

Odds on Mr. Nixon: 'Better Than Even'

Paying close attention to the media, one gets the impression that President Nixon's term in office will somehow be shortened — by impeachment or forced resignation. True the evidence that will be his undoing is not yet pinned down. But the press consensus quite obviously is that it will be. Prosecutor Leon Jaworski's indictments of former Nixon associates, a falling out of the indicted or some still-to-explode scandal is counted upon to administer the coup de grace.

Even if criminal conduct on the part of the President is never proved, one is told, there will still be ample

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grounds for impeachment. In support of this contention, the Federalist Papers are cited as unanswerable authority.

Persuasive and pervasive as all this is, I am assailed from time to time by the perverse thought, apologies to "Porgy and Bess," that "it ain't necessarily so." Despite what James Madison says, or what it says in the Bible, or even what my favorite commentators say, I still have the feeling that Mr. Nixon's chances of finishing out his term are better than even.

The political theoreticians may be right in their conviction that Watergate and related matters already argue that he should be removed. But considerations of practical politics argue that he probably won't be. In the end, the decision will be political — practical politics, not theoretical politics.

The House Judiciary Committee may recommend impeachment. By the time its report is in, the House may be disposed to accept the recommendation, though no majority for that can now be counted. But the possibility that the necessary two thirds of the Senate will vote Mr. Nixon out of office is remote indeed.

The whole world, save only the Russians who count upon Pravda for their information, now knows that the Nixon administration has benefitted from the lavish patronage of its moneyed friends, that several of its former members have admitted corruption by power, that some of them are already paying for it in jail and that evidence of crime just misses enmeshing the President himself.

Yet the American people, whose collective opinion is what ultimately counts, have yet to register in any poll a majority for impeachment. The latest polls don't even show a majority for resignation. However, more pollees favor resignation than impeachment. This is an anomaly but an understandable one.

It has to do with the unique position the presidency has achieved through the almost 200 years of the Republic's history, especially since Franklin D. Roosevelt's occupancy of the office. Stepping in to cope with the Great Depression, FDR became the national father figure, feeder of the hungry, savior of the banks, preserver of the system, though in somewhat modified form, and winner of a war we badly wanted won.

Harry Truman, following FDR, survived unpopularity, as measured by the polls, even more distressing than Mr. Nixon's, due to public resentment of the Korean war. Dwight D. Eisenhower was scarcely touched by three recessions. John F. Kennedy was idolized while serving too short a time to accomplish much. Lyndon Johnson continued to wage a detested war in Vietnam in the face of opposition that reached riotous proportions before deciding not to try for another term.

Mr. Nixon is still in office, determined neither to resign nor to submit passively to impeachment, apparently convinced that he is as much a victim of villification without just cause as the sainted Lincoln. He has weathered

a series of disasters, each of apparently destructive magnitude.

Among them: John Dean's testimony before the Ervin committee accusing the President of involvement in the Watergate coverup, the Saturday night massacre that followed Special Prosecutor Archibald Cox's dismissal, revelations about the missing and erased tapes and hassles with the committee and the prosecutors over executive confidentiality, which are still going on.

Yet, even now, only Dean's testimony, unsupported publicly by any other witness, directly involves the President in an indictable offense — willful obstruction of justice. And, no matter how the Constitutional authorities define "high crimes and misdemeanors", Congress is unlikely to oust a President for anything less than a clearly indictable crime. Proof must be beyond reasonable doubt, persuasive to more than the already persuaded.

The Presidency is a little like a self-sealing automobile tire. Punctures, even bad ones, let out a little air with a loud whoosh and then close up. A blowout that would be totally and permanently deflating has not yet occurred. Present indications are that it won't occur so long as the Nixon old guardsmen hang together — and separately.

Delay, which the President's legal staff seems to be playing for, probably serves the cause of survival, even though the next Congress will be more Democratic than this one.

Those who have concluded, wishfully perhaps, that impeachment and ultimate dislodgment of the President are all but inevitable appear to overlook the margin of presidential prestige over that of Congress. The process of impeachment must come down at last to confrontation between the two institutions. In this, unless the case against Mr. Nixon is such that it leaves no room for doubt about criminal guilt, advantage must be on his side.

For, much as they may dislike the present state of the nation, much as they resent Watergate, high prices and

the gasoline shortage, little as the personality of the President appeals to them, Americans habitually look to the federal government to maintain some kind of order and to sustain hope for better things. And when they think of government they think of the presidency, not of Congress. The President is the fellow who minds the store and must be kept on the job even if his thumb sometimes rests on the scales.

As time goes on, moreover, extreme defense forces rally to an embattled President's standard. Thus recent demonstrations of support in front of the White House and abusive attacks on commentators critical of Mr. Nixon. And, as the drumbeat of journalistic assault on the administration continues, the throbbing starts to sound a little like self-righteous persecution even to those who try to keep open minds until all the evidence is in.

All of which leaves members of Congress in a painful dilemma. No wonder so many of them have decided that another campaign for reelection is too frightening to contemplate. Congress is well salted with bright, earnest men. But the institution itself is, for some reason, far less than the sum of its parts. It doubtless deserves its latest Harris poll approval rating, which is even lower than Mr. Nixon's.

Politicians of all branches and both parties are suspect with the electorate, unfair as this may be to the able, honest many. This being so, and on the basis of the evidence now in hand, it is hard to escape the probability that in a showdown between Congress and the President, the President will win. Certainly it is too soon to bet heavily against Mr. Nixon's survival.