

A film by Judith Ehrlich and Rick Goldsmith









# LETTERS FROM THE FILMMAKERS

#### September 2010

I remembered vividly (or so I thought) the events surrounding the Pentagon Papers from 1971, when I was 20. And I knew Daniel Ellsberg, having interviewed him on camera for a previous documentary film. Then, in 2002, I read Ellsberg's newly published book, *Secrets: A Memoir of Vietnam and the Pentagon Papers*, and I was struck by what a phenomenal drama this story was — a personal transformation of epic proportions, set against the backdrop of the most important events, personalities and issues of that time: the war in Vietnam, Richard Nixon and a landmark First Amendment battle that pitted national security concerns against the people's right to know.

I approached Dan with a short outline for a film, but the project didn't get off the ground at that time. Then, in late 2004, Judy Ehrlich approached me with a proposition: "What about doing a film on Daniel Ellsberg?" By then, the United States was immersed in two wars, at least one of which we'd been lied into, and the parallels, resonance and relevance of the Ellsberg/Pentagon Papers saga were unmistakable.

Thematically, I felt I was on comfortable and invigorating ground. My first feature doc the one Ellsberg was in, *Tell the Truth and Run: George Seldes and the American Press* focused on a dissenter (a muckraking journalist) who stuck out his neck on matters of principle. The several films I'd been involved with since then have dealt with ordinary Americans who took risks and exhibited courage in order to try to change their worlds for the better. This film was, for me, in that tradition, but it was also something more grander, perhaps, in the sense that it took place on a bigger stage and involved characters with whom the audience could identify as they acled themselves. "What would I do i



Filmmaker Rick Goldsmith. Photo courtesy of Lynn Adler

ters with whom the audience could identify as they asked themselves, "What would I do in that situation?"

During production, I discovered how much I *didn't* know about the story, including the contagious crises of conscience experienced by so many of the principals involved. Ellsberg was inspired by a draft resister who was risking years in prison; Ellsberg's leak of the top-secret McNamara study had many people — his "co-conspirator" Anthony Russo, reporters and lawyers for *The New York Times*, a Senator, a Congressman, Daniel's own son, his wife and even members of President Nixon's White House staff — asking themselves variations on the same question: Will I be breaking the law and, if so, should I still take part in what I have before me?

One great irony of this production is that Judy and I tried to get the film finished while the Bush administration, which had started the wars in Iraq and Afghanistan, was still in office, as we thought it might be less relevant after a change of administration. We finished the film post-Bush, but - fortunately for the film, unfortunately for the country and the world - the film remains all too relevant, with those wars still raging and, in the case of Afghanistan, even escalating.

But of course the film is about more than any one particular war; it's about our attitude towards war as a solution to political or social conflicts. (Patricia Ellsberg says that our country needs to go through the same kind of political transformation that her husband went through personally.) The film is also about democracy and what it takes to make it work — do we play "follow the leader," or do we insist that Congress, the media and the public have their rightful input into the big issues and matters of life and death that affect all the peoples of the world? And, finally, it is about what each of us can do, might do, when confronted with a wrong, big or small, perhaps among friends or at work. Do we go along to get along, or do we act to right the wrong, perhaps at great personal risk?

#### **Rick Goldsmith**

Filmmaker, The Most Dangerous Man In America



# LETTERS FROM THE FILMMAKERS

I met Daniel Ellsberg when he acted as an advisor on an earlier film I made for Independent Television Service, *The Good War and Those Who Refused to Fight It.* A mutual friend suggested I had to meet with Ellsberg to get his perspective on World War II. I took Ellsberg out to breakfast, which continued through lunch; in fact, he kept me spellbound until 3 p.m. I filled two legal pads with notes and decided at that moment that I would have to make a film about him after I finished the one that was in production. That was in 2000. In the meantime, Ellsberg wrote his autobiography, *Secrets: A Memoir of Vietnam and the Pentagon Papers*, and I read it and realized just how rich his story was.

A few months into researching the subject, I wandered down the hall at the Fantasy building in Berkeley and asked Rick Goldsmith if he might be interested in working with me on a film about Daniel Ellsberg. Ellsberg and his wife, Patricia, happened to be scheduled to give a talk at a local high school at just about that time. Seeing them together — Patricia's warmth and dramatic retelling of the earth-shattering events they had lived through decades before, combined with Dan's intellectual prowess and ironclad memory and their obvious affection and respect for one another — I perceived an unbeatable basis for a film that would not be a dry polemic on political events, but instead had the makings of a love story and a political thriller.

During production, the film continued to evolve dramatically from a solid but standard history film to a film that had emotional content, suspense, drama and a personal voice – a film that drew on the broader toolbox of documentary filmmaking, including recreations and animation. The composer of the HBO series *The Wire* composed the soundtrack. Michael Chandler, our final editor, had edited *Amadeus*. This film has given me the chance to stretch creatively and to experiment with new approaches; that is a thrill.



Filmmaker Judith Ehrlich. Photo courtesy of Lynn Adler

In the last six months we have screened our film around the world to audiences of all ages, and that has been a phenomenal experience. In Palm Springs, 1,000 students cheered at the film's end and then swarmed the stage to ask how they could make their government more transparent. The head of the Orange County American Legion pledged to show it to all his members. In San Francisco, Major General J. Michael Myatt screened it at the 600-seat Marines' Memorial Theatre and asked for copies to distribute to top brass at the Pentagon; in Hong Kong, a young Vietnamese woman wept uncontrollably, thanking me for telling the story of her people's suffering in the war.

The Most Dangerous Man in America provokes strong reactions and spirited conversation about loyalty to country versus conscience and about the need for secrecy to protect states. In Eugene, Oregon, a young woman cried as she described her own experience of whistleblowing and the fear she felt in the face of the large corporation she was challenging. She told me Daniel Ellsberg gave her courage to pursue the lawsuit she had started. We continue to correspond.

Somehow this story of a courageous whistleblower who, after a painful spiritual transformation, risked everything to tell the truth strikes home across the political spectrum. I believe people are looking for models of principled behavior. Across the globe, we are sick of crooked politicians, arms dealers and bankers setting our national agendas. The Daniel Ellsbergs are too few and far between, but their very existence gives us hope and courage.

There are some criticisms. We have been accused of hero worship. So be it. We need more heroes and Daniel Ellsbergs. I don't pretend to be objective about the need to reduce militarism in the world.

I started my career as a teacher, a teacher of teachers and a school principal. I see my job as a documentary filmmaker as opening hearts and minds to new perspectives the same way I did in my classroom and still do at the community college where I teach documentary film. I don't apologize for having a point of view. I am an advocate for nonviolence as a powerful force in the world and I hope my films have made a tiny dent in propagating that idea. Thanks to **POV** for helping us reach millions of viewers with the message that war is not inevitable, that one man and each of us can make a difference and that our democracy can be responsive and healthier if we demand the truth.

#### **Judith Ehrlich**

Filmmaker, The Most Dangerous Man In America



# TABLE OF CONTENTS

# CREDITS, ACKNOWLEDGEMENTS

- 5 Introduction
- 6 Potential Partners
- 6 Key Issues
- 6 Using This Guide
- 7 Background Information
- 7 Timeline: Daniel Ellsberg and the Vietnam War
- **10** The Pentagon Papers
- **11** New York Times Co. v. United States
- 12 First Amendment
- 12 The Ellsberg-Russo Trial
- **13** The RAND Corporation
- 12 Legacy of the Pentagon Papers
- **16** Selected People Featured
  - in The Most Dangerous Man in America
- 24 General Discussion Questions
- 25 Discussion Prompts
- **30** Taking Action
- 31 Resources
- 38 How to Buy the Film

#### Writer

Faith Rogow, PhD Insighters Educational Consulting

#### **Background Editors**

Jamie Dobie

Kristin Wilton

#### **Guide Producers, POV**

Eliza Licht Director, Community Engagement and Education, POV

Jamie Dobie Coordinator, Community Engagement and Education, POV

Design: Rafael Jiménez

Copy Editor: Natalie Danford

#### Thanks to those who reviewed this guide:

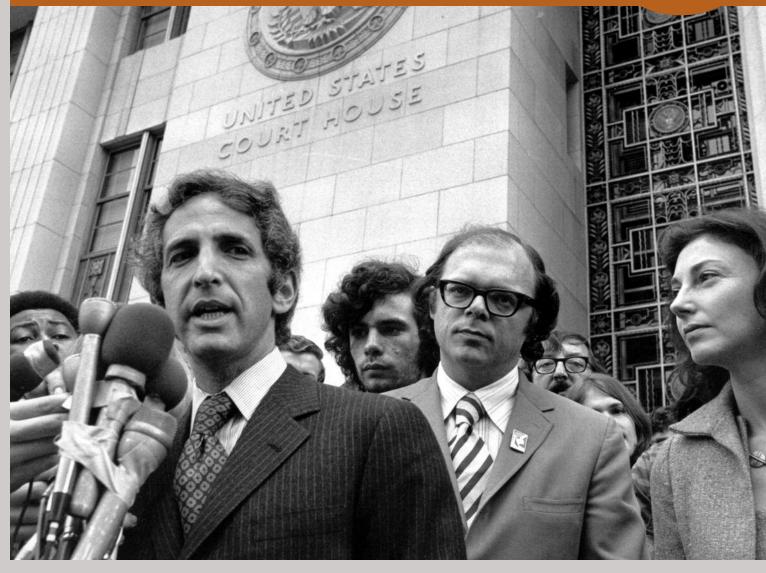
Daniel Ellsberg

Judith Ehrlich Filmmaker, **The Most Dangerous Man in America** 

Rick Goldsmith Filmmaker, **The Most Dangerous Man in America** 



#### INTRODUCTION



The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers, a feature-length (91-minute) documentary, is, at its core, the story of a man who experienced a moment of moral conscience that changed his life and changed a nation.

In 1971, Daniel Ellsberg, a leading Vietnam War strategist, discovered that the role of the United States in Vietnam was based on lies that spanned the terms of five presidents (Truman through Nixon). In a daring act of conscience, he leaked 7,000 pages of top-secret documents to *The New York Times*, several other newspapers and select political leaders. His actions played a major role in Watergate, President Daniel Ellsberg at the Los Angeles courthouse, 1973; Anthony Russo and Patricia Ellsberg to his right. Courtesy AP photos.

Nixon's resignation, a precedent-setting Supreme Court case prohibiting prior restraint of journalists and, eventually, the end of the Vietnam War.

As an outreach tool, this riveting account, told by Ellsberg and a who's-who of Vietnam-era movers and shakers, raises questions about ethics, journalism, national security, the separation of powers, democracy and the legacy of government deception.



# **POTENTIAL PARTNERS**

The Most Dangerous Man in America is well suited for use in a variety of settings and is especially recommended for use with:

- Local PBS stations
- Groups that have discussed previous PBS and POV films relating to protest, government secrecy, the role of journalists and the Vietnam War. Such films include *War Feels Like War, William Kunstler: Disturbing the Universe, The Camden 28* and *The Flute Player*
- Groups focused on any of the issues listed in the Key Issues section
- High school students
- Faith-based organizations and institutions
- Cultural, art and historical organizations, institutions and museums
- Civic, fraternal and community groups
- Academic departments and student groups at colleges, universities and high schools
- Community organizations with a mission to promote education and learning, such as local libraries

# **KEY ISSUES**

**The Most Dangerous Man in America** is an excellent tool for outreach and will be of special interest to people interested in the following topics:

- 1960s and 1970s
- Cold War
- Democracy
- Ethics
- First Amendment
- Government transparency
- Journalism
- Justice system
- Law
- National security/war powers
- Peace studies
- Political science
- Prior restraint doctrine/censorship
- Protest/dissent
- U.S. Constitution/separation of powers
- U.S. history
- U.S. presidency
- Vietnam War
- War
- Whistleblowers

#### **USING THIS GUIDE**

This guide is an invitation to dialogue. It is based on a belief in the power of human connection, designed for people who want to use **The Most Dangerous Man in America** to engage family, friends, classmates, colleagues and communities. In contrast to initiatives that foster debates in which participants try to convince others that they are right, this document envisions conversations undertaken in a spirit of openness in which people try to understand one another and expand their thinking by sharing viewpoints and listening actively.

The discussion prompts are intentionally crafted to help a wide range of audiences think more deeply about the issues in the film. Rather than attempting to address them all, choose one or two that best meet your needs and interests. And be sure to leave time to consider taking action. Planning next steps can help people leave the room feeling energized and optimistic, even in instances when conversations have been difficult.

For more detailed event planning and facilitation tips, visit www.pbs.org/pov/outreach/



# Timeline: Daniel Ellsberg and the Vietnam War

1931 - Ellsberg is born in Chicago. He is raised in Detroit.

**1952 –** Ellsberg graduates from Harvard University summa cum laude and receives a fellowship to study economics at Cambridge.

**1954 –** Ellsberg voluntarily enters the U.S. Marine Corps and serves as a platoon leader and rifle company commander. He then resumes his graduate studies as a member of the Society of Fellows at Harvard, where he earns his Ph.D. in economics in 1962.

**1959** – Specializing in crisis decision-making and the command and control of nuclear weapons, Ellsberg is hired as a strategic analyst at the RAND Corporation, a California think-tank. While at RAND, Ellsberg consults with the Pentagon under Secretary of Defense Robert McNamara during the Kennedy administration. Ellsberg visits South Vietnam with a research team to examine problems with non-nuclear, limited warfare.

**August 1964 –** Ellsberg starts working for the Defense Department as assistant to John McNaughton (assistant secretary of defense and a close advisor to McNamara).

August 1964 (Ellsberg's first day on the job) – President Lyndon Johnson goes on television and alleges that there have been two unprovoked attacks by North Vietnamese forces on U.S. destroyers in the Gulf of Tonkin, to which he has "retaliated" by air attacks on North Vietnam. He asks for authority to respond further as he sees necessary with military force, later launching what will be an eight-year bombing campaign against Vietnam. Johnson's claims about the Tonkin Gulf incidents were unfounded—in particular, there was no second attack—and they came to be counted among many presidential lies that led to U.S. escalation in Vietnam.

**April 17, 1965 –** Ellsberg and Patricia Marx go on their first date, in Washington, D.C., to the first anti-Vietnam War rally organized by Students for a Democratic Society.

**1965-1967 –** Ellsberg serves in Vietnam as a civilian State Department official evaluating counter-insurgency.

June 1967 – McNamara assembles a team of analysts (many of whom worked for RAND, including Ellsberg, who has returned to RAND from Vietnam), headed by Leslie Gelb and Morton Halperin to draft a full history of U.S. political involvement in Vietnam. The report is titled "History of U.S. Decision-making in Vietnam, 1945-68" and is finished in late 1968. By then, McNamara has been replaced as secretary of defense and the study is never officially distributed or acted upon.

January 31-February 7,1968 – Resistance forces launch surprise attacks on U.S. troops in major cities in South Vietnam. This series of attacks, known as the "Tet Offensive," exposes the vulnerability of the U.S. military mission and leads most analysts and journalists to view the war as a stalemate.

**March 1968 –** Clark Clifford replaces McNamara as secretary of defense.

**March 31, 1968 –** On national television, President Johnson announces a halt of the bombing over most of North Vietnam and then shocks the nation when he continues, "I shall not seek, and I will not accept, the nomination of my party for another term as your president."

**November 1968 –** Running on an inference that he has a secret plan to end the war in Vietnam, Republican Richard Nixon defeats Democratic Vice President Hubert Humphrey in the election for president of the United States.

**December 1968 –** Ellsberg first meets with Henry Kissinger, national security advisor to president-elect Richard Nixon, to advise him on options in the U.S. military action in Vietnam. Kissinger and Ellsberg will continue to have a relationship during the first two years of Nixon's presidency.

**August 1969 –** Ellsberg finishes reading a copy of the entire McNamara study, which reveals a pattern of escalation of the war, even in the face of evidence that the war is unwinnable. The study also reveals lies told to the public about the prospects and costs of U.S. military actions. Ellsberg is inspired to take action against what he now sees as "a wrongful war." Ellsberg meets draft resister and antiwar activist Randy Kehler, whose willingness to go to prison based on his opposition to the war makes a great impact on Ellsberg.

**October 1969 –** Ellsberg begins photocopying the Pentagon Papers, with the initial help of former RAND colleague Anthony Russo. Over the next 20 months, he gives copies of the papers to members of Congress, including antiwar Senators William Fulbright and George McGovern and Congressman Pete McCloskey. None of these members of Congress make the papers public during this time.

**August 1970 -** Daniel Ellsberg and Patricia Marx are married; Marx changes her name to Ellsberg.

March 1971 - Ellsberg meets with reporter Neil Sheehan of *The New York Times* and shows him the top-secret McNa-

# POV

#### BACKGROUND INFORMATION

mara study. Sheehan, reporter Hedrick Smith and a handful of other *New York Times* reporters and editors begin working on a massive story based on the Pentagon Papers, while lawyers at *The New York Times* debate whether they can, and should, publish top-secret government documents.

June 13, 1971 – *The New York Times* publishes its first stories on the top-secret report, which soon becomes known as the Pentagon Papers. The stories include excerpts and documents from the study itself.

**June 14 -** Attorney-General Mitchell requests that *The New York Times* cease publication and return the documents, claiming imminent danger to national security from any further publication. *The New York Times* rejects the request and continues its series on the 15th.

**June 15, 1971 –** The government obtains from the court a temporary injunction to stop *The New York Times* from publishing any more material from the Pentagon Papers.

**June 17, 1971 –** Daniel and Patricia Ellsberg go underground after Daniel Ellsberg is identified by reporter Sidney Zion as the probable source for the Pentagon Papers. Ellsberg gives another copy of the Papers to the *Washington Post*.

**June 18, 1971 –** *The Washington Post* publishes excerpts of the Pentagon Papers but is immediately enjoined from publishing additional excerpts. Eventually, 17 other papers will publish portions of the report received from Ellsberg while underground.

June 28, 1971 – Ellsberg surrenders to face criminal charges under the Espionage and Theft statutes.

**June 29, 1971 –** Alaska Senator Mike Gravel convenes a hearing of the Subcommittee on Public Buildings and Grounds in the middle of the night (and only he attends). He reads the Pentagon Papers aloud for three hours, officially entering them into the Senate record.

June 30, 1971 – The U.S. Supreme Court overturns all the injunctions against publishing the Pentagon Papers with a decision in *The New York Times Co. v. United States*, a victory for newspapers.

July 1971 – President Nixon appoints Egil "Bud" Krogh, Jr. and Kissinger aide David Young, Jr. to head a special investigations unit (nicknamed "the plumbers") to obtain evidence to discredit Ellsberg, who Henry Kissinger has deemed "the most dangerous man in America" who "has to be stopped." Krogh and Young hire G. Gordon Liddy and E. Howard Hunt, who hatch a plan to burglarize the offices of Ellsberg's former psychoanalyst in Los Angeles. They carry out the plan in September 1971.

**December 1971 –** A second indictment is issued against Anthony Russo and Ellsberg, naming them co-conspirators on 15 counts. Maximum penalty for Ellsberg is 115 years in prison, and for Russo, 35 years in prison.

**May 3 1972 -** On orders from the White House, Hunt and Liddy bring twelve Cuban CIA "assets" from the Bay of Pigs to Washington from Miami with orders to "incapacitate Daniel Ellsberg totally" at a rally on the steps of the Capitol. They fail to carry this out at the rally, fearing capture.

**June 17, 1972 –** Five men, including Liddy and Hunt, are arrested for breaking into the Democratic National Committee office in the Watergate complex in Washington, D.C.

**November 1972 –** President Nixon is re-elected in a landslide, winning 49 of 50 states.

January 1973 – The United States v. Anthony Joseph Russo and Daniel Ellsberg trial begins in Los Angeles. Meanwhile, hearings and trials associated with the Watergate break-in begin in Washington, D.C.

**January 27, 1973 -** The United States and North Vietnam sign the Paris Peace Accords, which lay out U.S. withdrawal from Vietnam.

January 30, 1973 – Liddy and Hunt are convicted of the Watergate break-in.

**March 29, 1973 -** The last U.S. troops leave Vietnam, but bombing of Cambodia continues.

**April 5-7, 1973 –** Top Nixon aide John Ehrlichman secretly meets twice with Judge Matthew Byrne, who is presiding over the Russo/Ellsberg trial, and offers him a job as the new director of the F.B.I.

April 15-18, 1973 - Ellsberg testifies in his own defense.

**April 26, 1973 –** Byrne is informed (by the Watergate prosecutors in Washington, D.C.) that Hunt and Liddy, under orders from the White House, burglarized the office of Lewis Fielding, Ellsberg's psychiatrist, in September 1971. Byrne reveals this shocking news in court the following day.

**April 30, 1973 -** After being confronted by Ellsberg's defense lawyers, Byrne admits to meeting with Ehrlichman earlier in the month.

**April 30, 1973 –** Top Nixon aides Ehrlichman and H.R. Haldeman resign due to their involvement in the Watergate breakin and cover-up. Nixon dismisses White House counsel John



Dean, who has revealed to Watergate prosecutors the Fielding break-in and other information incriminating to the White House.

**May 10, 1973 –** It is revealed in court that in 1969 the F.B.I. secretly wire-tapped and taped phone conversations between Ellsberg and then Kissinger aide Morton Halperin, who had earlier supervised the study that became the Pentagon Papers. The government claims that no records of the wire-tapping can be located. May 10, 1973 – The House of Representatives, for the first time, votes to cut off all funding for U.S. combat operations in Indochina.

**May 10, 1973 –** The House of Representatives, for the first time, votes to cut off all funding for U.S. combat operations in Southeast Asia.

**May 11, 1973 –** Byrne grants a mistrial due to what he deems to be serious government misconduct. All charges against Ellsberg and Russo are dropped.

August 15, 1973 - All U.S. bombing in Southeast Asia ceases.

**July 1974 –** The House Judiciary Committee passes articles of impeachment against Nixon; the Supreme Court orders the release of White House tapes that implicate Nixon in the Watergate scandal.

**August 8, 1974 –** Facing probable impeachment, Nixon addresses the nation on television and announces that he will resign from his office "effective noon tomorrow."

**April 29, 1975 –** The last Americans are evacuated by helicopter from the roof of the U.S. Embassy in Saigon. Within hours, the Saigon government surrenders to the National Liberation Front (also known as the Viet Cong), an event known either as "the liberation of Saigon" or "the fall of Saigon."

#### Sources:

*The New York Times.* "Times Topics: Pentagon Papers." http://topics.nytimes.com/top/reference/timestopics/subjects/p/penta gon\_papers/index.html

Beacon Press. "Beacon Press and the Pentagon Papers." http://www.beacon.org/client/pentagonpapers.cfm

U.S. Department of Defense. "Clark M. Clifford." http://www.defense.gov/specials/secdef\_histories/bios/clifford.htm

Daniel Ellsberg's Website. "Biography." http://www.ellsberg.net/bio

Daniel Ellsberg's Website. "Extended Biography." http://www.ellsberg.net/bio/extended-biography Online Archive of California. "Finding Aid for the United States v. Anthony Joseph Russo and Daniel Ellsberg Transcripts, 1972-1973." http://www.oac.cdlib.org/data/13030/n6/kt396nc6n6/files/kt396nc6n 6.pdf

"Judge William Byrne; Ended Trial Over Pentagon Papers". *The Washington Post*, 15 January 2006.

http://www.washingtonpost.com/wp-

dyn/content/article/2006/01/14/AR2006011401165.html

BBC. "On this Day, November 7, 1972: Nixon takes second term by landslide."

http://news.bbc.co.uk/onthisday/hi/dates/stories/november/7/newsid \_3697000/3697098.stm

The Richard Nixon Foundation. "Richard Nixon – America's 37th President."

http://nixonfoundation.org/president-richard-nixon/

Spartacus Educational. "Daniel Ellsberg." http://www.spartacus.schoolnet.co.uk/JFKellsberg.htm

Spake, Amanda. "Ellsberg Rising." *Mother Jones*, September/October 1982.

http://books.google.com/books?id=duYDAAAAMBAJ&lpg=PA7&dq=ell sberg.rising%20mother.jones&pg=PA40#v=snippet&q=ellsberg&f=false

Navasky, Victor. "El Sid." Tablet, 12 August 2009. http://www.tabletmag.com/news-and-politics/13244/el-sid/

Owen, Taylor, and Ben Kiernan. "Bombs over Cambodia". *The Walrus*, October 2006.

http://www.walrusmagazine.com/articles/2006.10-history-bombingcambodia/

MWEB. "The Tet Offensive - 1968."

http://home.mweb.co.za/re/redcap/tet.htm

The Washington Post. "Timeline."

http://www.washingtonpost.com/wp-

srv/onpolitics/watergate/chronology.htm#1973

University of Southern California. "*Top Secret: The Battle for the Pentagon Papers.*"

http://www.topsecretplay.org/index.php/content/timeline

HistoryCentral.com. "U.S. Withdrawal From Vietnam Complete." http://www.historycentral.com/asia/USLeavesVietnam.html

The History Place. "The Vietnam War." http://www.historyplace.com/unitedstates/vietnam/index-1965.html

The White House. "Richard M. Nixon." http://www.whitehouse.gov/about/presidents/richardnixon/



#### **BACKGROUND INFORMATION**



# **The Pentagon Papers**

In 1967, several years after the United States had entered the conflict in Vietnam, Defense Secretary Robert McNamara assembled a team of analysts—many from the RAND Corporation—to compile a report on decisions made about involvement in Vietnam by the U.S. government from the early 1940s through March 1968. Thirty-six men, including Daniel Ellsberg, worked on the project. McNamara's motivation in commissioning this project remains a subject of controversy. He insisted that he authorized the study to preserve for scholars the government documents that chronicled key decisions that had resulted in U.S. involvement in an Asian land war. According to Morton Halperin, one of the two directors of the study, "McNamara had a sense then that this was a tragic blunder, that we were in the

Robert McNamara. Photo courtesy of *The Most Dangerous Man in America* 

middle of a catastrophe and that it was important to try to understand how we had gotten into that catastrophe."

When the study was complete, a copy of it was stored at the RAND Corporation. As a RAND employee, Ellsberg was eventually granted access to the study, and by September 1969 he had read it in its entirety. It dramatically changed his understanding of the war. Before reading the study, Ellsberg had assumed the presidents involved had perhaps been misled or poorly advised on the prospects in Vietnam. After reading the study, he came to several conclusions: 1) every president since and including Harry Truman in the late 1940s



had been advised by some that the war was unwinnable; 2) each of four presidents, Truman through Johnson, escalated the war mainly to save face, so as not to become known as the president who had lost Vietnam to the Communists; and 3) each president lied to the American people about both his escalation plans and the prospects for military success.

After seeing the disparities between what the public was being told and what was actually going on behind closed government doors, Ellsberg became sickened by his own involvement in justifying the war. In 1969, with the help of former RAND colleague Anthony Russo and at times his own two children, Ellsberg began photocopying the 7,000-page document with the goal to disclose it publicly in order to stop what he had concluded was "murder, mass murder."

Ellsberg delivered copies of the study to antiwar Congressmen, including William Fulbright, George McGovern and Pete McCloskey, but none disclosed its contents within Congress or to the public, as Ellsberg had hoped they would. Ellsberg leaked copies of the study to *New York Times* reporter Neil Sheehan in March 1971. Sheehan convinced his editors at the paper that their readers had the right to know this heretofore secret information. The first articles on the top-secret study, which included excerpts from it, appeared in the paper on June 13, 1971, and within days the study became known as "the Pentagon Papers."

Ellsberg also sent a copy of the papers to Senator Mike Gravel of Alaska, a Democrat, who planned to read from them during a filibuster of a bill that would extend the draft. Prevented from filibustering, he instead read the papers during a late-night one-person meeting of the subcommittee he chaired, thereby entering the papers into the public record. He later found a small publisher, the Beacon Press in Boston, to print them. The four-volume set was titled *The Pentagon Papers, Gravel Edition.* 

#### Sources:

*The New York Times.* "Times Topics: Pentagon Papers." http://topics.nytimes.com/top/reference/timestopics/subjects/p/penta gon\_papers/index.html

Beacon Press. "Beacon Press and the Pentagon Papers." http://www.beacon.org/client/pentagonpapers.cfm Falk, Richard A. "Demystifying Iraq?" *The New Centennial Review* 5, no. 1 (Spring 2005).

http://muse.jhu.edu/login?uri=/journals/new\_centennial\_review/v005/ 5.1falk.html

University of Southern California. "Top Secret: The Battle for the Pentagon Papers."

http://www.topsecretplay.org/index.php/content/documents

### New York Times Co. v. United States

In 1971, Daniel Ellsberg leaked a copy of the 7,000-page Pentagon Papers to *New York Times* reporter Neil Sheehan. Sheehan and his fellow *New York Times* reporter Hedrick Smith spent weeks studying the documents and writing articles about them. On June 13, 1971, *The New York Times* began to publish excerpts of the documents. President Nixon argued that the entire report was top secret, and on June 15, the federal government asked the court for an injunction, claiming for the first time in American history the right to prevent communications from reaching the public. The government argued that to continue publishing the Pentagon Papers would pose "a grave and immediate danger to the security of the United States." The government won a temporary injunction from the courts to stop *The New York Times* from publishing excerpts from the papers.

More than a dozen other newspapers, including *The Wash-ington Post*, also received copies of the Pentagon Papers and published excerpts. *The Washington Post* and two other newspapers were also enjoined, but, as one lawyer said, try-ing to stop publication was like "herding bees." During the last two weeks of June, newspaper after newspaper published articles about the top-secret report, including excerpts from the report itself. On June 30, the Supreme Court reversed the injunctions against *The New York Times* and *The Washington Post*, ruling six to three that publication of the documents was not a threat to national security, but rather was in the public interest and protected by the First Amendment. Justice Hugo Black wrote, "The press was to serve the governed, not the governors."

The case marked the first time in American history that the U.S. government had tried to restrain the press in the name of national security; the Supreme Court's decision re-emphasized the right and duty of the press to keep a watchful eye on government.

#### Sources:

*The New York Times*. "Times Topics: Pentagon Papers." http://topics.nytimes.com/top/reference/timestopics/subjects/p/penta gon\_papers/index.html

Academy of Achievement. "Neil Sheehan." http://www.achievement.org/autodoc/page/she1bio-1

#### **First Amendment**

The Bill of Rights is comprised of ten amendments that protect Americans from government interference, but even today, arguments about the meaning of and protections offered by the First Amendment are the subject of much controversy.

The First Amendment says, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

First Amendment rights get complicated when one party's right interferes with another's, or when exercise of a right such as freedom of speech or of the press might threaten another party's safety or well-being. In the Pentagon Papers case, the government argued that publication of the classified documents threatened national security.

Several historical cases have challenged the balance between First Amendment rights and the security of the nation, including cases related to the promotion of Communism, the restriction of rights of government employees, interference with war efforts and the admission or exclusion of certain non-U.S. citizens.

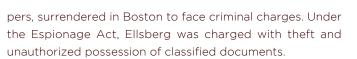
#### Sources:

First Amendment Center. "About the First Amendment." http://www.firstamendmentcenter.org/about.aspx?item=about\_firstamd

Cornell University Law School. "CRS Annotated Constitution." http://www.law.cornell.edu/anncon/html/amdtlcfrag1\_user.html#amdtlc\_hd1

#### The Ellsberg-Russo trial

On June 28, 1971, Daniel Ellsberg, who had gone into hiding after distributing copies of the Pentagon Papers to newspa-



Anthony Russo, a former RAND colleague of Ellsberg's who had helped photocopy the documents and urged Ellsberg to distribute them, was subpoenaed in August 1971 and imprisoned for six weeks after refusing to testify against Ellsberg before a grand jury. In December 1971, a second indictment was issued against the two men, listing them as co-conspirators in the matter. Ellsberg faced five counts of theft and six of violations of the "Espionage Act," for a maximum total of 115 years; Russo faced one count of theft and two of violating the Espionage act, for a maximum total of 35 years.

Their trial began in Los Angeles (where the photocopying had taken place) on January 3, 1973. Five days later, the Watergate burglary trial commenced in Washington, D.C. The Los Angeles trial continued for more than four months and included testimony by both Russo and Ellsberg. Until the final days of the trial, reporters could not guess how the verdict was likely to go. Then, in late April, Watergate prosecutor Earl Silbert submitted a memo that revealed that two members of a special investigations unit known as "the plumbers" that had been created by President Nixon - G. Gordon Liddy and E. Howard Hunt (who had just been convicted in the Watergate burglary trial) - had burglarized the offices of Lewis Fielding, Daniel Ellsberg's, psychoanalyst in search of files that could be used to discredit Ellsberg. (The Fielding burglary had occurred nine months before the Watergate burglary.)

Days later, in early May, the judge in the Los Angeles trial, William Byrne, revealed that John Ehrlichman — one of Nixon's top aides — had offered Byrne the job of director of the F.B.I. while Byrne was presiding over the Ellsberg-Russo trial. Then, on May 10, it came to light that the F.B.I. had secretly and illegally recorded conversations between Ellsberg and Morton Halperin, who had supervised the Pentagon Papers study. The government claimed it could not find any records pertinent to the wiretapping.

Byrne stated to the court, "The totality of the circumstances of this case, which I have only briefly sketched, offend a sense of justice. The bizarre events have incurably infected





the prosecution of this case." On May 11, the judge declared a mistrial and the charges against both Ellsberg and Russo were dropped.

John Dean — the former White House counsel who revealed to Watergate investigators the existence of the Fielding break-in — maintains that "it was the cover-up of the Ellsberg break-in that concerned the White House" and that "the seeds of all of Watergate occur in the Pentagon Papers." He makes the point that the Watergate break-in was never tied directly to the White House (only to the presidential re-election committee), but that in contrast, the Fielding burglary had been initiated by the White House.

On March 21, 1973, during the conversation in which Dean famously reported telling Nixon, "There is a cancer growing on the Presidency," Dean revealed to the president that Hunt was threatening blackmail, quoting Hunt as saying, "I will bring John Ehrlichman down to his knees . . . [he'll] never survive it" (referring to what Nixon termed "that Ellsberg business.") Dean went on to tell Nixon the blackmail threat might cost up to \$1 million. Nixon responded by assuring Dean, "You [one] could get a million dollars. You could get it in cash. I know where it could be gotten." It was revelation of the Fielding break-in, Dean asserts, that Nixon feared. And indeed, when the House Judiciary Committee, in 1974, adopted three articles of impeachment against Nixon, two of them directly concerned the Fielding break-in. After that, Nixon had no choice but to resign.

#### Sources:

Daniel Ellsberg's Website. "Biography." http://www.ellsberg.net/bio

Daniel Ellsberg's Website. "Extended Biography." http://www.ellsberg.net/bio/extended-biography

"Judge William Byrne; Ended Trial Over Pentagon Papers," *Washington Post,* Jan. 14, 2006. http://www.washingtonpost.com/wpdyn/content/article/2006/01/14/AR2006011401165.html

"Top Secret: The Battle for the Pentagon Papers". The University of Southern California.

http://www.topsecretplay.org/index.php/content/timeline

# **The RAND Corporation**

The RAND Corporation (the name stands for "research and development"), self-defined as a "nonprofit institution that helps improve policy and decision-making through research and analysis," was formed in 1948 in response to a need identified during World War II to improve military planning by drawing on the expertise of civilian researchers and scientists. Thomas Schelling, an early and prominent RAND employee, says in the film, "The atomic bomb had changed so much. And the military knew that they needed fresh thinking."

RAND became the favored think tank of the Air Force in particular, and the U.S. Department of Defense in general. At the time of Ellsberg's employment at the RAND Corporation, it played an integral role in providing information and strategic thinking to military decision-makers.

#### Source:

RAND Corporation. "History and Mission." http://www.rand.org/about/history/

# Legacy of the Pentagon Papers

A whistleblower is someone who uncovers and publicly raises concerns about misconduct or wrongdoings from within an organization. Government whistleblowers such as Daniel Ellsberg have significantly altered our nation's political landscape.

Today, the impact of the release of the Pentagon Papers is still hotly debated. Some say the facts revealed by the Pentagon Papers gave strength to the antiwar forces across the nation and hastened the end of the war. Others maintain that President Nixon's reaction to both the press and Ellsberg led to his downfall, which in turn helped to end the war in Vietnam. International law scholar Richard A. Falk makes the point that the revelations themselves were relatively unimportant but that "what has remained significant about the release of the Pentagon Papers is the decision by a public official to give priority to conscience as compared to career." Moreover, Ellsberg's "whistleblowing" stimulated a mindset and inspired actions among many that has effected change in the corporate and political worlds in the United States and



abroad, even pushing Congress to enact "whistleblower legislation" to protect those who break laws or agreements to unearth corporate and political abuse. And there is no doubt that the ramifications of the First Amendment battle between the Nixon administration and the press continue to be felt today in the world of journalism.

#### + WIKILEAKS

On July 25, 2010, a document called the "Afghan War Diary" containing over 91,000 classified reports on the war in Afghanistan from 2004 to 2010 was made public through the organization WikiLeaks. WikiLeaks describes itself as a "multi-jurisdictional public service designed to protect whistleblowers, journalists and activists who have sensitive materials to communicate to the public." Prior to making public the Afghan War Diary, WikiLeaks made public internal memos about the dumping of toxic material off the African coast and U.S. military operations in the detention center in Guantanamo Bay, Cuba. The April 2010 leak of the "collateral murder" video of an American Apache helicopter shooting down 12 civilians, including two Reuters news service employees, sent shock waves through the country. In June, the alleged leaker, Bradley Manning, was identified and imprisoned by the military.

The Afghan War Diary painted an extremely bleak picture of military gains in the Afghan region, implying that U.S. troops were not receiving adequate resources and that the Taliban's strength had increased since 2001, despite that fact that the United States had spent more than \$300 billion on the war. Secretary of Defense Robert Gates stated that the document could have "potentially dramatic and grievously harmful consequences." WikiLeaks has been assailed by many human rights organizations and press organizations, including Reporters Without Borders, for indiscriminately and irresponsibly publishing the documents, thus potentially revealing the identities of people who collaborated with the coalition in Afghanistan. No one has been targeted in the intervening months on the basis of those leaks.

The Afghan War Diary painted an extremely bleak picture of military gains in the Afghan region, implying that U.S. troops were not receiving adequate resources and that the Taliban's strength had increased since 2001, despite that fact that the United States had spent more than \$300 billion on the war. Secretary of Defense Robert Gates stated that the document could have "potentially dramatic and grievously harmful consequences." WikiLeaks has been assailed by many human rights organizations and press organizations, including Reporters Without Borders, for indiscriminately and irresponsibly publishing the documents, thus potentially revealing the identities of people who collaborated with the coalition in Afghanistan. No one has been targeted in the intervening months on the basis of those leaks.

The F.B.I. and the U.S. Army are involved in a criminal inquiry to review whether any of the reports could endanger national security or troop safety. In the meantime, the Pentagon requested that WikiLeaks remove the classified documents from its website.

Unlike the Pentagon Papers, which were commissioned by the U.S. Department of Defense, these reports were written by soldiers and intelligence officers. However, when asked about the similarities between the Pentagon Papers and WikiLeaks in a *Christian Science Monitor* interview, Ellsberg stated, "[The documents] look very familiar to me, from my time in the government. Different places and names, but they are describing a war that is as thoroughly stalemated as was the case 40 years ago and more in Vietnam."

#### Sources:

WikiLeaks. "Afghan War Diary, 2004-2010." http://wikileaks.org/wiki/Afghan\_War\_Diary,\_2004-2010

Collateral Murder. "Overview."

http://www.collateralmurder.com/

Greenwald, Glenn. "The WikiLeaks Afghanistan Leak." *Salon*, 25 July 2010. http://www.salon.com/news/opinion/glenn\_greenwald/2010/07/25/wikileaks

Pezzi, Stephen M. "WikiLeaks and the First Amendment." *Harvard National Security Journal*, 14 August 2010. http://www.harvardnsj.com/2010/08/wikileaks-and-the-first-amendment/

Rich, Frank. "Kiss This War Goodbye." *The New York Times*, 31 July 2010. http://www.nytimes.com/2010/08/01/opinion/01rich.html



# **BACKGROUND INFORMATION**



Henry Kissinger. Photo courtesy of *The Most Dangerous Man in America* 

Schmitt, Eric. "U.S. Tells WikiLeaks to Return Afghan War Logs." *The New York Times*, 5 August 2010.

http://www.nytimes.com/2010/08/06/world/asia/06wiki.html

Sheehan, Neil. "Vietnam Archive: Pentagon Study Traces 3 Decades of Growing U.S. Involvement." *The New York Times*, 13 June 1971. http://www.nytimes.com/books/97/04/13/reviews/papersoverview.html

Siddique, Haroon. "Press Freedom Group Joins Condemnation of WikiLeaks' War Logs." *The Guardian*, 13 August 2010. http://www.guardian.co.uk/media/2010/aug/13/wikileaks-reporterswithout-borders MSNBC. "Whistle-blowers Who Made Their Mark." http://www.msnbc.msn.com/id/8076349/

Campaign For Liberty. "WikiLeaks and Freedom of the Press." http://www.campaignforliberty.com/blog.php?view=37266



# Selected People Featured in The Most Dangerous Man in America



#### Patricia Ellsberg

When Patricia Marx began dating Daniel Ellsberg in 1965, she was the host of a syndicated weekly public radio program called Patricia Marx Interviews. Later that year, she followed Ellsberg to Vietnam and he proposed marriage while they were in Asia. However, their differences over the war in Vietnam (she asked him, "How can you be a part of all this?") led to a break-up. They reunited in the fall of 1969, during the time when Ellsberg (unknown to her) was photocopying the Pentagon Papers. They married in August 1970, and during their

first year of marriage she immediately indicated that she supported his decision to release the secret report, even though she knew doing so might result in his being sent to prison.

Patricia Ellsberg served on the founding board of Women of Vision and Action, a network of women leaders, and is a board member of the Women's Alliance for New Directions and the World Policy Institute. She remains active in peace and environmental movements, speaking publicly about alternatives to current defense and nuclear policies. She also teaches guided meditation.

#### Sources:

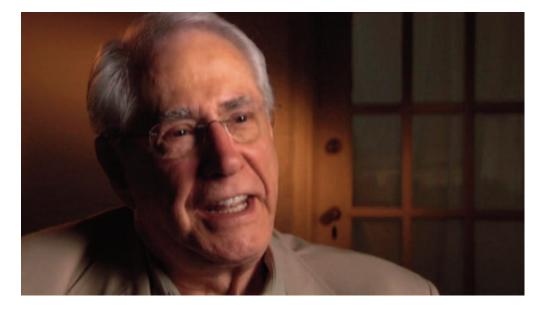
Patricia Ellsberg. "About Patricia Ellsberg." http://patriciaellsberg.com/about/about-patricia-ellsberg

Women of Vision and Action. http://www.wova-archive.org/wova.php?menu=who

Ellsberg, Daniel. Secrets: A Memoir of Vietnam and the Pentagon Papers. New York: Viking, 2002



# Selected People Featured in The Most Dangerous Man in America



#### **Mike Gravel**

Maurice Robert "Mike" Gravel, a Democrat, served in the Alaska House of Representatives from 1963 to 1966, then represented Alaska in the U.S. Senate from 1969 to 1981. In 1971 he waged a one-man, five-month filibuster urging the Nixon administration to end the draft. He is best known for reading portions of the Pentagon Papers at a latenight, one-man meeting of a subcommittee he chaired in order to enter 4,100 pages of them into the Senate record; the Supreme Court later ruled that Gravel did not have the right to share those documents. In fall of

1971, Gravel had the document published by Beacon Press as *The Pentagon Papers, Gravel Edition*, an act that resulted in a Supreme Court case, *Gravel v. United States*, which he won.

Gravel authored books including *Jobs and More Jobs and Citizen Power: A Mandate for Change* and founded *The Democracy Foundation, Philadelphia II* and *Direct Democracy*, all nonprofit corporations dedicated to the establishment of direct democracy in the United States through the enactment of the National Initiative for Democracy by American voters.

In 2006, Gravel, then 75, announced he would run for president, saying he wanted to give citizens power by allowing them to directly vote on issues such as health care, declaring war and eliminating the Internal Revenue Service, rather than acting through members of Congress. After losing the Democratic nomination, he made a bid for the Libertarian nomination, which he also lost, at which point he announced that he was retiring from politics.

#### Sources:

Mike Gravel. http://www.mikegravel.us/bio

"Washington: A 'Maverick' For President." *The New York Times*, 18 April 2006. http://query.nytimes.com/gst/fullpage.html?res=9A01EED8173FF93BA25757C0A9609C8B63

Wheaton, Sarah. "Exit Strategy; Mike Gravel Ends His Career." *The New York Times*, 28 May 2008. http://query.nytimes.com/gst/fullpage.html?res=9506EED91738F93BA15756C0A96E9C8B63&scp=7&sq=mike%20gravel&st=cse



# Selected People Featured in The Most Dangerous Man in America



#### **Morton Halperin**

Morton Halperin worked as deputy assistant secretary of defense for international security affairs in the U.S. Department of Defense, political-military overseeing planning and arms control, from 1966 to 1969. In this capacity he directed the drafting of the Pentagon Papers as ordered by Secretary of Defense Robert McNamara. He joined the National Security Council, led by Henry Kissinger at the time, in 1969.

After Ellsberg and Russo were indicted for stealing and leaking the Pentagon Papers, Halperin

traveled to Los Angeles for their trial, where he advised a team of attorneys and activists working on the Ellsberg-Russo defense. Ellsberg's lead attorney was Leonard Boudin; Russo's was Leonard Weinglass.

Halperin also testified on behalf of Ellsberg and Russo, saying that in his view the papers were not government property but the personal property of himself and a few of his co-workers and that they contained no information that would benefit an enemy of the United States. He was contradicted on both these points by prosecution witnesses and accused of violating security regulations himself by removing classified documents.

Halperin continued to work with and for the government, serving from 1975 to 1992 as the director of the Center for National Security Studies, where he focused on issues affecting both civil liberties and national security. From 1984 to 1992 he was director of the Washington office of the American Civil Liberties Union and he returned to the U.S. Department of Defense to work under President Clinton. Under Clinton, he also served as director of the policy planning staff at the Department of State (1998 to 2001) and special assistant to the president and senior director for democracy at the National Security Council (1994 to 1996).

Halperin is now a senior advisor to the Open Society Institute, where he provides strategic guidance on domestic and international issues.

#### Sources:

Congressional Record. "Statement on the Nomination of Dr. Morton Halperin (Senate – July 15, 1994)." http://www.globalsecurity.org/intell/library/congress/1994 cr/s940715-halperin.htm

Open Society Foundations. "Morton H. Halperin." http://www.soros.org/initiatives/washington/about/bios/halperin



# Selected People Featured in The Most Dangerous Man in America



#### Robert McNamara

Robert McNamara served as secretary of defense from 1961 to 1968, under President Kennedy and President Johnson.

After completing studies in economics and philosophy at the University of California at Berkeley and Harvard Business School, where he also taught, McNamara served in the Air Force for several years. In 1946, he joined Ford Motor Company. He quickly advanced through management at Ford, ascending to the presidency of the company in 1960; soon after, Kennedy recruited him to serve as secretary of defense.

Defense at that time was largely focused on fighting communism, and McNamara's tenure was marked by efforts to beef up troops, modernize weapons and develop tactics for fighting aggressively. He also consolidated intelligence and communications services and implemented systems analysis procedures for defense planning and decision-making regarding everything from weapons development to budget issues.

McNamara advised Kennedy through the Bay of Pigs invasion and the Cuban missile crisis , and he advised both Kennedy and Johnson through the first seven years of the Vietnam conflict.

As the United States stepped up its offensive in Vietnam in the mid-1960s, however, McNamara became increasingly skeptical about whether the war could be won by increasing bombing and troop numbers.

In June 1967, McNamara ordered the study "History of U.S. Decision-making in Vietnam, 1945-68," which would later become known as the Pentagon Papers. Behind closed doors, he began to advocate for a diplomatic, rather than a military, solution to ending the war. President Johnson did not take his advice.

On November 29, 1967, Johnson announced that McNamara would resign to become president of the World Bank — a decision that was largely driven by his disillusionment with the war. He left office on February 29, 1968, with honors.

McNamara went on to lead the World Bank from 1968 until 1981. He did not speak out about defense issues during his tenure there, but from 1982 on he was an outspoken opponent of nuclear weapons, and in 1995 he published a book titled *In Retrospect: The Tragedy and Lessons of Vietnam* that described his emotions and regrets about certain decisions made during the Vietnam War.

#### Sources:

U.S. Department of Defense. "Robert S. McNamara." http://www.defense.gov/specials/secdef\_histories/bios/mcnamara.htm



# Selected People Featured in The Most Dangerous Man in America



#### **Anthony Russo**

Anthony Russo, Daniel Ellsberg's closest friend at The RAND Corporation, is credited with convincing Ellsberg to make the Pentagon Papers public. Russo studied aeronautical engineering at Virginia Tech and then worked for NASA, helping to design the space capsule. He earned two master's degrees at Princeton University, one in aeronautical engineering and the other in public affairs. The RAND Corporation sent him to Vietnam to work on a study that involved interrogating Viet Cong prisoners and defectors.

When he returned to work for RAND in California, he became involved with counterculture movements, including antiwar efforts. Russo was indicted along with Ellsberg in 1971 and was imprisoned after refusing to testify before a grand jury. He alleged that he was beaten by guards while in prison. Ultimately, the charges against both Russo and Ellsberg were dropped. Russo worked for the Los Angeles County Probation Department for many years. He died in 2008. Russo told *The New York Times* that his involvement with the Pentagon Papers transformed him into a "committed, full-time radical."

#### Source:

Martin, Douglas. "Anthony J. Russo, 71, Pentagon Papers Figure, Dies." *The New York Times*, 8 August 2008. http://www.nytimes.com/2008/08/09/us/politics/09russo.html?\_r=1

#### **BACKGROUND INFORMATION**

The Most Dangerous Man in America

**Other Featured People in** 

# Free\_Screening\_of\_The\_Most\_Dangerous\_Man\_in\_America\_430\_20100408

Sources:

Orbis Books. http://www.orbisbooks.com/

# publish is to publish!" *The Washington Post* published, and the rest is history. Bagdikian went on to become dean of journalism at the University of California at Berkeley Graduate School of Journalism , and is known for his book *The Media Monopoly*, an account of the decreasing presence of competing newspapers (and other news media) in the United States.

**Ann Beeson** was associate legal director for the American Civil Liberties Union (ACLU), a position she held from 1995 to 2007. She is now executive director of U.S. programs at the Open Society Institute. While at the ACLU, Beeson, an expert on the threat that government secrecy poses to freedom of expression, collaborated with Ellsberg to defend government whistleblowers and promote open government.

**Ben Bagdikian** was assistant managing editor of *The Washington Post* in 1971 and had known Ellsberg at RAND years earlier. After *The New York Times* was enjoined from excerpting the Pentagon Papers, Bagdikian traveled to Cambridge to get a copy of the Pentagon Papers from Ellsberg for *The Washington Post*. When confronted by *Washington Post* lawyers who argued the newspaper could only assert its right to publish through the courts, Bagdikian famously shot back, "The way to assert the right to

#### Sources:

Beeson, Ann. "Whistleblowers: An Interview with Daniel Ellsberg and John Dean." The Huffington Post, 14 September 2009. http://www.huffingtonpost.com/ann-beeson/whistleblowers-anintervi\_b\_285637.html

Open Society Foundations. "Open Society Institute Appoints Ann Beeson as New Director of U.S. Programs." http://www.soros.org/newsroom/news/usdirector\_20070321

American Civil Liberties Union. "Ann Beeson, Associate Legal Director." http://www.aclu.org/national-security/ann-beeson-associate-legal-director

**Robert Ellsberg**, Daniel Ellsberg's eldest son, was called to testify before a grand jury at the age of 15, two years after helping his father photocopy the 7,000-page Pentagon Papers. Robert joined the progressive Catholic Worker Movement at 19, while on leave from Harvard College. He earned a master's degree in theology from the Harvard Divinity School and is currently the publisher of Orbis Books, a religious publisher.

"Robert Ellsberg To Appear At Free Screening of The Most Dangerous Man in

http://movies.broadwayworld.com/article/Robert\_Ellsberg\_To\_Appear\_At\_

© American Documentary, Inc.

America 4/30." TalkMoviesWorld.com, 8 April 2010.









# POV

#### **BACKGROUND INFORMATION**

# Other Featured People in **The Most Dangerous Man in America**

In 1971, **Max Frankel** was the Washington bureau chief for *The New York Times* and oversaw the writing, editing and publishing of articles on the Pentagon Papers for the newspaper. He served as an important link between the reporters writing the stories, the publisher publishing them and the legal team defending the newspaper's right to publish. Angry about the government's enjoining the Pentagon Papers articles, Frankel wrote an essay revealing that "leaking" stories to the press was a common practice for government officials, rather than the "traitorous" practice the Nixon administration claimed. The essay was read before the Supreme Court and was a contributing factor to the Supreme Court decision in favor of *The New York Times* and the *Washington Post* on June 30, 1971. Frankel won a Pulitzer Prize in 1973 for his coverage of President Nixon's trip to China and served as executive editor of *The New York Times* from 1986 to 1994.



**James Goodale** was in-house general counsel to *The New York Times* during the Pentagon Papers era. He pushed the newspaper to reject the advice of its regular outside counsel, *Lord, Day and Lord,* who recommended against publishing the Pentagon Papers stories. Goodale argued that the newspaper could and would win any First Amendment legal battles and then oversaw the strategy that resulted in *The New York Times* winning its case before the United States Supreme Court. He is now with the New York law firm *Debevoise & Plimpton*.

**Randy Kehler**, a committed draft resister, pacifist and social-justice advocate, helped shape Daniel Ellsberg's commitment to non-violent activism against the Vietnam War. Kehler's radical stance was cemented after he went to Africa to teach in 1964 and encountered Congolese refugees who had been forced out of their homes when the United States dropped napalm bombs. When the military started dropping napalm on Vietnam, he began organizing against the war there. In 1969, Kehler was arrested for returning his draft card; he refused to argue his case as a conscientious objector, feeling it would be a form of cooperation with the government, and as a result served 22 months of a two-year sentence in jail. After the Vietnam War, Kehler continued to work with various peace organizations, and he and his wife were arrested several times and lost their home for refusing to pay taxes, based on their antiwar beliefs.

#### Source:

Five College Archives and Manuscript Collections. "Randy Kehler Papers." http://asteria.fivecolleges.edu/findaids/umass/mums396\_bioghist.html





# POV

#### **BACKGROUND INFORMATION**

# Other Featured People in **The Most Dangerous Man in America**

**Henry Kissinger**, a Nobel-winning expert and author on foreign policy, international affairs and diplomatic history, served as assistant to the president for national security affairs from 1969 until 1975, under both Richard Nixon and Gerald Ford, and as secretary of state from 1973 to 1977. He has held numerous other academic, government and public-service positions. After leaving government service, Kissinger founded Kissinger Associates, an international consulting firm.

#### Source:

Nobel Prize. "The Nobel Peace Prize 1973." http://nobelprize.org/nobel\_prizes/peace/laureates/1973/kissinger-bio.html

**Hedrick Smith** was a reporter for *The New York Times* In 1971 and he worked with Neil Sheehan for three months on the Pentagon Papers story. Smith had been a reporter in Vietnam for several years and later won a Pulitzer Prize for his reporting from the Soviet Union and Eastern Europe. He is currently a producer/correspondent for FRONTLINE and other PBS news and current events productions.

Janaki Natarajan Tschannerl played a critical part in Ellsberg's conversion to non-violent activism. She was raised in a community in India inspired by Gandhian principles of nonviolence. Tschannerl holds a Ph.D. in the sociology of education and policy and has devoted her life to creating a more equitable and just society, particularly through the Bapagrama Educational Center near Bangalore, India, and an organization she founded, Educational Praxis, a grassroots nonprofit in Vermont consisting of teachers, musicians, health workers, community members and students that aims to use education to connect people from different backgrounds with each other so that they may exchange knowledge and skills.

#### Sources:

Global Health Council. "Jonathan Mann Award for Global Health and Human Rights: 2006 Nominee List." http://www.globalhealth.org/conference/view\_top.php3?id=592#T

Educational Praxis.

http://www.educationalpraxis.org/praxisinfo/index.php?option= com\_content&view=section&layout=blog&id=5&ltemid=60









# **GENERAL DISCUSSION QUESTIONS**

Immediately after the film, you may want to give people a few quiet moments to reflect on what they have seen. If the mood seems tense, you can pose a general question and give people some time to themselves to jot down or think about their answers before opening the discussion.

Unless you think participants are so uncomfortable that they can't engage until they have had a break, don't encourage people to leave the room between the film and the discussion. If you save your break for an appropriate moment during the discussion, you won't lose the feeling of the film as you begin your dialogue.

One way to get a discussion going is to pose a general question such as:

- If you could ask anyone in the film a single question, who would you ask and what would you ask them?
- What did you learn from this film? What insights did it provide?
- Describe a moment or scene in the film that you found particularly disturbing, interesting, or moving. What was it about that scene that was especially compelling for you?



Randy Kehler. Photo courtesy of *The Most Dangerous Man in America* 



# **DISCUSSION PROMPTS**

# **Understanding Ellsberg's Actions**

• Based on a phrase made famous by Henry Kissinger, the title of the film is *The Most Dangerous Man in America*. What did people think was dangerous about Daniel Ellsberg? To whom or what was he a danger?

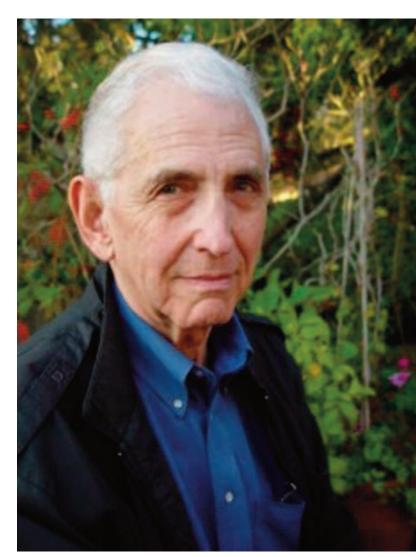
• President Nixon said, "I think it is time in this country to quit making national heroes out of those who steal secrets and publish them in newspapers." Who considered Ellsberg a hero and why? How did their worldview differ from the worldview of those who thought Ellsberg was a traitor?

• The film makes clear that Ellsberg was confronted with not one, but a whole series of ethical dilemmas. Consider how you would describe the ethical issues posed by each of the following and discuss what you might advise a friend in each situation to do:

- Participating in the preparation for a war with which he or she disagrees;
- Recognizing the need for change and trying to change a system from within rather than stepping outside the system to protest;
- Agreeing to keep secrets about the war from U.S. citizens;
- Releasing classified documents even though he or she believes it is illegal;
- Releasing classified documents even though he or she knows doing so could materially hurt friends and colleagues;
- Involving his or her children in what he or she believes to be an illegal act;
- Involving journalists, politicians, friends and family in disseminating documents that he or she obtained illegally, which might put them at risk.

# A Contagious "Crisis of Conscience"

• Ellsberg took the risk of leaking the Pentagon Papers only after being inspired by draft resisters (particularly Randy Kehler) who were ready to go to prison to protest what they saw as an immoral war. Ellsberg's act of leaking top-secret government documents triggered a chain reaction of "crises of conscience" on the part of many of the people you see in the film. Discuss the crisis of conscience —



Daniel Ellsberg. Photo courtesy of Daniel and Patricia Ellsberg

including the legal risks faced — experienced by each of the following figures from the film: Robert Ellsberg, Patricia Ellsberg, *New York Times* reporter Hedrick Smith, *New York Times* attorney James Goodale, Anthony Russo (Ellsberg's "co-conspirator"), Senator Mike Gravel, Representative Pete McCloskey, Egil Krogh, head of the plumbers, and White House counsel John Dean. What would you have done in each of their shoes? Why?



# **DISCUSSION PROMPTS**



# **Examining Government Actions**

• President Nixon and people in his administration described Ellsberg's act as "an attack on the whole integrity of government." Why? What need is there for government secrecy in a democracy? What is the difference between government secrecy and government deception?

• Ellsberg recalls telling Henry Kissinger that getting high level security clearance ultimately makes one think everyone else is foolish, or at least wonder what experts reporting to someone would say if they knew what that person knew, and according to Ellsberg, "in the end you stop listening to them." If Ellsberg is correct, how is the capacity of leaders diminished or enhanced by access to top secret information?

• Krogh, the head of Nixon's "plumbers," ultimately concludes that his actions and the actions of those around him

Egil "Bud" Krogh, Jr. Photo courtesy of *The Most Dangerous Man in America* 

were "a collapse of integrity of the first order." What might the actions of an administration that had acted with integrity have looked like?

• Ellsberg says of encountering Gandhian philosophy, "It seemed to me you could no more do without the concept of 'enemy' than without the concept of zero in arithmetic." Why might Ellsberg have had so much trouble processing the prospect of a life without the concept of "enemy"? What would change about life in the United States if the country acted as if there was no such thing as an "enemy?"



# **DISCUSSION PROMPTS**



# The War in Vietnam

Daniel Ellsberg in Vietnam. Photo courtesy of Daniel and Patricia Ellsberg

• What did you learn from the film about why the United States went to war in Vietnam? Did this confirm, contradict or add to information you had learned in school or from media sources?

• Recalling children picking through the burned ruins of their hut for a plastic doll, Ellsberg says that what the war meant to the Vietnamese was "the destruction of their homes and their lives." What did the war mean to American soldiers, politicians and people? What did it mean to the South Vietnamese (the "Viet Cong") who fought the United States? To the South Vietnamese who fought alongside the United States (the Army of the Republic of Vietnam)? To the North Vietnamese army members? To Vietnamese civilians who did not fight, but were in the middle of a war? (More than 2 million Vietnamese people died in the war.) • Ellsberg ultimately concludes, "It wasn't that we were on the wrong side; we were the wrong side." In your view, under what circumstances might it be justifiable for the United States to protect its own interests by fighting wars on other people's land? What are the implications of current assertions that we are fighting terrorists in Iraq or Afghanistan so that we don't have to fight them here, meaning on U.S. soil?

• What was your reaction to hearing President Nixon and Henry Kissinger discuss bombing dikes (which would kill an estimated 200,000 people) and the option of using a nuclear bomb? Are there ethical ways to conduct war? What rules or ethics do you hope govern the actions of leaders who represent you when they engage in war?



#### **DISCUSSION PROMPTS**

# **The Legacy**

• In your view, what is the legacy of the government actions documented in the Pentagon Papers? How have such actions influenced democracy and trust of government in the United States?

• Despite Ellsberg's best efforts to stop the bombing, President Nixon was re-elected in a landslide, and the United States went on to drop more than 1 million tons of bombs on Vietnam before Nixon resigned and the war ended. In light of that, was Ellsberg successful? What did his leaking of the Pentagon Papers accomplish, both in the short run and in the long term?

• While being interviewed by television journalist Walter Cronkite, Ellsberg says the lesson he took away from his experience with the Pentagon Papers was that "the people of this country

can't afford to let the president run the country by himself without the help of Congress, without the help of the public." How would you define the lesson or lessons of the Pentagon Papers and the events surrounding their release to the public? Do you see evidence that people have acted on that lesson or those lessons since (and if so, when and how)? Have those lessons been lost in the four decades since the Pentagon Papers were released?

• Ellsberg acknowledges being part of a corporate culture that promoted secrecy, saying, "The fact is that secrets can be held by men in government whose careers have been spent learning how to keep their mouths shut." In what ways is this culture of secrecy related to the promulgation of conspiracy theories about government involvement in events such as the Kennedy assassination, the appearance of crack cocaine in communities of color or even 9/11? What might be done to create a culture of transparency while still protecting information that is vital to national security?

• What lessons did you learn from this film that might apply to more recent government actions related to the



William Fulbright. Photo courtesy of *The Most Dangerous Man in America* 

Afghanistan and Iraq wars and other responses to the September 11, 2001 attacks?

# **Exercising Power**

• What did you learn from the film about how social and political change happens?

• Ellsberg says, "We, as a people, do have the power to change ourselves and history." How do you see people exercising that type of power today? How do you think people should be exercising that power?

• Ellsberg says that he came to realize that "I wasn't discharging my responsibilities to the country, the Constitution, the public or the troops, by keeping those secrets which had led to the escalation of the war." What is the responsibility of people in government service to "the country, the Constitution, the public [and] the troops," or to you as a citizen?



What do you want people in government to do when those responsibilities are in conflict with one another or with directives from their superiors?

At the end of the film, Ellsberg says, "The courage we need is not the courage, the fortitude to be obedient in the service of an unjust war, to help conceal lies, to do our job by obeying a boss who has usurped power and is acting as an outlaw. It is the courage, at last, to face, honestly, the truth and the reality of what we are doing in the world and act responsibly to change it." As you look at the world today, how would you characterize what the United States is "doing in the world"? What might need to change, and what might you do to help change it?



Walter Cronkite. Photo courtesy of *The Most Dangerous Man in America* 

# **Media and Journalism**

• What role or roles did media play in Ellsberg's success and/or lack of success in stopping the bombing and, ultimately, the war in Vietnam? How do media actions then compare to media war coverage now?

• Max Frankel (*New York Times* Washington bureau chief during the Pentagon Papers era) reflects on his newspaper's Supreme Court victory, saying, "The cry of national security does not justify censorship in advance." In your view, under what circumstances do journalists have the right or responsibility to reveal classified information and under what circumstances should they refrain from doing so? Under what circumstances, if any, should they be prohibited from doing so by the government or by law?

• In your view, what would the effect on a free press have been if the Supreme Court had ruled in favor of the Nixon administration and prohibited newspapers from publishing the Pentagon Papers, or if after publication *The New York Times* had been prosecuted under the Espionage Act ?

• In your view, would today's major news media outlets be likely to make public the type of classified documents that *The New York Times* and other newspapers were handed in 1971? Why or why not?

Additional media literacy questions are available at: www.pbs.org/pov/educators/media-literacy.php



# TAKING ACTION

• Ellsberg quotes Henry David Thoreau: "Cast your whole vote, not a strip of paper merely, but your whole influence." Gather an affinity group to discuss what that quote means. Then brainstorm a list of concrete things you could do to "cast your whole vote" and choose one or two items from the list to work on in the future.

• Work with local journalists to plan an event around the 40th anniversary of the publication of the Pentagon Papers in 2011. Establish live or virtual discussions of issues such as prior restraint, the role of a free press in a democracy, the balance between the need for national security and the need for an informed citizenry and/or changes in the way that journalists cover war.

• After screening **The Most Dangerous Man in America**, hold a panel discussion that addresses how the nation has and has not applied the lessons of the Pentagon Papers (including what the Pentagon Papers revealed about how

the U.S. government conducted both domestic and foreign policy related to the war in Vietnam).

• Convene a study group to use lessons from the Pentagon Papers (and the film) to look at the Patriot Act, paying special attention to provisions that allow for government surveillance and secrecy. Share your insights with your elected officials and urge them to adopt legislation that reflects your views.

• Host a party to honor whistleblowers in your community.



Daniel and Patricia Ellsberg. Photo courtesy of Daniel and Patricia Ellsberg



# RESOURCES

# **FILM-RELATED WEB SITES**

# Original Online Content on POV Interactive (www.pbs.org/pov)

POV's *The Most Dangerous Man in America* companion website www.pbs.org/pov/mostdangerousman

The companion website to **The Most Dangerous Man in America** offers exclusive streaming video clips from the film and a wealth of additional resources, including a Q-and-A with Daniel Ellsberg and filmmakers Judith Ehrlich and Rick Goldsmith (also available via podcast). There are ample opportunities for viewers to "talk back" and talk to each other about the film, as well as the following special features:

- Background information on the Pentagon Papers;
- Live chat with the filmmakers and Daniel Ellsberg on Wednesday, Oct. 6, the day after the broadcast;
- Additional video and extended interviews with people featured in the film;
- Multimedia timeline: Learn about other famous whistleblowers.

# **FILM-RELATED LINKS**

# THE MOST DANGEROUS MAN IN AMERICA: DANIEL ELLSBERG AND THE PENTAGON PAPERS www.mostdangerousman.org

The filmmakers' website offers a trailer, information about the film and links to press coverage. The filmmakers have also partnered with the Zinn Education Project to create a 48-page teaching guide that includes 8 additional lesson plans. This teaching guide can be downloaded on the website.

# What's Your POV?

Share your thoughts about **The Most Dangerous Man in America** by posting a comment on the POV Blog www.pbs.org/pov/blog or send an email to pbs@pov.org.

# **DANIEL ELLSBERG**

# DANIEL ELLSBERG'S WEBSITE www.ellsberg.net

Daniel Ellsberg's website contains biographical information, links to articles by and about him, videos of media appearances and commentary on issues such as government transparency, defense and the WikiLeaks scandal.

#### **BOOKS:**

#### SECRETS: A MEMOIR OF VIETNAM AND THE PENTAGON PAPERS (NEW YORK: VIKING, 2002)

Daniel Ellsberg's memoir, which informed **The Most Dangerous Man in America**, provides a fast-paced personal account of his development from war advisor to peace activist and the dramatic experiences that influenced it.

# TEST OF LOYALTY: DANIEL ELLSBERG AND THE RITUALS OF SECRET GOVERNMENT (NEW YORK: SIMON & SCHUSTER, 1974)

Author Peter Schrag carefully reports on and analyzes Daniel Ellsberg's movement from the military industrial complex to civil disobedience and the trial that questioned First Amendment rights.

# THE PENTAGON PAPERS

# BEACON PRESS AND THE PENTAGON PAPERS www.beacon.org/client/pentagonpapers.cfm

Beacon Press, the left-leaning independent publisher that published the Gravel edition of The Pentagon Papers in 1961, provides a history of the papers, reaction to their release and related videos, audio files, documents and photos.



# RESOURCES

# UNIVERSITY OF SOUTHERN CALIFORNIA. "TOP SECRET: THE BATTLE FOR THE PENTAGON PAPERS."

#### www.topsecretplay.org

The website for the play *Top Secret: The Battle for the Pentagon Papers*, produced by the University of Southern California, provides rich background information on Ellsberg and his accomplices, the documents, the courts and the administration.

#### **BOOKS:**

#### THE PENTAGON PAPERS

#### (NEW YORK: MCGRAW-HILL, 1993)

Edited by Vietnam War historian George C. Herring, this volume is an abridged and annotated version of the original Pentagon Papers that gathers the most important portions of the documents, as identified by Herring. Herring also provides context by explaining the documents' significance, identifying key players and elucidating acronyms and other jargon. A bibliography of works related to the Pentagon Papers is also included.

# THE DAY THE PRESSES STOPPED: A HISTORY OF THE PENTAGON PAPERS CASE (BERKELEY: UNIVERSITY OF CALIFORNIA PRESS, 1996)

Constitutional law professor David Rudenstine presents a gripping, intellectually rigorous account of the history of the Pentagon Papers, from Ellsberg's leak to the Supreme Court case and its impact on U.S. law.

# NEW YORK TIMES CO. V. UNITED STATES

# CORNELL UNIVERSITY LAW SCHOOL. "NEW YORK TIMES CO. V. UNITED STATES." www.law.cornell.edu

This legal resource provides the Supreme Court's opinions on the case in HTML and PDF format.

#### FINDLAW.

# "NEW YORK TIMES CO. V. UNITED STATES."

http://caselaw.lp.findlaw.com

The full text of the case is provided on this website.

# FIRST AMENDMENT CENTER. "NEW YORK TIMES CO. V. UNITED STATES." www.firstamendmentcenter.org

# A dossier on the case includes audio recordings of oral arguments and a bibliography of articles and other materials about the case.

#### **BOOKS:**

# NEW YORK TIMES V. UNITED STATES: NATIONAL SECURITY AND CENSORSHIP (LANDMARK SUPREME COURT CASES, GOLD EDITION)

(BERKELEY HEIGHTS, N.J.: ENSLOW PUBLISHERS, 2010)

This textbook-like account of the seminal case is intended for students in grade six and above.

# THE FIRST AMENDMENT

# FIRST AMENDMENT CENTER

#### www.firstamendmentcenter.org

The online home of the First Amendment Center, based at Vanderbilt University in Nashville, Tenn., and in Washington, D.C., features research and news on First Amendment issues, analysis by legal specialists, bibliographies, a library of legal cases and related materials and links to dozens of organizations involved in First Amendment issues.

# JOHN S. AND JAMES L. KNIGHT FOUNDATION. "TEACH THE FIRST AMENDMENT."

#### www.teachfirstamendment.org

Administered by the John S. and James L. Knight Foundation, this website provides resources for teachers seeking to improve knowledge and understanding of the First Amendment, including lesson plans and multimedia materials.

# RESOURCES

#### THE BILL OF RIGHTS INSTITUTE

#### www.billofrightsinstitute.org

A nonprofit based in Virginia, the Bill of Rights Institute develops instructional materials and educational programs for high school teachers and students.

#### NATIONAL CONSTITUTION CENTER

#### www.constitutioncenter.org

The user-friendly website of the National Constitution Center, opened near the Liberty Bell and Independence Hall in Philadelphia in 2003, provides an interactive timeline, a newswire of current stories, searchable databases of Constitution text, coverage of Constitution-related issues and information about Supreme Court cases.

#### **BOOKS:**

# FREEDOM FOR THE THOUGHT THAT WE HATE: A BIOGRAPHY OF THE FIRST AMENDMENT

(NEW YORK: BASIC BOOKS, 2008)

Law professor and two-time Pulitzer Prize winner Anthony Lewis explores some of the complications of upholding the First Amendment, including issues related to libel law, privacy, obscenity, hate speech, artistic expression and protection of anonymous sources.

# FREEDOM OF THE PRESS: THE FIRST AMENDMENT: ITS CONSTITUTIONAL HISTORY AND THE CONTEMPORARY DEBATE (BILL OF RIGHTS SERIES)

(AMHERST, N.Y.: PROMETHEUS BOOKS, 2008)

Editor and legal scholar Garrett Epps has gathered articles, essays and case studies related to freedom of the press in this volume, one in a series devoted to different aspects of the amendments included in the Bill of Rights. The book, which examines both the history of freedom of the press and the new challenges that may arise in the 21st century, includes writings ranging from historical essays by John Milton, Thomas Jefferson and John Stuart Mill to contemporary treatises by Potter Steward, Alexander Meiklejohn and Robert Bork.

# SPEAKING FREELY: TRIALS OF THE FIRST AMENDMENT (NEW YORK: VIKING, 2005)

Attorney Floyd Abrams, a member of the legal team representing *The New York Times* in the Pentagon Papers case, has fought for First Amendment rights for more than 30 years, including in such high-profile cases as journalist Judith Miller's 2005 C.I.A. leak case. In this book, he discusses some of his most important cases, explaining his strategies and the cases' lasting importance.

# THE ELLSBERG-RUSSO TRIAL

# THE NEW YORK REVIEW OF BOOKS. "DEFENDING ELLSBERG AND RUSSO." www.nybooks.com

In 1972, the New York Review of Books published this letter from Russo and Ellsberg's counsel, Stanley K. Sheinbaum, pleading their case to the media and soliciting funds for their legal expenses. Sheinbaum writes, "Daniel Ellsberg and Anthony Russo deserve better of the American people. They have good legal counsel. Their trial will be a crucial test of the right of the people to know about illegal actions of government officials."

#### **BOOKS:**

# THE ZINN READER: WRITINGS ON DISOBEDIENCE AND DEMOCRACY (NEW YORK: SEVEN STORIES PRESS, 1997)

This volume of essays by famed historian of the United States Howard Zinn includes "Testifying at the Ellsberg Trial," about his experience as one of the "radical witnesses" in the case.

# **RAND CORPORATION**

#### **RAND CORPORATION**

#### www.rand.org

The nonprofit institution's website offers information about its history, leadership, structure and recent research.



# RESOURCES

# POV

#### BOOK:

### **SOLDIERS OF REASON: THE RAND CORPORATION AND THE RISE OF THE AMERICAN EMPIRE** (NEW YORK: HOUGHTON MIFFLIN HARCOURT, 2008)

Author Alex Abella, with the cooperation of the normally secretive RAND Corporation, gives a thorough history of the think tank, particularly its role in the Vietnam and Iraq Wars. Also discussed are the development and pervasiveness of rational choice theory and how much the RAND Corporation's research and activities have affected Americans.

# LEGACY OF THE PENTAGON PAPERS

# GOVERNMENT ACCOUNTABILITY PROJECT www.whistleblower.org

A nonprofit founded in 1977, the Government Accountability Project seeks to promote corporate and government accountability by "protecting whistleblowers, advancing occupational free speech and empowering citizen activists." The website offers information about food safety, homeland security and the environment, the organization's recent activities and ways to support whistleblowers.

# NATIONAL WHISTLEBLOWERS CENTER www.whistleblowers.org/

The nonprofit, nonpartisan National Whistleblowers Center is an advocacy organization that has supported whistleblowers in court and before Congress since 1988, boasting victories in environmental protection, nuclear safety, government ethics and corporate accountability. The website includes a resource center on whistleblower rights, a speakers bureau of experts and former whistleblowers and a national attorney referral service run by the *National Whistleblower Legal Defense and Education Fund*, a sister group that also publishes the Whistleblowers Protection Blog [www.whistleblowersblog.org/].

# UNITED STATES DEPARTMENT OF LABOR. "THE WHISTLEBLOWER PROTECTION PROGRAM." http://198.17.175.68/dep/oia/whistleblower

The Whistleblower Protection Program, located under the Occupational Safety and Health Administration (OSHA), outlines protections for whistleblowers. Publications available on the website explain whistleblower protections in various industries and methods for filing a complaint with OSHA in the case of a violation.

#### **BOOKS:**

# WHISTLEBLOWERS: BROKEN LIVES AND ORGANIZATIONAL POWER (ITHACA, N.Y.: CORNELL UNIVERSITY PRESS, 2001)

Author C. Fred Alford, a professor of government at the University of Maryland, examines what happens to whistleblowers after they come forth with their allegations. Speaking with dozens of whistleblowers and their families, lawyers and therapists, he finds that ultimately few are actually viewed as heroes or martyrs, few effect lasting change and many find themselves isolated as a result.

# WHISTLEBLOWERS: EXPOSING CORRUPTION IN GOVERNMENT AND INDUSTRY (NEW YORK: BASIC BOOKS, 1989)

Husband and wife team Myron Peretz Glazer and Penina Migdal Glazer, professors of sociology and anthropology and history, respectively, tell the stories of 64 whistleblowers, from the high-profile, such as Daniel Ellsberg and Frank Serpico, who exposed police corruption, to the little known. Based on extensive research and interviews, the book describes not only the whistleblowers' conviction and devotion, but also the retaliation some of them face.

# RESOURCES

# POV

# **From PBS/NPR**

# PBS

#### POV. "REGARDING WAR."

#### www.pbs.org

On POV's Regarding War blog, soldiers, veterans and journalists share their stories from Afghanistan, Iraq and other war zones. The blog features personal stories and opinions from those who have first-hand knowledge of past and current conflicts. Those at home directly affected by a family member serving in the military also contribute. The blog is intended to serve as a place where ideas are exchanged and experiences are related in an effort to gain better understanding of the realities and effects of war. Visitors to the site are invited to share their thoughts, raise questions and join the conversation by leaving comments on the posts.

#### POV. "RE: VIETNAM: STORIES SINCE THE WAR."

#### www.pbs.org

This now-archived website was originally designed as a gathering place for personal stories and a forum for dialogue about the Vietnam War's legacy.

#### POV. "THE CAMDEN 28."

#### www.pbs.org

How far would you go to stop a war? **The Camden 28,** which aired on POV in 2007, recalls a 1971 raid on a Camden, N.J. draft board office by Catholic Left activists protesting the Vietnam War. Arrested at the site in a clearly planned sting, the protesters included four Catholic priests, a Lutheran minister and 23 others. **The Camden 28** reveals the story behind the arrests — a provocative tale of government intrigue and personal betrayal — and also covers the ensuing legal battle, which Supreme Court Justice William Brennan called "one of the great trials of the 20th century." Thirty-five years later, the participants take stock of the motives, fears and cost of their activism — and its relevance to the United States today. (September 11, 2007)

# PBS. "THE SIXTIES: THE YEARS THAT SHAPED A GENERATION."

#### www.pbs.org

The years of the 1960s shaped a generation and sculpted a political landscape, and their influence can still be felt today. The story of the 1960s is illuminated with images of freedom protests, atom bombs, flower power and a nation divided by war. On the program's website, read a chat with Daniel Ellsberg about that tumultuous decade.

#### POV. "REGRET TO INFORM."

#### www.pbs.org

In this Academy Award nominated film, which aired in 2000, filmmaker Barbara Sonneborn is compelled to make a brave pilgrimage to the remote Vietnamese countryside where her husband died. She explores the meaning of war and loss on a human level and weaves interviews with Vietnamese and American widows into a vivid testament to the chilling legacy of war. These stories are stirring reminders that battle scars are life-long, but that shared sorrow can inspire healing and reconciliation. (January 4, 2000)

# AMERICAN EXPERIENCE. "VIETNAM: A TELEVISION HISTORY." www.pbs.org

When this 13-part series first aired on PBS in 1983, it was a seminal television event. The series was edited to 11 hours and rebroadcast in 1997. It won television's top awards, including the Alfred I. duPont-Columbia University Award, whose jurors noted, "These 13 hours of spellbinding, journalistically exemplary television have deservedly been called a landmark in American broadcast journalism and the most important and most compelling documentary series ever made. The power and importance of this series will endure."

# AMERICAN EXPERIENCE. "TWO DAYS IN OCTOBER." www.pbs.org

Based on the book *They Marched Into Sunlight* by Pulitzer Prize-winning journalist David Maraniss, this film tells the story of two turbulent days in October 1967 when history turned a corner as 61 men were killed in Vietnam and at the same time a student protest on an American university campus turned violent.

# RESOURCES

# PBS. "THE GOOD WAR AND THOSE WHO REFUSED TO FIGHT IT."

#### www.pbs.org

American pacifism was part of the political dynamic during World War II, when 40,000 Americans refused to shoulder weapons. This site covers the history of American conscientious objectors.

#### AMERICAN EXPERIENCE. "EMMA GOLDMAN."

#### www.pbs.org

Feared as a sponsor of anarchy and revolution, Emma Goldman was vilified in the press as "Red Emma," "Queen of the Anarchists" and "the most dangerous woman in America." Goldman was also an outspoken opponent of U.S. involvement in World War I and was arrested and imprisoned for demonstrating against the draft.

#### **PBS. "BATTLEFIELD VIETNAM."**

#### www.pbs.org

This site offers an overview of the war, as well as a timeline of events and in-depth explorations of guerrilla tactics and the air war.

# FRONTLINE. "GIVE WAR A CHANCE: LESSONS OF VIETNAM."

#### www.pbs.org

Frontline producer Rick Young interviews Major H.R. Mc-Master, author of Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff and the Lies That Led to Vietnam.

#### **ONLINE NEWSHOUR. "REMEMBERING VIETNAM."**

#### www.pbs.org

This special report commemorates the 25th anniversary of the end of the Vietnam War with links to Online NewsHour articles and interviews about Vietnam.

#### **PBS. "PETE PETERSON: ASSIGNMENT HANOI."**

#### www.pbs.org

This companion site to a film that chronicles a former prisoner of war's return to Vietnam as U.S. Ambassador also features tips for filming in Vietnam.

# FRONTLINE WORLD. "VIETNAM: LOOKING FOR HOME." www.pbs.org

Journalist Nguyen Qui Duc returns to Vietnam looking "for home, for a bit of myself, for a country that always exists in my memory."

# ONLINE NEWSHOUR. "U.S.-VIETNAM RELATIONS." www.pbs.org

This online report features extensive articles and interviews about the state of U.S.-Vietnam relations.

#### **NOW. "A HISTORY OF DISSENT."**

#### www.pbs.org/now/politics/protest.html

The First Amendment reads, "Congress shall make no law . . . abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for redress of grievances." Activists have developed many different means of expressing dissent over the years. This website discusses some of the most powerful examples of protest in the United States.

#### **NPR**

# NPR. "FOREIGN POLICY: HOW WIKILEAKS CAN BE USED FOR GOOD."

#### www.npr.org

Charli Carpenter, associate professor of political science at the University of Massachusetts Amherst, argues that WikiLeaks, and whistleblowing in general, "have enormous potential to save civilian lives in conflict zones — if standards can be created to use them properly." (August 13, 2010)

# TALK OF THE NATION. "THE VALUE AND CONSEQUENCES OF LEAKS." www.npr.org

WikiLeaks released more than 90,000 classified military documents that detail six years of the war in Afghanistan and paint a bleak picture of the conflict. Leak supporters say the release promotes democracy and open discussion. But critics argue it could threaten national security. Daniel Ellsberg and former C.I.A. spokesman Bill Harlow are featured. (July 26, 2010)





# ALL THINGS CONSIDERED. " 'TOP SECRET': THE POWER AND STRUGGLE OF THE PRESS."

#### www.npr.org

Almost 40 years ago, the battle over the Pentagon Papers pitted national security against the freedom of the press. Now a play, *Top Secret: The Battle for the Pentagon Papers*, has opened off Broadway in New York. (March 15, 2010)

#### TALK OF THE NATION.

#### " 'DANGEROUS MAN' DANIEL ELLSBERG REFLECTS"

#### www.npr.org

Daniel Ellsberg speaks with Neal Conan about the leaking of the Pentagon Papers and the making of the film. (February 18, 2010)

# NPR. "LOOKING AGAIN AT AMERICA'S 'MOST DANGEROUS MAN.' "

#### www.npr.org

Most people who recognize the name Daniel Ellsberg remember that he's the Department of Defense insider who turned against the Vietnam War and in 1971 leaked the Pentagon Papers to *The New York Times*. But who knew Ellsberg was once so pro-war that, despite being a civilian, he actually donned a uniform and led patrols into the Vietnamese jungle? (February 4, 2010)



#### HOW TO BUY THE FILM

To order **The Most Dangerous Man in America** for home, educational or institutional use, please visit www.mostdangerousman.org.



Produced by American Documentary, Inc. and beginning its 23rd season on PBS in 2010, the award-winning POV series is the

longest-running showcase on American television to feature the work of today's best independent documentary filmmakers. Airing June through September, with primetime specials during the year, POV has brought more than 300 acclaimed documentaries to millions nationwide and has a Webby Award-winning online series, *POV's Borders*. Since 1988, POV has pioneered the art of presentation and outreach using independent nonfiction media to build new communities in conversation about today's most pressing social issues. More information is available at www.pbs.org/pov.

#### **POV Interactive** www.pbs.org/pov

POV's award-winning Web department produces special features for every POV presentation, extending the life of our films through filmmaker interviews, story updates, podcasts, streaming video and community-based and educational content that involves viewers in activities and feedback. POV Interactive also produces our Web-only showcase for interactive storytelling, *POV's Borders*. In addition, the *POV Blog* is a gathering place for documentary fans and filmmakers to discuss and debate their favorite films, get the latest news and link to further resources. The POV website, blog and film archives form a unique and extensive online resource for documentary storytelling.

#### **POV Community Engagement and Education**

POV works with local PBS stations, educators and community organizations to present free screenings and discussion events to inspire and engage communities in vital conversations about our world. As a leading provider of quality nonfiction programming for use in public life, POV offers an extensive menu of resources, including free discussion guides and curriculum-based lesson plans. In addition, *POV's Youth Views* works with youth organizers and students to provide them with resources and training so they may use independent documentaries as a catalyst for social change.

Major funding for POV is provided by PBS, The John D. and Catherine T. MacArthur Foundation, National Endowment for the Arts, The Educational Foundation of America, New York State Council on the Arts, New York City Department of Cultural Affairs, The Fledgling Fund, FACT and public television viewers. Funding for POV's Diverse Voices Project is provided by the Corporation for Public Broadcasting, The Andy Warhol Foundation for the Visual Arts, and the Rockefeller Brothers Fund. Special support provided by the Academy of Motion Picture Arts and Sciences. POV is presented by a consortium of public television stations, including KCET Los Angeles, WGBH Boston and THIRTEEN in association with WNET.ORG.

#### American Documentary, Inc. www.amdoc.org

American Documentary, Inc. (AmDoc) is a multimedia company dedicated to creating, identifying and presenting contemporary stories that express opinions and perspectives rarely featured in mainstream media outlets. AmDoc is a catalyst for public culture, developing collaborative strategic engagement activities around socially relevant content on television, online and in community settings. These activities are designed to trigger action, from dialogue and feedback to educational opportunities and community participation. *Simon Kilmurry is executive director of American Documentary* | *POV; Cynthia Lopez is executive vice president.* 

Front cover main image: Henry Kissinger and Richard Nixon. Photo courtesy of Air Force Magazine

