

William Shannon

Ford's First Mistake Was A Big One

Washington

THE NIXON pardon is profoundly disturbing for what it forecasts about the Ford presidency.

The decision itself, the way it was arrived at, the quality of the persons the President chose to advise him, and the thought processes which he disclosed in his statement of explanation all bode ill for his future conduct in office.

The decision is widely recognized as a mistake, morally, legally, politically.

Morally, it introduces intolerable inequities into all the Watergate-related trials. Cynicism, deadly and disfiguring, has been flung like a corrosive acid into the fair face of American justice.

Legally, it complicates and may fatally compromise the trials of Nixon's former associates.

Politically, it associates a Republican president and the Republican party with the corruption, the lying, and the blatant hypocrisy of Watergate less than a month after the GOP thought it had been freed of the Nixon incubus.



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IF THE decision was a major blunder, it was also arrived at in exactly the wrong way. President Ford acted in haste and failed to consult the special prosecutor or the attorney general. He relied on Philip W. Buchen, his former law partner from Grand Rapids who is now White House counsel, and Benton L. Becker, a young Washington attorney who acted as secret intermediary between the White House and Nixon.

In private practice, Becker recently represented two disreputable businessmen convicted of stock fraud who now accuse him of urging them to give false testimony, a charge he denies. Buchen's defense of Becker takes us right back to the heyday of the Nixon administration: "Becker is just as straight as he can be. He's a very savvy guy whose loyalty belongs to the Oval Office."

Or, stated differently, he is another ambitious young hotshot who, like John W. Dean 3rd, is out to please the boss in the Oval Office and get ahead in the world. With the advice of a legal team like Buchen and Becker is it any cause for surprise that Ford stumbled into his present difficulties?

Neither of them has the experience in public life, the standing with the public, or the professional attainments to advise and assist the President on a matter so delicate and possessed of so many complicated ramifications. The agreement they negotiated and to which Ford assented was a complete sell-out of the public interest.

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AT THE very least, Nixon should have acknowledged publicly that he engaged in criminal conduct. He should also have consented to turning all of the tapes and documents of his administration over to the special prosecutor for a thorough review of the "leads" to other crimes that they may contain. To place them in Mr. Nixon's custody and to require the special prosecutor to seek a subpoena to obtain what he suspects they may contain is reprehensible.

The intellectual and moral confusion of Mr. Ford's statement is dismaying. It derives from his faulty premise. He compares Watergate to a story in a book which it is within his power to finish by writing "The End" and closing forever. That might be true if Mr. Nixon, as an isolated individual, had committed a single wrongful act.

But Watergate is actually a one-word description for a complex web of crimes and conspiracies involving millions of dollars and dozens of individuals in both public and private life. Much more remains to be learned about this web.

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DISCONCERTED BY the adverse reaction to the pardon, the President now contemplates pardoning everyone. But if these and other cases are not pursued in a thorough and responsible manner, partially substantiated facts and ugly rumors will circulate for years. There is no way to close the book on them.

The President would do better to revoke the agreement yielding the tapes and documents to Mr. Nixon's custody, transfer them to the special prosecutor, and allow the various trials to go forward. A mass pardon limited to Watergate defendants would multiply the mistake of the Nixon pardon and might provoke such disbelief in his integrity as to threaten his capacity to govern over the next two years.

New York Times

James Reston is on vacation