



ONE PATRIOT ACTS

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DANIEL ELLSBERG'S CRUSADE AGAINST THE ABUSE OF PRESIDENTIAL POWER, FROM NIXON TO BUSH

GREG KING

In the late 1950s former marine Daniel Ellsberg established a reputation as an expert in nuclear-weapons policies. His innate talent for rapidly ingesting and processing raw information earned him a post with the RAND Corporation, a non-profit institute engaged in military research and development. During the 1960s the self-described "cold warrior" was a rising star among the best and the brightest who "managed" the war in Vietnam. While working for RAND, Ellsberg was given access to many classified documents, including a report titled "History of U.S. Decision-making in Vietnam, 1945–68," which described nearly three decades of institutionalized lying by top U.S. officials to the American public, and to each other. Ellsberg copied the seven-thousand-page, top-secret report and gave a copy to the Senate Foreign Relations Committee, which failed to act on it. In 1970 Ellsberg left RAND, taking copies of the report with him. After trying unsuccessfully to convince several senators to release the documents on the Senate floor, he provided a copy to the New York Times. When the Nixon administration prevented the Times from printing the report, Ellsberg gave it to seventeen other publications. The documents Ellsberg leaked became known as the Pentagon Papers.

Ellsberg had hoped that the leak would allow President Nixon to pull out of Vietnam "with honor," blaming the mess on the previous Democratic administrations. Instead the president assumed he was next to be exposed. Nixon's attorney general, John Mitchell, filed an unprecedented twelve-count indictment against Ellsberg, and three counts against his co-defendant Anthony Russo, for releasing classified information. Nixon put Ellsberg at the top of his "enemies list" and ordered a series of illegal actions against him: he was overheard on a



DANIEL ELLSBERG

warrantless wiretap, his psychiatrist's office was broken into, and a group of former CIA operatives were hired to "incapacitate" him during an anti-war rally. (They backed out when they saw how large the crowd was.)

*Ellsberg relives his version of this story in his 2002 book *Secrets: A Memoir of Vietnam and the Pentagon Papers* (Viking). The writing is cohesive and sly, offering a window into the American president's unchecked power to make war and an idea of what happens when someone poses a real threat to the people who run the country. About*

the secret bombing of Cambodia, Ellsberg writes, "A modern president's practical ability to drop secretly several hundred thousand tons of bombs on a country with which we were not at war was a considerable tribute to the effectiveness of the postwar secrecy system." This system, Ellsberg says, serves the president even better today, allowing the Bush administration to accrue powers apparently beyond those granted it by the Constitution.

For the past thirty years Ellsberg has been immersed in antiwar activism. He's been arrested nearly seventy times for civil disobedience, including three arrests while protesting the current war in Iraq. "I've felt the power of civil disobedience in my own life," he says. "The people who went to prison to protest Vietnam, the draft resisters, the people who sat on train tracks to prevent the movement of munitions — their example put the question in my mind: What can I do to help shorten the war, if I'm ready to go to jail?" Ellsberg now works with Veterans for Peace and a new group called Iraq Veterans against the War, which he predicts will soon have thousands of members. In June of this year Ellsberg launched the Truth-Telling Project (www.TruthTellingProject.org), which encourages high-level govern-

ment and private-sector war managers to blow the whistle on illegal attacks against other nations, or against U.S. citizens.

During our conversations in the spring and summer of 2004, the seventy-two-year-old Ellsberg said he would be “surprised” if there wasn’t at least one nuclear weapon used somewhere in the world during the next decade. Coming from a Harvard PhD who has made nuclear weapons his life’s study, the remark stunned me. Surely he’d said this to many reporters. I drove home wondering if anyone was listening.

King: What was it like to find yourself the target of a presi-

Nixon: See, the attack in the North that we have in mind . . . power plants, whatever’s left — POL [petroleum], the docks . . . And I still think we ought to take the dikes out now. Will that drown people?

Kissinger: About two hundred thousand people.

Nixon: No, no, no. I’d rather use the nuclear bomb. Have you got that, Henry?

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

Nixon: The nuclear bomb, does that bother you? I just want you to think big, Henry, for Chrissakes.

THE SUCCESSION OF CRIMES THAT BROUGHT NIXON DOWN ARE NOW LEGAL UNDER THE PATRIOT ACT. CIA OPERATIVES ACTING AGAINST AN AMERICAN CITIZEN? NO PROBLEM. . . . SNEAK-AND-PEEK ENTRY? NO PROBLEM. COORDINATION OF THE FBI AND THE CIA? NO PROBLEM. WIRETAPS? NO PROBLEM. WE HAVE BECOME LESS FREE.

dent like Richard Nixon?

Ellsberg: I wasn’t at all conscious of the Nixon administration’s activities while they were happening. It was only later that I found out they were targeting me extensively; they had a whole room devoted to me in the Executive Office Building. It was a supersafe room, swept for electronic bugging, with bulletin boards on the wall tracing all their activities. Egil Krogh and David Young, the aides in charge of the campaign against me, reported directly to White House Counsel John Ehrlichman and the president. But I wasn’t aware of any of this. Hardly anybody was aware of the degree of surveillance that was going on.

After I went public with my opposition to the war, my wife was afraid for me at big rallies, but I told her they didn’t do bad things to Americans. Foreigners who got in the way of our policies in Vietnam, even former allies, would be blackmailed or threatened or even killed, but I didn’t think that they did that to Americans. I was mistaken.

King: While researching *Secrets*, in 2001, you were among the first to review the newly released Nixon tapes, wherein the president and National Security Advisor Henry Kissinger, along with White House Press Secretary Ron Ziegler, have the following exchange:

Nixon: We’ve got to be thinking in terms of an all-out bombing attack [on North Vietnam].

Kissinger: I agree with you.

Nixon: We’ve got to use massive force. How many did we kill in Laos?

Ziegler: Maybe ten thousand — fifteen?

Kissinger: In the Laotian thing, we killed about ten, fifteen . . .

Nixon goes on to say he wants the North bombed “to smithereens. If we draw the sword, we’re gonna bomb those bastards all over the place. Let it fly. *Let it fly.* . . . We are going to cream North Vietnam. For once, we’ve got to use the maximum power of this country against this shit-ass little country.” What was your reaction to the tapes?

Ellsberg: The striking thing is the tone of voice. Reading it, you could suppose that these people were showing a lot of emotion. In most cases, though, they are very matter-of-fact. Of course in phrases like “shit-ass little country,” you hear the contempt, but not a lot of passion. You hear just the rulers of the world going about their business. Some people say that Kissinger “vociferously” or “decisively” rejected the notion of nuclear war, but on the tape he’s very calm.

This is old news to me. I’ve been trying for thirty years to alert people to the way nuclear war is planned and contemplated. It’s very hard to convey that matter-of-fact style. I’m horrified by it. If I really said what I think, I would sound hysterical.

King: The Bush administration seems almost bumbling in its coverups during the Iraq War, compared to the Nixon administration’s secrecy during the war in Vietnam. Yet the current administration continues to have its way. Congress overwhelmingly supported a record \$417 billion defense bill this summer. How do we explain this?

Ellsberg: It is disturbing to see the amount of support that the president and his advisors continue to receive, despite having exaggerated the case for war and manipulated the press and the public a great deal, and despite the fact that it’s becoming increasingly hard for them to make the Iraq invasion look anything like a success. I’ve been surprised at the degree of caution shown in Congress, particularly by the Democrats,



who seem afraid to speak out against this war. There's obviously a fear of being called "unpatriotic," of being seen as weak on terrorism or unsupportive of the commander in chief in a time of war. Over the last half century, countless people have died because Democrats were afraid to be called "weak," "unmanly," and "unpatriotic." I think that fear influenced Lyndon Johnson's decision to get us into the Vietnam War. He was also afraid of being called an "appeaser."

In contrast, look at Spain today. The Spanish people just showed democracy at its best, turning out a government that had gone against the will of the majority by participating in the invasion of Iraq. Like so many world leaders, Spain's had accepted the exaggerated and, it turned out, false intelligence estimates and joined a venture that held no promise of benefit for the Spanish people, only danger, as we have seen with the recent terrorist attack in Spain. The apologists for U.S. policy in Iraq are denouncing the Spanish and saying that they're turning away from the war on terror, as if the war in Iraq and the war on terrorism were one and the same.

In reality the Iraq War is very much in the interests of the al-Qaeda terrorist organization. Recruitment for al-Qaeda is

up all over the world. Does Osama bin Laden want the U.S. out of Iraq? No. He would love for the U.S. to stay in Iraq and fight indefinitely. I don't think he foresees Iraq ever becoming an Islamic state under his control, so there's nothing he'd like better than for us to continue to promote his anti-American cause by killing Muslims in Iraq, which we will do as long as we're there.

King: If Democratic candidate John Kerry is elected president, do you think we will see a less violent, more secure future?

Ellsberg: Oh, definitely. Although no one in the Democratic Party, including Bill Clinton, has carried out an adequate nonproliferation program or changed our own nuclear policies, at least they are not fanatics who are determined to test nuclear weapons. That sort of thinking has long been concentrated in the Republican Party, even before George W. Bush got elected.

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