

Ford Views Secrecy as Enemy of Truth

By William Greider
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If Gerald R. Ford ever becomes President, maybe he will change his mind about problems like executive privilege and White House secrecy. That has happened before.

But, for the record, the new Vice President is at present committed firmly to the congressional side of the argument. Over the years as a congressman, he has preached again and again against the abuses of presidential power and for openness in the Executive Branch.

"A free society must have some secret agencies to defend itself against the deception of its potential enemies," Ford wrote in his book about the Kennedy assassination. "On the other hand, secrecy is the enemy of truth . . ."

Once he told a lecture audience at Southern Methodist University:

"In my judgment, today we find an erosion of the power and prestige of the legislative branch, a change of the intended direction of the judiciary and an awesome build-up of strength and use of this power in the executive arm.

"In this situation there is a modern-day parallel with the story of David and Goliath. Congress, the legislative branch, David. The executive, the White House and all its agencies, is Goliath."

That was in 1965 when Goliath was named Lyndon B. Johnson and Ford was struggling to mobilize the Republican opposition. Understandably, he dropped that Biblical metaphor when a Republican became President.

But Ford has been explicit



VICE PRESIDENT FORD
... criticizes abuses

in his criticism of White House secrecy. More recently, Sen. Robert Byrd of West Virginia, a shrewd and purposeful interrogator, used Ford's confirmation hearings to make certain that the new Vice President still believes what he used to say about executive privilege and other subjects.

Byrd reminded Ford of a 1963 speech in which the Republican congressman attacked the Kennedy administration for covering up its sins and errors by claiming executive privilege. Among other things, Rep. Ford declared.

"In a frightening proportion of these cases, the claim was made to cover up his honesty, stupidity and failure of all kinds. . . You have all seen that pattern develop. First, the suggestion of wrongdoing is made. Congress demands the records. The people downtown in the ivory tower of the Executive Branch stall and say the investigation is silly.

"Then they simply refuse. Something eventually leaks out and the scandale spills over for all the world to see. Then someone resigns and

his resignation is accepted with regret. Congress can not help but conclude that executive privilege is most often used in opposition to the public interests."

Ford, of course, was talking about the Bay of Pigs, but it is a reasonable summary of how the Nixon White House has handled Watergate. Sen. Byrd asked if Ford still believes his comment that executive privilege is most often invoked against the public interest.

"I think it was a little strong," Ford said, amid laughter. He was frustrated by executive secrecy in 1963 and he sympathizes with Democrats who are frustrated now.

But, Byrd asked, does he feel executive privilege should be used to conceal evidence when criminal allegations are made against the presidency itself? Ford danced around the question a bit, but Senator Byrd pinned him down. Ford replied:

"Where you have allegations serious allegations, when those documents have material impact on the guilt or innocence of an individual, it seems to me that the judgment, bearing in mind the best interest of the country, would be that they should be made available."

Then Byrd asked: "You would say, yes, that the concealment of information which may bear upon the commission of crimes would constitute an obstruction of justice?"

"Yes, I think, under my interpretation," Ford said.

"Can you conceive of any justification, Mr. Ford, for anyone, including the President of the United States, to disobey a court order?"

Ford responded: "I do not think any person in this

country is above the law." Ford agreed that, if he were President in a similar dispute, he would comply with the determination of the Supreme Court, a matter that was once in doubt about President Nixon.

"You mean by that that you see no justification for anyone, including a President of the United States, to disobey a final court order?" Byrd asked.

Ford replied: "I would strongly say that any person, including the President, where a determination has been made by the highest court of the land, ought to obey the court order."

Before he left the witness chair, Vice President Ford declared himself on another related issue. Sen. Claiborne Pell of Rhode Island asked him about presidential credibility.

"I wonder if you believe, for instance, that you would have a responsibility to have regular press conferences if you were President?" Pell asked.

"I certainly do," Ford answered. "I think my friends in the House radio, television and writing press galleries will attest to the fact that I do it regularly and have done it and it would be my intention to do it in the future."