

## The Lawyer and the General: Antagonists in Pent

BY MARTIN ARNOLD

Special to The New York Times

LOS ANGELES, Feb. 6— They are of the same generation and both are professionals, one a soldier, the other a lawyer, and for two days now they have been at each other as fiercely as two men wrestling in a pit. Only the pit is a courtroom.

One is Brig. Gen. Paul F. Gorman, perhaps the prosecution's major witness in the Pentagon papers trial, a roundish-faced, smiling man, who wears his blue, pin-stripe suit with parade ground neatness, whose black-gray hair is closely cropped and who has the demeanor of a college lec-

turer or a high-level briefing officer when he speaks to the jury.

The other is Leonard B. Boudin, 61 years old, in a rumpled dark blue suit, his blackrimmed glasses dangling from his hand or perched on top of his head as he stands hunched over the lectern 30 feet from the witness stand.

Mr. Boudin is a defense lawyer in the trial of Daniel Ellsberg and Anthony Russo Jr. He appears to have been created by a playwright, and in an earlier era he would be in his shirtsleeves in the courtroom, his hands hooked in his suspenders. Now a bunch of pencils and pens

overflow his jacket pockets.

The problem for the defense with General Gorman is to crack his assurance, to make an articulate, confident witness appear bumbling, perhaps foolish. For General Gorman first testified with great effect on Jan. 23 that the disclosure of the Pentagon papers, which he helped to put together, could have been "of use to a foreign nation" and, therefore, did in fact damage the national defense of this nation.

General Gorman, with the help of slides flashed on a courtroom screen, had testified to that effect for three days, all the time facing the jurors and reading to them

passages from the Pentagon papers and explaining at length how a "foreign analyst" would use the papers in Hanoi.

He would preface his answers with "as we were discussing yesterday" and similar introductory phrases and gestures to involve the jurors. The impact was that of a teacher in a classroom; a stunning impact, the defense feared.

So yesterday, his first day under cross-examination, and today, Mr. Boudin set out to damage that image, to make the general, if possible, not Mr. Chips, but Colonel Blimp, and at the same time destroy his basic premise.

NESDAY, FEBRUARY 7, 1973

C

15

## agon Papers Clash Over Threat to U.S. Security

In an attempt to destroy the Government's contention that the general was not only an expert on national defense but also by implication an expert on intelligence and foreign relations, Mr. Boudin asked him what books he had read during the last several years?

There was a long pause, and then General Gorman recited this reading list: "The Art of War"; "The Reason Why"; "The War for Justice," a three-volume French work about World War I; "Dealing with Warfare," and a second book entitled "The Art of War."

Mr. Boudin has sandy-white hair, thinning, that is

seldom combed. He tosses his head, he smiles, he laughs, he says "quite," he uses them all, as a writer uses punctuation to make a point, to emphasize.

Today, he had the general read passages not from the Pentagon Papers, but from Department of State bulletins and from the Congressional Record, dated in the spring of 1967, that contained much of the same information contained in the papers. The lawyer asked if those passages could be helpful to a foreign nation. When the general said no, Mr. Boudin emphasized that the dates on these passages predated the dates in the indict-

ment against Dr. Ellsberg and Mr. Russo, who are accused in the release of the top-secret papers.

To make the further point today that high Government officials are continually making so-called secret information public, Mr. Boudin handed the general several pages from "The Vantage Point," by former President Lyndon B. Johnson, which told about particular meetings of the National Security Council. Mr. Boudin asked the general to read the pages aloud to the jury and then to say whether the President's writings could have been helpful to a "foreign analyst."

"That depends on what was published before," the

general said. "Yes, I wish to add that Pentagon Papers would have a value to a foreign analyst over and above what he might get from other sources because of the high echelon of the material."

"Can you think of any an echelon higher than President Johnson?" Mr. Boudin asked, smiling.

And with a smile, for the general appears to be enjoying the battle with Mr. Boudin, he answered, "No sir."

Yesterday, Mr. Boudin said disdainfully that "America is leaking," when referring to secret information made available by public officials, and, for the first time in this trial, the jurors, as one, broke into loud laughter.