
World of Books



Wrapup on the Pentagon Papers

— William Hogan

TWO Washington Post reporters were assigned to cover Chief Justice Warren Burger's Georgetown home in case a legal decision came out of there during the height of the Pentagon Papers controversy. The Chief Justice met them at his door dressed in a bathrobe and carrying a gun, a long-barreled steel weapon. "He held his gun in his hand throughout a two or three-minute talk," one reporter later told his editors in a memo.

The Post knew that Burger was a law-and-order man, in the image of the Nixon Administration, but the notion he would answer his door with a gun in his hand was extraordinary.

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THIS ANECDOTE appears in "The Papers & The Papers," an illuminating, detailed account of the legal and political battle over the Pentagon Papers, by Sanford J. Ungar, himself a Washington Post reporter. It is an incident-by-incident account of the struggle between the press and federal courts over interpretation of the First Amendment.

It begins with the original New York Times story, prepared by reporters, copy editors and an arsenal of support personnel which had holed up for weeks in a secret newsroom at the New York Hilton. It ends after the Supreme Court, divided in its beliefs, cleared the Times and Washington Post of wrongdoing, espionage or anything else in their journalistic enterprise (Chief Burger dissented).

This is a sparkling newspaper story and a legal one as well, packed with personalities, including Daniel Ellsberg who triggered the whole affair. It is an account of clashing wills both in the courts and at the Times where, for instance, James Reston, a Times vice president, told hedging lawyers he would print the material in the Vineyard Gazette, the paper he owns in Martha's Vineyard, Mass., if the Times refused.

Such anecdotes keep Ungar's book racing at a pace that was never possible when the long, complicated story was breaking.

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A PARTISAN of the press, Ungar strives to be fair, but does express astonishment at Justice Department tactics, which he sees as purely political, along the way. By coincidence or by design, he suggests, all four newspapers against whom Justice took action were opponents of the Nixon Administration and skeptical about U.S. efforts in Vietnam. The Chicago Sun-Times, Los Angeles Times, the Knight chain and others which had printed Pentagon material but were not touched legally, had all supported Mr. Nixon in 1968.

The Times this week won a Pulitzer Prize for its efforts. Even the Columbia University Trustees, who administer the awards, were split, as all courts up to Mr. Burger's were before it. This book is the fascinating background (Dutton; \$7.95).