

The Nixon Pardon



Jack Anderson

THE CONTROVERSIAL pardoning of Richard Nixon aborted the trial of the century. Had it not been for the pardon, according to inside sources, the special prosecutor definitely would have indicted the former President for obstruction of justice.

Instead of the epic court drama, Nixon has now presented his case to the nation via television. He told interviewer David Frost that he considered himself under oath. If Nixon had really sworn to tell the truth, he could be indicted for perjury. We counted at least a dozen misstatements.

★ ★ ★

PERHAPS the most dramatic was Nixon's account of the pardon itself. From the private notes and recollections of the man who negotiated the pardon on President Ford's behalf, we can now cite some of the discrepancies.

Ford's personal lawyer, Benton Becker, kept a careful record of his visit to San Clemente in September, 1974, to discuss the pardon and the disposition of the Nixon tapes. Becker flew to California with the ex-President's attorney Herbert J. Miller. Although they arrived shortly before midnight, they immediately went into a three-hour huddle with Nixon aide Ronald Ziegler.

Nixon later told David Frost that a pardon "isn't, of course, . . . necessarily an admission of guilt." This idea, he said, was "legalistic pettifogging."

On the contrary, Becker made plain

to Nixon's negotiators before the pardon was granted that it would constitute an admission of guilt. He even provided Miller with the leading Supreme Court decision on the question.

Nixon told David Frost of his agony as he debated whether to sign the pardon. "When you receive a pardon," explained the former President, "you have to sign a piece of paper that says, 'I accept the pardon.'"

He related, with pain in his voice, that he almost turned down the pardon to stand trial on criminal charges. "It was a terribly difficult decision for me," he said. "I sat for an hour in the chair by myself. I asked Miller to leave the room." After this hour of agonizing, said Nixon, he told Miller: "'Well, okay, I'll do it.' And so I signed it."

In fact, Nixon never signed a pardon at all.

★ ★ ★

BECKER'S NOTES also dispute Nixon's dramatic account of his last-minute soul searching. Before Becker and Miller ever arrived at San Clemente, Nixon had already indicated through his counsel that he wanted a pardon. It was Nixon's interest in getting pardoned that prompted President Ford to send Becker to San Clemente.

Not until the negotiations were completed did Nixon, looking fatigued and forlorn, make a personal appearance. He was despondent and disoriented.