

The Endless Tragedy

By JAMES RESTON

For the first time in the history of the Republic, the Attorney General of the United States has tried to suppress documents he hasn't read about a war that hasn't been declared. This is one of the final ironies of this tragic Vietnam war, but it won't work for long.

The constitutional issue can be left to the courts. They need time. The issue is complicated: there is clearly a conflict between the Government's desire to preserve the privacy of its internal communications, which everybody recognizes, and its attempt to extend this procedure to old historic documents, which analyze the blunders of the past.

But in practical terms, the documents will not be suppressed. The New York Times will abide by the final decision of the courts, but too many copies of the McNamara Papers are around, and too many fundamental issues are involved to suppose that this official record of the war can be censored for long.

It is easy to get lost in the legalities, ambiguities and politics of this controversy, but the central issue is what former Secretary of Defense McNamara had in mind when he ordered this analysis of the war in the first place.

McNamara was a principal actor in the drama, deeply involved and even incriminated in the struggle, but near the end he insisted, on his own responsibility, that outside and objective minds should look at the record and try to find out what went wrong and why. This involved many people—around thirty—all of whom have knowledge of critical parts of the Pentagon investigation, some of whom have some of the documents, and a few of whom have copies or access to copies of most of the whole.

McNamara is clearly not alone in feeling that the basic questions—how did we really get involved, how did we lose our way?—should be made clear in order to avoid similar mistakes in the future. And at least some of these men are not going to be silenced by temporary or even permanent court injunctions against publications of the facts.

The Attorney General, by seeking for the first time a court injunction before publication, has dramatized the issue. He has transformed an academic monograph, with a very limited audience of politicians, bureaucrats, journalists and scholars, into a world issue on the American war and the First Amendment of the American Constitution on the freedom of the press. And his efforts at suppression, while they may prevail for a short time, will almost certainly fall in the long run.

For the men who know most about

these documents do not believe that publication involves national security or would cause, in the Attorney General's words, "irreparable injury to the defense interests of the United States."

In fact, many of them in possession of the facts, and a few of them in possession of the documents, believe that the security argument is being used to cover up the blunders and deceptions of the past in Vietnam, and would gladly go to jail rather than submit to the suppression of their information.

Mr. Mitchell, consciously or not, has raised a fundamental question: What causes "irreparable damage" to the Republic? Publication of documents that expose the weaknesses and deceptions of the Government on issues of war and peace? Or the censorship of these documents in the name of "national security"?

This is the central issue. The Attorney General and the Secretary of Defense have a respectable argument; they have the right to private communication. The Secretary of State, William Rogers, also has a point: other nations cannot do business with Washington if their communications are going to end up in the headlines of the American press. But beyond that, and even above it, there is the question of the integrity of the American Executive in its dealings with the American people and their representatives in the Congress.

These documents are in the possession of the principals. President Johnson has a copy. Clark Clifford and Robert McNamara are reported to have copies, and other interested parties have copies or access to parts of them, and all are writing their own versions of history. So the legal injunction, as it now stands, is only against making the main documents available to disinterested scholars and the general public.

This is the main point about these documents, and why the documents themselves had to be published. For they demonstrate beyond question, not reporters' opinions or speculations about Presidential action, but obvious and even calculated deception in the words of the officials themselves.

It will be interesting to see how the courts, and even the principal personalities react to this tangle of legal and philosophical questions. But however they react, the objective of the McNamara inquiry is going to be achieved. The basic facts of the American involvement in Vietnam, many of them idealistic and many of them tragic, are going to be revealed, no matter what the Attorney General says, and in the end, we may be a little nearer to the truth.