

Impeachment: A Partisan

Genuine Republican fear that House Democratic leaders will permit fire-eating liberal congressmen to turn the impeachment investigation into a general raid on White House files has transformed the once congenial House Judiciary Committee into a snarling partisan cockpit.

Republican House members who last week were denouncing President Nixon for his Saturday night massacre are now defending him in the judiciary committee. They are demanding reassurances from Chairman Peter Rodino of New Jersey that the fire-eaters will not expand the impeachment probe into a grand inquisition of Nixon administration conservative policies. With Rodino refusing such assurances, his committee is frozen on party lines.

This marvelously assists Mr. Nixon's grand strategy: Deflect the public rage against the President into narrowly partisan fight. In that attempt, the President benefited from two strokes of good fortune Tuesday: First, revelation of Archibald Cox's indiscreet talk to Democratic senators; second, degeneration of the judiciary committee's impeachment proceedings into a partisan squabble. The latter, though less spectacular, may prove more important.

Impeachment proceedings resulted

directly from spontaneous public demands following the Saturday night massacre, Oct. 20. But even after Mr. Nixon agreed to surrender the tapes Oct. 23, the proceedings were kept going—with some side effects ominous to Republican congressmen.

AFL-CIO lobbyists put out the word that impeachment could not now be avoided. Some congressmen attributed Speaker Carl Albert's insistence on a thorough investigation to an unspoken belief that the President must go. Much the same interpretation was given to Albert's accelerated efforts to quickly confirm Rep. Gerald Ford as Vice President and a drop in interest by the fire-eaters in delaying Ford; obviously, impeachment of Mr. Nixon was embarrassingly pursued with Albert next in the line of succession.

Moreover, fire-eating liberal representatives—including Jerome Waldie of California, John Seiberling of Ohio and Robert Drinan of Massachusetts on the judiciary committee—wanted to go well beyond Watergate and Mr. Nixon's finances. They envisioned using subpoena power to obtain documents and tape recordings on the bombing of Cambodia, impoundment of social welfare appropriations and other conservative Nixon acts they consider impeachable offenses.

Beginning

Albert and Rodino oppose such a widening of the investigation. So do two senior liberals on the committee, Robert Kastenmeier of Wisconsin and Don Edwards of California. Indeed, a House Democratic Caucus surely would oppose a fishing expedition into White House files.

But since his election as Speaker in 1971, Albert has steadily retreated leftward because of inexorable pressure from determined liberals. Accordingly, many Republican congressmen—not all Nixon apologists by any means—feared Albert and Rodino might gradually give in to the fire-eaters on the impeachment proceedings.

One who worried was the fifth-ranking Republican on the judiciary committee: Rep. Thomas Railsback, a downstate Illinois moderate often critical of Mr. Nixon. On Oct. 25, Railsback took the House floor for a one-minute speech expressing concern about proposed one-man subpoena powers for Chairman Rodino. Peeved, speaker Albert angrily gavelled down Railsback as the 60 seconds elapsed.

Railsback's speech did impel Rodino to confer Oct. 26 with the judiciary committee's senior Republican, Rep. Edward Hutchinson of Michigan, offering a gentleman's agreement to confer

with him about issuing subpoenas. That seemed to satisfy Hutchinson but not younger Republicans on the committee, particularly Railsback and Rep. Charles Wiggins of California.

The result was a remarkable judiciary committee meeting on Tuesday. When Railsback requested ground rules for issuing subpoenas, Rodino was not responsive. His one-man subpoena power was approved by a 21 to 17 committee vote along straight party lines.

The script could not have been better done by a White House speechwriter. Railsback, who had been demanding a court-appointed special prosecutor, emerges as the President's defender. Instead of a solemn inquest by Congress, the impeachment proceedings begin as a partisan Donnybrook.

Actually, if Richard M. Nixon is ever impeached, it will not be because he bombed Cambodia or impounded funds. If so, why doesn't Rodino agree not to subpoena materials in these areas? That would deflate the partisan struggle in the judiciary committee—but at the cost of infuriating the party's left in the House, a risk Albert and other Democratic leaders have studiously avoided.