

# THE MOST DANGEROUS MAN IN AMERICA: DANIEL ELLSBERG AND THE PENTAGON PAPERS

A film by **Judith Ehrlich** and **Rick Goldsmith**



35mm and HDCAM SR, 94 minutes, 2009



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## 50-Word Synopsis

In 1971, Daniel Ellsberg, a leading Vietnam War strategist, concludes the war is based on decades of lies. He leaks 7,000 pages of top-secret documents to *The New York Times*, a daring act of conscience that leads directly to Watergate, President Nixon's resignation and the end of the Vietnam War.

## Synopsis

*The Most Dangerous Man in America* catapults us to 1971 where we find America in the grip of a familiar scenario: a dirty war based on lies. And Dr. Daniel Ellsberg, one of the nation's leading war planners, has the documents to prove it. Armed with 7000 pages of Top Secret documents; he leaks the truth about the Vietnam War to *The New York Times* and risks life in prison to end the war he helped plan. It is a story that held the world in its grip, with daily headlines, the top story on the nightly news for weeks on end.

What makes a dedicated Cold Warrior throw away his high-level access, his career, his friends, and risk life in prison for a mere CHANCE at helping to end the war? The Daniel Ellsberg in the first part of the film is a brilliant, complex man wrestling with his conscience over his role in a war he sees first as a problem to be solved, then as a hopeless stalemate, finally as a crime to be stopped at any costs.

Ellsberg's leak of the top-secret Pentagon Papers to *The New York Times* sets into motion an extraordinary series of events. The Nixon Administration first goes after the nation's press, resulting in a First Amendment battle that, within two weeks, ends up in the Supreme Court. Ellsberg goes underground to avoid a nationwide FBI manhunt. When he emerges, he is hailed as a hero, accused of being a traitor, ostracized by friends, and finds himself on trial for his life.

But even while on trial, the charismatic Ellsberg grabs center stage. Ever-present on talk shows and press conferences, he reveals to the American public important truths about government secrecy and lies. Dubbed by Henry Kissinger as "the most dangerous man in America who must be stopped at all costs," Ellsberg is targeted by President Nixon himself, who fears Ellsberg might leak some of Nixon's own war plans. "Screw the courts," says the President, "let's try the son-of-a-bitch in the press." But Nixon's obsession with Ellsberg leads to the President's downfall, and, by a series of events Ellsberg couldn't have imagined, an end, finally, to the Vietnam War.

Our tale is told by Ellsberg — as narrator, in current interviews and riveting archival footage — and a cast of supporting characters who "lived" the Pentagon Papers episode including Ellsberg's wife and son, "co-conspirator" Tony Russo, historian/activist Howard Zinn, journalists Hedrick Smith and Max Frankel, attorneys Lenny Weinglass and James Goodale, Watergate principals Egil "Bud" Krogh and John Dean, and — in a rarely seen interview and his own secret White house tapes — President Nixon himself.

Our film speaks directly to the world today, as national security and the people's right-to-know are in constant tension. It raises questions about civil courage, following conscience, taking risks, and speaking truth to power. It challenges people everywhere who are looking to better understand the world of power and who search their own hearts for ways to take a stand and make a difference.

## Daniel Ellsberg's Biography

Daniel Ellsberg was born April 7, 1931 and grew up in Detroit, Michigan. He attended Harvard University, graduating summa cum laude in 1952. He later earned his Ph.D. in Economics at Harvard in 1962 with his thesis, "Risk, Ambiguity and Decision." His research leading up to this dissertation is widely considered a landmark in the foundation of decision theory and behavioral economics. He described a paradox in decision theory now known as the Ellsberg paradox.

Ellsberg spent three years (1954-57) in the U.S. Marine Corps, serving as rifle platoon leader, operations officer, and rifle company commander. From 1959-64, he was a strategic analyst at the California-based RAND Corporation, and consultant to the Defense Department and the White House, specializing in problems of the command and control of nuclear weapons, nuclear war plans, and crisis decision-making. Ellsberg joined the Defense Department in 1964 as Special Assistant to Assistant Secretary of Defense (International Security Affairs), John McNaughton, who was the assistant to President Lyndon Johnson's Secretary of Defense, Robert McNamara. Ellsberg's reports on Vietcong atrocities helped McNamara implement plans for bombing North Vietnam. "Operation Rolling Thunder." began in February, 1965, and the intensive bombing campaign continued for over three years.

Uneasy about how the war was going, Ellsberg wanted to see the war first-hand. He transferred to the State Department in 1965 and served two years at the U.S. Embassy in Saigon, evaluating pacification on the front lines. By the time he returned to the United States, he had changed from seeing Vietnam as "a problem to be solved" to a stalemate that the United States needed to exit.

Ellsberg returned to the RAND Corporation in 1967, where he worked on the top-secret McNamara study of U.S. decision-making in Vietnam, 1945-68, which later came to be known as the Pentagon Papers. He read the entire 7,000-page study (one of only three men to do so—the others being Leslie Gelb and Mort Halperin, the heads of the study) by late summer of 1969. He read about the war being an American war from the start, and four consecutive Presidents who kept the war going while they knew it was unwinnable. He came to understand each was motivated by the desire not to "lose face." Based on what he had seen in the Pentagon and in Vietnam, and now on what he read in this comprehensive study, Ellsberg came to see the war in Vietnam as not just a stalemate, or "a noble cause gone wrong", but as a crime – as mass murder. He was later famously quoted saying, "We weren't on the wrong side; we *were* the wrong side."

At about the same time, Ellsberg met and became influenced by anti-war, non-violent activists, including Gandhi-ist Janaki Natarajan and draft resistor Randy Kehler. Their principled opposition to the war and willingness to risk prison led Ellsberg to question his own commitment to help end the war.

In October, 1969, with the help of Anthony Russo, a former colleague from the RAND Corporation, he began photocopying the 7,000 page study. From the fall of 1969 through the spring of 1971, he offered copies of the study to several members of Congress, including William Fulbright, chairman of the Senate Foreign Relations Committee, and Senator George McGovern, who was running for President on an anti-war platform. All efforts to influence members of Congress or others in government with the study proved fruitless.

While at RAND in late 1968, Ellsberg was asked by President-elect Richard Nixon's incoming National Security Advisor, Henry Kissinger, to draw up option papers for the war in Vietnam, which was at its height, with over 500,000 American troops deployed. Kissinger knew Ellsberg from a series of lectures that Ellsberg gave at Harvard in 1959 titled "The conscious political use of irrational military threats" (Ellsberg's title: The Political Uses of Madness). Kissinger is widely quoted as saying "I learned more about bargaining from Ellsberg than anyone else." During the 1968 meetings, and subsequent meetings over the next year and a half, Ellsberg tried to impress upon Kissinger the lessons to be learned from the McNamara study, the folly of Vietnam, and the need to get out. Kissinger was not receptive.

In early 1970, the FBI—on information provided by Ellsberg's former wife's stepmother—visited the RAND Corporation, inquiring about Ellsberg and the top-secret McNamara study. Ellsberg's boss, Harry Rowen, told the FBI that Ellsberg was authorized to have the study, and the inquiry ended there. In April,

1970, Ellsberg, left RAND in order to avoid implicating his RAND colleagues, and took a position at the Massachusetts Institute of Technology (MIT) in Cambridge, Massachusetts.

In the summer of 1970, Ellsberg married Patricia Marx, a syndicated radio host and heiress to the Marx Toy Company whom he had met six years earlier. After dating in DC, she had visited him in Vietnam and traveled to India where, waist deep in the Ganges River, he asked her to marry him. They split up, largely because of differences over the war—she was against it, and he was working for the Pentagon and the State Department. They reunited after his spiritual and political transformation. Shortly after they married, Patricia, well aware that revealing the top-secret study could land her new husband in prison for life, supported Daniel's decision to risk prison by making the study public.

In March of 1971 Ellsberg showed the study to reporter Neil Sheehan of the New York Times. The New York Times began publishing excerpts from the top-secret, classified study on June 13, 1971. The newspaper was enjoined by the Nixon administration from further publication two days later.

Identified as the probable source of the leak on June 16, 1971, Ellsberg was pursued by the FBI. It was a manhunt of such massive proportions it was described as the largest since the infamous Lindbergh baby kidnapping. The Ellsbergs hid out in Cambridge for two weeks, while successfully distributing copies of the study to the Washington *Post* and other newspapers, 17 in all, and to Senator Mike Gravel, who read from it and entered it into the Senate record. Daniel Ellsberg turned himself in at the Federal courthouse in Boston on June 28, 1971. He was charged under the Espionage Act with “unauthorized possession” and “theft” of the Pentagon Papers, with a maximum sentence of 20 years in prison.

Ellsberg's colleague Tony Russo was called before the Grand Jury, but Russo refused to testify against Ellsberg. In December, 1971, Russo was added to the indictment, and Ellsberg's charges now included “conspiracy” and eight other counts, and his maximum penalty increased to 115 years.

The Russo-Ellsberg trial was scheduled to begin in July, 1972, but was postponed until January 3, 1973, shortly after Richard Nixon was re-elected in a landslide over George McGovern. The Los Angeles trial lasted four months. A bombshell landed on April 26, 1973, when it was discovered in the Watergate investigation, happening simultaneously in Washington, D.C., that burglars under the direction of a “Special Investigations Unit” of the Nixon White House known as the “Plumbers”, broke into the office of Ellsberg's psychiatrist, Dr. Lewis Fielding, in September of 1971. A few days later, a newspaper revealed that Judge Matthew Byrne, presiding over the Russo-Ellsberg trial, had been visited by top Nixon aide John Ehrlichman and offered the position of director of the FBI. Days later, it was discovered that Ellsberg had been recorded on illegal wiretaps for up to two years. On May 11, 1973, the Russo-Ellsberg trial was dismissed by Judge Byrne because of the massive governmental misconduct. All charges against the two men were dropped and they were freed.

Meanwhile, the revelations of the Fielding break-in led to charges and convictions of both Egil Krogh, head of the “Plumbers” and John Ehrlichman, who had authorized the break-in of Ellsberg's psychiatrist's office. Nixon White House Counsel John Dean asserts that it was the Fielding break-in—with its direct links to the White House – rather than the break-in of the Democratic headquarters at the Watergate Hotel that drove the cover-up and thus was the downfall of the Nixon administration. The revelations of this break-in led to two of the four articles of impeachment drawn up against President Nixon, who finally resigned from office on August 8, 1974.

The day before the Russo-Ellsberg trial ended, on May 10, 1973, Congress voted to cut off funds for the war in Vietnam. American forces pulled out, and American bombing ceased, shortly thereafter. The war finally ended in April, 1975, after more than two million Southeast Asians, and 58,000 Americans, died in the war.

Ellsberg wrote about his experiences and analysis of the on-going war in Vietnam while awaiting trial, in his 1972 book Papers on the War. He re-visited these experiences in his 2002 book Secrets: A Memoir of Vietnam and the Pentagon Papers, which reached bestseller lists across the nation. It won the PEN Center

USA Award for Creative Nonfiction, the American Book Award, the Bay Area Book Reviewers Association Prize for Non-Fiction, and was a Finalist for the Los Angeles Times Book Prize.

Since the end of the Vietnam War, Ellsberg has continued to be a leading voice of moral conscience, serving as a lecturer, writer and activist on the dangers of the nuclear era, government wrongdoing and the urgent need for patriotic whistle-blowing.

During the run-up to the 2003 invasion of Iraq he warned of a possible “Tonkin Gulf scenario” that could be used to justify going to war, and called on government “insiders” to go public with information to counter the Bush administration's pro-war propaganda campaign, praising Scott Ritter for his efforts in that regard. He later provoked criticism from the Bush administration for supporting British GCHQ translator Katharine Gun and calling on others to leak any papers that reveal government deception about the invasion. Ellsberg also testified at the 2004 conscientious objector hearing of Camilo Mejia at Fort Sill, Oklahoma. In September 2006, Ellsberg wrote in *Harper's Magazine* that he hoped someone would leak information about a supposed U.S. invasion of Iran before the invasion happened, to stop the war.

Ellsberg has been arrested more than 70 times over the past four decades, protesting war policies, those involving nuclear proliferation, and other social causes. In December 2006 Ellsberg was awarded the 2006 Right Livelihood Award, known as the “Alternative Nobel Prize,” in Stockholm, Sweden. He was acknowledged “for putting peace and truth first, at considerable personal risk, and dedicating his life to a movement to free the world from the risk of nuclear war.”

Daniel Ellsberg lives in Northern California with his wife, Patricia Marx Ellsberg. Their son, Michael Ellsberg, is a developmental editor who did major work on Secrets. Ellsberg's oldest son (by his first wife), Robert Ellsberg, who, as a 13-year-old, helped Ellsberg Xerox the Pentagon Papers, is publisher and editor-in-chief of Orbis Books. Ellsberg's daughter, Mary Carroll Ellsberg, is senior program officer of the Program for Appropriate Technology in Health (PATH). Ellsberg has 5 grandchildren.

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### About the Filmmakers

**Judith Ehrlich and Rick Goldsmith**, co-producers and co-directors of **THE MOST DANGEROUS MAN IN AMERICA**, are nationally-renowned documentary filmmakers whose cogent and inspirational films deal with the themes of risk, conscience, dissent and commitment to ideals.

**Rick Goldsmith** produced and directed the Academy-Award-nominated documentary feature “Tell the Truth and Run: George Seldes and the American Press” (1996), broadcast nationwide on public television and cablecast on the Sundance Channel. The film dissects American journalism throughout the Twentieth Century through the actions of a truly independent newspaperman, and is a piercing look at censorship and suppression in the media. Goldsmith also co-produced and co-directed “Everyday Heroes” (2001), a behind-the-headlines documentary feature about AmeriCorps (the domestic Peace Corps), told through a diverse team of young men and women who give a year of their lives to national service. He was writer and editor on two recent one-hour documentaries, Judith Schaefer’s “So Long Are You Young” (2006) and Abby Ginzberg’s “Soul of Justice: Thelton Henderson’s American Journey” (2005), which was broadcast nationwide on public television in February, 2008.

Goldsmith was born and raised on Long Island, New York, and came of age during the war in Vietnam. He studied architecture and dabbled in film at the Rhode Island School of Design. In 1975 he traveled west and has lived in the Bay Area ever since.

**Judith Ehrlich** co-produced and co-directed the award winning PBS documentary, “The Good War and Those Who Refused to Fight It” (2001), a story of men guided by principle to take the unpopular position of pacifism in the face of World War II. This revealing look at questions of war, conscience, activism and the spiritual life of committed individuals was funded by ITVS and the MacArthur Foundation and won both major US history film awards in 2003. Daniel Ellsberg served as an advisor on that film. Ehrlich made dozens of prize-winning educational films and radio documentaries for two decades on subjects of the peace movement, education, citizen participation and low-income housing. Her clients include: The American Friends Service committee; the National Park Service; American Red Cross; ACLU; the Packard Foundation and the California State Library System. She is currently producing and directing a film on the internment and relocation of Italian American during WWII for PBS broadcast.

Ehrlich was born in Brooklyn, New York and grew up in Napa, California. She graduated from UC Berkeley with Honors in Political Science and holds a Masters in Education with honors from University of Vermont. Ehrlich rides her bike to work most days and teaches Documentary film at Berkeley City College. She is married to her recording engineer and has a son who is a Mountain bike racer and UC Santa Cruz freshman.

**On Camera Interviews**  
**(in approximate order of appearance)**



**Patricia Marx Ellsberg** – Daniel’s second wife. The daughter of toy magnate Louis Marx, Patricia was a nationally syndicated reporter for public radio, and an opponent of the Vietnam War when she first dated Daniel, who was working at the Pentagon, in 1965. She and Daniel married in August of 1970. Still married, they live near Berkeley, California. Patricia is a social change advocate with decades of experience in the peace, energy and social justice movements. She is often at Dan’s side speaking at anti-war and anti-nuclear events and sometimes joins him in non-violent protest leading to arrest. Patricia is an engaged Buddhist who teaches and writes on the subject.



**Richard Falk** – Historian and expert on Vietnam, professor Emeritus of international law at Princeton University, author of more than 20 books. Falk knew Ellsberg as a “hawk” and Cold Warrior in the late 1950s and early 1960s, when he (Falk) was a peace advocate. Falk was colleague and friend to both Russo and Ellsberg and testified at their trial. Falk continues to be an outspoken advocate of human rights.



**Thomas Schelling** – Ellsberg’s mentor and thesis advisor at Harvard. Schelling is considered one of the most influential figures in the study of bargaining and strategic behavior. An economist who introduced Ellsberg to the RAND Corporation in the late 1950s, Schelling was a major player at RAND as an advisor to the Air Force and Defense Department on new and ways to wage war and avert risk in the atomic age. Schelling won the Nobel Prize in Economics in 2005 for “having enhanced our understanding of conflict and cooperation through game-theory analysis.”



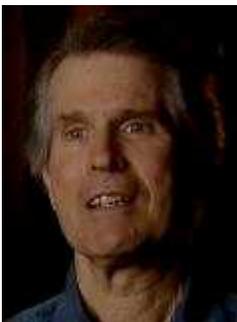
**Tom Oliphant** – Journalist. In the early 1970s, Oliphant worked for the Boston Globe covering the anti-war movement, and got to know Ellsberg through Noam Chomsky, who told Oliphant he had to meet this “new anti-war guy in town” in 1970. In March of 1971, after an interview with Ellsberg, Oliphant wrote the first article about the Pentagon study that “had a powerful effect on those who read it”, since “the only three people (including Daniel Ellsberg) who read the entire study all advocated withdrawal from Vietnam.” The article sparked Henry Kissinger’s interest which prompted the Ellsbergs, fearing a visit by the FBI, to Xerox more copies of the Papers so their sole copy would not be confiscated before it was published.



**Mort Halperin** – Supervisor of the McNamara study later known as the Pentagon Papers, 1967-68. In 1969, Halperin became a national security aide to Henry Kissinger, and learned that President Nixon—who pledged a “secret plan” to end the war in Vietnam, in reality was planning to escalate. As a friend and colleague, Halperin passed this information on to Ellsberg, who then saw Nixon being yet another in a string of Presidents who refused to withdraw from Vietnam for fear of losing face. Halperin later testified for the defense and consulted with the defense team in the Ellsberg-Russo trial. He is currently a senior advisor for the Open Society Institute.



**Janaki Natajara Tschannerl** – Gandhian peace activist whom Ellsberg met in 1968, Janaki introduced Ellsberg to non-violence, the concept of “having no enemy” and to the teachings of Henry David Thoreau and Mahatma Gandhi. Her Bapagrama Educational Center near Banglaore, India has a long tradition of social service and community organizing.



**Randy Kehler** – Pacifist, lifelong war-tax resister, and advocate for social justice. In 1969, as he was about to enter prison for war resistance, Kehler gave a moving speech, at a War Resisters League conference at Haverford College. Kehler’s talk profoundly affected Ellsberg’s decision to copy and release the Pentagon Papers. *An Act of Conscience* is a 1997 documentary film by Robbie Leppzer about Kehler and his wife’s war tax resistance.



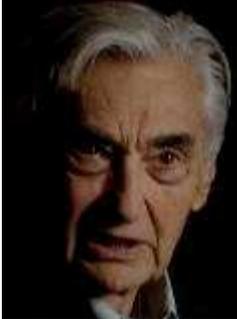
**Anthony (Tony) Russo** – Colleague of Ellsberg’s at the RAND Corporation, Russo spent months in Vietnam, reported to RAND about American torture of Vietnamese prisoners. He was very impressed with the thinking and passion of the “Vietnamese gentlemen” as he called the members of the National Liberation Front (“Vietcong”). After urging Ellsberg to leak the top-secret McNamara report, he located a Xerox machine at his girlfriend’s advertising agency that the two men used to Xerox the Pentagon Papers study. Russo was jailed for refusing to testify against Dan before the Grand Jury and was tried alongside Ellsberg for conspiracy. Anthony Russo died of natural causes in August, 2008, a year after being interviewed for the film.



**Robert Ellsberg** – Daniel’s son, by his first marriage, was 13 years old when his father asked for his help in Xeroxing the top-secret Pentagon Papers study. Robert was later called before the Grand Jury to testify to his father’s acts and it was Robert’s testimony that served as the basis of the indictment against Ellsberg and Russo. At age 19, he joined the Catholic Worker Movement and worked with its founder, Dorothy Day for the last five years of her life. Robert earned a Master’s degree in Theology from Harvard Divinity School. He is currently the editor-in-chief of Orbis Books/ Maryknoll Press. He is the author of several books including: *All Saints Daily Reflections on Saints, Prophets, and Witnesses for Our Time*, and was the editor of *Secrets* (2002), his father’s book about the Pentagon Papers.



**Paul "Pete" McCloskey** – Republican Congressman from California, 1967-83. He ran on an anti-war platform against President Richard Nixon for the Republican nomination for President in 1972. Like Ellsberg, McCloskey was a Marine. He published a book called *Truth and Untruth: Political Deceit in America* in 1972. One of McCloskey's enduring legacies is his co-authorship of the 1973 Endangered Species Act.



**Howard Zinn** – Historian, political scientist, social critic, anti-war activist and playwright, best known as author of the classic, *A People's History of the United States*. Zinn testified for the defense at the Russo-Ellsberg trial in 1973. Zinn was a bombardier aboard during World War II. Zinn's participation in these missions shaped his later opposition to war and aerial bombing.



**Hedrick Smith** – In 1971, Smith was a reporter for the *New York Times* and 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.



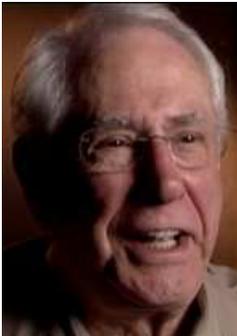
**Max Frankel** – In 1971, Frankel was the Washington bureau chief for the *New York Times* and oversaw the writing, editing and publishing of the *Times*' Pentagon Papers stories. He served as an important bridge between the reporters writing the stories, the publisher and the legal team defending the *Times* right to publish. Angry about the government's enjoining the *Times*' Pentagon Papers stories, Frankel wrote an essay revealing how "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 was executive editor of the *Times*, 1986-94.



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



**Ben Bagdikian** – Assistant managing editor of the *Washington Post* in 1971. Bagdikian had known Ellsberg at RAND years earlier. After the *Times* was enjoined Bagdikian traveled to Cambridge to get a set of the Pentagon Papers from Ellsberg for the *Post*.. When confronted by *Post* lawyers who argued the *Post* could only assert their right to publish through the courts, Bagdikian famously shot back, “The way to assert the right to publish is to publish!” The *Post* published and the rest is history. Bagdikian went on to become dean of Journalism at the Graduate School for Journalism at UC Berkeley, and is known for his *The Media Monopoly*, an account of the decreasing presence of competing newspapers (and other news media) in America.



**Mike Gravel** – Democratic Senator from Alaska, 1969-81. An opponent of the draft and of the Vietnam war, Gravel, as a junior Senator, gained fame by reading the Pentagon Papers publicly in the Senate and into the public record during the time when the courts had enjoined four newspapers from publishing them and the Supreme Court had not yet ruled on the case (they would the next day). He arranged with Beacon Press later that year to publish the Pentagon Papers in full, and this 4-volume set "Senator Gravel Edition" became the most complete version of the papers published. Gravel ran for President in 2008.



**Anne Beeson** – Former Associate Legal Director of the American Civil Liberties Union (ACLU), where she spearheaded groundbreaking initiatives to stop the erosion of civil liberties in the name of national security and to expand the use of international human rights strategies in the areas of immigrants' rights, women's rights, and racial justice. She is now Executive Director, U.S. Programs, Open Society Institute.



**John Dean** – White House counsel to President Richard Nixon, 1970-73. Reframes the history of Watergate as we know it, making clear the more pivotal role of the break-in to Daniel Ellsberg’s psychiatrist’s office in bringing down the Nixon White House. During the Watergate investigations, Dean directed special prosecutors to facts surrounding the illegal break-in of Ellsberg’s psychiatrist’s office, Dr. Lewis Fielding, in September of 1971, nine months before the Watergate break-in. Those facts led directly to the dismissal of charges in the Ellsberg/Russo trial. Dean was fired by the President on April 30 (four days after news of the “Fielding break-in” became public) and subsequently was the star witness in hearings before the Senate Watergate Committee, in which Dean was the first administration official to publicly accuse Nixon of direct involvement with Watergate and the resulting cover-up. Dean himself pleaded guilty to obstruction of justice and served time in minimum-security prison. Dean is a regular commentator on MSNBC and author of 9 books on American politics.



**Egil “Bud” Krogh** – co-director (with David Young) of the Nixon White House Special Investigation Unit (nicknamed “The Plumbers”), which was put together in direct response to the leak and publication of the Pentagon Papers. Under Krogh’s supervision, E. Howard Hunt and G. Gordon Liddy hatched a plot to discredit Ellsberg, or blackmail him, by putting together a damning psychological profile on him, to be obtained by breaking into the office of Ellsberg’s Beverly Hills’ psychiatrist, Dr. Lewis Fielding. When the break-in was revealed during Ellsberg’s trial, Krogh stepped forward and told all to the trial judge. He subsequently pled guilty to federal charges of conspiring to violate Fielding’s civil rights and agreed to cooperate with prosecutors. He was sentenced to two to six years in prison and served four-and-a-half months. He currently is a frequent lecturer on the topic of legal ethics and integrity-based decision making. His 2007 book, *Integrity: Good People, Bad Choices, and Life Lessons from the White House* contains a foreword written by Daniel Ellsberg.



**Leonard Weinglass** – Lawyer for Tony Russo and part of the joint defense team (with Leonard Boudin and Charles Nesson, Ellsberg’s lawyers) for Russo and Ellsberg in their Pentagon Papers trial. Weinglass has often acted as defense attorney for those involved in left-leaning politics or political acts against the establishment. With William Kunstler, he represented Kathy Boudin (Leonard Boudin’s daughter) of the Weather Underground, and the Chicago 7 in their 1968 trial. He has also represented Angela Davis, Jane Fonda, Bill and Emily Harris (kidnappers of Patty Hearst), and Mumia Abu-Jamal.



## President Nixon Recordings Transcript

**01:58:35;13**

Haig: *This, uh, goddamned New York Times expose of the most highly classified documents of the war.*

Nixon: *You mean that...that was leaked out of the Pentagon?*

Haig: *Sir, this is a devastating security breach of the greatest magnitude of anything I've ever seen.*

Nixon: *Well, did we know this was coming out?*

Haig: *No we did not, sir.*

Nixon: *I'd just start right at the top and fire some people. I mean whatever department it came out of, I'd fire the top guy.*

- Haig and Nixon on Sunday, June 13, 1971, the day *The New York Times* first published the Pentagon Papers

**01:01:11;18**

Kissinger: *This is an attack on the whole integrity of government. If whole file cabinets can be stolen and then made available to the press, you can't have orderly government anymore.*

-National Security Advisor Henry Kissinger speaking to President Nixon on June 14, 1971, the day after *The New York Times* begins publishing the Pentagon Papers

**02:00:15;10**

Nixon: *Now listen here, printing top secret information, I don't care how you feel about the war, whether they're for it or against it, you can't and should not do it. It's an attack on the integrity of government. By god, I'm going to fight that son-of-a-bitching paper. They don't know what's gonna hit 'em now.*

-Nixon speaking to Kissinger and others on June 15, 1971. The Nixon Administration was able to get a court injunction of the *Times* that same day.

**02:14:29;00**

Nixon: *Just because some guy's going to be a martyr, we can't be in a position of allowing the fellow to get away with this kind of wholesale thievery otherwise it's going to happen all over the government. I just say that we've got to keep our eye on the main ball. The main ball is Ellsberg. We've got to get this son-of-a-bitch.*

-Nixon to Attorney General John Mitchell on June 29, 1971, the day after Ellsberg surrendered to federal officials in Boston.

**02:09:51;00**

Nixon: *I wanted to tell you that I was so damned mad when that Supreme Court had to come down. First, I didn't like their decision, unbelievable, wasn't it? You know those clowns we got on there, I tell you, I hope I outlive the bastards.*

-Nixon to FBI Director J. Edgar Hoover on July 1, 1971, the day after the Supreme Court decision allowing the newspapers to continue publishing.

**02:15:36;28**

Nixon: *The difficulty is that all the good lawyers always say, "Well, we've got to win the court case." Screw the court case! Let's convict the son-of-a-bitch in the press! That's the way it's done!*

-Nixon speaking to White House Chief of Staff Bob Haldeman, Special Counsel Chuck Colson, and Mitchell, on July 1, 1971

**02:15:54;27**

Nixon: *We've got to get a better team.*

Colson: *There's one guy on the outside. He's hard as nails. His name is Howard Hunt.*

Nixon: *He could do it. And I'll direct him myself. And I play it gloves off. Now god damn it, get going on it.*

-Nixon speaks to Colson and Haldeman on July 1, 1971

**01:30:18;28**

Nixon: *For once, we've got to use the maximum power of this country against this shit-ass little country...to win the war.*

-President to General Alexander Haig, Deputy Assistant to the President for National Security Affairs, Kissinger, and Treasury Secretary John Connally in the Oval Office

**02:20:19;00**

Nixon: *I still think we ought to take the dikes out now. Will that drown people?*

Kissinger: *That will drown about 200,000 people.*

Nixon: *Well, no, no, no, no, no, no, I'd rather use a nuclear bomb. Have you got that ready?*

Kissinger: *That I think would just be too much, uh...*

Nixon: *A nuclear bomb, does that bother you? I just want you to think big, Henry, for Christ's sake.*

-Nixon and Kissinger on April 25, 1972

**01:32:40;08**

Nixon: *Henry, you don't have any idea. The only place where you and I disagree...is with regard to the bombing. You're so goddamned concerned about the civilians and I don't give a damn. I don't care.*

Kissinger: *I'm concerned about the civilians because I don't want the world to be mobilized against you as a butcher.*

-Conversation between Nixon and Kissinger, May 5, 1972

**02:25:44;03**

Nixon: *Son-of-a-bitchin' thief is made a national hero and is gonna get off on a mistrial. The New York Times gets a Pulitzer Prize for stealing documents. They're trying to get at us with thieves. What in the name of God have we come to?*

-Nixon speaking to Haig and Haldeman on May 11, 1973, the day that a mistrial is declared and all charges are dropped against Ellsberg and Russo.

**Official Selection**

**{Audience Award – Best Documentary - 2010 Palm Springs Film Festival}  
{Audience Award – Best Documentary - 2009 Mill Valley Film Festival}  
{2009 Toronto International Film Festival}  
{2009 Vancouver International Film Festival}  
{2009 IDFA Film Festival “In Competition”}**

CRITIC’S PICK! “Riveting! A straight-ahead, enthralling story of moral courage. This story changed the world...offers one revelatory interview after another... We have not celebrated Daniel Ellsberg enough. Let’s begin. –David Edelstein, [New York Magazine](#)

Fascinating, must-see documentary ....crams a wealth of material into 90 minutes without losing clarity or momentum.”-Ronnie Scheib, [Variety](#)

“Gripping, evocative... comprehensively detailed ...chilling -- and perversely entertaining.” - Gary Goldstein, [The Los Angeles Times](#)

“A thrilling journalistic drama...filmmakers do an astounding job relating how Ellsberg brought the Pentagon Papers -- which laid out in plain language how the Pentagon and White House had been lying to the public about the war -- to light... a brisk and eye-opening approach to recent history.”  
- Chris Barsanti, [The Hollywood Reporter](#)

“Detailed, clearly told and persuasive film.”-Mike Hale, [The New York Times](#)

“The most exciting thriller I’ve seen in a while... as powerful as anything Hollywood can throw at us.”  
– V.A. Musetto, [New York Post](#)

“Essential.”-Joshua Rothkopf, [Time Out New York](#)

““Gripping! Almost seismic drama...A classic whistleblower tale.”-Owen Gleiberman, [Entertainment Weekly](#)

“A professional job, standing above the crowd of politico documentaries.”  
-Nick Pinkerton, [The Village Voice](#)

“Outstanding... go see this excellent documentary to get an idea of how powerful dissent can be in times of war.” –Louis Proyect, [The Unrepentant Marxist](#)

“A fascinating story.”-Nathan Rabin, [The Onion AV Club](#)

“One man’s evolution in the pursuit of principle.”-Bill Weber, [Slant Magazine](#)

“Terrific new documentary.” –Duncan Campbell, [The Guardian \(UK\)](#)

## LOS ANGELES TIMES

September 23, 2009

### MOVIE REVIEW

'The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers'

By Gary Goldstein

In 1971, Daniel Ellsberg, a former Marine, Pentagon employee and military analyst, performed one of the most daring whistle-blowing acts of the century: Leaking ex-employer Rand Corp.'s copies of the top-secret Pentagon Papers to the New York Times (and subsequently other major dailies) in order to expose the truth -- or, more specifically, the lies -- behind America's longtime involvement in the Vietnam conflict. The gripping story of how hawk-turned-dove Ellsberg's explosive actions circuitously led to the impeachment of Richard Nixon and, in turn, an end to the Vietnam War is comprehensively detailed in Judith Ehrlich and Rick Goldsmith's evocative documentary "The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers."

Fortunately, the staunchly committed and controversial Ellsberg, now 78, is still around to tell his history-making tale, and he lends the film gravitas as both its persuasive narrator and primary talking head. Cogent interviews with journalists, lawyers, historians and other surviving Pentagon Papers players augment Ellsberg's chronicle, with a wide array of archival photos and news footage providing vital visual support. Parallels to more recent U.S. military imbroglios, though judiciously low-key here, are eerily evident.

But it is the audio from the infamous Nixon tapes, in which the then-president rails in monstrous fashion against Ellsberg, that supplies the film's most chilling -- and perversely entertaining -- moments.

[calendar@latimes.com](mailto:calendar@latimes.com)

## VARIETY

The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers (Documentary)

By RONNIE SCHEIB

An ITVS/Kovno Communications/Insight Prods. presentation of a Judith Ehrlich, Rick Goldsmith/ITVS production. (International sales: Films Transit, New York.) Produced by Judith Ehrlich, Rick Goldsmith. Executive producer, Jodie Evans. Directed by Judith Ehrlich, Rick Goldsmith. Written by Lawrence Lerew, Goldsmith, Ehrlich, Michael Chandler, partly based on Daniel Ellsberg's "Secrets: A Memoir of Vietnam and the Pentagon Papers."

With: Daniel Ellsberg, Patricia Ellsberg, Anthony Russo, Howard Zinn, Janaki Natajara, Randy Koehler, Tom Oliphant, Egil Krogh, Max Frankel, John Dean, Leonard Weinglass, Hendrick Smith, Mike Gravel. Narrator: Daniel Ellsberg.

"The Most Dangerous Man in America," Judith Ehrlich and Rick Goldsmith's cogent docu about Daniel Ellsberg, the high-level Pentagon official and Vietnam War planner who leaked the Pentagon Papers to the New York Times, crams a wealth of material into 90 minutes without losing clarity or momentum. Fascinating for those who lived through the controversy and those for whom the incident rings only the faintest of bells, the pic wisely allows obvious parallels between Vietnam and Iraq to hover unspoken. Must-see docu is skedded to open Sept. 16 at Gotham's Film Forum after its Toronto fest bow. The pic opens with the publication of the Papers and the resultant media storm, FBI manhunt and branding of Ellsberg by Henry Kissinger as "the most dangerous man in America." The story then backtracks to follow the sequence of key events in Ellsberg's life: the deaths of his mother and sister (when his father fell asleep at the wheel); his seminal doctoral thesis on decision theory; his 1954-57 stint in the Marines ("the happiest time of my life"); and finally his position in the Defense Department under Robert McNamara.

Ellsberg was instrumental in compiling reports to justify bombing North Vietnam. The docu dramatizes the glee with which Ellsberg sought and found a Viet Cong atrocity (complete with graphic details) to strengthen the case for a policy that he personally opposed. Guilt over this deed would color all his subsequent actions.

Some may criticize the filmmakers' strict adherence to Ellsberg as both narrator and star, but the docu focuses on his moral turnaround, which directly impacted history. This unique fusion of personal and social drama allows the pic to avoid the usual canned montage-of-the-times approach. The footage places Ellsberg at the center of both polar factions regarding Vietnam: playing Pentagon war games and marching in peace protests.

Ehrlich and Goldsmith's varied storytelling techniques include interviews with eclectic talking heads, re-enactments of shadowy figures Xeroxing thousands of pages, crude animation of secret transfers of boxes of documents, and tape recorders spinning Nixon's uncensored commentary.

Once Ellsberg resolves to publish the 7,000 page secret Rand history of U.S. involvement in Vietnam, detailing the lies of four American presidents who plunged the country ever deeper into what increasingly proved to be an unwinnable war, his action (and its attendant threat of a life behind bars) is mirrored by a succession of newspaper editors who reprinted the documents, despite injunctions and court orders, in an impressive show of First Amendment solidarity.

While a present-day Ellsberg complains that the massive number of bombs dropped on Vietnam, which he repeatedly mentioned in press conferences back then, was never duly reported, Ehrlich and Goldsmith redress that silence with a bombardment of newsreel images of aerial destruction.

Camera (color, HD-to-35mm), Vicente Franco, Dan Krauss; editors, Chandler, Goldsmith, Lerew; music, Blake Leyh; sound, Nick Bertoni, Goldsmith.

Reviewed on DVD, New York, Sept. 11, 2009. (In Toronto Film Festival -- Real to Reel.) Running time: 94 MIN.

## THE HOLLYWOOD REPORTER

### Film Reviews

The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers -- Film Review

By Chris Barsanti, September 17, 2009 01:08 ET

"The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers"

Bottom Line: This straightforward history lesson casts Daniel Ellsberg and his leaked Pentagon Papers as the first shot in the war that brought down the Nixon regime.

NEW YORK -- After seeing Judith Ehrlich and Rick Goldsmith's earnest, smart documentary about Daniel Ellsberg and the Pentagon Papers controversy, viewers not old enough when it unfolded might wonder why the story has played such a minor role in popular histories of the era. This informative account deserves more than the very limited theatrical release it's likely to get.

Ellsberg's story (of which he narrates large parts) is similar to that of many intellectuals recruited into Washington's cadre of wunderkinds only to find themselves with the blood of Vietnam all over their hands.

Brilliant and competitive, Ellsberg was a top policy analyst in the military industrial complex more interested in game theory and puzzle-solving than waging war.

Symbolically, the Gulf of Tonkin incident erupted on his very first day at the Pentagon under Robert McNamara. From then on, Ellsberg -- a lean and professorial type with a David Strathairn gravity to him -- was propelled deeper and deeper into planning of the war he later came to despise.

A true-blue anti-communist and former Marine, Ellsberg was no desk wonk: He headed into the South Vietnamese deltas and jungles to dig up data firsthand, even if it meant going into actual combat. Ellsberg ultimately learned enough about the war -- particularly how badly it was going and how inhumanely it was being fought -- that he couldn't ignore his doubts any longer.

Though their visual language tends toward hokey reenactments and no-frills talking-head dialogue, the filmmakers do an astounding job relating how Ellsberg brought the Pentagon Papers -- which laid out in plain language how the Pentagon and White House had been lying to the public about the war -- to light.

From smuggling the thousands of top-secret documents out of the Rand Corporation to the breathtaking race to publish them in more newspapers than the government could get injunctions against (vitriolic audiotapes reveal a vicious Nixon raging in full splutter, "We've got to get this son of a bitch!"), it's a thrilling journalistic drama, easily the equal of Deep Throat.

If nothing else, "The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers" strongly makes the point that without Ellsberg's breach in the dam, Nixon might never have been paranoid enough to get his team of plumbers to raid Ellsberg's doctor's office, which laid the groundwork for their later break-ins at the Watergate.

Although visually a minimally budgeted public television-style documentary, "The Most Dangerous Man" offers a brisk and eye-opening approach to recent history. The title, by the way, comes from Henry Kissinger.

*Venue: Toronto International Film Festival*

*No rating, 93 minutes*

## THE VILLAGE VOICE

Tracking Shots

*The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers*

By [Nick Pinkerton](#)

Tuesday, September 15th 2009 at 2:19pm



**Depends on what you mean by "dangerous": Pentagon Papers' leaker Ellsberg and his wife**

**Details:**

**The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers**

Directed by Judith Ehrlich and Rick Goldsmith

Opens September 16, Film Forum

[Daniel Ellsberg](#) was an ex-Marine, trusted analyst, and Cold Warrior under [Secretary of Defense Robert S. McNamara](#), who, "from the entrails of a bureaucratic war machine"—per a latter-day peacenik cohort—converted to antiwar dove. Leaking 7,000 Xeroxed pages of [the Pentagon Papers](#) study to newspapers, Ellsberg gave the world an alternate history of five administrations' policies in [Southeast Asia](#), and spurred a breached [White House](#) into paranoid espionage ending in presidential resignation. Ellsberg has been resurrected as an "Eternal Left" hero in recent times, publishing a memoir in 2002 and being played by [James Spader](#) in a 2003 TV movie. Filmmakers Judith Ehrlich and [Rick Goldsmith](#) approach their subject as though burnishing an icon—he withstands the homage well. In old age, Ellsberg is still an articulate interviewee; seen in his years of infamy, he resembles a wiry amalgam of the Cassavetes regulars. The impressive roll call of assembled talking heads includes "Plumber" [Egil "Bud" Krogh](#), who authorized the burglary of Ellsberg's psychiatrist's office, and [Anthony Russo](#), Ellsberg's recently deceased accomplice and RAND Co. co-worker. *Most Dangerous Man* makes a few distracting embellishments—re-enactments (some shabbily animated), melodramatic cloak-and-dagger scoring—but in the main, it's a professional job, standing above the crowd of politico documentaries that proliferate like kudzu over arthouse screens.

# The New York Times

Movie Review

## **MOST DANGEROUS MAN IN AMERICA:**

## **DANIEL ELLSBERG AND THE PENTAGON PAPERS, THE**

September 16, 2009

### **The Untold Story of a War, and the Story of the Man Who Told It**

By MIKE HALE

Published: September 16, 2009

As “The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers” begins, a sonorous voice describes American actions during the Vietnam War. It sounds a bit like that of Peter Coyote, a frequent narrator of documentaries with a liberal bent. Then the voice says “I,” and you realize that it’s Daniel Ellsberg, narrating his own story.

There’s no doubt where “Dangerous” stands when it comes to Mr. Ellsberg, the man who leaked the secret history of the war, known as the Pentagon Papers, to newspapers, including The New York Times. On the spectrum from heroic patriot to craven traitor, this detailed, clearly told and persuasive film, directed by Judith Ehrlich and Rick Goldsmith, is firmly on the side of heroic. It conscientiously notes the viewpoints of those who believe that Mr. Ellsberg betrayed his country or his former colleagues at the Defense Department, which prepared the report. But when the two sides are represented by the formidably intelligent, reasoned, now grandfatherly tones of Mr. Ellsberg on the one hand, and the taped, heavily bleeped rants of President Richard M. Nixon on the other, it’s not much of a contest.

One problem the filmmakers have, in fact, is that the narrative of Mr. Ellsberg’s disillusionment and of the subsequent First Amendment battle after he leaked the papers is so familiar, and its lessons regarding government malfeasance so accepted, that it has become an official story in its own right. Ms. Ehrlich and Mr. Goldsmith try to jack up the tension with moody Errol Morris-style shots of telephones, safes and briefcases, but they’re just distracting.

Yet there’s still sufficient drama in the details to keep you hooked — like Mr. Ellsberg’s account of the many nights of surreptitious photocopying required to get the 7,000-page study out into the world, or James Goodale’s memories of how, as general counsel of The Times, he pushed the newspaper’s management to publish it.

As the documentary progresses, the parallels between the events it describes and subsequent behavior by American administrations during conflicts in Central America and the Middle East are mostly left unspoken. Many viewers, however, will come away with a depressing sense of history repeating itself, and Mr. Ellsberg sounds that note himself, asking why the lessons of Vietnam and Watergate seemed to fade so quickly.

The filmmakers, meanwhile, concentrate on their portrait of Mr. Ellsberg, who emerges as a complex and difficult man whose principles, whether you agree with them or not, can’t be denied.

## **FULL CREDITS**

*The Most Dangerous Man in America:  
Daniel Ellsberg and the Pentagon Papers*

### **Head credits**

**Kovno Communications**

and

**InSight Productions**

present

---

a film by

**Judith Ehrlich**

and

**Rick Goldsmith**

---

### **Tail credits**

**Produced and Directed by**

Judith Ehrlich and Rick  
Goldsmith

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**Narrated by**  
Daniel Ellsberg

---

**Original Music**

Blake Leyh

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**Director of Photography**

Vicente Franco

**Sound Recording**

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### **Written by**

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Goldsmith,  
Judith Ehrlich, Michael  
Chandler

### **based in part on**

*Secrets: A Memoir of  
Vietnam  
and the Pentagon Papers*  
(2002)  
by Daniel Ellsberg

---

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### **Associate Producer & Archivist**

Lynn Adler

### **Assistant Producer**

Max Good

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### **Re-enactments:**

### **Director of Photography**

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### **Grip** Azim Lateef

**Prop Master** Nick Bertoni  
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**Sound Design** Alex Wilmer

**Mixer** Dan Olmsted

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**Excerpts from**

*Conversations with Daniel  
Ellsberg (1972)*  
Directed by Jerry Stoll  
Cinematographer: Stephen  
Lighthill  
courtesy Casey, Max and  
Nelson Stoll

*So The People Should Know  
(1973)*  
Produced by Larry Adelman,  
Bruce Schmiechen,  
John Rogers, Andy  
Fahrenwald

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**Archival Footage and  
Audio**

ABC News  
BBC Motion Gallery  
Chicago Historical Society  
Fish Archives Inc.  
Footage Farm  
Footage World  
Walter J. Brown Media  
Archives &  
Peabody Awards Collection,  
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**Archival Footage and  
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Henninger Media  
Theodore Hetzel Peace  
Collection, Swarthmore  
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Landov Media  
LBJ Library  
Nixon Presidential Materials,  
National Archives  
Luke Nichter, Nixontapes.org  
Pacific Film Archive, UC  
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Pacifica Radio Archives  
UCLA Film & Television  
Archive

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**Archival Photos**

AP/Wide World Photos  
Betty Baird  
Elihu Blotnick, Firefall  
Media  
Corbis  
Joseph Daniel  
Fran Durner, Anchorage  
Daily News  
Ellsberg family collection  
Zaur Eylanbekov, Air Force  
Magazine  
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ABC  
The Boston Globe  
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Chicago Sun-Times  
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Los Angeles Times  
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***The Most Dangerous Man  
in America:***

***Daniel Ellsberg and the  
Pentagon Papers***

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and the Independent  
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provided by the Corporation  
for Public Broadcasting  
(CPB)

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Dedicated to the memory of  
**Anthony Russo (1936-2008)**

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For Aleksis, Emma, Jamie  
and the next generation

---

This film was produced by  
Judith Ehrlich and Rick  
Goldsmith  
who are solely responsible  
for its content.

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