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Hostility in the Hearing Room

Ehrlichman Triggers Wrath From All Quarters

By William Greider
Washington Post Staff Writer

Something about John D. Ehrlichman, the former White House super-aide, brought out the worst hostility in the people who watched him yesterday as a Watergate witness.

The spectators, despite occasional admonitions from the chairman's gavel, abandoned decorum. They hissed and groaned, laughed at Ehrlichman's gaffes and cheered his opponents.

Samuel Dash, a man of patient manner, a mild professor who is chief counsel of the Senate Watergate Committee, snapped and snarled in his interrogation.

Even Sen. Sam. J. Ervin

Jr., the elderly chairman who usually waxes eloquent over the Bible, the Constitution and other sacred objects, became ferocious, then flustered in his grilling of the witness.

Ervin sputtered in vain. John Ehrlichman, a personal symbol of the White House power and glory, now held

missing man talking back at all the Watergate critics, from senators to newspaper reporters.

Ehrlichman was at bay, fighting alone in the cavernous hearing room except for his lawyers. At the end, there was a little blood in the dust, some from both sides.

Senator Ervin, usually so congenial, charged at the witness with pitched voice and a nakedly hostile opening questions:

"Do I understand you are testifying that the Committee to Re-elect the President . . . constituted an eleemosynary institution that gave \$450,000 to some burglars and their lawyers merely be-

See SCENE, A13, Col. 7

Commentary

in disgrace, stood his ground fiercely. Not an inch of contrition, not the ritual performance of humility which most previous witnesses have offered.

"I am here to refute every charge of illegal conduct on my part," Ehrlichman began, a proud and uncompro-

SCENE, From A1

cause they felt sorry for them?"

The audience broke up and John Ehrlichman smiled the tight little grin of self-control. "I don't know what their motives were," he said. The secret GOP money provided to the Watergate defendants, he suggested, was no different from the defense funds for celebrated left

liberal defendants—Angela Davis, Daniel Ellsberg, the Berrigan brothers.

"Yes," said Ervin at the top of his voice, "but don't you think most of the people contributed to their funds because they believed in those causes?"

"I assume that," said Ehrlichman.

"Well, certainly, the Committee to Re-elect the President and White House aides like yourself did not believe in the cause of burglars and wiretappers, did you?"

"No sir," Ehrlichman replied icily. "I didn't contribute a nickel, Mr. Chairman."

The committee chairman hammered on the same theme, relating Ehrlichman's own connection to the secret defense money through Herbert Kalmbach, the President's personal attorney. Ehrlichman disputed and dissembled and progressed.

"You can answer that yes or no," Ervin complained at one point. "I've only got 20 minutes this time." The witness smiled, but insisted on his right to explain the answer to his own satisfaction, if not the interrogator's.

"Didn't you bug his conversation?" Ervin asked, referring to an April phone conversation between Ehrlichman and Kalmbach.

"No sir."

"Didn't you record it?"

"Yes sir." The audience broke up again over what seemed to the gallery a distinction without a difference.

Ehrlichman explained matter-of-factly that his dictaphone came equipped with a little knob that made it possible to record phone conversations. "Evidently put there by the factory when they made it," he suggested.

"Yes," said Ervin, "well, I have almost 15 telephones and none of them have a knob like that."

Their most bitter exchange, however, was over Ehrlichman's bland suggestion that the secret burglary in 1971 in the Ellsberg case was justified by "national security" considerations and, indeed, was explicitly authorized by Congress in a 1968 wiretap law to protect against foreign intelligence.

That drove Ervin sputtering up the wall. "I helped draw that statute," he said. "I am familiar with it. There's not a syllable in there that authorizes the President to suspend the Fourth Amendment or authorize a burglary."

Ehrlichman, with a few side remarks from his lawyer, refused to yield that point.

"How do you know that, Mr. Chairman?" Ehrlichman asked.

"Because I can understand the English language—it's my mother tongue," Ervin shouted. The senator was engulfed by thunderous applause, which he only halfheartedly tried to stop with his gavel. Ehrlichman smiled

coolly, by now used to the gallery's hostility.

They were intermittently snarling and snapping like that all day, a dog fight in which Ehrlichman both gave and got.

When Ervin asked about laws forbidding the release of private medical records, Ehrlichman insisted he was not familiar with them.

"And yet you were an adviser to the President of the United States?" Ervin asked with ridicule in his voice.

"There are a lot of things that I don't know," Ehrlichman snapped.

The witness got warm when Ervin needled him about John Dean, the former presidential counsel and Ehrlichman's subordinate whom he now accuses of the major crimes.

"You relied on John Dean—and now you don't trust him?" the chairman asked skeptically.

"Sir, that's correct," the witness replied defiantly, as if he didn't care whether Ervin believed him. "And I dare say the dawn broke in March of this year."

In the morning, when chief counsel Samuel Dash was interrogating, it was the witness' turn to trip over his own composure.

At one point, when Ehrlichman kept trying to get ahead of the questions, Dash admonished: "I do not know

why you have to find out what I am getting at. If you will just answer my questions as I ask it."

"It is an obscure question," Ehrlichman complained.

"It is a simple question," Dash said tartly. "If the answer is no, say no. If the answer is yes, say yes."

The word games involved such thin slices of meaning that both the witness and his interrogator got lost in the quibbles. Ehrlichman elaborately denied that the White House "plumbers" unit was conceived as an investigative unit — then admitted that it eventually became one.

"Yes, in a literal sense, that is true," he said.

"Not in an actual sense?" asked Dash, who was weary of the wordy distinctions.

"Well, here I am dueling with a professor," Ehrlichman replied. He got a laugh when he said, condescendingly: "Professor, if you say actual, it is actual."

Dash was hot. "I don't want you to take my questions," he said, "and I don't want to put words in your mouth."

Moments later, it was Ehrlichman who was close to blowing. When Dash asked an elaborate question linking the pre-1972 "national security" intelligence with the White House plans for campaign spying, Ehrlichman protested.

"You have just scrambled the eggs, Mr. Dash," he complained. "These are all separate subjects . . . You have dumped them all in a hat and stirred them around and said, 'see what these bad fellows in the White House were doing?'"

Now it was Dash who smiled sweetly.

"I said nothing about bad fellows in the White House," he assured the witness.

Ehrlichman rocked forward and resumed his own grim smile, the portrait of skepticism.

"That is very reassuring," he said coldly, and even the hostile spectators felt the chill of his words.



By Joe Heiberger—The Washington Post

Committee counsel Samuel Dash, left, and John Ehrlichman during a heated exchange over Ehrlichman's testimony.