

EDITORIAL

TV Suggestion . . .

Common Cause, the nation-wide citizens' lobby, has offered a plan to bridge the gap between those who would impeach the President only on legal grounds, and those who would impeach Mr. Nixon for political wrongdoing. The latter, of course, is backed by a feeling of morals and ethics.

The new CC plan would bridge the gap by televising the impeachment proceedings and following a five-point policy on the conduct of an impeachment trial. The Common Cause policy statement bears consideration:

--The Senate, in event of a trial, should aim at insulating senators from expressions of political pressure from organized groups or their lobbyists while not precluding reasoned discussion or consultation by senators with citizens on an individual basis.

--Senators should be required to maintain a public daily log of all contacts with them or their staffs and to maintain a public file of correspondence regarding impeachment. The log should also include all contacts with the President or his representatives in the White House or executive branch on any subject, and what was discussed.

--House managers of impeachment, other congressmen, the President, and their respective staffs should be prohibited from making any direct or indirect informal contacts with any senators on the subject of impeachment.

--Live televised coverage of the Senate trial should be permitted.

--Senators should refrain from publicly commenting on the evidence until they have voted.

Some of these suggestions seem prudent to both citizens and constitutional scholars alike. More importantly, the legal as well as the political considerations would be better understood by the electorate if the public's business on this important issue were performed before television cameras and newspaper reporters rather than in the back rooms around Capitol Hill.

The gold fish bowl approach is sometimes uncomfortable for those who choose to conduct the public's business in secret, but the impeachment process certainly should be an open one.

Toward Impeachment

Richard Nixon was asking for public support Monday night in offering a compromise to the House Judiciary Committee. His proposal is to provide edited versions of transcripts rather than his elusive tapes. That's probably not good enough for committee members or the general public. The defendant in any other case would be considered guilty of obstructing justice if he withheld any scrap of evidence a grand jury deems applicable.

The point is that Mr. Nixon has not been open and candid on Watergate and other matters in the past. It's too late now. His credibility couldn't be lower. He asked for his version of Watergate to be accepted over that of John Dean, a self-confessed felon. And nowhere in all this has Mr. Nixon assured the nation that he is so clean as to be above the scandals. Quite the contrary, he recently was brought to exclaim, "I'm not a crook," just as Americans learned he owed more than \$400,000 in income taxes.

As Water Lippmann once observed, the great issues of life and politics in a prosperous nation are not material but spiritual. It's in this area Mr. Nixon has failed.

In his later years, Mr. Lippmann wrote: "Those in high places are more than the administrators of government bureaus. They are more than the writers of laws. They are the custodians of the nation's ideals, of the beliefs it cherishes, of its permanent hopes, of the faith which makes a nation out of a mere aggregation of individuals. They are unfaithful to that trust when by word and example they promote a spirit that is complacent, evasive and acquisitive..."

"The people are looking for men," Mr. Lippmann wrote, "who are truthful, and resolute and eloquent in the conviction that the American destiny is to be free and magnanimous...who will talk to the people about their duty, and about the sacrifices they must make, and about the discipline they must impose upon themselves and their leaders...about all those things which make a people self-respecting, serene, and confident."

Mr. Nixon is not a man who can succeed in any of these areas, no matter the scandals, and it is within this concept that historians will judge him. It is also an area that he obviously does not understand.

--J. R. Freeman

Conservative View

by James J. Kilpatrick

He's Toughing It Out

ring his official powers and duties to Mr. Ford, so the theory goes, Mr. Nixon would benefit his country, his party and his own defense.

But the idea has drawbacks also. It is like the recipe for rabbit stew: First catch the rabbit. Mr. Nixon would have to be persuaded to buy this novel proposition, and this would take some persuasion. A President stripped of his powers and duties lies anesthetized upon the table. He is not operating; he is being operated upon. Never mind the duties: He could let those go. It is the power that makes the job worth having—the power to command, the power to decide, the power to veto, the power to appoint, the power to hire and fire. Would Mr. Nixon relinquish such powers?

What about Vice President Ford? In the supposed circumstances, he would be serving as a kind of trustee in bankruptcy. Such a trusteeship works well

enough if the object is to save a failing business. Would it work to save a failing presidency? Mr. Ford already has told the New Republic's John Osborne, in an unguarded moment, that if he ever got to be President, he would begin by firing Ron Ziegler. Some persons would see that as a happy prospect. In the thorny gardens of the Washington press corps, Ford-for-President buttons would blossom like roses. But it is not a happy prospect for Mr. Nixon.

If the President, facing Senate trial, were to take the Twenty-fifth, no conditions could be attached. He could not reserve the power, for example, to retain Mr. Ziegler and to make Supreme Court nominations. Once he declares himself "unable to discharge the powers and duties of his office," that ends it. Presumably Mr. Nixon would continue to draw his \$200,000 salary, and perhaps he could board and room at Blair House across the street, but his trustee in bankruptcy would

have the office and the assets.

I doubt the war will go this way. Mr. Nixon has picked up five points in the polls. It is not much, but it is something. Contrary to the jubilant predictions of Wilbur Mills, chairman of the House Ways and Means, recent revelations of the President's tax troubles failed to blow Mr. Nixon out of the water. The President is still afloat. He is still gamely making headway. He still has steam. Damn the torpedoes, says Mr. Nixon, half-speed ahead.

My own morose thought is that the war will not resolve itself any time soon. It will only sputter on. The House Judiciary Committee will not surface until it can count a floor majority for impeachment. Such a majority is not yet clearly in sight. It comes and goes. The time may arrive when Mr. Nixon will want to think of taking refuge in a neutral port, safe but helpless in Section 3, but that time is yet a long way off.



TRB

from Washington

by Richard Strout

President Nixon is a gambler who bets for high stakes; he gambled that his income tax returns would not be questioned and they made him, briefly, a millionaire. He lost. His foray into the Michigan 8th District was also a gamble; the area has been Republican for 40 years. He lost that one, too.

Other gambles lie ahead. Surely his desperate luck will turn in time. He gambled that the House Judiciary Committee and special prosecutor Leon Jaworski wouldn't issue subpoenas. They did. On the Judiciary Committee Mr. Nixon's own Republicans turned against him, with a 33 to 3 vote and chairman Peter Rodino once more adroitly preserved bipartisanship. Mr. Nixon will take another gamble shortly; he goes to Moscow sometime in June; his popularity rises abroad when he is the symbol of the nation. He is a wounded President seeking foreign triumphs and the Russians will help him, up to a point.

At some time not too distant a delegation of Republicans is likely to call on Mr. Nixon and tell him that he ought to consider stepping down. There is nothing but disaster ahead as things are going. The party has lost four out of five recent elections, including areas that haven't been Democratic for generations. Another contest is coming up—California's 6th District, which, like the others has been a safe GOP seat. Consider the prospect of a "veto-proof" Democratic Congress this Fall, consider Jerry Ford in 1976; yes, consider the country, too. It would be the easy thing for Mr. Nixon to stay, they may say grimly, but the courageous thing would be

Capitol Notes

by William Eckenberger

At the risk of offending Mrs. Holzwarth's third grade class at the Highland Park Elementary School in Upper Darby, something further needs to be said about the new firely law.

Last month, you'll recall, Gov. Milton Shapp signed into law legislation making the firely the official state insect. The idea originated with the third graders at the Delaware County school.

The event was widely hailed by legislators as an opportunity for the pupils to "gain a lasting insight into the legislative process"—a claim that was repeated by the governor at the bill-signing ceremonies.

Letters expressing readers' views are welcome, and will appear on the opposite editorial page. They must bear the signature and address of the writer, be in good taste, and are subject to condensation. Anonymous letters will be discarded. All letters become the property of the newspaper, and are not subject to individual acknowledgement.

for him to step aside.

Will Mr. Nixon heed? We doubt it; not at first anyway. Later, perhaps. A Washington reporter meanwhile constantly asks himself in these strange days how our government manages to function. Here is Mr. Agnew, who, if he hadn't been vice president, would now probably be in jail. Here is Mr. Nixon who, if he weren't President, would likely be indicted by the same grand jury that indicted his many aides. Here is a Republican Party in shambles, and a sullen, venomous mood in the nation at large expressed in the Harris poll that reports for the first time that a plurality, 43 percent to 41 percent, wants Mr. Nixon impeached and removed. Well, of course, President Truman's Gallup rating at one time sank to 23 percent (1951); and that sturdy little man wasn't impeached.

It is rather inspiring, in a negative sort of way, that the country is getting on as well as it is. Fifty million people paid their income taxes last week much the same as always though many must have malevolently thought of Mr. Nixon's returns as they gummed the envelope. Some benefits accrue: the Nixon tax case has jolted chairman Wilbur Mills into a new effort at tax reform legislation this June; Congress might pass it, with another Watergate dividend, a law to curb big campaign bribe-contributions.

It is a special virtue of America, we think, that instead of lapsing into paralyzed cynicism over such outrages the man-in-the-streets demands reform and still believes enough in his government and his country to expect to get it. Sometimes it is touch-and-go.

On a Long Losing Streak

An authoritative new study by Joseph Pechman and Benjamin Okner at Brookings, (*Who Bears the Tax Burden?*) shows that the tax bite is much the same proportionately for nine of 10 Americans, what with loopholes and escape hatches for the well-to-do. Obviously, in such circumstances, the gap between rich and poor will never grow smaller despite the illusion of "progressive" taxes. A sardonic *New Yorker* cartoon recently showed a humble clerk standing before the desk of his boss, who is telling him succinctly, "I'm afraid a raise is quite out of the question, Hopkins, but perhaps one of our lawyers can suggest some tax loopholes for you." That gives the mood.

Government goes on in Washington but there is also the constant feeling of neglect. Any sensible man knows that the energy shortage is still here and that the President should be urging the public to keep on saving as they did in the oil embargo. But that would require some expenditure of Mr. Nixon's hoarded moral authority. He is in no mood to give it. He could be leading the drive, too, to alert the country to the impending world food shortage and probable famine. Do-gooders plead with him: Paul and Arthur Simon in their book *The Politics of World Hunger* (Harper) say, "It is time to face an ugly truth. The United States is not seriously trying to help the human race overcome hunger and poverty."

Mr. Nixon has not shown much zeal about hunger at home, let alone abroad, and he has troubles of his own to think about.

We try not to be unfair. In August 1969 he staggered many of us by proposing a far-

reaching Family Assistance Program (FAP) which was the brain child of Daniel Patrick Moynihan. In his next State of the Union message he boasted that it was "a basic income floor under every family with children in this nation" and he exhorted in the New American Revolution—"a revolution as profound, as far-reaching, as exciting, as that first revolution almost 200 years ago." That wasn't just hyperbole, it was a radical plan. It remains one of the strangest and most mysterious episodes of this strange Administration. Last month a rash of news stories appeared that Mr. Nixon is going to revive the idea. Well, a man who can take a chance in the Michigan 8th District might take another whirl at improving his welfare image.

The Nixon FAP was a variant of the negative income tax, with a guaranteed \$1600 for a family of four, plus food stamps. It twice passed the House. Whatever happened to it? Mr. Nixon cooled the idea and Sen. McGovern killed it by coming out in 1972 for his own plan to federalize welfare and establish a guaranteed income of \$4000 for a family of four, financed by tax reform. That did it so far as Mr. Nixon was concerned. He rejected any Senate compromise that would have helped pass his program and thereupon scoffed at the McGovern scheme. By the time the GOP convention came he had got so far away that, as MIT professor Lester Thurow wonderingly wrote, "the Republican platform declared that it was unalterably opposed to the guaranteed income in any form, despite the fact that this was exactly what the President's family assistance plan had promised."

A Dash of Poetry

To be sure, there was some educational value in the experience for the children. But a little knowledge is a dangerous thing, and learning that 2 & 2 equal 4 does not give one an understanding of mathematics.

The only really typical aspect of the firely bill was that it emanated from outside the Legislature. Creativity is not the lawmakers' long suit.

The main ingredient missing from the standard legislative stew was opposition. No group was pushing for the praying mantis, instead, while simultaneously denouncing the firely as a loathsome, useless creature.

Don't laugh at the possibility. Twenty years ago a group of adults decided that the Great Dane ought to be the official state dog, but they didn't get their proposition through the General Assembly until 1965. Reason: Another group of adults was lobbying for the beagle.

In addition to the lack of opposition, the flight of the firely through the legislative halls was atypical because no special interest stood to gain or lose from the action, and it didn't cost the state any money.

Moreover, the firely lobbyists didn't have to wine and dine any committee chairmen to "educate" them on their cause, and presumably none of their parents had to make

into a few incompetent teachers.

There's not really too much that can be done to avoid this because of a state tenure law that protects the able and the unable with equal vigor.

Were the youngsters to propose that the teacher tenure law be repealed so they might be spared the possibility of coming into the hands of a poor teacher, they would immediately incur the wrath of the teachers' lobby in Harrisburg, which knows how to handle such radical ideas in the legislature. They'd get a real insight into the legislative process.

Unfortunately, it takes more than a firely to illuminate the legislative process.

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