

Toward Impeachment

"People have a right to know whether or not their President is a crook," Mr. Nixon said the other day. But how are we going to find out?

Not certainly from the series of personal appearances the President has been making in what the White House is pleased to call "Operation Candor." Mr. Nixon, in fact, is one of the least trustworthy witnesses on his own behalf.

For better or worse — and it is not always for the worst — Mr. Nixon has in his makeup far less psychological space for failure than most men. When things get tough he fights back, and when they go wrong he tends to blame others. Hence, his recent contretemps with former Atty. Gen. Elliot Richardson about the firing of special Watergate prosecutor Archibald Cox.

Mr. Richardson is a man prone to present controversial points in highly abstract formulations. Those formulations are often obscure in their meaning, and few men are less well-equipped to divine their sense than the subtle soldier who now serves as the White House chief of staff, Gen. Alexander Haig. So it is entirely possible that Gen. Haig did not understand Mr. Richardson when serving as his pipeline to the President.

But the President and Gen. Haig could not admit such weaknesses. Instead they implied that Richardson lied. They intimated he was a drunk. They even hinted that a fair system — as distinct from one rigged to get Mr. Nixon — would have Richardson up on perjury charges.

If we cannot expect to get the beginning of what we need to know from

Mr. Nixon, there are also limitations on the investigations being conducted by the special Senate committee and the Watergate prosecutor. The Senate committee is limited in its jurisdiction. It has to stick to matters relevant to the presidential campaign, which means it cannot go into such clearly important transactions as the President's tax returns or the payments made on his homes in Key Biscayne and San Clemente.

As to the special prosecutor, there is no reason to disparage Mr. Cox's re-

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placement, Leon Jaworski. He has already shown in his handling of the case involving the White House plumbers that he is not going to be snowed just because the White House yells "national security."

Even so, Mr. Jaworski also has limitations. In particular, he has no mandate to investigate such matters as the Rebozo case and the President's taxes and homes.

An impeachment proceeding knows no such bounds. The House Judiciary Committee, to which the impeachment resolutions have been referred, is setting up to go into an across-the-board investigation of Mr. Nixon and his conduct as President. It will center not on any particular issue or offense, but on the larger question of whether Mr.

Nixon abused the public trust which is the root of legitimacy in our country.

The organization of this inquiry is necessarily going to be an extremely difficult and messy operation. The Judiciary Committee has 38 members broken into factions. Its chairman, Peter Rodino of New Jersey, is new in the job, and its ranking minority member, Edward Hutchinson of Michigan, lacks the bipartisan approach of his predecessor, William McCulloch of Ohio, which made the committee so effective in the past. A great deal will have to devolve on the general counsel and his staff and on the selection of a special subcommittee that will actually conduct the investigation.

Even if all these arrangements go beautifully, no one should imagine that the hearings can be short or neat, or that there will emerge a particular set of facts that bear the Perry Mason stamp of being the Truth. On the contrary, the hearings are probably going to be full of partisan rancor. They will wrack the country and they will probably arrive only at a general judgment as to whether or not Mr. Nixon betrayed his trust.

For all these reasons, other methods would probably have been preferable.

It would still be better if Mr. Nixon, on the confirmation of Gerald Ford to be Vice President, resigned. But failing that there is no alternative. For bad as it may be, there is one thing worse for the country than impeachment. That would be to sweep under the rug the issue which has now been posed—the issue of whether, in the large moral and intellectual sense, the President is a crook.