

# 'I Shall Be Cooperating With the Special Prosecutor...'

100  
1034  
1010  
1035  
104

Before he was sentenced to serve one-to-three years in prison by a federal judge yesterday, former presidential aide Charles W. Colson read this statement to U.S. District Judge Gerhard Gesell. Colson pleaded guilty on June 3 to a charge of obstructing justice by disseminating damaging information about Daniel Ellsberg, who had supplied the press with copies of the Pentagon papers on the Vietnam war.

I ENTERED my plea to this offense because I believed it right as a matter of law and right as a matter of conscience.

Even though I believed myself innocent of the two matters for which I had been indicted, I knew that to spend possibly the next several years as a defendant would accomplish nothing. If I were acquitted, some would feel I had "beaten the rap." If I had been found guilty, others who know me would believe the verdict unjust. But most important, that period in my life would have been spent in self-centered activity with no ultimate value to myself or to society.

As I have thought back on my own life, I realize that I have tried to use every minute to maximum advantage, always striving towards ful-

fillment of some larger purpose. Upon reflection, this may have been a mistake, because as Eric Hofer observed, "the man in a hurry can never grow up."

I pray that this plea will help fulfill a larger purpose. I pray it will serve the ultimate ends of justice—both personal justice in that I am accepting responsibility for my own crime and social justice in that this plea may have some impact in deterring others from interfering with any individual's right to a fair trial.

I also knew that to remain a defendant would preclude me from being available to the Special Prosecutor's office and to the House Judiciary Committee. The work of these two bodies, the successful and just resolution of the matters under investigation by them, it seemed to be, was far more important than the possibility of my eventual public vindication. I shall be cooperating with the prosecutor, but that is not to say that the prosecutor has bargained for my testimony, that there was any *quid pro quo*: there was not. I reached my own conclusion that I have a duty to tell everything I know that is relevant to these important issues, and a major rea-

son for my plea was to free me to do so.

I WENT to the White House in November, 1969, because the President asked me to. I was proud to have been asked to serve the President of the United States, and I believed it my duty as a citizen and frankly as a political partisan to do so. For three-and-a-half years I worked day and night. I had little time for myself or for my family. The frustrations and aggravations were, at times, enormous. I believed that I was making a great personal sacrifice for my country including giving up a very lucrative law practice.

During the time I served in the White House, I rarely questioned a presidential order. Infrequently did I question the President's judgment.

These two things, unquestioning loyalty on the one hand and a feeling of self-sacrifice on the other, caused me to lose sight of some very fundamental precepts. Contrary to my view at the time, one who serves in public office is not doing anyone a favor. He or she is privileged to hold that office in public trust. One's loyalty should go beyond the man he serves to the institutions and people that

have reposed that trust in him.

I know that my popular image is that of an arrogant and self-assured man who reveled in the ruthless exercise of power. That is not an accurate characterization, and I think it is important that that be realized—not so much for my sake as for the sake of an understanding of how this kind of thing could have happened. Actually, I was often frightened by the enormity of the decisions I was asked to take part in and by the awesome responsibilities of the man with whom I worked. Moreover, I made every effort to avoid public exposure.

I didn't care about many of the exhilarating trappings of the White House. I stayed away from Washington parties, I rarely traveled with the President and I tried to avoid personal press coverage. But there was a more subtle kind of self-pride growing out of the feeling that I was sacrificing myself in a way that our critics didn't appreciate to a cause that they would not or could not understand. I lost my perspective to a point where I instinctively reacted to any criticism or interference with what I was doing or what the President was

doing as unfair and as something to be retaliated against.

AS TO THE SPECIFIC offense charged, the President on numerous occasions urged me to disseminate damaging information about Daniel Ellsberg, including information about Ellsberg's attorney and others with whom Ellsberg had been in close contact. I endeavored to do so—and willingly. I don't mean to shift my responsibility to the President. I believed what I was doing was right. N

The President, I am convinced, believed he was acting in the national interest. I know I did. Daniel Ellsberg was viewed as a serious threat to the security of the United States in that he had had access to very sensitive information which it was feared he might disclose. The President, Dr. (Henry) Kissinger, myself and others feared that his action would encourage others to do the same. I saw Ellsberg as a martyr who might rally public support against policies the President believed right for the country. Many of us thought that his alleged act having them published was sensitive documents and of stealing classified and unforgivable—perhaps even bordering on the treasonous. Therefore, whatever we could do—we should do.

In fairness to the President, it should be remembered that this government was engaged at the time in the most sensitive and closely guarded foreign policy negotiations, which could profoundly affect the question of peace or war and perhaps the future stability of the world for a long period to come. I was privileged to be taken into the President's confidence on such matters as the China trip, the SALT negotiations, and Dr. Kissinger's secret negotiations with the North Vietnamese. Maintaining the secrecy of these negotiations was absolutely vital to their success.

We also had strong personal feelings about the matters that were at stake. I had earlier served in the Marine Corps; some of my friends were killed in Vietnam. I felt very strongly

about anything that might imperil the lives of Americans then in Vietnam. So did the President. I watched the President agonize over casualty figures, wince in pain when the B-52s that he had had to order to bomb were shot down. It wasn't an easy thing to live with.

Even though as a private citizen in the mid-1960s I was personally opposed to the policy decision to intervene in Vietnam, nonetheless when I was in the White House I felt a deep sense of responsibility for American forces who were committed there. I felt it my duty to do whatever I could to help bring them safely home. I suppose on reflection I would have done almost anything I was asked to do without regard to the legal consequences if I believed it was justified as part of an effort to end the war in Vietnam.

I have thought a lot about what happened to me in the White House, what may have happened to others and why. It troubles me because I now realize how easy it is for even strong and well disciplined men to lose their perspective under pressure. In my case, while I had studied constitutional law both in college and in law school, I only took time to refer to it when it was a necessary source document for preparing arguments over such matters as the nomination of Supreme Court justices. I never once even remotely thought that my conduct might trespass upon the Constitution or anyone's rights under it.

I HAD ONE RULE—to get done that which the President wanted done. And while I thought I was serving him well and faithfully, I now recognize I was not—at least in the sense that I never really questioned whether what he wanted done was right or proper. He had a right to expect more from me. I had an obligation to do more for him.

My father studied six years at night to become a member of the Massachusetts Bar. I grew up in a family in which the puritan ethic was the daily rule of life. I spent four years at

night school to become a lawyer and I believed that I had a great sensitivity to the rule of law, the judicial system and the responsibility of my profession. As a member of the White House staff, however, sensitivity gave way to expediency. I adopted all the political catchwords that seemed to have appeal to the middle America we viewed as our constituency. I, for one, and others as well, I suspect, became so preoccupied with Richard Nixon's electoral fortunes that we sometimes lost sight of the deeper purpose for which his re-election was so tenaciously pursued—to govern wisely and well for the good of all the

In the past year, I have come to know what it is to be an individual standing alone against the vast forces of governmental and press power. I know what it is to be awaiting trial, hoping that a jury will judge me on the evidence and the evidence alone, and then reading each day the most sensationalized and offensive charges, some of them sponsored by branches of the same government which is prosecuting me.

I have also come to a much greater appreciation of what government is really here to do. Democracy is more than just majority rule. It is the will of the majority but never at the expense of one member of society. The erosion of one man's rights is the erosion of democracy.

Your Honor's words from the bench during the pre-trial hearings helped bring to a head a long and agonizing struggle within myself. I had argued hard but in vain with the prosecutors against being indicted. I did not feel that an indictment was justified in either the Watergate or the break-in of the office of Ellsberg's psychiatrist, Dr. Lewis Fielding.

IN JANUARY there had been discussions of plea bargaining prior to indictment, but those discussions were terminated when I told my counsel that I could not and would not plead guilty to something I was not guilty of. As time went on it

weighed heavily on me that while I might not have been guilty of the specific offenses for which I was going to be indicted, I could not regard the sum of my conduct in the White House as guiltless. It also weighed on me that I had been part and parcel of the efforts to discredit Dr. Ellsberg and that those efforts led others to even more misguided adventures. I had always told the prosecutors that I had in fact attempted to do so. While that wasn't the gravamen of the Fielding indictment, I nonetheless came to believe that I had a moral responsibility for the chain of events that led to a violation of Dr. Fielding's rights.

It came home to me when Your Honor reminded my counsel and others that this is a government of laws and not of men. I should never have needed such a reminder. I remember how much I had come to cherish that principle in college and law school. The realization that my actions could have contributed and in fact did contribute to a violation of that principle was something that I couldn't in conscience back away from; as a result, and for the reasons I stated earlier, I instructed Mr. David Shapiro to seek this particular plea to a violation of 18 U.S.C. Sec. 1503.

Whatever sentence may be imposed upon me, I am hopeful that the Court will accept my statement that I have pled to this charge because I believe that anyone who attempts to interfere with an individual's right to a fair trial must accept the consequences, and that this was a plea entered into—not in exchange for anything, but because I felt it was the right thing to do. Try as I have, I cannot fully explain to myself how I could have strayed as I did from what I knew to be right.

One whose sense of values has slipped once, would not glibly promise that he would never again make a mistake, but I can assure the Court that this experience has brought me to a complete re-examination of my life. I regret what I have done and will spend a lifetime trying to be a better man as a result.