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*The Most Dangerous
Man in America*

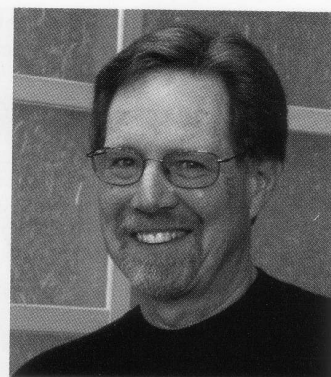
I Am Love



The Most Dangerous Man in America:

An Interview with Rick Goldsmith

by Dan Lybarger



It's hard to believe it now, but nearly four decades ago, a man standing over a photocopier inadvertently helped force an American president from office. On June 13, 1971, The New York Times began publishing information from a forty-seven-volume, 7,000 page top-secret study titled United States-Vietnam Relations, 1945-1967: A Study Prepared by the Department of Defense. Better known as the Pentagon Papers, the history indicated that the United States had been deeply involved in Vietnam since 1945, financing eighty-five percent of France's attempt to reclaim its former colony. In 1954, after the French had lost, President Dwight Eisenhower ordered the end of elections in South Vietnam, when it appeared as if the communists there would likely win.

The most damning aspect of the Pentagon Papers, however, was that it revealed that the chances of victory against the North Vietnamese and Viet Cong rebels in the South were remote despite intensive bombing (7.8 million tons, nearly four times as many explosives as were used in World War II).

The Times and almost twenty other newspapers received the documents from Daniel Ellsberg, whose profile made him an unlikely war resister. An MIT professor with a Ph.D. in Economics from Harvard, he was a former Marine Corps rifle company commander, a Pentagon analyst, and a strategist for the RAND Corporation, a California-based think tank. Having spent 1965 to 1967 in Vietnam working for the U.S. State Department, Ellsberg gradually became disillusioned with the Vietnam War, eventually concluding that the campaign was not simply a noble idea that failed. As he put it, "We weren't on the wrong side; we were the wrong side."

President Richard Nixon's Administration went to great lengths to suppress Ellsberg and the data in the Pentagon Papers. Henry Kissinger, Nixon's National Security Advisor, dubbed Ellsberg, "The Most Dangerous Man in America" because they feared he might have information about the President's own plans for Vietnam. When a court order resulted in a Supreme Court decision that allowed The New York Times and other papers to continue publishing the content of the study, Nixon and his subordinates used extralegal means to stop Ellsberg. They even sent the "Plumbers," a group of criminals who were told to stop press "leaks," to break into the office of Dr. Lewis Fielding, Ellsberg's psychiatrist. This is the same crew who would later bungle the burglary at the Watergate complex on June 17, 1972.

With its larger-than-life characters and bizarre plot twists, Ellsberg's story sometimes seems more out of the minds of Alfred Hitchcock or John Grisham. As a result, the new documentary, *The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers*, plays more like a thriller than a stale history lesson.

Directors Judith Ehrlich and Rick Goldsmith feature testimony from both Ellsberg's supporters and detractors, including shockingly profane excerpts from Nixon's White House tapes. The film also vividly captures the atmosphere of fear that characterized the Cold War, when it seemed that either communists or intrusive U.S. government agents

were lurking around every corner. In Ellsberg's case, that dread was more than an impression. Nixon's men even sent thugs to Ellsberg's speeches in the hope that they could beat him up.

Ehrlich and Goldsmith are clearly supportive of Ellsberg and his activism, which he continues today at age seventy-eight. But they thankfully present him not as a bronze hero waiting to be placed atop a pedestal but as a human being. The film reveals deeply personal information, particularly about how the death of his mother and sister in a childhood car accident, which was the result of his father falling asleep at the wheel, affected Ellsberg's view of authority.

By keeping the facts straight and by ably holding viewer attention, *The Most Dangerous Man in America* earned a Best Feature Documentary nomination at this year's Academy Awards. During our discussion, Goldsmith, who's also responsible for the Oscar-nominated documentary *Tell the Truth and Run: George Seldes and the American Press*, explained how Ellsberg, who has outlasted Nixon, continues his struggle today. —Dan Lybarger

Cineaste: After I saw your film, I watched a C-SPAN call-in forum with Ellsberg and William Kristol. It was really striking from listening to some of the callers that many of them had no idea what Ellsberg had really done in 1971. They talked to him as if he were CIA mole Aldrich Ames. Why do you think people had such a distorted view of what he actually did?

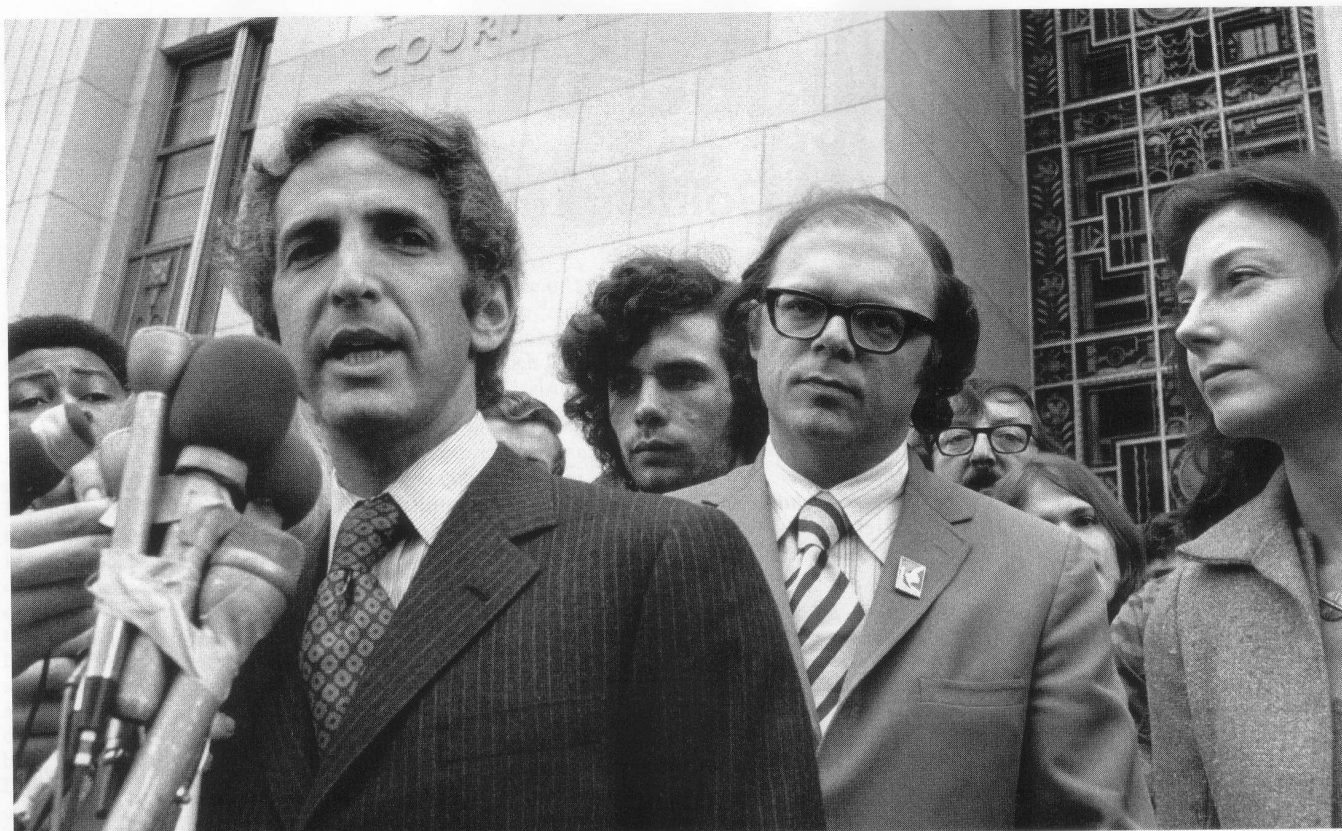
Rick Goldsmith: I'm not sure that people do have a

distorted view of what he did. I think that most people under fifty-five in this country either don't remember the Pentagon Papers or were born after the Pentagon Papers. So, if they're under fifty-five, they'd be too young to remember it.

And the teaching of history being what it is in this country, his role is not really taught in schools. The Vietnam War is taught very briefly, and this is an episode that, while very important, is probably not taught. The people of my generation—I'm fifty-eight, so I was twenty when the Pentagon Papers came out—have a memory of what it was, probably something between a very vivid remembrance or a very vague remembrance of it. But in my experience, in going around with the film and talking to people about it, they either know the incident well or had no understanding of it. But I haven't found that people have had a misunderstanding of it, at least not in my travels.

Cineaste: The clip I saw was from 2003.

Goldsmith: That was probably when Ellsberg had just finished his memoir, *Secrets*. And if it was William Kristol, the broadcast probably attracted people of a very conservative bent. I think then, as now, there are people who get upset or consider somebody who speaks out against his government, especially someone who speaks out against the wars that we engage in, as traitorous. I'm of the opinion, and I wouldn't have made the film if I didn't, that that's actually the patriotic thing to do, to add your voice to the political dialog, which is what we all should be doing.



Daniel Ellsberg, codefendant Anthony Russo (right) and Ellsberg's wife, Patricia (far right), outside the Los Angeles federal courthouse, being interviewed by the press during a break in the the January 1973 Pentagon Papers trial (photo courtesy of First Run Features).

Cineaste: Even though you provide comments in the film from both Ellsberg and his detractors, it unfolds more like a John Grisham thriller than a history lesson.

Goldsmith: That's right. We intended for it to be a political thriller. We are conscious of the audience out there for film today. I think two things played into our decision. One is that the documentary vocabulary has changed over time—for the better, I think. The other conventions of the feature film, re-creations and so forth, have become part of the documentary toolbox, and we wanted to avail ourselves of them.

We also wanted to reach a broad audience, and that includes the younger audience. I think that with the younger audience, the word "documentary" is somewhat frightening. [Laughs] My sixteen-year-old daughter constantly says to me, "Dad, when are you going to make a real film?"

We want to capture people, and frankly, even in the other films that I've done, which may not have been as bold stylistically as this one, I've always considered story to be first. If the story isn't interesting, then the film's not going to be interesting. I never do a film because, "Oh, this is a great issue to cover." I do films because there's a great story and because I feel it's a meaningful contribution.

Cineaste: In covering Ellsberg's actions in 1971, you're covering something that actually happened over several years. You're also covering how his thinking on the Cold War changed over several months and years. Was it tough to fit that into a ninety-minute documentary?

Goldsmith: It was kind of conceived that way from the beginning. We saw the story as obviously not beginning on June 13, 1971—in a way that was midway through the story. The compelling part of his personal transformation actually all happened before that, up through when he started copying the papers. That was the idea from the beginning, and we just set out to capture it as best we could. Obviously, we started with interviews with Dan and interviews with others who could be connected with that story.

So we have his wife Patricia, but also people like Thomas Schelling, who, although you don't see this part in the film, he was Ellsberg's mentor when Dan was at Harvard and helped get him into the RAND Corporation. Of course, we also interview the antiwar people, the draft resisters: Randy Kehler and Janaki Tschannerl, who influenced him at that point in time. It was important for us to get the breadth of the whole story because the story was not just the Pentagon Papers and how it affected the nation. The story was how does one get to that point, to do something so dramatic and so seemingly illegal, although it wasn't really illegal, but something so out of the ordinary, such a risk-taking event that could have landed him in prison for life. How does one get to that point?

Cineaste: You also had Nixon Administration officials, such as the leader of the "White House Plumbers," Egil "Bud" Krogh, and White House Counsel John Dean. What was it like to have their testimony included in the film?

Goldsmith: We found both of them to be very generous with their time and very sympathetic to the project. And I'll tell you why for each. For Egil Krogh, he made his own personal transformation in that same time period, really finishing in 1973. His conscience nagged at him for what he did as a participant in the "Plumbers" and for his role in burglarizing Ellsberg's psychiatrist's office. When the facts about that came out during the Ellsberg trial, as is portrayed in the film, during April of 1973, roughly eighteen months after the break-in occurred, the judge asked for people to step forward who had any knowledge of these events, and he stepped forward right away. He had to immediately resign from the Nixon Administration. He was later indicted, and then he became the first of what turned out to be a long string of convicted Watergate figures.

As you see at the conclusion of the film, he admired what Dan did in the end, and they actually became friends. Dan wrote the foreword to Krogh's book. He teaches ethics now. He's a very impressive man, to me personally, on every level.

John Dean, at the time, spoke out against the Nixon Administration. He didn't want to be the fall guy, and he, too, has been very critical of the Bush administration in the years since. He wrote the book, *Worse than Watergate*.

Cineaste: The film also features extensive testimony from Patricia Ellsberg as well. What was it like to have both of them talk about each other in this way?

Goldsmith: It was terrific. I thought the way we were able to edit it on film gave it a real back and forth, a literally "he said, she said" portrayal of the different periods in their lives: their first meeting, then splitting up over the Vietnam War, and then coming back together and deciding together what to do when he gave her a copy of the Pentagon Papers to read. He was still unsure of whether it made sense to go out to the press with it.

She, very dramatically, says, "It would be a sham of a marriage if I said no [to forwarding the documents] because this is the language of torturers." So it was delightful to have them each talk about those experiences separately and to be able to cut them together. You do get a real feel of their differences, even now, thirty-seven or forty years ago.

Cineaste: What do you think some of those differences are?

Goldsmith: One of my favorite little soundbites of Ellsberg is when he says, almost in exasperation, "You know, she didn't give me a break. She blamed me for the war. I was trying to stop the worst aspects of the bombing, and she didn't give me any credit for that."

And she comes back and says—well, not necessarily comes back, because we interviewed them separately—that his colleagues at the State Department and the Pentagon were—I'm paraphrasing her now—kind of adrenaline junkies. They were caught up in the excitement of war. She says on camera—again I'm paraphrasing—"I don't think he even understood how much he was caught up in that."

So to her, wow! It was blatant that you were doing something that I, Patricia, as an antiwar protestor, felt was abhorrent, and Dan was seeing different shades like, "Oh, I might be on the inside, but I'm trying to stop it." I think it's kind of a charming look at how the two of them, and how men and women, look at the same issue differently.

Cineaste: Both of them are really media-savvy, and both of them know their way around a microphone. Have you ever worked with people who haven't been as comfortable being interviewed as they are?

Goldsmith: Sure. When you're dealing with a historical documentary, like we are, with big figures on a big stage, the more you have players such as John Dean, Senator Mike Gravel and Dan and Patricia, the more you're also able to get involved people like Hendrick Smith, James Goodel, Max Frankel, and Mort Halperin, people who are more comfortable in front of the camera.

The previous documentary that I produced was called *Everyday Heroes*, and it was about young people who had joined AmeriCorps. These are people, eighteen years old, who have no public speaking background at all and are trying to make a difference on a very personal level, and with them you get a different kind of interview: fresh and hon-

est. Both types of interviews are terrific in their own way. But it's a very different thing to interview somebody who's more or less innocent about being interviewed instead of somebody who has obviously been on the big stage as Dan Ellsberg has.

Cineaste: Was it tough to get fresh information from him?

Goldsmith: I felt like he was very open with us. That's actually one of the things that I give him a lot of credit for, and I felt thankful that I guess we had done something right as documentarians in establishing a certain amount of trust. I think he talked very poignantly about the car accident that killed his mother and his sister, and he talked about his relationship with Patricia and his relationship with Randy Kehler, and sitting down at the table with Randy and choking up.

Here was a man who, on a certain basic level, had let his guard down. He certainly wasn't afraid to open up to the cameras knowing, as media-savvy as he was, that this was going to be seen by millions of people. I feel that's the job of the documentarian, not just to get the subjects, but to get the subjects to open up. I thought we were successful on that level, and I want to believe it's one of the reasons the film succeeds as a documentary.

Cineaste: When I interviewed him a couple of weeks ago, I was struck by how intimidating his memory is.

Goldsmith: It's like a vault; it's encyclopedic, you mean?

Cineaste: Yes, because when I looked up the dates he gave me during the interview, his accuracy was impressive. I wish I could remember details like that so well.

Goldsmith: He does have a memory like that, but he's also a student of his own history and the history of

the times in a very dramatic way. Judy relates the story in some of her Q&As that, when she first met him, she was doing a film on conscientious objectors in World War II, *The Good War and Those Who Refused to Fight It*, an excellent film.

She was coming to him as an advisor, and they had a date to meet for breakfast, and by the time she was finished, it was three in the afternoon, and they had to have lunch as well. She had filled up a couple of yellow notepads with his historical background of the time period she was interested in, which was World War II. So he does. I never thought of it as intimidating, but yeah, it certainly is encyclopedic, and I have found, too, very accurate.

Cineaste: Your film incorporates a lot of the actual Nixon tapes. Would it be fair to say that nothing can quite prepare you for hearing that the president is going to nuke North Vietnam?

Goldsmith: Yeah, the first time through it was really shocking to listen to these things on different levels. One was just the coarseness of it. You can hear in his voice, his famous quote, "If the president does it, that means it's legal," which has actually been misconstrued by people.

The arrogance of the man, feeling like he's above the law, and you hear it behind closed doors. I don't know if it's that unique to President Nixon. I don't think it is. I think it's part and parcel of people, but generally men, who are in positions of power and who are expected to, or are instructed to, take matters into their own hands and get things done. I mean, people elect presidents to get things done. I

"We intended for it to be a political thriller. We are conscious of the audience out there for film today."



Robert McNamara and Lyndon Johnson in a scene from *The Most Dangerous Man in America: Daniel Ellsberg and the Pentagon Papers* (photo courtesy of First Run Features).

think that behind closed doors there's a certain relaxed atmosphere, and you kind of shoot the shit with your colleagues or your underlings in a way you don't expect the public to hear. But Nixon, throughout, was going to get things done.

It is shocking when you hear him talking about possibly using nuclear weapons or bombing the dikes that would kill hundreds of thousands of people, and in such an offhand way. As if he's talking about something inconsequential.

But the arrogance of the man is somewhat shocking, too, especially hearing him behind closed doors once he starts getting into trouble. There were tapes about when the "Plumbers" break-in to Dr. Fielding's office was found out. We didn't play any of those tapes in the film, but you hear him talking with Henry Peterson, the assistant Attorney General, and he's talking in code. He knows he's in hot water. It's chilling to hear this stuff.

Cineaste: I understand that you did try to contact Henry Kissinger about the film, but he didn't return your calls.

Goldsmith: Yeah. Pretty much so. We got in touch with his office through phone calls, e-mails, letters. We might have gotten one perfunctory letter back from a secretary, saying that she would pursue the matter. It never felt like we seriously got in the door, if you know what I mean.

Cineaste: Did you ever try to get a hold of another "Plumber," G. Gordon Liddy, or anybody like that?

Goldsmith: Well, I don't think there is anybody like that. We did think of talking to G. Gordon Liddy, and he was on our list of "possibles." At a certain point, we instinctively knew how much time the "Plumbers" and that whole episode that leads up to Watergate was going to take.

We'd already had a terrific interview with Egil Krogh. We knew we were going to have an interview with John Dean, and, at a certain point, we felt like how many levels do you go? Undoubtedly, he would have been a fascinating interview. I don't know if he would have been a truthful interview. But, in the end, we made choices about whether something was going to really add to our story or take us a little far afield into something that would be fascinating but not really germane.

Cineaste: One thing I enjoyed about your film is that none of the other accounts I've read about Ellsberg mentioned that he played the piano or that he performed magic tricks for kids. What made you decide to include that footage?

Goldsmith: When you make a documentary, especially if it's your major figure, you think of every thing that he does, especially things that don't have to do with his political persona. Of course, we got a lot of that footage. You see a little of it in the film where he's at a demonstration and he gets arrested. We had a number of incidents like that.

But you try to get the man himself, the human being, and these were kind of things that popped up at us. We put them together but didn't know if they were going to work in the film. With the help of creative editors, though, those two things, the magic and the piano, both worked in the film, I thought, in a very lovely way.



Henry Kissinger and Richard Nixon in a scene from *The Most Dangerous Man in America* (photo courtesy of First Run Features).

story as well as a political story.

Cineaste: In the film, the media seemed more willing to take risks in 1971 than they are now. You wonder how many of today's media figures would be willing to take the risks say *The New York Times* took then.

Goldsmith: I think it's a very sad state of affairs right now in our media. The 1971-1973 period was probably the high point, in my lifetime, of the media's aggressiveness and their assertion of what their job was. As [former *New York Times* attorney] Jim Goodale says in the film, "My God, what have we been fighting for for 200 years if we're going to stop publishing something because somebody sends you a telegram."

That's very much in contrast with what *The New York Times* did early in 2004 when they sat on a big wiretap story that they broke only after the election and, in fact, won a Pulitzer Prize for it. The backstory there was that Bill Keller, the Executive Editor, and other people from *The New York Times* sat down with people in the Bush Administration and discussed what could and couldn't be said.

As he described it in a panel that I attended last year at the Ford Foundation, it was like a negotiation going on between the newspaper and the administration, in complete contrast to what *The New York Times* and *The Washington Post* and *The Boston Globe* did, and the other papers that followed suit, regarding the Pentagon Papers. Which was, "Hey, we have our jobs to do. We're the press. You have your job to do as the president and as the government. It's not the same job. We'll do our job on our own very well. Thank you very much."

That's changed dramatically in this country, and it's a damn shame. The media don't have a lot of friends left right now. Daily journalism and newspapers are on their deathbed for economic reasons. So I shudder to think what this country's going to be like in five years with possibly no financially supported daily journalism. What is that going to do to our democracy? ■

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