

Thinking Things Over

By VERMONT ROYSTER

Impeachment Imperative

Anyone who ventures public comment on President Nixon's role in the Watergate affair needs no poll or sociological study to tell him how deep and bitter is the country's division. He will be reminded daily by the morning mail.

If he says that the Nixon transcripts paint a sorry picture of the moral tone in the White House, there will be letters denouncing him for joining those in politics and the media who are trying to "crucify" the President.

If he says that those same transcripts fail to show that the President actually did anything to obstruct justice, that they even tend to support Mr. Nixon's contention that he did not, then he will be accused of trying to "whitewash" the President.

And if he makes both observations simultaneously, as I recently did in this space, he will be caught in a cross-fire of angry readers. In the present emotionally charged atmosphere there seem to be few willing to draw a distinction between a judgment on the moral tone of those intimate conversations and a judgment on deeds done.

Nonetheless, the distinction is important.

A judgment about what those conversations reveal about the character and personality of the President requires no rules of evidence. Every man may judge by his own standards.

But a verdict that the President is guilty of some high crimes or misdemeanors for which he should be removed from office does demand attention to the due processes of the law. This is not merely out of fairness to the man, Richard Nixon, but out of regard for the very integrity of our political system.

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That is why proceeding with the impeachment process—and that with all due speed—has become imperative. And also why it now seems to me, though I come to the conclusion reluctantly, that the formal proceedings in Congress should be televised for all to witness. For a part of the imperative is that the people should be convinced that all has been well and justly done. There must be no cloud upon the verdict, whatever it may be.

It is true enough that the long impeachment process will be an agonizing time. If the proceedings are televised, that may well bring out demagoguery on both sides as adversaries speak not to the chamber but to the nationwide gallery, seeking to arouse public passion.

So it is not surprising that we have heard a clamor for the President to resign. Some of it, to be sure, arises from those in Congress who would like to escape having to stand up and be counted. Some comes from those so angry at Mr. Nixon that they would simply have him be gone, and put no fine point upon the manner of his going.

But some of this clamor is quite sincere. It springs from the thought that his resignation would spare the country all that agony of divisive bitterness.

Yet if the President were to resign, we would have a clouded verdict indeed. We would not know what case there was for or against him. You may be sure that his adversaries would treat it as an admission of guilt. His defenders would cry that he had been hounded out of office. The doubts would rankle for years to come, with consequences no one can foresee.

This is the practical reason for going forward with the impeachment proceedings until the issue is resolved, however disturbing that may be. There is also, though, another reason equally persuasive.

The moral imperative of our political system is that the means of doing something be as proper as the thing done. Our Constitution deals not with what is to be done but how it is to be done, whether it be assuring domestic tranquility, bringing criminals to bar or dismissing elected public servants. For each of these the Constitution sets forth due procedures.

Impeachment may seem a cumbersome process; it is certainly more so than in other countries. But if so, it is cumbersome by intent. That intent was that anything so grave as the removal of an elected President not be done out of anger or inflamed passion but only upon sober judgment—made by a majority of the House and two-thirds of the Senate after a formal hearing and due deliberation.

The care in setting forth this procedure was only in part to protect a President from injustice. It was also to protect the confidence in the political process itself, that the people be assured such grave action is neither capricious nor partisan.

If in time of high emotion, as in the present moment, that due process is flouted, it is the substance of our democracy not merely its forms that are assailed. That is the risk to be avoided now.

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Everyone will agree, I hope, that it were better it had not come to this. But there have been enough allegations, enough suspicions, enough ambiguities, to make it necessary that we go forward to a conclusion. It would be an ill service to the country were the House Judiciary Committee to abort its hearings; there would be too many doubts left to fester among the people. It would be equally injurious if public passion led to a political lynching.

It is hardly possible, or so it seems to me, to read those White House transcripts without shock, the more so because they belie the moral fervor Mr. Nixon has so often professed. Whatever else the outcome, his reputation lies in tatters.

Yet if we are to preserve that integrity of our political system, shocked righteousness alone cannot justify a guilty verdict on malfeasance of office. And those transcripts by themselves, or so it seems to me, disclose no deeds done to warrant such a judgment.

That judgment, in all good conscience, must await the due process of impeachment in the full view of the public gaze. Only thus can the issue be drawn, the charges made specific, the evidence weighed, the accusers and the accused heard in an orderly manner. Only thus can we be assured that the verdict, whatever it may be, will be accepted by the people.

The imperative here is that we honor the principle of due process, not only for the sake of Richard Nixon but of ourselves.