

es some kind of hazard to the future of the nation. I just can't accept that." The judge then announced that he would soon issue another order. It is expected to give the President one more chance to provide the Ehrlichman files. If he fails to comply, Gesell could hold a hearing this week on whether the President should be cited for contempt of court. Presumably, no attempt would be made to fine or imprison the President for contempt, but such a citation would have an adverse public impact on him and would be weighed as another possible article of impeachment.

#### IV. THE GRAND JURY'S VOTE

After months of rumor, it was finally confirmed last week: the main Watergate grand jury had cited Nixon as an unindicted co-conspirator when it returned criminal indictments against seven former Nixon men on March 1. The vote to name Nixon was 19 to 0.

Normally, prosecutors use the somewhat distasteful tactic of naming an individual as a co-conspirator without actually charging him with a crime when they do not have enough evidence to support an indictment or wish to use his testimony in their case against others. In this instance, however, Jaworski's belief that a President could not constitutionally be indicted but had to be impeached by Congress was the reason that Nixon was listed as only a co-conspirator. As a practical matter, the jury's decision may buttress Jaworski's Supreme Court suit to secure Nixon tapes for the conspiracy trial since their relevance is further established.

Conceding that Nixon had been cited, St. Clair quite properly pointed out that "grand jury allegations are far from proof." When all the evidence is in, St. Clair argued, Nixon's innocence will be proved. However, all the evidence may never be acquired by the lawful authorities because the President is spurning subpoenas from both Jaworski and the House Judiciary Committee.

Ironically, the fact that Nixon was named by the grand jury as a co-conspirator may work indirectly to keep him in office longer because it presents a solid obstacle to his resignation. If he were to step down after impeachment by the House but before a Senate trial, for example, he would have to make some deal with Jaworski to avoid an outright indictment in the cover-up case or at the least face unchallengeable orders to appear as a star witness in the trial.

But Nixon is not expected to take his own advice in the matter. According to the released White House tape transcripts, Nixon asked Assistant Attorney General Henry Petersen on April 17, 1973, what it means to be cited as an unindicted co-conspirator. Told by Petersen that this amounts to a serious allegation of complicity, Nixon declared: "Anybody that was an unindicted co-conspirator would then be immediately put on leave."

## The Man Who Converted to Softball

Charles Colson had always been a shadowy figure, a man feared, disliked and little known even by fellow power-mongers in the White House. As the Watergate case broke open, he managed to remain in the background. Unlike other former Administration officials, he was never compelled to testify at the televised Ervin hearings. His conversations with President Nixon were conspicuously absent from the transcripts made public by the White House.

Colson's sudden decision to plead guilty to a felony charge instantly raised the question, what was he up to now? Columnists Evans and Novak speculated that he was retaliating for the unkind things said about him in the transcripts. Nixon had called him a "name-

Colson would later testify in all areas of the Watergate case. Late into Sunday night, Colson discussed his decision with his prayer group. It happened that Shapiro and the special prosecutor were due in court Monday morning for arguments regarding the June 17 Ellsberg break-in trial. Colson arrived with his lawyer, and in a procedure lasting only ten minutes, he pleaded guilty to an offense of his own choosing—one that had not even been placed against him by the grand jury. A few minutes later, he emerged from the courtroom to recite a statement to the press, refusing to answer any questions. The remarks were conciliatory and apologetic for his attempt to obstruct justice in the Ellsberg case.

Colson's contrite tone seemed well

WALTER BENNETT



COLSON WITH WIFE TALKS TO REPORTERS AFTER GUILTY PLEA  
*Was it repentance or the most clever ruse of all?*

dropper" who "talks too much." The President also said that he "may well have been the triggerman" of the Watergate break-in. H.R. Haldeman characterized him as "an operator in expediency." Others last week felt just the opposite—that Colson's move was only the most devious of his many political ruses, this one designed ultimately to exonerate the President.

**Contrite Tone.** One thing was certain: the guilty plea was Colson's own idea. Despite some possibility that the original case against him would be dismissed, Colson late last month had his attorney, David Shapiro, call Special Prosecutor Leon Jaworski to make a deal. Shapiro was reluctant but went ahead. On Friday, May 31, Jaworski wrote a letter to Shapiro outlining the sort of plea he would accept. It would, he insisted, have to be a felony, and there would have to be an understanding that

sued to the new life he has proclaimed for himself—that of devotion to Jesus. A nominal Episcopalian who goes to Mass with his second wife Patty, a Catholic, Colson embarked on his spiritual conversion more than a year ago. As he put it in a recent television interview: "I had an emptiness that was based upon wanting to find something else that I could achieve in my life so that I could point to my friends and my family and say, 'Look how good Chuck Colson is.'" Colson was strongly influenced by Thomas Phillips, president of the Raytheon Company and an old friend who had himself undergone a religious conversion experience. Phillips put Colson in touch with Iowa Democrat Harold Hughes, who is leaving the Senate to become a lay religious worker. Hughes accepted Colson's spiritual fervor as a sincere attempt to begin a new life.

Others have greeted Colson's trans-

formation with cynicism and disbelief, both justified by his unsavory past. Colson, after all, in Nixon's own words, "would do anything" to help the President. "There was no warmth in the man," says John J. McCarthy, a Massachusetts conservative whom Colson helped in an unsuccessful bid for the Republican senatorial nomination in 1970. "He was a computerized being who weighed everything in terms of what it would mean for the White House." Adds a lawyer for one of the Watergate defendants, summing up the suspicions that Colson's dramatic guilty plea aroused in many: "Any man who would walk over his grandmother for Nixon would go to prison for him too." Colson himself was emphatic in his unswerving allegiance to Nixon, once saying, "When they lower me six feet under. I will go away a Nixon loyalist."

**Hatchet Man.** Indeed, Colson's entire career has been marked by the kind of unrelenting ambition that led him to become the White House hatchet man. As a teen-ager in Boston, he defiantly rejected a full scholarship at Harvard as he thought it too radical a university and because officials there told him, "No one has ever turned down a full scholarship at Harvard." He went to Brown instead. A man in a hurry, he became, at 22, the youngest company commander in the Marines. He married young and had three children (that marriage ended in divorce, but he remains on friendly terms with his first wife). At 27, he was the youngest administrative assistant on Capitol Hill, in the office of Massachusetts Senator Leverett Saltonstall, while attending the Georgetown University law school at night.

Colson went to the 1968 Nixon campaign as chairman of the Key Issues Committee. He was then making \$100,000 a year as a Washington lawyer, but he gladly took a 60% pay cut to join the

White House staff in 1969. Early on he complained to colleagues that Nixon did not even know who he was. But Colson, whose conservative bent accorded with the President's, eventually became an almost daily visitor to the Oval Office. An initial key to his success: he effectively wooed some important labor leaders to the White House side by inviting them for chats with the President. Later he predicted correctly that Nixon would win large chunks of the labor vote in the 1972 election.

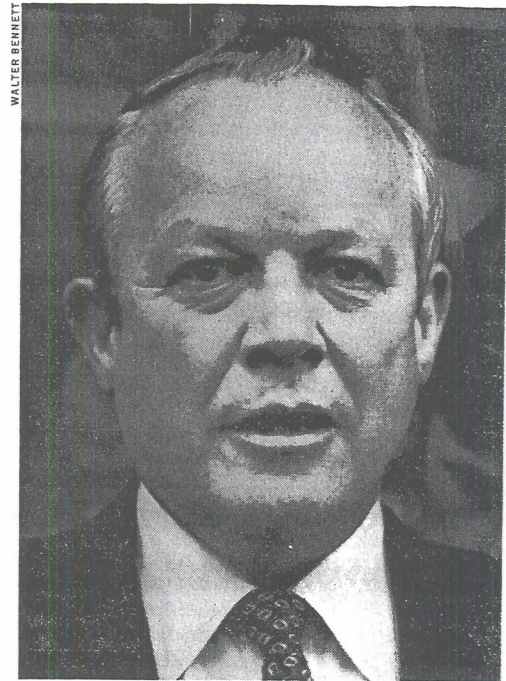
He also made conscientious efforts to please the President. When Nixon remarked once that he did not know what the stock market had done that day, Colson arranged for subordinates to get readings every half hour on the latest stock averages.

Colson apparently satisfied Nixon's yen for *macho* operators. He was one of those who talked of "playing hardball" for keeps, and hostile outsiders were not his only targets. He, along with Halde-man, cracked down on more genteel staffers like Communications Director Herb Klein. Though a Nixon friend for more than 20 years, Klein finally resigned.

**Everything Contrived.** His most important role was as a resourceful if unscrupulous political operator. Colson took on the tough jobs for the President. He leaked damaging or misleading information to the press about people who criticized the President, had young men hired to pose as homosexuals supporting McGovern at the Democratic National Convention, and engineered mail campaigns in favor of Nixon's policies. He allegedly ordered his close friend E. Howard Hunt to fabricate a State Department telegram implicating President Kennedy in the assassination of South Vietnamese President Ngo Dinh Diem. At one point, according to Senate Watergate testimony, he urged that

Washington's Brookings Institution be fire-bombed as a diversionary tactic in a raid to seize some politically damaging documents. "Chuck could never play anything straight," says one of his former underlings. "Everything had to be contrived, a setup. Chuck always had to stuff the ballot box."

Some of his ploys worked often enough to keep a newly reformed Chuck Colson repentant for a long time to come. Ironically, Colson had planned to leave the White House soon after Nixon's reelection to become "the Republican Clark Clifford"—the lawyer with the "in" at the White House to whom clients would flock. Now, at 42, he is just another Watergate felon awaiting sentence, disbarment and learning the virtues of softball.



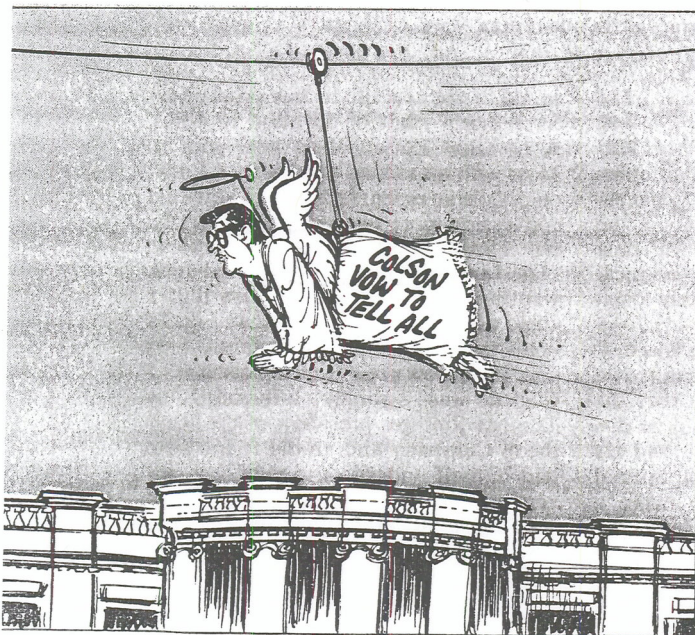
KLEINDIENST AFTER SENTENCING

## Loyalty and Leniency

Former Attorney General Richard Kleindienst—the first Cabinet alumnus since 1929 to be convicted of a crime—stood solemnly before Federal Judge George L. Hart Jr. in Washington. In an unusually lenient deal with Special Prosecutor Leon Jaworski, Kleindienst had been allowed to plead guilty to a misdemeanor charge of having failed to testify fully at his confirmation hearings before the Senate Judiciary Committee. Now he was to be sentenced.

Kleindienst's attorney pleaded that his client had "a distinguished record in the military and in service to the Government of the United States." The judge noted Kleindienst's fine character, the supporting letters from his friends and the favorable report from a probation officer. His offense, said Hart, "did not reflect a mind bent on deception, but rather reflects a heart too loyal and considerate of the feelings of others."

A defendant's misguided loyalty seems a shaky basis for judicial compassion. That could be a rationale for going easy on most of the Watergate offenders. Kleindienst's offense was to testify—falsely—that the President had never applied any pressure on him in the celebrated ITT antitrust cases. Later he admitted that at one point, Nixon had ordered him to drop a Supreme Court appeal with the admonition: "You son of a bitch, don't you understand the English language?" Certainly the Senate committee had been totally deceived by his testimony. But Hart fined Kleindienst only \$100, gave him a 30-day jail sentence—and suspended both penalties. Tears, presumably of gratitude and relief, streamed down Kleindienst's cheeks as he left the courtroom.



"Comin' for to carry me home."