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Perceptions of Justice

To the Editor:

Editorially, you would accept a pardon for Richard Nixon but only after a trial. Your pretense is equal justice, but your motive is manifestly revenge. Our country is not torn with passionate divisions over Ford's pardoning of Nixon. Your saying so does not make it so.

If a pardon were to be ultimately expected and acceptable, why drag an ex-President through the motions of a trial officially to establish guilt? Why isn't this potentially more divisive than the "premature pardon?" What makes an expected pardon less a contradiction of equal justice under law than a pardon without trial?

The nation knows Nixon's guilt even if Nixon's own admissions of guilt do not square with the public's perception of his guilt. Supporting a trial to get the full facts of Watergate is transparently fraudulent. Between the Senate Watergate Committee, the House Judiciary Committee, Leon Jaworski, and Nixon's own self-incriminating tapes, the case against Mr. Nixon is the most thoroughly investigated and documented one in our history. And, whatever there is significant in the yet unpublished tapes will soon become public domain.

The argument for equal justice under law is another conveniently invoked pretense and made all the more dramatic if the comparison is between the mighty President and some poor common criminal. Lyndon Johnson was not brought to justice for his carefully perpetrated scenario that invented the Gulf of Tonkin incident and plunged this nation into one of its greatest tragedies. Long before his term of office expired his story was known to Congress, but his party dominated the Congress and impeachment was not even considered let alone initiated. Without the ally of time his departure could easily be called a resignation. The method by which he acquired a fortune measured in the tens of millions during 42 years of public service has never been publicly aired. Ted Kennedy's televised explanation of the scandal of Chappaquiddick has never been officially established, but the public knows he may have lied. Kennedy will pay the price by being denied the Presidency.

There is now and always has been a theoretical perception of justice and a practical one. Ford chose the practical one, the one most acceptable to a majority of Americans.

JOSEPH A. NAGY

Fanwood, N. J., Sept. 15, 1974