

conspiracy after another, and by utilizing secrecy, secrecy, secrecy, in every story."

The most recent effort to bring the Bilderberger conspiracy to light came during the Rockefeller confirmation hearings for Vice President. Testifying before the Senate Rules Committee, the Liberty Lobby left no skeletons unturned in their efforts to tie Rockefeller to the "Wallenbergs and other billionaire international financiers or their

proxies." Some of these proxies include the Senate Banking Committee; William Simon, Secretary of the Treasury; Roy Ash, Director of the Office of Management and Budget; and Alan Greenspan, Chairman of the Council of Economic Advisors. Even Secretary of State Kissinger, blossoming in the garden of his "diplomatic successes," has the "glaring thorn" of the Bilderberger ties sticking in his side.

"Men, if you want your nation to remain free—you better act fast."

Faced with humdrum daily routine, Congressional offices can only delight in hearing from those of their constituents who thrive on the conspiracies we have in America today. Indeed the vast number of them makes one wonder whether the Bavarian Illuminati is not at work. □



On the Pardoning of Richard Nixon

ON SEPTEMBER 8TH of this year, President Gerald Ford, in the most publicized gesture of executive clemency in the history of the Republic, issued a complete pardon to Richard Nixon for any and all offenses the former President either did commit or may have committed during his entire time in office. In the days since, Mr. Ford has suffered the wrath of the whole mob of media sophists who expected so much more of him, and the rest of us have been treated to yet another well-orchestrated display of morally alarmed hysteria. *Time* magazine, which only a few weeks earlier had featured Ford's visage on a pair of covers entitled "The Healing Begins" and "Ford on the Move," now shifted gears and presented disapproving cover stories on "The Pardon" and "Ford Under Fire." The phrase "No man should be above the law" enjoyed a renewed burst of popularity that (incredibly) exceeded the homage paid to that concept during the earlier controversy over whether Mr. Nixon should be obligated to turn over his tapes to the special prosecutor. Senator Birch Bayh (D.-Ind.) opined that the President's action spelled the end of "200 years of history and tradition of equal justice for all," an assessment shared, according to the network news, by "large numbers" of "disturbed Americans." The President's own press secretary, Mr. ter Horst, was disturbed enough to resign his post, a gesture which he modestly labelled an "act of conscience," and for which he received lengthy huzzahs and a special award from his fellow journalists for this courageous illustration of the honor of their craft. Pundits everywhere hastened to inform us that "the honeymoon is over," and Mr. Ford, in an effort to salvage his hoped-for "good marriage" with the Congress, was preparing to mount Capitol Hill to field some sharp legislative inquiries about the reasons for his unpopular act.

Now personally, I must confess that all this rather surprised me. Had I known beforehand of the pardon, of course, I would have anticipated that some measure of adverse reaction would be forthcoming. But I

would never have predicted that the whole pack in Washington and Cambridge and New York would start baying as loud and as long as they have. This, perhaps, is more indicative of a certain naiveté on my part than of anything else. Nevertheless, the immense pothole that has accompanied the pardon of Richard Nixon does strike me as a matter of some significance; and accordingly, an effort to examine the issue with a modicum of perspective seems very much in order.

To begin, there should be no doubt that Mr. Ford possessed the constitutional authority to act as he did. Article II, Section 2 of the Constitution states that "The President . . . shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment." The prerogative granted by this section is complete; it is unambiguous; and (save for the exception of impeachment cases) it is unlimited and unqualified. Those who think this is belaboring the obvious should be informed that at least one federal district judge (perhaps scrambling to join Judge Sirica in the history books) has indicated that he is quite willing to rule on the legality of the pardon. More significantly, though, it is at least a partial answer to all those original folk who keep chanting "No man is above the law" to re-emphasize that the pardon is emphatically an expression (albeit a rarely used one) of the legal process—that it is indeed rooted in the single document that most symbolizes the rule of law in this country.

Of course, most of the sniping over the pardon centers not on its legality, but rather on whether it should have been granted in this particular case. Unfortunately, for all the highly critical public discussion, almost no one has articulated a set of standards that should be brought to bear in determining whether a pardon is appropriate. I think, however, that at least five interrelated factors can be identified as significant in making this determination; and while neither that list nor the discussion that follows is exhaustive, I believe that a legitimate case

for the pardon of Richard Nixon can be made on each point.

The first question, which arises due to the timing of this pardon, is whether or not a trial would have accomplished anything. This issue depends in turn on whether important new disclosures are likely to come to light in a criminal prosecution; presumably, there is also some symbolic value, in terms of demonstrating the equality of American justice, in bringing a former President to trial. (Any vengeful pleasure some might take at seeing this particular former President in the dock, I think, can be safely ignored among reasonable people.) On the first point, it seems highly unlikely that any striking new evidence would be forthcoming in a prosecution of Mr. Nixon. His own complicity in the events at issue was as sufficiently and painfully demonstrated as such things need to be in the transcripts released the Monday before his resignation. Moreover, the trials of the ex-President's more prominent subordinates, currently getting under way, should provide a sufficient forum for disclosing any new evidence of a more general nature. The second point is a bit less clear—and indeed, a good many people are bothered not so much by a pardon per se as by the fact that the judicial process was not first permitted to run its course. But on balance, it is difficult to see what additional symbolic demonstration of the workings of American justice is truly needed. The fact that Mr. Nixon has been forced to resign the highest office in the land, with all the humiliation, both present and historical, attendant upon that act, should be an eloquent example to all but the densest observer that justice is no respecter of position and power. Thus, a trial of Mr. Nixon would seem to offer relatively little, either substantively or symbolically.

A second factor that should influence a decision on granting a pardon is the degree to which an individual, by virtue of his past contributions, merits special consideration. On this score, Mr. Nixon's case is undoubtedly stronger than that of any previous beneficiary of executive clemency. It is unnecessary here to attempt to compile a definitive list of the former President's accomplishments in some twenty-eight years of public service; it suffices to say that such a list would be both lengthy and, in many respects, highly praiseworthy. Moreover, whatever one's philosophical or political starting point in evaluating Mr. Nixon's public activities, I think that all but the most churlish critics of our thirty-seventh chief executive would concede that he brought to his final office the intelligence, dedication, and sheer effort the position demands. His fatal (and yes, even criminal) mishandling of the issue that led to his

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The Bootblack Stand		by George Washington Plunkitt
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Dr. George Washington Plunkitt, our prize-winning political analyst, is celebrating the publication of his new book, which is now available at avant-garde bookstores throughout New Jersey. Dr. Plunkitt's book is about the importance of altruism in politics and it is titled *What's in It for Me?* Although Dr. Plunkitt expects to earn ten million dollars from sales of his new book, he has agreed to continue to advise public figures through this column. Address all correspondence to The Bootblack Stand, c/o The Alternative, P.O. Box 877, Bloomington, Indiana 47401, Continental U.S.A.

Dear Dr. Plunkitt:

What the hell are we to do? Tuesday morning old Wilbur is driving around the Jefferson Memorial with a car full of strippers and his lights out. When the cops pull him out of the car his face is bleeding like a ruptured blood vessel, his breath is combustible, and one of the broads leaps into the Tidal Basin. Then along comes some TV cameraman who gets a shot of old Wilbur with his arm around a cop. How the hell can we explain this to the stuffy ignoramuses who have been reelecting the old boy since the McKinley Administration?

Your friend,
Jay Stringfellow
Campaign Director

Dear Mr. Stringfellow:

Frankly I do not understand the lurid pothoer that the philistines in the media have stirred up over this very unexceptional

affair. I take it as an extremely auspicious sign when I hear that Congressmen are again patronizing the arts. Not since the days of Camelot has a Washington solon shown such a lively interest in high culture. I cannot imagine how Mr. Mills' constituents could be displeased. He still wears white socks, does he not? He still orders Moon Pies at Sans Souci, does he not? And he still comes forward with the most extravagant boondoggles. So what if he now tries to give a boost to adult *librairies*, genuine art films, and *la danse*? What with the opening of Mr. Hirshhorn's museum, and now with Mr. Mills' active promotion of the Silver Slipper, The Scene, and the career of "the Argentine Firecracker," it seems entirely possible that Washington will soon rival New York as a cultural center.

If your constituents continue to grouse tell them that the Congressman was drunk.

Tell them he always drinks when he drives so that if he has an accident he will be relaxed. Or blame the whole thing on Nixon. If you are dissatisfied with these suggestions give Ted Sorensen a call. He is faced with these sorts of difficulties all the time.

—GWP

Dear Dr. Plunkitt:

As a woman and as a stripper I have suffered a great deal of distress due to the press' exploitation of my misfortune at the hands of one Wilbur D. Mills. I was never very impressed with the women libbers, but it is apparent from the coverage my misfortune has received in the press that there is a great deal of sexism shown toward women who have chosen stripping for a career.

The press has totally neglected the fact that most strippers have great pride and dignity. I personally would not be caught dead with a Congressman or any other sort of politician. This man Mills misled me—he told me his name was Wilbert—into thinking he was a man of refinement. I thought he was a salesman for the Living Bible. When the gentlemen of the law informed me of his real identity I was so mortified I attempted to have done with myself by leaping into the Tidal Pool. These facts were easily available to the Washington Post, but their male chauvinists saw me as a stereotype or something.

Heartbroken,
Fanne Fox, the
Argentine Firecracker

Dear Miss Fox:

My dear, you have been shamelessly deluded by a low rascal indeed. I shall be glad to consult with you privately. How about some evening next month? If you could come by my office I would be glad to show you my collection of campaign buttons.

—GWP

downfall simply does not wipe all this off the slate. To the degree that anyone who receives a pardon can be said to have earned one, Mr. Nixon qualifies.

Third, there is the issue of mercy, which should take into account the extent to which the individual in question has already been punished for his wrongdoing. President Ford was much impressed by this factor, as evidenced by his oft-quoted (and occasionally derided) language to the effect that Mr. Nixon has "suffered enough." We need not, I think, tarry too long over this point. If there are individuals who can conceive of a more profound, lasting, or fitting punishment than being forced to become the first man in history to resign the Presidency in disgrace, I congratulate them on their imaginatively punitive minds. Personally, I cannot fathom what such a punishment would be. And when in addition one considers (as Mr. Ford clearly did) the physical and emotional difficulties that will accompany Mr. Nixon to his grave, it becomes almost impossible to argue that any additional (albeit more traditional) punitive measures are called for.

The fourth factor to be weighed is the degree of contrition displayed by the wrongdoer. Here, many would contend that Mr. Nixon's case is at its weakest, and to some degree this is true. There has been no ex-

plicit admission of criminal liability, and none is likely to be forthcoming. But on the other hand, neither have there been loud protestations of innocence, nor any attempt to encourage the development of the so-called "myth of the martyred President." Moreover, Mr. Nixon's largely ignored statement issued as he accepted the pardon did indeed express both his genuine remorse for the grief he had caused the nation, and the personal guilt he bore as a result. Perhaps more profound displays of *mea culpa* would be appropriate; but I hardly think that Mr. Nixon's possible deficiencies on this score constitute a decisive argument against a grant of clemency.

Finally, there is the whole question of "equal justice"—the argument being that Mr. Nixon should not escape the criminal sanctions imposed on subordinates like John Dean or Charles Colson. Initially, this seems impressive: Dean and Colson, after all, are going to jail, and Mr. Nixon is not. But to make heavy weather of this issue, as so many are doing, is rather superficial. Dean and Colson were not President of the United States; they have not made the contributions to the nation that Mr. Nixon has; and realistically, they have not been subjected to anywhere near the suffering that he has. Justice may be blind, but it is not indiscriminating. Mr. Nixon's case, as I

have attempted to demonstrate, is unique. There are factors to be weighed in the scales of equal justice in judging a former President that are simply not present elsewhere.

Now all of this is not to say that the pardon of Richard Nixon is so clearly right that no reasonable person should disagree. Indeed, this author is himself somewhat ambivalent on the issue, both in terms of its timing and its possible impact on more mundane matters such as the 1974 elections. The real point, it seems to me, is that the pardon is a perfectly defensible and in many ways appropriate act—and that the virulence of the reaction to it is both indefensible and inappropriate in the extreme. There is, I submit, no clearer illustration of how warped and hysterical our discussion of political events in general, and of the Presidency in particular, has become.

Consider, for example, that even as all the keepers of the nation's conscience are in such a dither over the pardon, Mr. Daniel Ellsberg is flitting about from one campus and talk show to another, cashing in on his illegal revelation of classified material, and all the while being acclaimed as a moral hero for doing so. Or consider the 50,000 young Americans who avoided service in the armed forces during the Vietnam unpleasantness, who are currently developing their more refined theory of civil