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Game Show Mood Of Impeachment

SINCE THE NEWS is gorged with impeachment guessing, particularly since President Nixon's Watergate disquisition Monday, it may not be out of place to note a possible misreading of the Constitutional provision for trial of an impeachment charge in the Senate.

There are 100 Senators, and it is therefore argued that if Mr. Nixon is impeached, under the two-thirds rule he would need 34 "not guilty" votes to avert conviction in the Senate.

But it isn't that certain, and under some possible circumstances he could be acquitted with less than 34 votes. Art. I, Sec. 7 of the Constitution says: "The Senate shall have the sole power to try all impeachments . . . and no person shall be convicted without the concurrence of two-thirds of the members present."

It is that word "present" which impairs exactitude in the matter.



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SENATORS TEND to old age, and are subject to sudden disabilities, even to coma. In the Andrew Johnson case (Johnson needed 19 out of 54 votes to acquit, and got them) a Senator from Ohio was carried into the chamber on a stretcher to vote.

But it is not only disability, but a copout, that threatens a hard-core rule. For some Senators a vote either way could mean political ruin if his constituents are evenly divided on the question. Nothing compels a Senator's attendance, and one or two might refuse the gamble, like the dropout in a game show who takes the money and runs, despite catcalls from the audience.

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SO IT IS CONCEIVABLE a President today could win acquittal with 32 or even 31 supporters, and the writing seers can assure us of nothing.

Mr. Nixon's speech indicates he believes at this moment he is in no danger of expulsion from office. His refusal to submit to the House Judiciary Committee the tapes it subpoenaed, but agreement to submit transcripts instead, suggests a game plan, speaking of games.

The speech itself, running almost 36 minutes, was a summation touching his account of Watergate, though not so massive as the Oval Office studio scenery hinted. Those bound volumes of transcript looked like several sets of Encyclopedia Britannica in a bookshop, but subsequent news stories aver they were spare of text.

Opponents of the President have now spent several days trying to establish discrepancies of date and other factors, but the final outcome of the President's undertaking in self-defense depends on how many of his fellow citizens believe him, and how many disbelieve him.

The President and his advocates think the speech was conclusive of his innocence, and many antagonists vehemently dissent. Is Mr. Nixon out of touch with the full spectrum of American opinion, or in touch? No answer here.

Maybe we should more sedulously study game shows to comprehend human nature, but it is a dismal prospect.