

Impeachment Hearings Should Be Televised

It does, indeed, seem that, as Rep. John Anderson, the Illinois Republican, has put it, we are "approaching the final denouement in the drama" generically called Watergate. Even the most sanguine supporters of President Nixon now seem to feel that the House of Representatives cannot escape a floor vote for the first time since 1868 on whether or not to impeach a President.

It is imperative, it seems to me, that the manner in which this is done be convincing to the public. When it is all over we must come out of the depressing experience with a feeling that justice has been done, that right triumphed over wrong. We must leave no ground for future revisionist historians to plow; we must offer no reason for some new conspiracy of history thesis.

This applies to the proceedings in the House Judiciary Committee, to the debate on the House floor. It applies as well, assuming the House does vote a bill of impeachment, to the trial by the Senate with the Chief Justice presiding, as the Constitution provides. Perhaps the House will not vote a bill of impeachment. Perhaps, if it does vote a bill, the Senate will find the necessary two-thirds vote to convict; perhaps, as in the case of Andrew Johnson, it will fail to do so. No matter. The principle of full disclosure applies in any and all of the possible contingencies, including up to the moment Mr. Nixon resigns, if he should at some point do that.

In the past year of "wallowing in Watergate," the public has been flooded with leaks, with stories quoting only "sources." This kind of reporting was necessary, indeed unavoidable, to bring the issue to its present state. But the time for that is about over, if not completely over. What comes next is not a trial in the courtroom sense but it approaches that. If the impeachment proceedings are not to be put down as simply a piece of politics, what is done must be done in the open where evidence is presented and cited by persons all of us can see and hear.

One of the many virtues of the televising of the Senate Watergate Committee hearings was the civics lesson for us all on the meaning of the Constitution. This was the only way, far preferable to the written word, to drive home to millions the conduct of public servants in shading or violating our fundamental law. Why should not the same thing apply to the impeachment proceedings, beginning in the House Judiciary Committee?

The constitutional requirements for impeachment and trial are couched in legal terminology, but it is far more than a legal matter. Vice President Ford may regret having once said that an impeachable offense is "whatever a majority of the House of Representatives considers it to be at a given moment," but there is a major element of

confidence endanger the indictments out if the public is to accept the House votes.

Jaworski is worried lest a breach of Judge John Sirica could release him from the restraints he now feels. However this turns out, I do not see how the House committee can vote impeachment, much less the House as a whole, without letting the rest of us know not just the grounds but the evidence behind them. Confidentiality for a time, perhaps even on some specific items, may be defensible, but in the end the truth will have to come he expects to see handed down against Watergate figures, and the subsequent trials. That is a peril. But I hold with those who have said that it is far more important to get at the truth, especially at the truth of President Nixon's own involvement, than to put lesser men in jail. And this is not just a matter of fixing responsibility for the Watergate and related crimes. We are talking of whether or not Mr. Nixon shall remain as President.

In short, I am pleading for the widest kind of public knowledge of what the prosecutor and the House committee know, or will know. The House, the body charged by the Con-

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stitution with bringing an impeachment, has an obligation to share with us all that leads its members to vote for or against impeachment. Certainly, if it comes to a House floor debate and vote, the proceedings should be on live television. We are entitled to judge the judges as well as the accused in this extraordinary affair.

And if the House votes a bill of impeachment, the Senate surely must allow live televising of the trial it then would conduct. Both House and Senate proceedings will be open to the writing press but in the TV age, that is not enough, just as the Watergate Committee would have been derelict if it had banned the cameras. Few can get in the doors; few papers will print verbatim accounts.

The United States is going through a national catharsis unlike anything since Andrew Johnson's impeachment. It is painful; it is humiliating, in a sense; in another sense it is also healthy. In any case, it now is inescapable. Purgatives always are thus. Only when the body politic is known to be fully cleansed can we get on with the business of government.

One must allow for the possibility that Mr. Nixon will radically change course and tell all. But, after so many false starts, that seems a receding—probably a remote—possibility. He has defined his burden, which is to prove his own contention that "I am not a crook." Otherwise, the denouement in the House and Senate is inexorably ahead for us as well as for him. Slowly over the months the truth has been emerging. But we do not have it all. Now that the constitutional measure of what constitutes presidential tyranny and crime is about to be so solemnly tested we must have it all—and in the most public fashion.

truth in his statement. There is a great deal of argument as to whether a finding of an indictable offense is necessary to justify impeachment. All these questions need clearing up in the public mind if the result is to be widely accepted. How better to do so than by public televised hearings?

It is true that Watergate prosecutor Leon Jaworski has said that he is bound by procedures of confidence from giving the House committee, in public, material he has put before the grand jury. He has suggested it might be given in confidence if he could be sure it would not leak into the press. But it also has been suggested that