

Pres 10-18-74

The President's Testimony

MR. FORD'S appearance before a subcommittee of the House yesterday turned out to be pretty anticlimactic. This was probably bound to be. It would have taken some very close, sustained questioning and some very revealing replies to make the results of the session equal to the drama of its taking place at all. This turned out to be not so much an investigation as a ceremony. Not that the ceremony did not have its uses. The President was categorical and compelling, in our view, in refuting the allegation that his pardon of Richard Nixon was part of a prearranged "deal." His mere presence, as well as his ease and good temper, said a lot about the restoration of civil relations and a sensible balance between the executive branch and Congress. His gesture took nothing away from the dignity or the prestige of his office; on the contrary, both were enhanced.

These things, which may seem in part like atmospheric to some persons, are actually important. That is because the subject under discussion was by and large a closed question. The subcommittee was not inquiring into what should happen but rather into why something irrevocable *had* happened when it had. The President's explanations were not much different from those he gave the first time around, and they are therefore hardly likely to be any more satisfying to those, such as ourselves, who strongly believe that the pardon was ill-timed and mismanaged. Thus, the best that can be hoped for from yesterday's performance is that it will advance the general purpose which the President gave for granting the pardon so swiftly: to "shift our attentions from the pursuit of a fallen President to the pursuit of the urgent needs" of the nation.

None of this alters the fact that the President's purpose has manifestly not been advanced so far by his rush to pardon. Indeed, his very appearance before the subcommittee was a consequence of the violent debate and deepened divisions generated by the shock of his pardon decision a month ago. Far from putting the

Watergate "nightmare"—as he called it—behind him, he quite obviously miscalculated the public mood, misread the true meaning of the Watergate trauma and contributed measurably to a weakening of his own power and capacity to deal with the urgent national problems to which he supposedly was redirecting the country's attention and energies.

Mr. Ford may have repaired some of this damage yesterday. But he did not repair as much of it as he might have. Perhaps the most disappointing aspect of his testimony was his continuing failure to make a public statement of his view of the offenses which drove Mr. Nixon from office. By immunizing Mr. Nixon from prosecution and by failing to extract from the former President any acknowledgement of wrongdoing, Mr. Ford closed the case for all practical purposes without any formal judgement having been rendered on Mr. Nixon's misconduct other than that provided by the aborted impeachment proceedings in the House. Presumably Mr. Ford could answer this criticism by pointing out that nobody on the subcommittee pressed him to say precisely what he took to be the crimes for which Mr. Nixon was granted—and accepted—a pardon. And it is true that the subcommittee's interrogation in this respect and others left a great deal to be desired. It is also true that Mr. Nixon's commission of offenses sufficient to justify his resignation or removal from office has been amply established in a wealth of evidence variously assembled by congressional committees and the special prosecution force and that it is likely to be further documented by testimony in the Watergate cover-up trial. However, it does seem to us that were Mr. Ford to find some way to convey his own appreciation of the circumstances which led to Richard Nixon's removal from office he would find that he had done a great deal not only to reassure the public but also to serve his stated purpose of putting the Watergate turmoil behind us.