

Letters to the Editor

Prosecution of Mr. Nixon

To the Editor:

Those calling for further legal proceedings against Mr. Nixon claim as their justification the principle of "equal justice under the law." In fact, it is that very principle which requires that any further prosecution of Mr. Nixon be forgone.

To have one's achievement of a lifetime wiped out and to retire in public disgrace is a punishment that can only be suffered by men who have actually achieved something significant in their lives. It is entirely appropriate that this punishment is usually considered by the courts in determining what additional penalties should be assessed when the defendant is a leading public figure, e.g., the Agnew and Kleindienst cases. It is the principle of equal justice under the law that demands such treatment. To impose on such men the usual legal penalties would mean their total punishment exceeded that of the usual criminal.

To be forced to resign from the Presidency of the United States is the most blinding, horrifying, staggering punishment that has ever been inflicted on anyone, certainly surpassing in significance a jail sentence for an ordinary criminal. It is a punishment that was made possible only by the magnitude of Mr. Nixon's genuine achievement in having reached that high office, an achievement for which many have never forgiven him. Those who remain unsatisfied and want Mr. Nixon punished further are not motivated by any desire for justice. It is just malice, impure and simple.

(Asst. Prof.) M. NORTHRUP BUECHNER
St. John's University
Jamaica, N. Y., Aug. 16, 1974

To the Editor:

Whatever one's view of Mr. Nixon's personal and official conduct in office, a rational American can hardly relish the prospect of an ex-President languishing in jail for crimes committed during his incumbency. It would be undignified. It would surely be humiliating to an electorate which, after the fact, re-elected him by the greatest majority ever given to a U.S. President. And it would strike some as vindictive harassment — perpetuating a divisive issue that could impede the healing of Watergate's wounds.

But immunizing Mr. Nixon from prosecution or penalty, by whatever means, raises other questions fundamental to the future of "a government of laws, and not of men." If he is spared the legal consequences of his acts, what of his many loyal minions who share in those acts but are not? Is public disgrace and humiliation more personally painful to one man than to another? And if, in fairness, a general amnesty were granted to all concerned, what of those who have already spent considerable time behind bars?

But far more important, how can any such actions be squared with our (already tenuous) claim that the law applies equally to the mighty and the humble? Pious cries for "law and order" would ring hollowly indeed.

There is simply no morally nor legally acceptable alternative to vigorous prosecution of Mr. Nixon, unpalatable as it may be. Any other course would be a clear dereliction of duty on the part of prosecutors concerned.

ROGER WING
Westport, Conn., Aug. 12, 1974