

What Mr. Colson Said

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THERE IS a lot of speculation about what testimony Charles W. Colson will provide for the Watergate prosecution and for the House Judiciary Committee's impeachment proceedings in the trials and hearings that lie ahead. These matters, however, must remain in the realm of such speculation. The same is not true of the implications of what Mr. Colson actually did say in pleading guilty to a felony in Judge Gerhard Gesell's courtroom on Monday. For the fact is that Mr. Colson did add considerably to our knowledge. He did so in several ways.

The first of these is more a corroboration of previous testimony (and suspicion) than an actual disclosure. Last year, Mr. Nixon told us that the break-in to the office of Daniel Ellsberg's psychiatrist committed by members of his plumbing staff proceeded from an excessively zealous desire on their part to fulfill an urgent national security mandate which he characterized as having been to acquire as much information as possible "about Mr. Ellsberg's associates and motives". Acquire is the key word here: Mr. Nixon implied that the purpose of this exercise—as distinct from the methods employed—was the wholly legitimate one of informing the government as to any potential further breaches of security (following the disclosure of the Pentagon Papers) that Mr. Ellsberg might commit. In pleading guilty to a felony in the same matter a few months ago, the President's former assistant and chief "plumber", Egil Krogh Jr., however, asserted that at least part of the purpose of the mission had been to assemble a dossier for use "in discrediting Dr. Ellsberg as an anti-war spokesman."

Mr. Colson was a good deal more explicit. The crime to which he pled guilty was that of obstructing justice in his official capacity as an officer of the United States Government by "devising and implementing a scheme to defame and destroy the public image of Daniel Ellsberg and those engaged in [his] legal defense." Addressing Judge Gesell's court, Mr. Colson went further, say-

ing that "my motive—my purpose—in seeking to disseminate derogatory information about Dr. Ellsberg and his lawyer was to neutralize Dr. Ellsberg as an anti-war spokesman in order to further the President's aims for ending the Vietnam War."

What Mr. Colson is telling us here is that the concept of national security and its protection which animated his activities was very much of a piece with that famous bit of marginalia that adorned the enemies list next to the name of another war critic and former Nixon aide, Morton Halperin: "a scandal would be most helpful here." Thus Mr. Colson has further discredited the easily invoked national security rationale and given us a clearer understanding of the smears that were committed in its name—at least as they were understood by their perpetrators. The question that arises is whether Mr. Colson's former employer, the President of the United States, was aware of this particular activity.

It is by no means a trivial question. Mr. Colson has pleaded guilty to a crime committed in the White House—with the use of the President's authority and in some degree at his behest. And this is a felony quite distinct from those for which indictments of Mr. Nixon's former subordinates have already been handed down. The President has disassociated himself from any knowledge of the burglary of Dr. Ellsberg's psychiatrist's office. So, interestingly, has Mr. Colson. But the crime to which Mr. Colson has pled guilty does not involve participation in or even foreknowledge of the resort to a break-in to obtain information about Dr. Ellsberg. It merely involves a campaign to use governmental powers to acquire and disseminate derogatory information about a defendant in a criminal case being tried by the same government that was working the dark alleys on the side. Was Mr. Nixon as innocent of any knowledge of these criminal aspects of the endeavor as he says he was of the burglary itself? This question should become an urgent concern of the House Judiciary Committee.

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