

# Who Elected The Times?

By JAMES RESTON

The public reaction to the publication of the Pentagon Papers has been overwhelmingly on the side of the newspapers, but there is a strong and vehement view that it is wrong, dangerous and even criminal for a newspaper to assume responsibility for publishing private official documents without the consent of the Government.

Who, it is asked, elected The New York Times? How can outsiders judge better than the official insiders what damage may be done by publication of secret documents? By what right do newspapers presume to print official information which may embarrass the Government and give comfort to the enemy?

These are serious questions which deserve serious answers, for it is clear that the publication of the Pentagon Papers has embarrassed the Government, disclosed evidence of official deception, and in the process provided Hanoi, Moscow and Peking with material for anti-American propaganda.

At first glance, it is a devastating indictment, but should documents not be published because they embarrass the Government? Nobody is arguing that newspapers have the right to publish the nation's war plans or troop movements, or anything else that would endanger the lives of the men in the American expeditionary force, but historical documents? Evidence that the Congress and the people were misled years ago—even if this embarrasses the Government and provides propaganda for the enemy? This is clearly another matter.

After all, every time Mike Mansfield, the opposition leader in the Senate, calls on the Government to end the war by a date certain, or any newspaper or preacher or group of citizens condemns the bombing or questions the loss of life or the diversion of resources, or what the war is doing to divide and weaken the nation—all this is picked up by our adversaries and used against the United States.

Should we then suppress the documents because they "embarrass" the Government? Deceive the people about the record of the war? Submit to the Government's argument that publication will cause "irreparable injury" to the national defense rather than "irreparable injury" to the nation's reputation for fair dealing and plain and honest speaking to the Congress and the people? Confuse "embarrassment" to the Government and its officials with the security of the Republic?

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In the absence of clear evidence that publication of these old documents is truly a threat to the defenses of the nation—which the Government has not provided—these are good political but bad philosophical and historical questions. Still, they are being raised by influential men and they come closer

to the Marxist view of the press—that it should be a servant of the government—than to the American view of the press as defined in the First Amendment.

facts relating to the past, as distinguished from dangerous military information affecting the present or future on the ground that this may be awkward. This comes close to Nikolai Lenin's view of the press.

"Why should freedom of speech and freedom of press be allowed?" he asked in 1920. "Why should a government which is doing what it believes to be right allow itself to be criticized? It would not allow opposition by lethal weapons. Ideas are much more lethal than guns. Why should any man be allowed to buy a printing press and disseminate pernicious opinions calculated to embarrass the government?"

Well, many men who oppose publication of the Pentagon Papers don't go this far, but the violent opponents of publication, like Herbert Rainwater, the national commander of the Veterans of Foreign Wars, who is crying "treason," come very close to the Lenin thesis that opposition to the Government is unpatriotic or worse.

It is true that newspaper editors, raised in the American tradition of "publish and be damned," do not always know what damage they may do to the diplomatic process by publishing official documents. Their information is limited, and no doubt the official insiders know more than the outsiders, but even this is a dubious argument.

As Walter Lippmann wrote many years ago, you had better be careful not to go too far with the "insiders" argument. "For if you go on," he told the National Press Club in Washington on his 70th birthday in 1960, "you will be showing how ridiculous it is that we live in a republic under a democratic system, and that anyone should be allowed to vote.

"You will be denouncing the principle of democracy itself, which asserts that the outsiders shall be sovereign over the insiders. For you will be showing that the people since they are ignoramuses, because they are outsiders, are therefore incapable of governing themselves.

"If the country is to be governed with the consent of the governed, then the governed must arrive at opinions about what their governors want them to consent to. . . . Here we correspondents perform an essential service. In some field of interest, we make it our business to find out what is going on under the surface and beyond the horizon . . .

"In this we do what every sovereign citizen is supposed to do, but has not the time or the interest to do for himself. This is our job. It is no mean calling. We have a right to be proud of it, and to be glad that it is our work."