

A Full and Fair Hearing

The AFL-CIO believes that President Nixon should be impeached. Last week we published the 19-point bill of particulars that led to that conclusion. This week we begin a series documenting those charges.

Just as firmly, the AFL-CIO believes there must be a full, fair and public inquest of all charges against the President. Both the President and the American people are entitled to that.

The Constitution of the United States provides just such a procedure, which Alexander Hamilton described as "a method of national inquest into the conduct of public men." This procedure is called impeachment.

It provides a final safeguard against gross misconduct by the executive. It ensures the President a full measure of procedural due process—his day in court. It guarantees that no President will be removed from office except on clear proof and for compelling reasons.

Under the Constitution the House of Representatives decides, by majority vote, whether to prefer an impeachment. Its role is like that of a grand jury, and the articles of impeachment are like the separate counts of an indictment. Impeachment is not restricted to outright criminal offenses. Hamilton said:

"The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust."

If the House prefers an impeachment, the Senate sits as a court, and is presided over by the Chief Justice of the United States. The House is represented by its attorneys and the President by attorneys of his choice. Evidence is introduced as in a court of law, and a two-thirds vote of the senators is required for conviction.

These procedures are eminently fair to the President, for he can be convicted only on evidence publicly adduced, and, with the Senate as it is presently composed, only with the concurrence of members of his own party.

The House of Representatives should promptly prefer articles of impeachment, so that a fair and final determination can be made as to the President's continued fitness to serve.

Impeachment is not conviction. It is, indeed, the only way the President can have due process of law and the public have the truth.

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