

Judiciary's Leaks...

The House Judiciary Committee, after making an appropriately measured start on its impeachment inquiry, now seems to have sprung not just a leak, but a gusher. Over the past week, the public has been treated to the contents of a series of confidential memoranda analyzing portions of the evidence that has been presented by the staff in closed sessions to the committee.

Even before those memoranda were leaked to the press, various members of the committee were providing fragmentary recollections of bits and pieces of the evidence to which they had been exposed. And then, of course, there was that moderate-sized geyser of information about Secretary Kissinger's wiretap role, which apparently came from the Judiciary Committee and from other sources in Washington as well.

The basic question posed by the leaks is one of fairness. The Judiciary Committee, after all, is conducting an inquiry into whether there are grounds for the House to charge the President with an impeachable offense. It is not trying Mr. Nixon. If the House decides to impeach him, the President is entitled to a fair trial before the Senate. The leakers, apparently impatient with the rules of secrecy adopted by the committee and presumably anxious to "get the President," are subjecting him to trial by the court of public opinion based upon fragmentary and un rebutted evidence and analysis.

Impeachment, as we have said in the past, is the nation's most solemn constitutional process. As such, it should be, as at least one member of the committee has remarked, constitutionally pure. Those who are doing the leaking — whether members or staff — are not only undercutting their own purposes by providing their opponents with the means to discredit the committee, but are also violating a profound obligation to move the impeachment process forward with the fairness and the solemnity that its importance to the country requires.