

# Proxmire On the Press

By James Reston

WASHINGTON, May 8—In a speech on the floor of the United States Senate, Senator William Proxmire, Democrat of Wisconsin, has accused the press of the being "grossly unfair" in reporting secret charges that President Nixon knew about the cover-up in the Watergate case.

He said: "When former White House Counsel John Dean is reported throughout the country to have privately told grand jury investigators that the President was directly involved in a Watergate cover-up, President Nixon is being tried, sentenced and executed by rumor and allegation.

"As the Senator who succeeded Joe McCarthy in the U. S. Senate, I find this kind of persecution and condemnation without trial McCarthyism at its worst."

There is obviously a serious problem here, but it raises some fundamental questions: Would this scandal have reached the present point of disclosure if the press had not reported the secret testimony of witnesses in this case? Is a Government which had knowledge of this kind of political espionage and sabotage, and then tried to conceal the facts, entitled to bar reporters from getting beyond the screen of secrecy?

Senator Proxmire concedes that there is a dilemma here, but he thinks the press has done its job in helping

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force the case into the courts and Congress and should now wait until all the charges can be subjected to careful cross-examination. Otherwise, he insists, the daily publication of more and more sensational charges will poison the public mind against the accused, interfere with the due process of a fair trial, and seriously damage the President and the Presidency.

This may be true, for after all the lies and deceptions that have been practiced in this conspiracy, the credibility of the Administration has all but vanished. But it would be helpful if Senator Proxmire would suggest how a free and competitive press can suddenly shut off the torrent of charges at the height of the crisis.

Some of the key witnesses and their lawyers are now talking in the hope of indicating what they know and getting immunity to disclose even more. If one of the accused talks and his charges get into a single paper, the charges are immediately transmitted across the news agency tickers to hundreds of radio and television stations and to the other papers of the country, and within hours the whole country knows about it.

Meanwhile, the President and his aides have access to the same network of communications. The White House has said: "Any suggestion that the President was aware of the Watergate operation is untrue; any suggestion that the President participated in any cover-up activity or activities is untrue; any suggestion that the President ever authorized the offering of clemency to anyone in this case is also false. . . ."

All this has been widely reported, but the problem remains, for many other questions remain, and the White House spokesmen refuse to answer the questions. Len Garment, the new White House counsel, has tried to be helpful in denying charges he knows to be false, but even he is not acquainted with the testimony before the grand jury.

Accordingly, the press either has to take the word of officials who in many cases know less about the charges than the reporters, or, having been misled so often and so long by officials in the past, publish both the charges and the denials and let the readers judge for themselves.

Senator Proxmire is undoubtedly right that innocent people may be harmed by this rough struggle to get at the truth, but the problem is that all the safeguards of our democratic system have been violated in this case. The confidence on which the system rests has been broken.

Now the Administration, whose own men have broken confidence with one another, broken confidence with the Congress, broken the law, covered up the conspiracy and misled the American people are asking the press to have confidence in them and in the system they have gravely weakened.

It was not hard to understand this appeal only a few short weeks ago, when some White House aides were being damaged by third- and fourth-hand hearsay of wrongdoing, but now the texts of grand jury testimony are beginning to circulate, disclosing improper and even illegal acts which nobody is willing to deny.

State Department documents are found to have passed into the hands of convicted burglars, the C.I.A. is discovered to have cooperated in the break-in at the office of Daniel Ellsberg's psychiatrist, and seventeen officials are now under investigation not only by the Justice Department and the grand jury but by the Congress.

In such an appalling tangle, it is a bit hard to ask the press to pipe down at this late date. How do you shut off an underground geyser of such proportions? This is what we'd like to know; and while it is easy to agree with Senator Proxmire's concern for innocent people, he didn't suggest how the thing could possibly be done.