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# THE PARDON

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## The Case For Moving Quickly

It is now clear—although not officially admitted even now—that President Ford has long intended to grant a general pardon to President Nixon. The peculiar timing of the President's weekend announcement is proof enough that he had made up his mind about what had to be done at a much earlier date.

But there is other evidence as well, conspicuously including President Ford's abrupt conversion to a diluted brand of amnesty for men who broke the draft laws to avoid service in Vietnam. The amnesty decision must now be seen, in fact, as considerably more than an attempt to "bring us all together again."

All you have to do is to imagine the uproar we should now be hearing, if President Ford had granted a pardon to President Nixon without first moving toward amnesty. The response to the pardon has been loud and angry in any case. It would have been deafening and apoplectic if President Ford had not first made his pro-amnesty speech to the Veterans of Foreign Wars.

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prelude to the pardon, and that he partly made the move to prepare the way for the pardon. On that basis, the decision to grant the pardon must at least be dated before the VFW speech, if not from the first moment when



President Ford foresaw that his predecessor might need a pardon.

Once the decision to grant a pardon has been backdated in this manner, everything else falls into place. From President Ford's viewpoint, there was nothing to gain and much to lose by letting the law take its course against President Nixon, and only granting a pardon when there was no other choice.

Special Prosecutor Leon Jaworski had told the White House that it would take at least a year to bring the former President to trial. President Ford has more than enough political astuteness to have figured out that politics-as-usual were bound to begin again before a year had passed. The sensible thing was to take the plunge and get it over with—which the President thereupon did last Sunday.

As to the President's motives, they are not hard to read. He owes the White House, after all, to the man who appointed him Vice President; and he is the kind of politician who remembers and acknowledges political debts. He has a strong, old-fashioned sense of propriety, too; and this sense of propriety would have been outraged by the spectacle of a former President of

the United States being publicly subjected to criminal prosecution.

In the uproar about the pardon, moreover, far too little has been said about the strong reasons of national interest that also lay behind President Ford's pardon for President Nixon. The arguments on the other side have already been so vociferously made that they need no rehearsing. They are extremely powerful arguments. But so are the arguments on President Ford's side.

To begin with, it can certainly be argued that the writers of the Constitution had just this kind of special case in mind, when they granted all Presidents an unqualified right of general pardon. They did not say that Presidents could only pardon persons who seemed to have been unjustly judged, or persons whose crimes were marked by extenuating circumstances. They said, in effect, Presidents could pardon anyone at all, as they might think best.

As partical matter, therefore, President Ford had a right to weigh the competing claims of equal justice under law, and of putting the whole Watergate ulcer behind us as soon as possible. The country has already suffered grave losses, and has run even graver risks, because of the long and total preoccupation with Watergate.

The Watergate affair was a super-nasty business, but there were—and there still are—a lot of other important matters to worry about. We have not worried about them. In consequence, drift has carried us to the naked brink of the kind of world-wide financial smash that will surely cause another great world-wide depression, if it comes.

It would have been dangerous, in fact, to prolong the Watergate obsession by bringing former President Nixon to trial and perhaps sending him to jail. Nor is that all. In the long run, a certain amount of anti-Watergate revisionism is inevitable. You can already foresee the debating points: for instance, that other Presidents have got away with doing much worse things than wiretapping Lawrence O'Brien. If President Nixon had not been pardoned, this revisionism would have been far more likely to take an ugly turn.

In short, President Ford has not pleased everyone, but the pardon was not the act of a fool or a knave.