

The Ford-Nixon Connection

By Tom Wicker

The political shrewdness of Gerald Ford's decision to pardon Richard Nixon last year now begins to be apparent. When Special Prosecutor Henry S. Ruth blasted the pardon as "atrocious" on "Face the Nation," he seemed to be speaking of ancient history. His remarks did not even make the major front pages.

No matter how much they might have deplored the pardon at the time, or how much they might have wished to see Mr. Nixon held accountable for his possible crimes, many Americans no doubt feel that the pardon closed the matter, if unsatisfactorily. Why rake it up again? Why not let old wounds heal as best they can?

Well, there are excellent reasons why the Nixon pardon, and the prosecution it almost surely prevented, should not be allowed to slide out of public consciousness. Those reasons have less to do with Mr. Nixon than they do with Gerald R. Ford.

The right way to keep the matter open is for the Democrats to make a campaign issue out of Mr. Ford's services to Mr. Nixon. Mr. Ruth's statement and the final report of the Special Prosecutor's Office provide a firm basis for questioning both the timing and the sweeping terms of the pardon.

It is to the point, moreover, that Mr. Ford strongly implied at his confirmation hearings for the Vice Presidency that he would not issue such a pardon for the man who had appointed him Vice President, and whose resignation would make him President. Had he not implied such a promise, his nomination might have encountered real trouble; so at the very least, he seems guilty of misleading if not literally untrue statements.

There is ample evidence that Americans are more than fed up with that kind of deception—the statement that

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is not technically a lie but that is a long way from the truth. And on a closely related subject, the Democrats might be able to raise an even more serious question about Mr. Ford's veracity.

That question is put forthrightly in the Washington Monthly for October, 1975, in an article by Marjorie Boyd entitled "Did Ford Commit Perjury?" This blunt inquiry is directed at Mr. Ford's statements to both the Senate Rules Committee and the House Judiciary Committee (which conducted the Vice-Presidential confirmation hearings) that he was not acting on White House instructions when he helped stop the first Congressional investigation into Watergate. The inquiry was to have been conducted by Chairman Wright Patman of the House Banking Committee, but Mr. Ford and other Republicans led a successful drive to deny the committee subpoena power—which effectively killed its planned investigation.

The Boyd article points out what has received too little public attention—that the famous White House tape of a Sept. 15, 1972, conversation between Mr. Nixon, H. R. Haldeman and John Dean contains Mr. Nixon's specific instructions to Mr. Haldeman to have Mr. Ford—then the House Republican leader—"get at this [the Patman investigation] and screw this thing up while he can." And, said Mr. Nixon, "he's got to know that [these instructions] come from the top"—so they were to be conveyed by John Ehrlichman.

What makes this conversation so damaging to Mr. Ford is that it came in the context of John Dean's complaint that the minority leader was not then doing anything to halt the Patman

investigation. But the House records show that in the next two weeks, after the White House conversation of Sept. 15, Mr. Ford *did* take the lead in heading off Mr. Patman's inquiry.

In the confirmation hearings, Mr. Ford insisted that he had done so on his own initiative, and only because he believed the investigation would jeopardize the legal rights of Watergate defendants. One way to find out whether he was telling the truth would be to audit the White House tapes for the weeks following Sept. 15, none of which have yet been made public.

The trouble with that is that the tapes are in custody of Philip Buchen, Mr. Ford's old friend and White House legal adviser. And it should not be forgotten that Mr. Ford has made strenuous efforts to have the tapes declared the property of Richard Nixon, and placed in his custody at San Clemente. When Mr. Ford explained the Nixon pardon to a House Judiciary subcommittee, moreover, he rather obviously ducked the question whether he would be willing to give the subcommittee all tape recordings of conversations between himself and Mr. Nixon.

For their part, the Democrats will be ducking both opportunity and duty if they don't hammer away at Mr. Ford on these issues—opportunity, because his major asset is the "nice guy" image he has successfully projected; duty, because the full story of his relationship with the man who made him President, the man he then pardoned, is vital to the question of his fitness for office.

For text of this question, asked by Rep. Elizabeth Holtzman, and Ford's answer, see NYT 18 Oct 74, p. 20, cols. 2, 3; see also article by David E. Rosenbaum, NYT 18 Oct 74, p. 21.