

Ford Was Told Nixon Would Never Admit Guilt

'An Act of Mercy'

By Lou Cannon

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Washington Post Staff Writer

President Ford granted Richard M. Nixon a full pardon even though he was informed that the former President would never enter a guilty plea or acknowledge criminal conduct in the Watergate case, White House counsel Philip W. Buchen said yesterday.

At a White House briefing that left many questions unanswered, Buchen said Mr. Nixon's acceptance of the pardon was tantamount to an acknowledgment of guilt.

"The fact that someone accepts a pardon . . . means that it was necessary for him to have the pardon . . ." Buchen said. Asked whether Mr. Nixon's acceptance of a pardon implied an admission of guilt, Buchen replied:

"You can so read it."

He also cited the unanimous vote of the House Judiciary Committee on the first article of impeachment as indication of Mr. Nixon's involvement in the Watergate cover-up, and the transcript of the June 23, 1972, White House tape, which shows Mr. Nixon approving the cover-up six days after the Watergate burglary.

Despite this evidence, Buchen said, he had been informed by Herbert J. Miller Jr., Mr. Nixon's Washington attorney, that the former President "would never enter a plea of guilty."

Buchen would give no explanation of why Mr. Ford did not think such a plea—

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Buchen: Nixon statement would be "very beneficial."

Associated Press

Jaworski Dismayed

By Bob Woodward and Carl Bernstein

Washington Post Staff Writers

Special Watergate Prosecutor Leon Jaworski was described yesterday as being adamantly opposed to grants of pretrial pardons to any persons charged with Watergate-related offenses.

Jaworski, who has said publicly that he would not dispute the pardon granted on Sunday for former President Nixon, has privately expressed the view that President Ford's handling of the whole, pardon question is seriously undermining the special prosecutor's Watergate investigation, according to informed sources.

The granting of any further presidential pardons before trial or indictment would make a "mockery" of justice, the sources quoted Jaworski as saying yesterday.

They described the special prosecutor as "shocked" and "dismayed" at yesterday's White House announcement that such pardons are now under active consideration by President Ford.

A spokesman for Jaworski said yesterday that no comment would be issued about reports of Jaworski's reactions to the pardon controversy.

As of yesterday, Jaworski, who is in charge of all Watergate-related investigations and prosecutions, had not been consulted by the White House about the possibility of granting further presidential pardons or asked for his advice about the

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possible effects of such action, the sources said.

Similarly, the special prosecutor was not consulted on President Ford's decision to grant a full pardon to Mr. Nixon — a decision that by itself had left Jaworski surprised and distressed, the sources said.

The sources stressed that they were not speaking at the special prosecutor's request or with his knowledge, but added that they regard the Ford decisions as so serious that some public expression of Jaworski's dismay must be conveyed.

They noted that the Nixon pardon almost inevitably opened the door to the question of granting other pardons. "One bad decision may force another and so forth. . . . The concept of justice could be wrecked in this country if it continues," one of the sources said.

Despite the special prosecutor's serious disagreements with the White House, the sources said, Jaworski is firmly committed to remaining in office and will not resign until his job is completed.

Jaworski, the sources said, has questioned neither Pres-

ident Ford's authority nor his motives in the decisions he has made on the pardon question.

Rather, they said, the special prosecutor is particularly concerned about what he regards as White House "ineptitude" in the timing and handling of the Nixon pardon and yesterday's announcement.

Both decisions, according to the sources, have left Jaworski fearful that publicity generated by the pardon controversy could seriously jeopardize the fairness of any upcoming Watergate trials, including the cover-up trial scheduled to begin Sept. 30.

Jaworski's primary objection to President Ford's ac-

tions, the sources said, are related to the concept of equal justice under the law — the same concern cited by the President in his pardon of Mr. Nixon on Sunday.

One source who has talked with Jaworski about the question put it this way yesterday: "As President Ford was saying two weeks ago, the system of justice should run its course and premature entry derails it, leaving the impression of special treatment for special people. . . . The former President has been given not only immunity from prosecution and jail but immunity from further investigation."

The other possible effect of Mr. Ford's actions that

the Nixon pardon said yesterday: "The whole damn thing is still queer. My boss is in the dark and the decision is the kind of thinking we had before"—under President Nixon.

Meanwhile, reports differed sharply on the role played by health considerations in President Ford's decision to grant the Nixon pardon.

It is essentially undisputed that the former President is under great psychological strain. But its form, degree and meaning can not be reliably resolved because those who have seen or talked with the former President in recent weeks give widely varying reports.

have caused Jaworski particular concern, the sources said, is related to fears that grants of blanket pardons could leave some crucial parts of the Watergate story untold forever. Jaworski and his aides are said by the sources to feel strongly that blanket pardons could seriously impair public confidence in the judicial system.

Despite the White House announcement that further pardons are under consideration, the sources said that Jaworski's immediate reaction was that President Ford will be dissuaded from such action.

One source close to Jaworski speculated that the announcement represented "a trial balloon which can be

shot down in a couple of days to show that President Ford is tough on Watergate" by not issuing any further pardons.

Two White House sources disputed this yesterday and said the matter is getting serious consideration. "The President wants Watergate over, and over in a big way. . . . he may take drastic steps," one said yesterday afternoon.

The unexpected announcement of the Nixon pardon on Sunday has still left some of President Ford's key aides and congressional supporters somewhat dismayed.

An aide to a key senator who had publicly supported President Ford's decision on

"I know the (former) President hasn't had a breakdown," one well-placed Nixon associate said yesterday, but refused to elaborate.

Other sources in and out of the White House tended yesterday to explain the decision on the Nixon pardon as a result of pressure brought to bear on President Ford by Nixon's family, friends and associates.

That pressure, the sources agreed, relied heavily on the argument that Mr. Nixon's physical and mental health would deteriorate unless he were spared the ordeal of indictment and trial for his role in the Watergate scandal.

Whatever the reasons that finally led President Ford to grant Mr. Nixon a pardon, sources close to the matter agreed that the President underestimated the furor that his action would bring.

One source with close ties to both the Nixon and Ford staffs suggested that yesterday's announcement represented a misguided attempt by Mr. Ford to extinguish the firestorm generated by the Nixon pardon.

Instead, the source said, some of Mr. Ford's closest aides are convinced that yesterday's announcement will only fan the flames and generate more controversy—"one blunder born of another," in his words.

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or a statement acknowledging guilt—a pre-requisite for a pardon except to say that the pardon was “an act of mercy” which did not require a specific admission of wrongdoing.

The decision to grant a pardon was reached without knowing what Mr. Nixon planned to do, Buchen said.

But the White House lawyer, a long-time personal friend of Mr. Ford, said he had informed Miller at the time he told him of the pardon that a statement from Mr. Nixon would be “very beneficial.”

Buchen insisted, contrary to some published reports, that Washington attorney Benton Becker did not take a copy of a suggested statement with him to San Cle-

mente, Calif., last Thursday when he took a proposed pardon to Mr. Nixon.

Buchen said that a published report that Mr. Nixon had been asked to make what he regarded as “a public confession of criminal guilt” and had “angrily refused” was without foundation.

However, another White House source said that there

had been a refusal—but by former White House press secretary Ronald L. Ziegler.

This source said that Ziegler had told Becker, and forcefully, that Mr. Nixon would not acknowledge any criminal wrongdoing.

Neither Becker nor Ziegler responded to efforts to reach them.

Buchen released a memo

of the Watergate Special Prosecution Force that listed 10 areas that could personally involve Mr. Nixon in potential prosecution. This was in addition to Mr. Nixon's involvement in the Watergate cover-up, which was the subject of a separate memo not released by the White House.

“None of these matters at the moment rises to the level of our ability to prove even a probable criminal violation by Mr. Nixon, but I thought you ought to know which of the pending investigations were even remotely connected to Mr. Nixon,” the memo said.

The memo was prepared by Watergate Deputy Special Prosecutor Henry Ruth, and was addressed to Watergate Special Prosecutor Leon Jaworski.

The 10 matters under investigation listed in the memo:

- Tax deductions relating to the gift of pre-presidential papers.

- The Charles W. Colson obstruction-of-justice plea in the Daniel Ellsberg case.

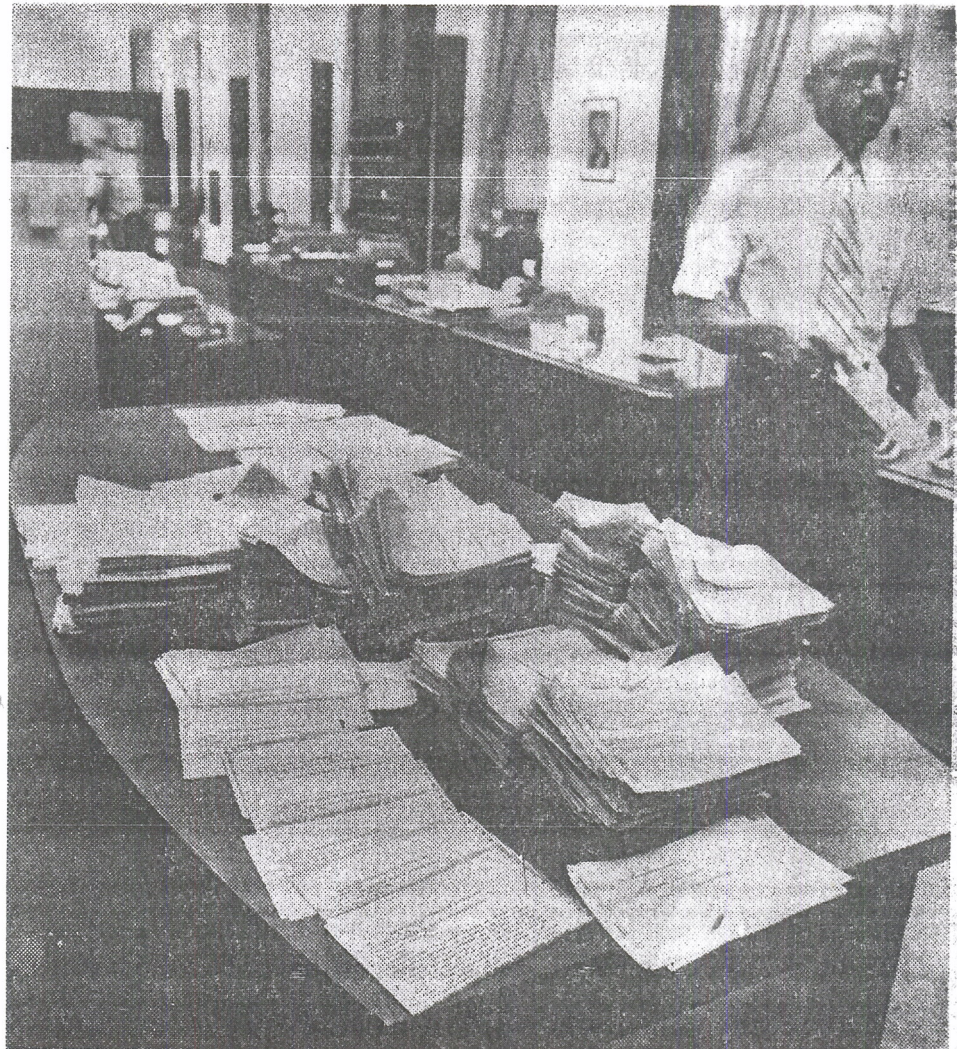
- Transfer of national security wiretap records from the FBI to the White House.

- The wiretapping of John Sears, a former National Security Council aide.

- Misuse of Internal Revenue Service information.

- Misuse of the IRS through initiation of audits of Nixon administration “enemies.”

- The question of dairy industry campaign contributions.



United Press International

Some of the more than 16,000 telegrams commenting on Nixon pardon. Most are against.

- Filing of a challenge to The Washington Post Co.'s ownership of two Florida television stations.

- White House participation in Department of Justice decisions concerning the International Telephone and Telegraph Corp.

- Campaign contributions made to C. G. (Bebe) Rebozo

which allegedly personally benefitted Mr. Nixon.

Buchen did not shed any light on two key questions arising in the pardon of Mr. Nixon. One is whether President Ford had acted on the basis of reports of Mr. Nixon's supposed emotional depression, of which Buchen said he had no knowledge.

Nor did Buchen explain, other than in reiterating Mr. Ford's determination to commit “an act of mercy,” why the President directed him to prepare legal research on grounds for a pardon only two days after he told his first press conference that he would let the legal process run its course.