

Fair Procedure

MAY 4 1974

NYTimes

Under no illusions about the risks involved, the House Judiciary Committee has again demonstrated commendable and scrupulous concern for the integrity of the process to impeach President Nixon. The decision to permit White House counsel to participate in forthcoming public hearings is bound to complicate the committee's task but it will preserve both the appearance and the reality of fairness—a quality absolutely essential to the committee in the highly charged political weeks that lie ahead.

Congressional hearings are not trials, and it could be argued that the President's lawyer had no inherent right to take part. Exclusion of Mr. Nixon's representative could nevertheless have become a serious liability, opening the way to the allegation—however ill-founded—of violation of due process if the committee's conclusions should be adverse to the President. In any event, the committee decided wisely to lean over backwards to insure the broadest public confidence and respect—which it will need, above all else, if it is to succeed in its historic task of passing initial judgment on the President.