiciary Committee should no longer leave up in the air. Both Congress and the public have a right to know at once—before the high court begins its deliberations—whether Mr. Nixon reserves the right to flout the court if it goes against him. No other citizen claims that right.

The president of the American Bar Assn., Chesterfield Smith, says he is "shocked" that Mr. Nixon hasn't clearly stated that, "Yes, I am subject to the rule of law. I'm not king. I'm only a man elected by the people, and, when the Supreme Court decides that I have to do something, certainly I'm going to do it."

It is astonishing, as The New York Post notes, "that so few members of the Judiciary Committee have seemed unable or unwilling to recognize that, on this issue alone, Nixon is expressing audacious contempt for our constitutional system, and proclaiming that his powers place him beyond the rule of law."

The nation's leading authority on impeachment, Prof. Raoul Berger, put it even more bluntly. He says, "If the House was half as tough in asserting the undoubted rights given it by the Constitution as the President is in asserting his chimerical rights, this battle would be won." Right on.

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