

Prosecutor Ruth Criticizes Pardon of Nixon

Washington

Watergate prosecutor Henry Ruth said yesterday that the pardon of former President Nixon was "atrocious" in its timing and deficient for failing to require Mr. Nixon to confess guilt.

Ruth said that while he had thought it was "inevitable" that President Ford would ultimately pardon his predecessor, "I never dreamed in my own mind that the pardon would come before the Watergate jury was sequestered."

The pardon was given Sept. 8, 1974, a month before the start of the Watergate coverup trial of high Nixon aides. Prosecutors feared that the pardon, by excusing the former President, might make jurors reluctant to convict his underlings.

"Fortunately, the timing did not hurt the Watergate trial, but no one knew on September 8 whether or not it would," Ruth said in an interview on CBS's "Face the Nation."

"I would have hoped that a pardon given would have been conditioned on admissions of guilt," Ruth added.

Ruth, asked whether history will vindicate Mr. Nixon, replied that the former President's connection with the Watergate scandal was established in public record.

"A grand jury identified the President as a co-conspirator. A House Judiciary Committee ... voted 38-0 that there was a conspiracy to obstruct justice of which Mr. Nixon was a part," he said. "I would think historians

would have a very difficult time ignoring it."

Ruth said there is no way to predict what might have happened had Mr. Nixon been brought to trial. Because of problems with pre-trial publicity, he said, the case probably would have been starting just now.

Asked if there was anything "surprising" in Mr. Nixon's June testimony to the grand jury, Ruth

noted "there have not been any major indictments" since it was given.

Ruth said his office sought the elusive goal of equal justice among Watergate defendants and achieved some success. He added, "As to people who didn't go to jail en masse for long periods of time, I would imagine those sitting in jail with five-year sentences for robbery might be upset about equal justice."

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