
Challenge to Jaworski

In future years the courts may well find that President Ford's pardon of Richard Nixon was invalid. What a mockery of justice it will have been if Special Prosecutor Jaworski's failure to investigate and prosecute Richard M. Nixon followed from a failure to test the legality of the pardon now.

It was reported earlier that Mr. Jaworski advised the grand jury that it could not indict Mr. Nixon while he was President. In that instance, Mr. Jaworski should have had the court issue instructions to the jury rather than make his own bold assertion on a matter of

TIME, OCTOBER 7, 1974

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questionable legal basis. Did Mr. Jaworski fear a court ruling?

With regard to a valid exercise of the pardon power, experts concur that the pardoning authority must know fully what it is that he is pardoning. Since President Ford never conferred with the Attorney General or the Special Prosecutor or Judge Sirica, he never knew the specifics for which he was pardoning Mr. Nixon. Should not Mr. Jaworski be raising this issue in court?

The opinion of the U.S. Supreme Court in the recent case of the *U.S. v. Nixon* upheld the independence of the special prosecutor's office. It stated that the President had waived his constitutional powers that would interfere with the jurisdiction, investigations and possible prosecutions by the office of the special prosecutor. Yet Mr. Jaworski is not making the slightest attempt to uphold his own solemn oath of office and the independence of that office by obtaining a court test of the pardon. There is also the question of whether Nixon's waiver of constitutional authority extends to his successor's pardoning power. No one can doubt that the pardon has interfered with the investigations, jurisdiction and possible prosecutions arising out of Watergate.

It is time for Mr. Jaworski to show the same forthrightness that his predecessor Mr. Cox did and fight for the independence of his Watergate investigations and prosecutions so they can get to the man at the top.

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