

Impeachment: 'The Issue Must Not Be Evaded'

"Those who expect to reap the blessings of freedom," wrote Tom Paine, "must undergo like men the fatigue of supporting it."

In the affairs of a nation founded on the premise that its citizens possess certain "inalienable" rights, there comes a time when those rights must be defended against creeping authoritarianism. Liberty and authority exist

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in eternal stress like the seashore and the sea. Executive authority is forever hungry; it is its nature to expand and usurp.

To protect against that tendency, which is as old as history, the framers of our Constitution established three co-equal branches of government. In October 1973, we have come to the hour when that arrangement must be called upon to perform its function. Unless the Executive is brought into balance, the other two branches will

hardly qualified to move up; the administration is beleaguered by scandal and criminal charges; public confidence is at low tide; partisan politics for 1976 are in everyone's mind; and the impeachment process is feared as likely to be long and divisive and possibly paralyzing. Under the circumstances, hesitancy and ambivalence are natural.

Yet the House must not evade the issue, for now as never before it is the hinge of our political fate. The combined forces of Congress and the judiciary are needed to curb the Executive because the Executive has the advantage of controlling all the agencies of government—including the military. The last should not be an unthinkable thought. The habit of authoritarianism, which the President has found so suitable, will slowly but surely draw a ruler, if cornered, to final dependence on the Army. That instinct already moved Mr. Nixon to call out the FBI to impound the evidence.

I do not believe the dangers and difficulties of the situation should keep Congress from the test. Certainly the situation in the Middle East is full of perils, including some probably unfore-

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By Margaret Thomas—The Washington Post

The House committee where impeachment resolutions would first be considered.

dwindle into useless appendages. The judiciary has done its part; by defying it the President brought on the crisis. The fact that he reversed himself does not alter the fact that he tried, just as the fact that he reneged on the domestic surveillance plan of 1970—a fundamental invasion of the Bill of Rights—does not cancel the fact that he earlier authorized it, nor does withdrawing from Cambodia cancel the fact of lying to the public about American intervention.

The cause for impeachment remains, because President Nixon cannot change—and the American people cannot afford—the habit of illegality and abuse of executive power which has been normal to him. Responsibility for the outcome now rests upon the House of Representatives which the framers entrusted with the duty of initiating the corrective process. If it does not bring the abuse of executive power to account, it will have laid a precedent of acquiescence—what the lawyers call constructive condonement—that will end by destroying the political system whose two hundredth birthday we are about to celebrate.

No group ever faced a more difficult task at a more delicate moment. We are in the midst of international crisis; we have no Vice President; his nominated successor is suddenly seen, in the shadow of an empty presidency, as

seen. But I doubt if the Russians would seize the opportunity to jump us, should we become embroiled in impeachment. Not that I have much faith in nations learning from history; what they do learn is the lesson of the last war. To a would-be aggressor, the lesson of both world wars is not to count on the theory held by the Germans and Japanese that the United States, as a great lumbering mush-minded degenerate democracy, would be unable to mobilize itself in time to prevent their victory. I am sure this lesson is studiously taught in Russian General Staff courses.

Nor should we be paralyzed by fear of exacerbating divisions within this country. We are divided anyway and always have been as any independently minded people should be. Talk of unity is a pious fraud and a politician's cliché. No people worth its salt is politically united. A nation in consensus is a nation ready for the grave.

Moreover, I think we can forego a long and malignant trial by the Senate. Once the House votes to impeach, that will be enough. Mr. Nixon, I believe, will resign rather than face an investigation and trial that he cannot stop. If the House can accomplish this, it will have vindicated the trust of the founders and made plain to every potential President that there are limits he may not exceed.