

# Colson, Mollenhoff Argue on 'Privilege'

8/30/73

By Lou Cannon  
Washington Post Staff Writer

Former White House special counsel Charles W. Colson yesterday denied any prior knowledge of the Watergate bugging case and said that presidential aides had been falsely maligned on the basis of "third-hand hearsay."

"I have no involvement and no knowledge of the Watergate, direct or indirect," Colson said.

Colson clashed with another former White House special counsel, Clark R. Mollenhoff, in a National Press Club debate which centered on executive privilege and the Watergate case.

Mollenhoff said President Nixon was using the "evil doctrine" of executive privilege to hide "mismanagement and corruption" in the White House.

"In my view, Mr. Nixon did not win by a landslide but Senator McGovern lost by a landslide," Mollenhoff said. "The election was not an endorsement of the Watergate incident, the handling of the ITT antitrust matter, the abuse of A. Ernest Fitzgerald, the \$140 million subsidy for wheat to Russia, the presidential clemency for Jimmy Hoffa or the accumulation of that big cash stash in Maury Stans' safe."

Colson maintained that executive privilege, invoked by Mr. Nixon to prevent his aides from testifying before Senate committees in the Watergate case, is necessary to prevent the intrusion of the legislative branch into the office of the presidency. He cited Sen. Sam Ervin's (D-N.C.) assertion of absolute privilege for a Senate aide in a court case arising from the Senate reading of the Pentagon Papers by Sen. Mike Gravel (D-Alaska).

Ervin heads the committee investigating the Watergate case.

Mollenhoff, the author of a book on government secrecy, responded by quoting from Mr. Nixon when he was a congressman investigating alleged subversive activity.

"This arbitrary secrecy cannot prevail from a constitutional standpoint because if it had prevailed President Harding could have covered up the Teapot Dome scandal . . ." Mollenhoff quoted Mr. Nixon as saying at the time.

Mollenhoff, now chief of the Washington bureau of The Des Moines Register and Tribune, said that executive privilege has never been used except to "cover up scandals." He added that he did not think the Watergate case was any exception.

While Mollenhoff was talking about "Scandals" in government, Colson was assailing alleged "intimidation" of public officials by the press in general and by The Washington Post in particular.

He challenged Katherine Graham, publisher of The Washington Post, and Benjamin C. Bradlee, executive editor, to a debate on journalistic responsibility, and said that he had raised "some rather serious charges regarding the integrity of Washington Post reporting."

Colson charged that Mrs. Graham had said at a dinner party that she "hated" Mrs. Nixon, an allegation which she has denied.

When Colson was asked the origin of the story, he replied, "I'd be delighted to be the first to say that this is hearsay, that was told to me second-hand by a White House aide who heard it from a reporter."