

After the Pardon

To the Editor:

It will be surprising if the unseemly haste and absolute nature of President Ford's decision to pardon Mr. Nixon—before any charges had been brought and before any trial—do not prove to be a momentous political mistake.

It affronts the American sense of equal justice; its timing gives rise to legitimate suspicions of a rancid political deal. And thus vulnerable to the charge of continuing the cover-up, it may well revive the poisonous vapors of Watergate corruption to the grave detriment of Congressional Republicans who must run for office this fall. Even if the new President himself escapes the taint of wrongdoing, his decision will revive major doubts as to the adequacy of his mental equipment.

The anger and the anguish will very likely extend far beyond the relative handful of vindictive Nixon-haters who would indeed like to see him drawn and quartered. The decision will be morally offensive to millions of people who have only recently rediscovered (thanks to the Supreme Court and the House Judiciary Committee) that an independent and objective judicial process is a main bulwark of our democratic system, and who have thereby restored their faith in several related propositions:

(A) that full disclosure is the absolute prerequisite to a national understanding, catharsis and resolution in the matter of the Watergate corruption; (B) that the ventilating process of a jury trial is the best known means under our system for arriving at the closest possible approximation of truth and justice, and (C) that the American people and their institutions are sufficiently steady and strong to cope maturely with whatever shocking additions to the record might be produced by a Nixon trial.

A Presidential pardon at or near the end of such a process—to save Mr. Nixon from prison—would have been broadly accepted as an honorable tempering of justice with mercy.

The Ford decision was, however, an affront to each of these propositions. It arbitrarily closed off the prospect of full disclosure; it treated Mr. Nixon as a very special kind of citizen by abruptly aborting those legal processes explicitly provided in the Constitution for dealing with questions of the guilt or innocence of deposed Presidents, and it rested its argument on the condescending premise that the American political fabric (which is to say the American people) cannot stand the strain of a Nixon trial. In addition, it gave offense to those who resented its unctuous preaching on a Sunday morning that Mr. Nixon has "suffered enough." On all counts it was a bad decision.

TOWNSEND HOOPES

Washington, Sept. 9, 1974

To the Editor:

Your Sept. 9 editorial on President Ford's pardon of his predecessor is so extravagant in its indignation that it confirms my first conclusion: Despite all the conflicting considerations, Mr. Ford's decision was essentially right.

Of all the perils attending a criminal proceedings against an ex-President, it seems to me none is greater than the spirit of hate and revenge that would surround it—and that would evoke an answering hatred from his partisans. Even if a fair trial before a fair-minded jury is possible, be the judges and lawyers ever so honest—one cannot happily contemplate the surrounding picture of fighting in the streets and of deepened enmities in this already wounded society. The super-righteous tone of your editorial simply deepens these misgivings.



This view does not reflect any less revulsion than you doubtless feel toward the offenses Mr. Nixon committed against our Constitution. For these he was forced from office, and rightly so. As for his crimes, if such they were, these are if anything graver than those of his subordinates: his power and responsibility as President made them so.

But must we proceed from that premise to the conclusion that equal justice demands prosecution of the recent President in the same dock with his staff whom he misled? His offense was more enormous, but so was the price he paid and is still paying—and so would be the new wounds on our much-lacerated nation from an attempt to exact from him the pound of flesh which the law stipulates.

Of course, compassion for the individual cannot override public considerations. But the personal and the public are not so neatly separable as you suggest. The law may distinguish the man from the President, but the people will not. Their responses tend to be direct and human; compassion or revenge.

Your dismissal of this aspect makes you seem a little tone-deaf to some of the notes of tragedy in what we have been through.

WALLACE IRWIN Jr.

Larchmont, N. Y., Sept. 9, 1974

To the Editor:

By his pardon of Richard Nixon, President Ford has in one stroke restored suspiciousness as the dominant political mood of most Americans. Some will wonder whether Nixon and Ford made an agreement, as a condition of Nixon's choice of Ford as Vice President, that if Nixon were forced to resign, Ford would pardon him. Others will wonder whether, between the time when Ford assured the people at his press conference that he would permit the judicial process to run its course and the Sept. 8 pardon, Nixon and his financial sources were able to "get" to Ford and make him change his mind.

One or the other of these hypotheses is a contending way to explain the precipitate pardoning of Richard Nixon. These are not, of course, the only possibilities. Another is Mr. Ford's

seeming and alarming inability to grasp that justice is as necessary as mercy to a responsible religious faith, and indeed that without justice the body politic is destroyed.

But if either of the first two hypotheses is correct, we are thrust back into the criminality of Watergate, and Gerald Ford becomes subject to impeachment. The tragedy is that we are given no choice but to think of such terrible possibilities. At the very least, Mr. Ford's integrity is now under grave suspicion, and we are once again a divided nation.

(Rev.) A. ROY ECKARDT
Bethlehem, Pa., Sept. 9, 1974

To the Editor:

President Ford's full and unqualified pardon of Richard Nixon is a travesty of justice and a complete denial of the principle that all men are equal before the law.

To imagine that citizen Nixon could leave the White House in rock-bottom disgrace after a tarnished Administration of lies, broken promises, dirty tricks and worse with no need to answer to anyone is beyond understanding.

Indeed, how is it possible—after the dozen or more jail sentences meted out to hirelings who perjured themselves on Watergate testimony in the confines of a court of law—to grant immunity to the top conspirator, who many times perjured himself before a coast-to-coast audience?

While no fair-minded American wants "to pick the carcass," complete freedom from prosecution is misplaced generosity when so many malodorous crimes against the nation, its citizens and Constitution, are still manifestly unrecognized or unacknowledged by the Lord of San Clemente. Only with all the facts fully and clearly established in a court of law would President Ford's pardon have been justified. As it is, first Nixon fired Cox and now, by his premature pardon, Ford is effectively firing Jaworski.

All citizens are joined in wishing great success to President Ford in his new office, but his precipitate and unjustified pardon to former President Nixon is one hell of a bad way to start off his otherwise promising Administration. PAUL H. GILBERT
New York, Sept. 9, 1974

To the Editor:

We thank President Ford for his decision to pardon Mr. Nixon. He has suffered more than enough, yet it appears that the hate-mongers will never rest until he is dead.

Mr. and Mrs. JAMES POWERS
ELSA POPELL
Laguna Niguel, Calif., Sept. 9, 1974

To the Editor:

President Ford's decision to pardon Richard Nixon is anarchic. Why should any nobody obey the law when no somebody must? Perfect cynicism rules. Crimes does pay. What shall we tell the children?

MARIE SHEAR
Brooklyn, Sept. 9, 1974

To the Editor:

There are two aspects to Mr. Nixon's responsibility and guilt: He violated the trust of the people and he committed common criminal acts. Removal from office is the appropriate consequence of the former and criminal liability for the latter. Removal from office is not a punishment since the holding of office is a trust and not a right.

Mr. Ford's pardon of Mr. Nixon with the statement that he has been sufficiently punished therefore establishes separate classes of citizenship and separate criteria of law for the privileged and for common citizens.

This democratic nation was founded on the premise of equality under the law; this concept is taught as bedrock principle to every schoolchild. How then can the hypocritical pardon of Mr. Nixon fail to make meaningless the constitutional precepts which we attempt to instill in every citizen?

This pardon in the name of healing is not only logically ill-founded but shortsighted, for it corrupts the democratic fabric of the nation. It perpetuates the deceit of Watergate and the philosophy of Watergate. True healing will come only from truth.

ROBIN W. BRIEHL, M.D.
New York, Sept. 8, 1974

To the Editor:

President Ford has proven himself inconsistent in at least three areas by granting Mr. Nixon full and complete pardon.

First, the President promised an open Administration. The country was taken completely by surprise with the announcement of the pardon, and the facts have shown that the pardon was seriously considered for at least one week. This is not a policy of candor.

Second, the President implied that the wheels of justice should turn until the historical records were accurate. Now, the wheels are skidding to a halt.

Third, the President's compassion for this one citizen is not paralleled by compassion for the victims of Mr. Nixon's actions, the American people. Mr. Ford has in effect attempted to obstruct justice.

Mr. Ford said in his pardoning speech that he believed in "equal justice for all Americans" but said that Mr. Nixon should be pardoned. President Ford claimed that the pardon was necessary to prevent the country from returning to a climate of divisiveness during an unprecedented trial. However, justice cannot be subverted because it is not pleasant. Persons are usually pardoned after conviction despite the anguish of a trial.

President Ford's actions show that he is willingly and rationally attempting to deprive the American people of a full and complete investigation of facts.

Furthermore, the religious rhetoric used in an attempt to explain the circumstances of this event which took place on a Sunday is almost blasphemous. Phrases such as "an act of contrition," "an act of conscience" and "compassion" should not be used to hide the inconsistent action of President Ford and the act of deprivation that President Ford has caused the American people. ANTHONY G. NUZZO
New York, Sept. 8, 1974

To the Editor:

In granting Richard Nixon a full pardon, President Ford has with unseemly haste curiously reversed his recent pledge not to enter the case until the courts had concluded their review of Mr. Nixon's role in the Watergate scandal.

President Ford's action has frustrated that process. By his injudicious and untimely intervention, he has himself shattered the image of integrity and impartiality in which the Americans sought so hopefully to cast him.

More, we and posterity are now deprived of the completion of a legal procedure which would be total and definitive in a case of utmost historical importance. We and future generations have the right to the safeguard of a record which is frank and unambiguous. That heritage must be protected against possibility of abuse through forgetting or obfuscation, or of phoenix-like renaissance of Richard Nixon from his political ashes.

Have we been rescued from "tricky Dick" only to inherit "tricky Gerry"?

JULIUS RASKIN
Brooklyn, Sept. 9, 1974



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