

William Raspberry

The President Should Be Impeached

Richard Nixon won't be impeached; the Congress hasn't the heart for it. You keep hearing that all over town.

Say it often enough, and with enough off-handed matter-of-factness, and it stops being speculation and becomes fact. If that happens, forget all the talk about the lessons of Watergate, the preservation of the institution of the presidency and all the rest of the pieties. If Richard Nixon is not impeached, the House of Representatives will have been guilty of gross dereliction.

The man ought to be impeached. The facts positively demand it.

Impeachment, it should no longer be necessary to point out, is not the same as removal from office. Impeachment is not a finding of guilt. Impeachment is an indictment, an accusation, a statement that something illegal appears to have happened and that there is reason to suspect the President was involved. The House impeaches and the Senate tries and judges the case. That is what the Constitution provides, and that is what is screaming to be done now.

And what would the President be charged with? There is such an abundance of possibilities—not counting frivolous, nuisance charges—one hardly knows where to begin.

There are enough inconsistencies in the White House's own accounting of the purchase of the San Clemente property to provide a handful of charges. The way he parlayed a relatively small investment into such a beautiful deal with his rich friend may not have been illegal, but it certainly raises questions—or ought to.

And even if that accountant's nightmare turns out to have been on the up and up, did the President pay taxes on the capital gains from the deal? After all, it was on taxes that they got Spiro Agnew and Al Capone.

If he defies a Supreme Court ruling against him in the tapes case, the ground for impeachment will be unmistakably clear. But even if he doesn't, there are unchallenged reports of enough illegal wiretaps and surreptitious snooping—quite possibly including the controversial Oval Office tapes themselves—to warrant impeachment proceedings.

Mr. Nixon's self-admitted approval of the "plumbers" operation, despite advice from some around him that the proposed use of this secret intelligence group was clearly illegal, is a reasonable basis for impeachment. So too is his role in the burglary of the office of Daniel Ellsberg's psychiatrist.

The business of the Howard Hughes contributions—particularly the money the President's friend Bebe Rebozo kept stashed away in his safe for so

long—warrants at least a serious investigation.

The major reason there has been no real move toward impeachment probably is the national opinion polls, which show most Americans believing that Mr. Nixon knew about the Watergate coverup but not wishing him to be impeached. With only a minority of the people favoring impeachment, not many congressmen are willing to stick their necks out.

And yet the poll results themselves provide the most convincing basis for impeachment. For what the people are saying when they say they believe Mr. Nixon was involved in the coverup, or at least knew about it, is that they believe he is guilty of obstructing justice, neglecting his constitutional duty to uphold the law and being an accessory after the fact to "high crimes and misdemeanors."

Congressmen who rely on the polls to tell them what their duty is not only are derelict but also are not very understanding of how the public mind works.

The public thought Spiro Agnew had been set up as an administration scapegoat and that he was innocent—until the process was under way and the pressure of it forced Agnew to a plea and make a deal. Now the people are saying something else: that Agnew has gotten away with a slap on the wrist for offenses that would have landed the rest of us in the pen.

My guess is that the percentage of people supporting impeachment would grow dramatically as the case started to be made, and the facts organized.

No. The problem is not with the grounds for impeachment or with the polls. The problem is the absence of leaders in the House of Representatives with enough guts to stand up and do their duty. Most of them enjoy the Congress' clubby atmosphere too much, and many of the rest fear being dismissed as merely personally ambitious.

The best chance of any real movement on impeachment may lie with Rep. Paul N. (Pete) McCloskey Jr., the California Republican who had the courage to run against a Republican President because he thought the President's policies on Vietnam were in tragic error. For months now, McCloskey has been calling for a House inquiry into the subject of impeachment, although without overwhelming support from his colleagues. But that support could grow when it starts to seep into the public's consciousness just what the case for impeachment really is.

And none of that nonsense about damaging the *presidency*. It may well be that the biggest threat to the presidency today is—the President.

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