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The Arithmetic of Impeachment

By William V. Shannon

WASHINGTON, July 26—The open sessions of the House Judiciary Committee have served to contradict two of the White House's major propaganda themes. Instead of a "kangaroo court" or a lynching bee, the members of the committee have shown themselves to be conscientious and sensible.

Instead of the impeachment procedure "tearing the country apart," Americans are gaining some encouragement by watching their elected representatives at work. They see them acting the way men and women ought to act in the political order.

The debate is spirited but free of rancor, informed by intelligence, shaped by self-discipline and occasionally graced by eloquence. On both sides of the impeachment question, members are acting with dignity and responsibility. They are not selling their votes to the highest bidder, they are not trying to shout one another down, they are not throwing inkwells at one another, and no one is hammering the desk with his shoe. In short, in response to the threat of illegitimate power, a recurrent threat in human history, they are proving once again that the highly civilized and always difficult practice of self-government is possible.

The drift of these debates makes the outcome a foregone conclusion. The evidence of Mr. Nixon's culpability is overwhelming.

It is now likely that five or more of the seventeen Republicans on the committee will join all of the Democrats in recommending impeachment. A vote of that kind in the committee would mean a solid majority in the whole House of approximately 260 to 175 in favor of impeachment.

The arithmetic is easily done. The House is composed of 248 Democrats

and 187 Republicans. No Northern or Western Democrat will go counter to a unanimous recommendation of the Democrats on the committee. Democrats from the South are split, but Representative Joe Waggoner of Louisiana, the President's chief ally among conservative Southern Democrats, cannot round up more than 35 votes.

The best estimate of experienced Republicans in the House is that those Southern Democrats will be more than offset by forty to fifty G.O.P. votes in favor of impeachment. The number of Republicans voting against the President could go much higher if the present break-away mood intensifies. A 2-to-1 majority for impeachment is now conceivable.

Contrary to the conventional wisdom on the subject, the prospects for conviction in the Senate have always been better than for impeachment in the House. The reason is twofold. First, the progressive Republicans are proportionately much stronger in the Senate than in the House.

Edward Brooke of Massachusetts, Lowell Weicker of Connecticut, Jacob Javitz of New York, Clifford Case of New Jersey, Richard Schweiker of Pennsylvania, Charles Mathias of Maryland, Charles Percy of Illinois, Milton Young of North Dakota, and Mark Hatfield and Bob Packwood of Oregon make up a sizable bloc. None of them is saying how he intends to vote, but three of them have publicly called for Mr. Nixon's resignation, and it would be astonishing if Mr. Nixon is relying on any of them to save him.

Secondly, the Southern Democrats to whom Mr. Nixon has directed so much of his attention are proportionately weaker in the Senate—fifteen out of 100 members—than they are in the House where they comprise 74

out of 435. Of those fifteen, two—Senators Sam Ervin of North Carolina and Herman Talmadge of Georgia—served on the Senate Watergate Committee and reached a profoundly unfavorable judgment of Mr. Nixon's Presidential conduct. In the past on many normal issues, Senators Ervin and Talmadge have been his allies. But on impeachment, they would be his powerful adversaries and carry a majority of the Senate Democrats from the Old Confederacy with them.

Mr. Nixon is counting upon the two Mississippians—Senators James Eastland and John Stennis—to save him. But they cannot prevail against Sam Ervin's righteous wrath, and when the final roll is called, Mr. Stennis may not even wish to do so. He has his own strict code of ethics. Although he was the originator of the unfortunate phrase "Tough it out, Mr. President," Senator Stennis like everyone else has since learned a lot that he did not know when he made that remark a year ago last spring.

Mr. Nixon can count votes as well as anyone else. He knows, too, that while the Senate trial is being held in October, the Watergate cover-up trial of his former aides will also be under way. At that trial, additional information damaging to himself is likely to be forthcoming from the 64 tapes that the Supreme Court has now ordered him to make available.

If the vote against him in the House in late August goes much above 250, Mr. Nixon may decide not to stick around for Senate trial or for the release of those tapes. Instead, hating the press to the last, he may choose late Saturday afternoon of Labor Day weekend when almost no reporters are at work as the time to drop his letter of resignation in the mail and slip away to Mr. Abplanalp's island in the Bahamas.