

By Anthony Lewis

An admirer of President Nixon, sickened by Watergate but still opposed to impeachment, explained the other day: "Why bother impeaching him? He has been punished enough by what has happened, and that will be an example to future Presidents. It is better to stop now."

If the person of Richard Nixon were the issue, that argument would be persuasive. There is no great purpose in merely pursuing him into further disgrace. History will record him for what he is.

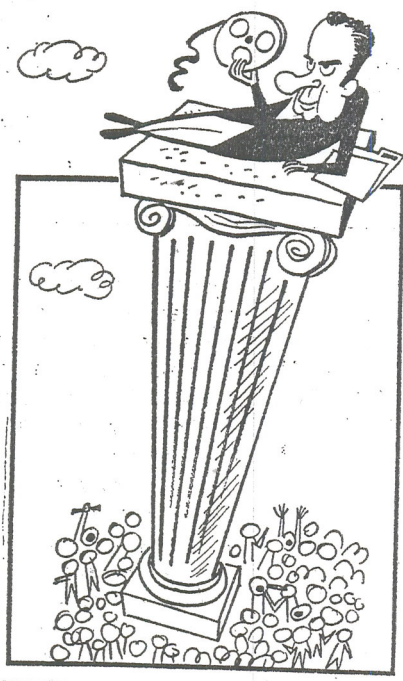
But the issue that faces Congress is not Mr. Nixon. The process that finally reaches the stage of judgment in the House Judiciary Committee this week will decide what kind of government Americans are going to have, two centuries after winning independence. It will decide what kind of country we are.

That large sense of what is at stake is irresistibly conveyed in the Articles of Impeachment proposed by the committee counsel, John Doar, and the supporting findings. Even after all the disclosures of the last two years, the list of things done by this President and his men is awesome.

Obstruction of justice, subornation of perjury, burglary, interference with the judicial process, illegal wiretapping for political ends, destruction of evidence, use of the tax system to punish enemies, misuse of police and intelligence agencies, tax fraud, contempt of Congress: Those are some of the wrongs committed—all, as the draft resolution says, "to the manifest injury of the confidence of the nation and the great prejudice of the cause of law and justice."

That those things happened is not really in doubt. The question is what Congress should do about them—do to prevent them from happening again. Some Congressional Republicans, reluctant to impeach, are evidently trying to convince themselves that there is some method short of

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impeachment. Representative David W. Dennis of Indiana said, "We really ought to be thinking about some remedial legislation."

But the remedy already exists. It was written into the Constitution. Failure to use it now would necessarily appear to a degree as a condoning of what has happened. If a future President were lawless, would he be put off by the history of a predecessor who survived disclosure of such wrongdoing? Or would he be tempted to think that he could be more effective in the abuse of power?

In maintaining law and order in society, deterrence is a crucial factor. The potential criminal is most effectively deterred by the sense that punishment is likely to be swift and sure. It would not be much of a deterrent if judge or jury refused to enforce

existing laws and suggested that others be passed.

But Mr. Nixon's final argument is that impeachment would weaken the Presidency—would leave future Presidents "afraid to make unpopular decisions," as he put it. But the Articles proposed to the House committee by its counsel deal not with Mr. Nixon's policy decisions but with his illegal methods and abuses of trust. The institution of the Presidency would hardly be weakened by cleansing it of the corruptions that have sapped public confidence.

It is not just the character of the Presidency that these next weeks will define. It is our own character as a people: our values, our sense of legitimacy, our trust.

Will that special American reverence for the law survive? Will our wounded respect for institutions be revived, or will we become an altogether cynical people? Will we believe again in the possibility of leadership—believe that our constitutional system can work?

Those are some of the larger questions that may be profoundly affected by the course of impeachment. Underlying them all is the idea of moral responsibility.

"I will not place the blame on subordinates. . . ." the President said in his Watergate speech of April 30, 1973. "The man at the top must bear the responsibility." Yet now the man whose personal and political staff was ripe with criminality, the man in whose name this country's most pervasive political crimes were committed, says that somehow it had nothing to do with him. Is that to be our standard of responsibility?

Standards are the issue in the end—legal and moral, national and personal. As the House committee heard John Doar last week, a Nixon supporter waiting outside said: "We elected him President and he has the right to use his judgment on what he should break into." Congress will decide whether that is the kind of country we are to be.