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## Recalling ‘The Pentagon Papers’ and the Public’s Right to Know

During the Autumn of 1972, among the books I had time to read was a paperback copy of *The Pentagon Papers*.

To refresh your memory, this was a history of the U.S. role in Indochina from World War II until May 1968. As noted in an article by the editors of the *Encyclopaedia Britannica*, this study had been commissioned in 1967 by U.S. Secretary of Defense Robert S. McNamara, serving under President Lyndon Johnson.

It seems that McNamara had become disillusioned about the direction of the war and did not support further escalation. A main purpose of the study was to detail the various steps that had been taken over the years and the changes in policy (the mistakes in judgment if you will) that resulted in the present situation.

Daniel Ellsberg, a senior research associate at the Massachusetts Institute of Technology’s Center for International Studies, worked on the project. What resulted was a “47-volume history, consisting of approximately 3,000 pages of narrative and 4,000 pages of appended documents.”

The work took 18 months to complete. About the time it was finished, a new president, Richard Nixon, was in office.

“Ellsberg had been an ardent early supporter of the U.S. role in Indochina (and this country’s assistance to South Vietnam in its fight with North Vietnam),” the article stated, “but, by the project’s end, had become seriously opposed to U.S. involvement. He felt compelled to reveal the nature of U.S. participation and leaked major portions of the papers to the press.”

Receiving a copy of the documents was *The New York Times*. The study, though, had been classified as “top secret” by the federal government, meaning that possession as well as publication would put the paper in a collision course with the feds.

After weighing the pros and cons, mainly the public’s right-to-know the findings of this study versus legitimate national security issues (as opposed to government officials seeking to prevent the revelation of embarrassing information), the newspaper began running a planned series of articles based on the information. The first one appeared on the front page on June 13, 1971.

“After the third daily installment appeared in the *Times*, the Department of Justice obtained in U.S. District Court a temporary restraining order against further publication of the classified material,

contending that further public dissemination of the material would cause “immediate and irreparable harm” to U.S. national defense interests,” the *Encyclopaedia Britannica* article noted.

“The *Times*—joined by *The Washington Post*, which also was in possession of the documents—fought the order through the courts for the next 15 days, during which time publication of the series was suspended,” the article continued. “On June 30, 1971, in what is regarded as one of the most significant prior-restraint cases in history, the U.S. Supreme Court in a 6–3 decision freed the newspapers to resume publishing the material. The court held that the government had failed to justify restraint of publication.”

While it’s difficult to summarize all of the information contained in these documents, the overall effect was to show that the facts on how this nation got involved in the conflict and what was actually occurring differed from the “official version.”

In particular, the incident in the Gulf of Tonkin when North Vietnamese torpedo boats allegedly made a deliberate attack on the naval destroyer, the USS Maddox, wasn’t as clear cut as President Lyndon Johnson and others in his administration had portrayed it. It was later learned, according to the study, that the incident had occurred shortly after South Vietnamese gun boats staged a raid on the North Vietnamese coast and the North Vietnamese were possibly responding to this raid when they came upon the Maddox—which happened to be nearby.

President Johnson called it “open aggression on the high seas” and used the incident as the basis for his request to Congress that members approve the Gulf of

Tonkin Resolution, giving him broad powers to wage the war and take “all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.”

In talking to Congressional leaders, the raid was not mentioned. Maybe, President Johnson believed an unprovoked attack had occurred. But the study also revealed that President Johnson “began planning to wage overt war in 1964, a full year before the depth of U.S. involvement was publicly revealed.”

**EVENTUALLY, OVER A HALF-MILLION AMERICAN SOLDIERS** were sent to that Southeast Asia nation, and the bombing campaign was widened to include targets in North Vietnam.

As the *Encyclopaedia Britannica* article pointed out and as I recall, “The release of the Pentagon Papers stirred nationwide and, indeed, international controversy because it occurred after several years of growing dissent over the legal and moral justification of intensifying U.S. actions in Vietnam.”

To critics of the war, the information from *The Pentagon Papers* was vindication. Nixon and his staff held a different perspective.

“The disclosures and their continued publication were embarrassing to the administration of President Richard Nixon who was preparing to seek reelection in 1972,” the article stated.

Nixon had earlier in his first term authorized a covert operation that widened the war to include Cambodia and intensified the bombing campaign. He was using some of the same rationales for continuing American involvement as had Johnson. The revealing of this series of “facts” was not in his interest.

I remember as I read *The Pentagon Papers* of being upset, but also having a feeling of disbelief. Here was hard evidence that the public had been misled and misinformed, even lied to by governmental officials during the Johnson Administration; a practice that apparently had been continued by Nixon and his staff.

I thought about the handful of people who had initially, and bravely opposed the build-up in the face of wide popular support, and of how they had suffered from intense criticism; their patriotism questioned and the reasoning they put forth arbitrarily dismissed.

Later, as more and more mainstream public officials advocated a change in policy—including Senators Eugene McCarthy and Robert Kennedy in their 1968 Presidential campaigns—the public mood began to shift and support for the war started to ebb. But as this was occurring, the divide between the ‘hawks’ and ‘doves’ grew wider and passions became more intense.

The right of dissent, of free speech, and of press freedom came under attack during this period—led by Nixon’s first vice president, Spiro Agnew.

But in fairness, many of those opposed to the war—the more vocal and hard-edged partisans—were not civil in their remarks and dealings. They became increasingly intolerant in their attitude towards those on the other side of the divide, but also with allies in the cause who did not march lock-step with them or fully share their positions.

*The New York Times* and the *Washington Post* took a lot of criticism for their decision to print the *Pentagon Papers*, yet also gained a lot of praise.

**THE IRONY IS THAT THE NIXON ADMINISTRATION**, upset with the publication of the *Papers*, took measures to discredit Daniel Ellsberg. Their reasoning for doing so, I suspect, was that the public—finding chinks in the armor of the messenger—might likewise question “the authenticity” of those documents. The ‘Red Herring’ approach, if you will.

That effort, along with other dirty tricks, led to the break-in of the Democratic Party’s national office in the Watergate Hotel during the 1972 campaign. As many know a cover-up occurred, involving the President himself.

The details of this illegal activity soon came to public notice due initially to the diligent work of journalists, and the newspapers and TV network news divisions who published their stories.

The courage displayed in publishing *The Pentagon Papers* would carry on to Watergate.

Many people of my generation still harbor strong opinions of the Vietnam War—on one side or the other. That emotional residue lingers despite all of the years that have gone by; despite all of the water that’s gone over the dam. I suppose it’ll remain that way until the last of us who remember those times has gone. Then the historians, and future partisans wishing to tailor the narrative to fit their agenda, can argue the merits similar to what now still occurs with the Civil War

But when all is said and done, we—whatever our viewpoint—had the ‘right to know’ the “facts,” not some manufactured spin; not some alternate version designed to suit a political position. It was true then. It still is. Thanks to two newspapers, that right was honored.