

# Judiciary Committee Members

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In his soft Carolina drawl, James R. Mann quietly expressed one hope yesterday afternoon. "It's important," he said, "that the American people have respect for these proceedings."

More than any other remark so far, that comment best captured the spirit and tone of the impeachment debate on Capitol Hill.

The representatives speaking with such uncustomary eloquence before an audience of millions fully recognize that they, as well as the President, are on trial. At this point they are splendidly rising to history.

Through television the American people can judge for themselves whether the most important national proceedings in more than a century are being conducted with dignity and decorum, with seriousness and a sense of fairness.

The only blemish on the hearings to date has come not from the congressmen

but from some of the TV commentators.

On the opening night of the hearings, telecast by ABC, the commentators, as is their right, offered a number of disparaging remarks. The pace was too slow, the members needed a TV director, how could anyone suffer through 365 days of congressional hearings? At one point, Mark Twain's cynical remark about looking toward the Congress to discover the common class of criminals in America was paraphrased.

Yesterday morning, on NBC's "Today" program, a network correspondent described the hearings as "boring." They were confusing the distinctions between "hot" entertainment and the quiet drama that distinguishes the most solemn deliberations.

What is being placed before the public is an extraordinary glimpse of congressional democracy—not the Claghorns and Throttlebottoms so ridiculed by stand-

up comedians of the past, but of serious men and women facing the gravest decisions and searching themselves under the most public kind of scrutiny.

It is as if somehow the magnitude of their task has freed them to speak their consciences instead of merely appealing to their constituents. Giving their performances a collective power has been the impression of so many diversified representatives, speaking in so many American accents, focusing on the greatest questions that can confront a democratic society.

On Wednesday night it was Rodino of New Jersey, setting the tone by stating one "simple principle"—"that the law must deal fairly with every man"—McClory of Illinois, stating with unquestioned conviction that anyone who argues that a Republican should not impeach a Republican President "demeans my role here;" Brooks of Texas saying their individual actions

may require "ignoring personal and political relationships of long standing," and then adding:

"But we, as well as the President, are on trial for how faithfully we fulfill our constitutional responsibility."

In perhaps the most moving moment of all that night, there was the picture of Railsback of Illinois, speaking with a rush of emotion and obvious anguish spelling out his "concerns" to his constituents, and then saying: "If we are not going to really try to get to the truth, you are going to see the most frustrated people, the most turned-off people, the most disillusioned people, and it is going to make the period of LBJ in 1968, 1967, it is going to make it look tame."

The same spirit marked the comments during the long hours of hearings yesterday.

Wiggins of California, representing the President's

## Splendidly Rising to History

home district, saying calmly and quietly, "I cannot express adequately the depth of my feeling that this case must be decided according to the law, and on no other basis. The law, you see, establishes a common metric for judging human behavior."

He stated a guiding principle: "Fairness is the fundamental law of these proceedings. We would be doing violence to that fundamental principle, it seems to me, if we approach these proceedings with any preconceived notions of the guilt of the President."

To Dennis of Indiana, another Republican, the test before them all was to "do right, be right, and be recorded right in the long term of history." To Fish of New York, another Republican, "the keynote as before is faithfulness."

The issue, he went on to say, "is the Constitution, and in assessing the fitness of the President to remain

in office the Congress becomes the conscience and protector of the state." And: "The matter before us is clearly larger than party. It is more important than the continuation in office of any member of this committee."

Waldie of California, depicted as one of the staunchest advocates of impeachment, came over calmly. "You cannot look at this case without feeling a deep sadness but a deeper anger," he said.

The actions of five men yesterday particularly dispelled doubts about the ability of the members to put their personal convictions ahead of party or regional considerations. Two of them were Southern Democrats, Flowers of Alabama and Mann of South Carolina, and the others were Republicans, Hogan of Maryland, Butler of Virginia and Cohen of Maine.

Flowers, clearly troubled, weighed the terrible alternatives and asked: "What if

we failed to impeach? Do we engrain forever in the very fabric of our Constitution a standard of conduct in our highest office that in the least is deplorable, and at worst is impeachable?"

And: "America is a nation with many flaws, but it is also a nation with hopes so vast that only the most foolish or the most pessimistic would fail to realize it."

Mann: "We have different backgrounds. We have different biases, conscious or unconscious. Different philosophies. But I am persuaded that the search for truth is paramount in each of us and that each has the courage to vote for that truth."

Hogan, tightly in control, his voice husky and at times close to breaking, recognized he would have to live with his actions for the rest of his lifetime, and explained his decision to vote for impeachment by saying:

"It is impossible for me to condone or ignore the long train of abuses to which he

has subjected the presidency and the people of this country."

Butler, saying he has worked with the President in every one of Mr. Nixon's national campaigns, was grateful for his kindnesses and courtesies, but added, "Watergate is our shame."

"These things have happened in our house and it is our responsibility to do what we can to clear it up... It is a sad chapter in American history, but I cannot condone what I have heard; I cannot excuse it, and I cannot and will not stand still for it."

Cohen, the young freshman from Maine, expressed a theme that undoubtedly will be occurring in the debates to come.

"The impeachment process," he said, "is like Goliath's sword, to be kept in the temple and not used but on great occasions."

The question now before the Congress—and the country—is whether to draw that sword or keep it sheathed.