

## THE PARDON (Continued from Page 2)

Mr. Ford claimed that "there are no historic or legal precedents (that) precisely fit the circumstances" of this pardon. This is because to my knowledge no single person has ever been pardoned prior to an indictment. The precedents show that individuals have been given blanket amnesty prior to specific indictments on the one hand, and more than a hundred years ago President Andrew Johnson caused an uproar in this country when, only six weeks after succeeding Lincoln to his high office, he granted a pardon to all ordinary Southerners who had participated in armed warfare against the Union. In this and in other cases the Supreme Court has upheld the Presidential prerogative. Justice Holmes wrote in *Biddle v. Perovich* (1927): "A pardon . . . is not a private act of grace from an individual happening to possess power. It is a part of the Constitutional scheme. When granted it is the determination of the ultimate authority that the public welfare will be better served by inflicting less than what the (judicial process would normally require) because no ex-President ever needed to be pardoned, and (to) require."

At this point the question of equal justice under the law comes to mind. The President is involved in the lawmaking process; he specifically has to "take Care that the Laws be faithfully executed" (Constitution, Article II, Section 3); he appoints federal judges and prosecutors (U. S. attorneys); and he must enforce laws and court orders wherever judicial proceedings prove insufficient to deal with instances of civil defiance. But the President is not instrumental in judicial proceedings as such. Interpretation and application of the laws, determination of criminal guilt, conviction and punishment for crimes committed, even the need to "keep the record straight" (as has been demanded for the Nixon affairs) are all up to the courts, the judges and juries, and ultimately to historians. These matters enter the sphere of Presidential decision making only in extraordinary circumstances when legal and political considerations collide.

Any personal closeness or concern for a defendant is also clearly outside the legitimate grounds on which a Presidential pardon can be given. The President cannot be a "respector of persons" unless the fate of someone — anyone affects the political climate of the nation, disturbs civil tranquility, obstructs the general welfare, and so on. Mr. Ford seemed aware of this when he said that his concern was with "the immediate future of this great country" rather than with "the ultimate fate of Richard Nixon" adding that he dared "not depend upon . . . (his) personal sympathy as a long-time friend of the former president."

When the question of the nation's welfare is invoked, a pardon often ends up being less than egalitarian. Cases are singled out on its behalf which discriminate in a strictly legal sense in favor of a person or group. And pardons are not democratic in principle since the chief of state is called upon to make one of those lonely decisions which, as Mr. Ford stressed, are based on his "conscience" and "what is right as God gives . . . (him) to see the right." The very concept of prerogative implies that for a President "the buck stops here and that . . . (he) cannot rely upon public opinion polls to tell . . . (him) what is right."

A Presidential pardon can be made conditional upon acceptance by the person or group pardoned. This acceptance is usually in form of a reciprocal act or gesture designed to serve the purpose of the pardon even further. The amnesty proclamation for Southerners at the end of the Civil War required that each person take an oath of allegiance to the United States. It has been said that President Ford knew in advance what Mr. Nixon's letter of acceptance would contain. It seems to me that some admission of guilt would have been expected and exacted from Mr. Nixon. As a matter of fact, the letter turned out to be the most remorseful statement by the former President to date. Mr. Nixon's euphemisms that he "was wrong in not acting more decisively and more forthrightly in dealing with Watergate" cannot cover up the intended meaning that he in fact neglected his Presidential duties and that he lied to the American people. This letter, Mr. Nixon's admissions of the week of August 5th (forcing him to resign from office), his edited transcripts, and much circumstantial evidence complete the picture of Presidential guilt.

In his pardon announcement President Ford made two personal references to "Richard Nixon and his loyal wife and family" and to "Richard Nixon and his loved ones" as "an American tragedy in which we all have played a part" and having "suffered enough." Apparently this was thought to put Mr. Nixon's culpability in relation to a punishment already received. The question of whether one fits the other may be answered by looking at the nature of the crime we are dealing with. From the time of the Watergate break-in until he left office, Mr. Nixon appeared on TV time and again vowing that he would clear up the facts of the case and bring those involved before the bars of justice. All of that time, however, he was scheming to hush up those facts and to protect many potential defendants from prosecution. His insincerity and irresponsibility were aggravated by an incidental breach of his oath of office; Mr. Nixon did not faithfully execute the laws applicable to Watergate and related scandals. As this became felt and known, the fine web of identification linking voters and non-voters with the center of their political system was cut; a web which makes people sense great personal loss when an incumbent President dies (FDR) or is killed (JFK). By not pursuing the national good as he publicly professed to see it, Mr. Nixon in a sense committed political treason. But the criminal justice system of this country does not cover such political default. The only remedy is impeachment and removal from office which until this day is considered fitting and sufficient. By committing Presidential suicide, that is resigning from office before his actual conviction in the Senate, Mr. Nixon implicitly accepted the guilt and executed the punishment. His much coveted seat of honor in the annals of history went out with him and "the depths of (his) regret and pain" may well accompany "every day of the life that is left to" him. Mr. Nixon said these words in his acceptance letter and his successor in office affirmed this feeling adding that he expected Mr. Nixon "to suffer no matter what . . . (Mr. Ford would) do, no matter what we as a great and good nation can do together . . ."

Aside from the substantive question of the pardon, there is room for doubting Mr. Ford's wisdom in timing it as he did. Sandwiched between the President's procrastination on the amnesty of Vietnam draft evaders and deserters where many families are also suffering great personal pains, and his drawn-out bull sessions on inflation which hurts all families of this country all the time, I cannot help

## THE SALEMITE

### Dates Set for NTE

PRINCETON, NEW JERSEY, September 9. College seniors preparing to teach school may take the National Teacher Examinations on any of the four different test dates announced today by Educational Testing Service, a nonprofit, educational organization which prepares and administers this testing program.

New dates for the testing of prospective teachers are: November 9, 1974, and January 25, April 5, and July 19, 1975. The tests will be given at nearly 500 locations throughout the United States, ETS said.

Results of the National Teacher Examinations are used by many large school districts as one of several factors in the selection of new teachers and by several states for certification or licensing of teachers. Some colleges also require all seniors preparing to teach to take the examinations.

On each full day of testing, prospective teachers may take the Common Examinations which measure their professional preparation and general educational background and an Area Examination which measures their mastery of the subject they expect to teach.

Prospective teachers should contact the school systems in which they seek employment, or their colleges for specific advice on which examinations to take and on which dates they should be taken.

The *Bulletin of Information for Candidates* contains a list of test centers, and information about the examinations, as well as a Registration Form. Copies may be obtained from college placement officers, school personnel departments, or directly from National Teacher Examinations, Box 911, Educational Testing Service, Princeton, New Jersey 08540.

### Arts Council Celebrates

#### 25th Anniversary

Craftsmen, Musicians, Actors, people interested in enjoying the arts — will gather in Winston-Salem on Sunday afternoon, September 22nd to celebrate the 25th anniversary of our arts council (the nation's oldest) with a Downtown Festival, "STREET SCENE 25." Whatever arts you and your family enjoy — country, classical or contemporary — "STREET SCENE 25" will have something to offer, and all of it will be free.

Programs will include the Spivey Corner Hollerers, the Brass Quintet of the North Carolina Symphony, the Chigger-Slappin' Shine Sippin' Summer Jugband, the Amani Urithi Drama Troupe, the Jazz Mobile, cloggin' exhibitions, street theatre, the Hussite Bell Ringers, blue grass performers, marching bands, gospel groups, on and on. Over sixty artists and craftsmen from throughout the Piedmont will be displaying and selling their wares. You will also be able to sample culinary delights prepared by some of the area's best cooks.

Bring your family, friends and neighbors to downtown Winston-Salem on Sunday afternoon, September 22nd, for "STREET SCENE 25".

wondering what the rush was all about. While making a bold move *ex parte* Nixon, Mr. Ford appeared to give in to the pressure from veteran bosses against even the mildest form of pardon, and he is even now listening patiently to the cacophonous suggestions by private interest groups and specialists regarding the inflation, when brave and rapid action may be the first order of the day. We are left to hope that no illicit pressure and "cooked up" information by certain interested persons and parties went into the decision to pardon Richard Nixon.

### Need Advice For Nite On The Town? Try It — You Might Like It, Freshmen!

By Katherine Skinner

Freshmen, if you are lucky to take a big sister or advisor to take you "out on the town", you need to know where to go! If you are the sneaky freshman and have a car on campus, then you do not have to wait around for someone to make the offer.

Some days you could be in a happy hour mood. I would suggest the Man of War Lounge located in the Holiday Inn, Attila's Cave located in the Downtown, or The Cabana Club located in the Hilton. Businessmen usually frequent these places. Who knows; you may luck out and get a free steak dinner. When deciding where to go for happy hour, remember at the Cabana Club you may see a friendly face from Salem (if you leave a tip!). Also with inflation some of the bars have eliminated the free popcorn!

Maybe socializing was more what popped into the back of your mind. The Safari Room is loaded with KA's and Kappa Sigs. The White Horse Pub offers the fraternity atmosphere as well as the individual taste. The White Horse Pub is especially anxious for Salem students to drop in as was displayed by their banner welcoming us back to school.

Simo's is a bar that looks like a truck stop and has food to prepare on order when the munchies strike. Simo's has the coolest beer in town. If drinking and eating were in your plans, I recommend Shakey's also.

Last year I discovered the Red Lion. If all you want is a beer and a quiet place, the Red Lion will fill the order.

Sometimes the urge to dance strikes. Uncle Sam's provides good and bad bands if you do not mind red-necks or the high school set. They quit giving away free beer and hotdogs anyway. Attila's Cave provides music to dance by also.

Ken's drive-in is right down the street for all you freshmen with no transportation. Beer is cheap — 45¢ for a tall — and the Clientele is unique.

The places I recommend to avoid are The Sheraton Lounge and Samoa's Lounge. One time at either place and I am sure you will share my sentiments! The TOG doesn't offer much better circumstances either.

Inflation has hit Schlitz as hard as the consumer. As a result the consumer must pay 55¢ at most places of business for beer.

Nine more days until I get my walking cast. Nine more days and I'll drink with you.

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