

YESTERDAY New York State's Conservative-Republican senator, James L. Buckley, delivered a short speech that may turn out to have been of enormous political importance. As the whole world knows by now, Senator Buckley, evidently more in sorrow than in anger, called on President Nixon to resign. The potential political impact of this event derives of course from the fact that no one could confuse Senator Buckley with—say—former Senator Charles Goodell, the so-called “radiclib” Republican he defeated in the 1970 election. On the contrary, Senator Buckley represents the conservative bedrock of Mr. Nixon's constituency, which is what makes his remarks at once so politically significant—and so philosophically odd. For in logic and in recommendation they seem to us to constitute a flight from that orderliness and responsibility and confidence in constitutional processes which we associate with true conservatism.

We are prepared to believe that Senator Buckley would not—to put it mildly—regard us as anything like fit judges in such a matter. But consider the burden of his argument. Senator Buckley declares that he perceives grave national ills—in fact a “crisis of the regime”—proceeding somehow from the cumulative effect of Watergate events and revelations. We say “somehow” because the Senator manages to depict this state of affairs as a kind of causeless, shapeless, Topsy-like phenomenon, one that evidently owes more to “media” exploitation and recklessness than to the presidential acts that the media have helped bring to public attention. True, there is a generalized and rather text bookish statement of presidential responsibility (“The character of a regime always reflects and expresses the character of its leader. It is he who appoints his executive staff. If he does not explicitly command what his aides and agents do, they in any event do what they sense and believe he wants them to do” and so on). And during his press conference the senator did say he felt a policy of presidential disclosure might have prevented much of the Watergate ordeal. But on the precise charges, if any, Senator Buckley has this to say:

“I do not in the least imply belief that he is legally guilty of any of the hundreds of charges brought against him by those sections of the media that have appointed themselves permanent grand juries and public prosecutors. My proposal reflects no personal judgment on the matter of guilt or innocence, for I have made none. Nor do I propose Richard Nixon's resignation as a retreat by him, or as in any way acknowledging either guilt or weakness.”

To all of which there seems to us one simple answer: then why the hell should he resign?

For the good of the nation, Senator Buckley replies *and in order to spare us the burden and pain of due process, in order to avoid the risk our Founding Fathers so thoughtlessly seem to have built into the constitution.* For Senator Buckley's most passionate and vivid language concerns the prospect of impeachment proceedings, and he clearly does not have much faith in either the rectitude of his colleagues or the maturity of the people in the age of electronics. Thus:

“For three months or more the Senate Chamber

would be transformed into a stage set for the greatest melodrama ever conceived. History would come to a stop for the duration—in the country and throughout the world. The ruler of the mightiest nation on earth would be starred as the prisoner in the dock. The Chamber would become a 20th Century Roman Coliseum as the performers are thrown to the electronic lions. The most sordid dregs dug up by the Watergate miners would inflame the passions of the domestic audience and provoke the guffaws, prurient curiosity, or amazement of the outside world . . .”

And what would be the end result of all this, no matter which way the Senate vote went? It would be dissatisfaction, according to Senator Buckley, either on the part of those who felt the President had been “hounded” out of office by the “media,” or on the part of those who felt the President had not been convicted thanks only to the political cravenness of Congress.

Maybe we are, after all, closet conservatives—but we believe that Senator Buckley has got the whole thing backwards. If Richard Nixon is not guilty of impeachable offenses, he should neither resign nor be impeached and/or convicted of such offenses. We have every confidence that the people's elected representatives of both parties (including, we might add, Mr. Buckley) are fully competent and responsible to make a fair and sober judgment on that question and to do so in consonance with the procedures laid down by the Constitution. And we further believe that the American public is not in danger of succumbing to senseless resentments if the procedures are followed—and followed with honesty and fairness. On the contrary, Senator Buckley's prescription—resignation without findings—seems to us much more likely to make a reality of his nightmare. Without an official finding, without resolution of questions that have been raised (not just by the media, but *through* the media by grand juries and congressional committees and federal courts as well) and without a recorded judgment on the part of those legislators who are charged with the responsibility for reaching a final judgment, it seems to us that the potential for suspicion and cynicism and resentment would be far larger than if the impeachment proceedings were to go forward.

People will say that Senator Buckley has been uncommonly courageous and forthright in making his statement—and in a particular and sharply limited way this is true. For there can be no doubt that the New York Conservative-Republican senator has risked the ire of those constituents who do not believe that Richard Nixon should leave office in any fashion before his term is up and who do not believe he should even be subjected to official inquiry into his acts. Yet we expect it would and conceivably will take far more courage from Senator Buckley and his likeminded colleagues to see the constitutionally prescribed process of impeachment through. That way—whatever the verdict on the President and whatever the strain on the legislators themselves—seems to us to have overriding advantages: it can give the American people reassurance that justice has been done, and it can give Mr. Nixon a fair shake.