

Flanigan to Testify

IT IS WELL THAT the White House has decided to yield to the Senate Judiciary Committee in the Peter Flanigan case. Yesterday, after weeks of refusal to let Flanigan testify on the ITT issue, by reason of his being a presidential aide entitled to the so-called executive privilege, a decision was made, and announced by press aide Ron Ziegler, that Flanigan could testify on a limited basis.

Senator Ervin and others on the Judiciary Committee have thus won their fight to get their hands on this witness. The White House, on the other hand, had to make its concession in order to bring the hearings on the confirmation of Richard G. Kleindienst as attorney general to a conclusion.

Executive privilege is an important doctrine. It allows a President to keep from the public his conversations and communications with his aides. Certainly such sensitive territory should be off limits to congressional investigation. But in the ITT case what the Senators want to ask about is, apparently, what Flanigan said to ITT people, including its president Harold S. Geneen, and not what he said to Mr. Nixon. Flanigan ought to be able to answer such questions without damaging White House confidentiality.