

Ford, Nixon was rebuffed on another front as he struggled to get his personal affairs in order. His perfunctory resignation from the California Bar Association was opposed by that group on grounds that his letter did not even concede that he was under investigation in disbarment proceedings. The turnaround keeps that investigation alive, unless it is overruled by the California Supreme Court. Nixon contends that he has no plans to practice law and intends also to resign from the New York Bar Association. It too has initiated a preliminary disbarment probe and is likely to echo the California action if Nixon attempts to resign in similar fashion.

If Nixon's troubles were still far from over last week, so were those of six of his former White House and political associates. As expected, their attorneys pleaded with Judge John J. Sirica to dismiss the charges or at least delay their trial because of all the adverse publicity generated by the furor over the Nixon pardon. Also as expected, Sirica denied the motions. There may be further appeals, but the trial is now scheduled to begin on Oct. 1.

Day in Court. The still-unresolved question is how Nixon will be treated in that trial. He has been summoned as a defense witness by Ehrlichman, but could conceivably plead the Fifth Amendment protection against self-incrimination in that role. His lawyers could argue that, while federal prosecution has been banned by the pardon, state prosecution is still possible. That is highly unlikely and such a Nixon plea would be shaky, since the trial questions need not delve into any Nixon activities other than the cover-up conspiracy. Nixon could also be summoned as a prosecution witness and be granted specific immunity against use of his testimony in other jurisdictions. As a prosecution witness, he could be asked questions going beyond topics that the defendants wish to introduce. Judge Sirica could subpoena Nixon as a court witness, further expanding the range of queries. Unless Nixon can satisfy Sirica that he is medically incapable of appearing, his day in court still looms ahead.

In the understandable concern shown by Gerald Ford over Nixon's personal fate, the larger national interest was submerged. Yet it is not too much to hope that Ford, jolted by the equally understandable objections to his high-handed action, now appreciates the larger perspective. If he does not now join in those efforts to see that the full truth of America's most devastating political scandal is preserved and published, he runs the high risk that his own historical record will be linked to that of the discredited President who selected him as his successor. It is a fate that the nation, for its own sake and his, does not wish upon the 38th President of the U.S., whose healing skills, because of his first mistake in office, are more than ever required to exorcise Watergate.

THE PRESIDENCY/HUGH SIDNEY

"The Truth Shall Make You Free"

When the historians look back to these weeks, they may find that the worst error was Richard Nixon's. Right now, the egg is on Gerald Ford's face. But Nixon accepted the pardon that Ford offered. Once again Nixon has miscalculated almost everything and everybody. He has charted himself a course straight into the sloughs of history.

It is a pathetic thing to watch, but there apparently is some internal mechanism within Nixon that will not allow him to perceive reality. The Watergate record is a sequence of similar bad judgments. It was only a "third-rate burglary." Tell the people nobody in the White House was involved. Blame it on the CIA and national security. That will stop it. The American people will soon tire of the whole affair. Sam Ervin's committee won't last long. Nobody can really understand the complexities of the case. The House will never impeach. The Senate will never convict. At each turn, Nixon's contempt for the intelligence of the citizens he governed and his failure to comprehend their basic decency led him further into crime.

And from behind the walls of San Clemente the delusion goes on. Richard Nixon is not escaping anything. He has fed his Watergate cancer. He has cast himself for his remaining years as an unrepentant criminal. He must now live a continuing cover-up.

The lesson of human experience is that there are only two roads to historic rehabilitation for men caught like Nixon. One is to stand trial by a jury of peers, accept the verdict and whatever punishment may be meted out. The other is to make a full confession. Nixon has rejected both.

In the midst of Watergate the men around the former President used to talk about some kind of thunderclap that would sweep away the whole mess by the next dawn. They tried speeches, statements, overseas trips and transcripts. None of it worked.

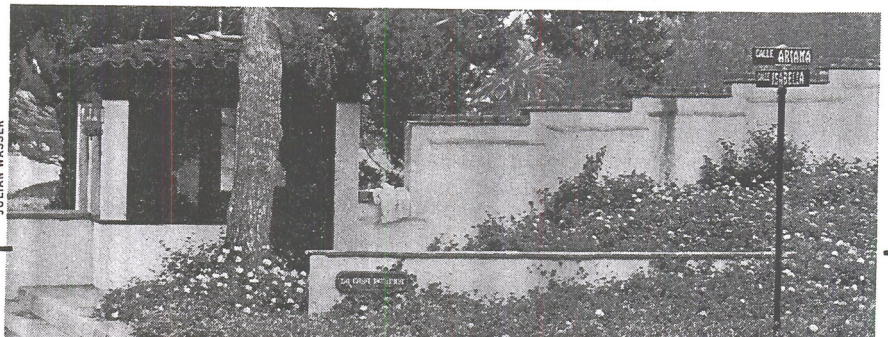
But Nixon goes on in his special fantasy, searching for the miracle. His statement after the pardon about having made "mistakes" in dealing with Watergate is the same old line. Others were at fault. All he did was make a few procedural and administrative errors. One can almost hear the onetime words of Ron Ziegler that "contrition is bullshit," or Nixon's own assessment of the Republican Judiciary Committee members who turned against Nixon when the last transcript revealed his lying. "Soft bastards," he said.

They talk around San Clemente about Nixon's getting back into public life, telling his story to the people. His millionaire friends reportedly are ready to grease the way. Once again, the mirage rises on the horizon that a speech here and there, a book or two and some visits by Billy Graham will bring Nixon back to life. What is more apt to happen is that the full guilt of Watergate will take root on his doorstep and grow. In all likelihood his alienation from his fellow Americans will get worse. The polls indicate that they perceive him not only as one who violated his presidential trust but, in the end, as a man of such shallow courage and character that he could not confess his own fault. A last act of honor in this tawdry drama could raise the estimate of Nixon in history, could at least give a saving footnote to the otherwise black episode. Apparently that is not to be.

San Clemente is called "Elba West" by some, and the term becomes less of a jest as time goes on. There is no accurate measure yet of the internal disintegration of Nixon himself. But the toll being taken among those men who served Nixon during the Watergate crimes is terrible. Wives have turned against husbands. Children have turned against fathers. Jobs are difficult to find. Immense legal debts threaten to burden families for the rest of their lives.

Around Capitol Hill, some concerned men have predicted that Richard Nixon will be giving morality lectures by spring. But John Doar, the quiet lawyer who directed the Judiciary Committee's investigation, came closer to the mark. He said that the committee's report stands as an inviolate and irrefutable statement of Nixon's guilt. That report is already on the shelves of history, a burden that will only be lightened for Nixon when he acknowledges it.

WALL OUTSIDE RICHARD NIXON'S CASA PACIFICA IN SAN CLEMENTE



JULIAN WASSER