

running away from a boat nearby. I noticed that they were not armed, and mentioned this to the pilot. He said he assumed they had left their weapons in the boat. He came down again, firing the M-16 from the moving plane at fairly close range, fifty to one hundred feet. This maneuver we repeated for the next twelve or fourteen minutes. While we were coming down at the men, they would lie on the ground; when we moved off, they would get up and run. We would come down again, dive at them, and fire the rifle. Finally he pulled off, without hitting them, and I asked, "Does this happen often?" "All the time," he said. "Do you ever hit anyone in this way?" I asked, and he replied, "Not very often. It's hard to hit anybody from a plane with an M-16, but it scares the shit out of them. They will be pretty scared VC tonight."<sup>8</sup>

I asked him how he knew they were VC, and he answered, "There's nothing but VC in the Plain of Reeds." The Plain of Reeds was a free-fire zone, which meant we had condemned to death all those who might be found in it. I was later told that there were almost two thousand fishermen in the area who continued to fish during our attacks.

This game, this hunt, is something that goes on daily in almost every province of Vietnam. I am sure the Vietcong will come out of this war with great pride in the fact that they confronted American machines and survived. I came out of that plane ride with a strong sense of unease.

<sup>8</sup> As the plane dove and swung about in tight loops centered on the running men below, I relived the feelings of herding stray cattle with a pickup truck on the plains of Wyoming, twenty years earlier. Senator George McGovern brought back both memories, unnervingly, in a conversation we had during the spring of 1971. He told me that he had gone to the White House to raise doubts, as a former bombardier, about our bombing in North Vietnam, soon after it began. Apparently to demonstrate his own skepticism about military claims and values, President Johnson had assured him, irrelevantly, that he controlled all designations of targets himself. Then he said, "Anyway, there's a lot of things the military could be doing that they don't even think about. For instance, I tell them how we hunt rabbits in Texas. We take a shotgun up in a little plane. . . . Now, we've got lots of little planes in Vietnam, and those VC's are just like rabbits; they crawl around. . . ."

## MURDER IN LAOS

In each of the twenty-five years of this war, Americans who wished to oppose our role or to tell the truth about it to their countrymen have had to contradict their President. This is the main reason, I have come to think, why opposition to the war has not become broad or durable enough to end it.

Each of the last five Presidents has lied to the public about our involvement in Indochina and where it was likely to go, and always in reassuring, credible ways that made active opposition to his policy seem unnecessary or hopeless. This Presidential deceit has gone through three phases. The first, which lasted over three Presidents from 1946 through 1964, emphasized the theme: "It's not our war; and we won't get in." The next phase, under Johnson, was: "We're winning." Then the current one: "The war is being ended." Each of these assurances has been plausible at the time, much more so than interpretations that contradicted it. Each was what most people wanted to believe, and did believe; each, coming from the President, served to allay concern, to defuse and deter resistance. None has ever been true. The war has always been ours; we have never been winning it; it has never been ending.

So it was, at the time of our invasion of Laos, when the following paper was written. So it is now. By the time this book is published,

the ability of the American people—on their own, and despite their President—to recognize and to act on these realities will again have been sharply tested. As I write this—April 16, 1972—what Richard Nixon has feared for three years has come upon him: a dramatic North Vietnamese military challenge in an election year to his policy of an indefinitely prolonged U.S. presence in Vietnam. He has responded in the way my informants and I had feared.

The strategy described in "Murder in Laos"—of which I was first informed, by officials in Washington and Saigon, in the fall of 1969—was designed above all to deter or prevent the present offensive from taking place in 1972. In this it has failed, whatever the results may be of the contest in South Vietnam, pitting massive U.S. airpower against North Vietnamese ground troops. It was not in hopes of fighting televised battles this year—even of winning them—in the districts surrounding Saigon or Hue that President Nixon launched his invasions of '70 and '71 and dropped more bombs than any other head-of-state in history.

Even if U.S. bombs should block the offensive and turn it back—just as an escalated commitment of U.S. resources deprived Communist-led forces of imminent success in 1950, 1954, 1961, 1965, and 1968—the war will not end. Nor is our President likely to end it if the North Vietnamese and NLF forces achieve military successes that are less than total. No pattern is demonstrated more clearly throughout the Pentagon Papers than the extreme tenacity of both sides.

No civilian intelligence estimate of the last decade has supported the hopes of President Nixon and Henry Kissinger that threats, demonstrative invasions, raids, or bombing of the sort that they have employed before, or even more brutal measures, could deter or prevent renewed Vietnamese resistance to our presence and influence. On this point, the letter by my colleagues and myself at Rand in October, 1969, spoke with some authority; three of the other co-signers, who drafted the following passages, had worked for years on Rand's "VC Motivation and Morale" project, analyzing interrogation reports of VC and NVA prisoners and defectors.

... Short of destroying the entire country and its people, we cannot eliminate the enemy forces in Vietnam by military means. . . . What should now also be recognized is that the opposing leadership cannot be coerced by the

present or by any other available U.S. strategy into making the kinds of concessions currently demanded.

... The opponent's morale, leadership, and performance all evidence his continuing resiliency, determination, and effectiveness, even under extremely adverse conditions (in no small part because of his conviction that he fights for a just and vital cause). Estimates that the opponent's will or capacity (in North or South Vietnam) is critically weakening because of internal strains and military pressures are, in our view, erroneous. Even if a new strategy should produce military successes in Vietnam, substantially reduce U.S. costs, and dampen domestic opposition, Hanoi could not be induced to make any concessions (e.g., cease-fire or mutual withdrawals), so long as they implied recognition of the authority of the Saigon government. Thus, to make the end of U.S. involvement contingent upon such concessions is to perpetuate our presence indefinitely. . . .

We do not predict that only good consequences will follow for Southeast Asia or South Vietnam (or even the United States) from our withdrawal. What we do say is that the risks will not be less after another year or more of American involvement, and the human costs will surely be greater.\*

As for destroying Haiphong, blockading North Vietnam, and attacking communications with China in the attempt to shut off the flow of support through North Vietnam, every civilian intelligence analysis or estimate has flatly contradicted military hopes that this goal could be physically accomplished by airpower. It has never been clear whether even the advocates of airpower really believed otherwise, in the face of these analyses, or whether their proposed "unrestricted interdiction" programs were simply to be a cover for the inevitable bombing of civilian population, aimed at "breaking the will" of the North Vietnamese—or exterminating them. This last program—behind a screen of secrecy and of military euphemisms to describe the final solution to the North Vietnamese problem—may soon be under way.

\* *Washington Post*, October 12, 1969; signers were Daniel Ellsberg, Melvin Gurkov, Oleg Hoefding, Arnold L. Horelick, Konrad Kellen, and Paul F. Langer. The letter began: "Now that the American people are once again debating the issue of Vietnam, we desire to contribute to that discussion by presenting our own views, which reflect both personal judgments and years of professional research on the Vietnam War and related matters. We are expressing here our views as individuals, not speaking for the Rand Corporation, of which we are staff members; there is a considerable diversity of opinion on this subject, as on other issues, among our Rand colleagues.

We believe that the United States should decide now to end its participation in the Vietnam War, completing the total withdrawal of our forces within one year at the most. Such U.S. disengagement should not be conditioned upon agreement or performance by Hanoi or Saigon—i.e., it should not be subject to veto by either side. . . ."

In this crisis, it is not, as Administration spokesmen put it, our "resolution" which is being tested but our humanity.

Sooner or later, Nixon's policy was sure to lead to heavier fighting of the sort we are now seeing; some time after the North Vietnamese concluded that his reductions in U.S. force levels were leveling off. At that point, when his gamble had failed that the intelligence predictions, described above, about the opponent were mistaken, his second gamble, about the U.S. public, would be sharply tested: namely, that despite some controversy, most Americans would basically accept renewed heavy fighting if it were conducted on our side mainly from the air and with few American casualties. The judgment underneath that second gamble is one widely shared, even by some members of the peace movement: that most Americans are simply indifferent to and cannot be brought to care about bombing or Indochina casualties and refugees; that they are not much troubled by what their Government may do to Indochina, so long as it does not bring back high levels of costs, draft calls, or American casualties.

There is no denying some basis for the assessment. But I have acted for some time on a different belief about American values. Confronting this month's events my gamble, too, might be judged to have failed. Yet, public passivity toward our policy in Indochina may well have at least two explanations other than indifference. One is that the public—educated by a generation of Cold War administrations—has come to feel that it cannot and should not expect to exert much democratic control over foreign policy, or even expect Congress to do so.<sup>1</sup> And the other, described above, has been the prolonged, well-calculated deception concerning our involvement by the Executive branch, in which most major institutions in our society have at least passively collaborated. (Presumably, the current deception, that the war is winding down, will now have to be replaced.)

Meanwhile, over the last two and a half years, many Americans have been acting in hopes of changing the President's policy before the next half-million tons of bombs had fallen, and before the bloody

<sup>1</sup> The broad support for the Stennis-Javits bill in the Senate, limiting the war powers of the Executive, is an extremely encouraging sign that change can occur toward restoring Constitutional principles. For example, Senator Stennis has now stated: "Congress has a responsibility to express what role, if any, it has in committing this nation to war. We have not been living up to this responsibility, and I have been as guilty as any man" (New York Times, April 12, 1972, page 16).

confrontation that has now come about. My own efforts went toward making his policy, as I understood it, visible to the public and to Congress, despite effective White House screens. In part this meant addressing the question posed by a sympathetic superior at Rand when I first sketched what I had learned from Saigon and Washington about Administration plans: "Well, if the policy really does get our casualties down, and if the American people accept it . . . what's so bad about it?" In response, some comments of mine that circulated privately in various papers and letters in the fall of 1969 and early 1970 help to complement "Murder in Laos." (The latter focused instead, in March, 1971, on the most publicly puzzling, least foreseen aspect of the Nixon/Kissinger strategy, its sequence of American-initiated escalations pointing, "if necessary," directly to the bombing of Haiphong and Hanoi and beyond that to worse.) Although these intentions had been described to me in September, 1969, I found it difficult to believe they would actually be carried out—until the invasion of Cambodia. Together with "Murder in Laos," these comments of one and two years ago, tragically, serve as preface to this month's news from Indochina.

From background "Notes on the President's Speech of November 3, 1969," written the day after at the request of a group of Congressmen:

... What we have to look forward to from this policy is a future like the past, of lulls and "Tets," a cycle of VC inactivity and activity, with no clear limit to the deaths we suffer or inflict . . .

... Nixon worries, as did his predecessors, about a domestic political hangover from withdrawal: after initial relief, he foresees, "inevitable remorse and decisive recrimination would scar our spirit as a people" as "we saw the consequences of what we had done." His solution remains that of his predecessors: to postpone such painful withdrawal symptoms simply by continuing the war, with its cost in American and Vietnamese lives. That is the course of the addict; it may be the major hidden basis for our Government's addiction to this war over so many years and so many disappointments. It is not, as he presents it, the hard, courageous way to address this real problem, but the politically easy way, for the short run: easier than admitting past mistakes and facing painful consequences. It is not, as he calls it, "the right way."

It seems clear that the President believes this to be a just war, one he would feel dishonored to disown. In his speech, he discusses the consequences of disengagement in emotional words—"defeat . . . betrayal . . .

humiliation"—that warn of more years of war. He implies a sense of U.S. responsibility for political developments in South Vietnam that can be discharged only by indefinite combat engagement. His plan for "winning a just peace" is a plan for continuing United States involvement indefinitely, not at all a plan for ending it.

It is a policy that must goad the Hanoi leadership to challenge it by increasing the pressure of United States casualties; to which the President promises, to respond by reescalation, against all past evidence (and consistent, reliable intelligence predictions) that this would neither deter nor end such pressure. In fact, we have heard a plan not only for continuing the war but for returning it eventually to levels—in firepower, commitment of prestige, destruction inflicted—that we recently abandoned. It is a plan and a speech we might have heard, without surprise, from Johnson, Rusk, or Rostow: indeed, we have, many times.

The following is from a long background memorandum on Vietnam policy which I wrote at the request of Senator Eugene McCarthy, January 21, 1970, and later circulated:

... I believe that Nixon's policy, probably correctly understood by Hanoi, gives the Hanoi leadership strong incentive to press a strong attack in Vietnam when they are ready, causing great loss of life on both sides; both the lives lost in this offensive and the lives to be lost on both sides before this occurs are deplorable in the highest degree. . . .

... It is, indeed, not for us to choose the form of government for the Vietnamese people. But it is time to end the deception that we have made that choice for them, when we support with our armed presence and vast material aid a government that is, on the one hand, totally dependent on that support, and on the other hand, which suppresses all opposition, and freedom of expression, on dictatorial lines. . . .

... The most intense political interest of most Vietnamese at this time is not for the rule of one personality or party over another, but for peace. That is a desire that receives neither expression nor representation—thus, one that is hard to "prove"—in a state where (as in the North) freedom of speech and political activity on this very subject are forbidden, and candidates who might voice this desire cannot run for office, indeed, face prison. Yet is there a knowledgeable official of our Government, is there an authority with first-hand experience of Vietnamese society and politics who does not believe that a majority of the Vietnamese people would, in a free choice, prefer peace under either of the opposing governments to a continuation of this war? Knowledgeable people who yet support Administration policy find rather, reasons why our intervention is "necessary" despite the fact that it means imposing a regime and a war upon the mass of the Vietnamese people against their desires. But the reasons are inadequate, the "necessity" is spurious, an illusion of a lie, and the policy that denies the import of these Vietnamese desires is ultimately dishonorable.

For twenty years, we have presented our involvement in Vietnam to ourselves in terms of altruism, generosity, common aims with the Vietnamese people; we have thought of safeguarding our own interests by way of safeguarding those of the Vietnamese, offering them a freer and better life than they could hope for under Communist domination. Our goals for the Vietnamese people have not been unworthy, but they have amounted to fantasies, hiding the reality of what it was we were constructing as a fortress against Communism: an alternative dictatorship, a succession of governments that earned the hatred and opposition of many of the most patriotic and talented Vietnamese, the contempt of most of the rest, regimes that could not attract the loyalty and support of most Vietnamese even as an alternative to Communist rule. And the same fantasies hid from us the horrors being committed daily by us and by those we have upheld.

Our efforts supposedly in the interests of the Vietnamese have, in fact, delivered them to governments they can scarcely prefer to Communism and to an endless, devastating war. It is time at last to deliver them from our help; from our involvement; from our concern. We can help them, at last, only by leaving them alone.

As though driven by Che's curse, Richard Nixon seems compelled to create "two, three . . . many Vietnams" in Southeast Asia.

The pace of invasion is quickening. On the first evening of the invasion of Laos, Vice President Ky pointed to what could be the next invasion. South Vietnamese ground forces, he said, might have to cross the 17th parallel into North Vietnam to hit supply bases above the DMZ. It was six years since South Vietnamese forces had first done that, in the air, with Ky himself leading the attack. In fact, Ky was speaking at a dinner marking the anniversary, largely unnoticed in the U.S., of those raids of February 7 and 8, 1965, which "retaliated" for the death of eight Americans in an NLF attack on Pleiku and led to a three-year bombing campaign against the North (PP, III, 269-340). Ky's warning, coinciding with the new offensive in Laos, linked the past, present, and future of a fundamentally unchanging U.S. strategy in Indochina.

In the U.S. itself, not even the Orwellian communiqués seem to have altered. On February 7, 1965, the White House chose the occasion of its announcement that U.S. bombers were crossing the borders of North Vietnam to repeat its past assurances to the American public: "As the U.S. Government has frequently stated,

we seek no wider war" (PP, III, 305). On February 9, 1971, as U.S. bombers and helicopters were for the first time accompanying South Vietnamese forces—paid, equipped, and supported by the U.S.—into Laos, Secretary Laird told the nation: "We have not widened the war." He added: "To the contrary, we have shortened it."

To the contrary—as all can see—we have widened it. Why? When and why will we do it again? There is, in truth, a coherent inner logic to the policy that contains answers to these questions. It is a logic that has pointed for at least the last year to the invasion of Laos—and beyond.

For twenty years—since the "fall of China" and the rise of McCarthy—Rule 1 of Indochina policy for an American President has been: Do not lose the rest of Vietnam to Communism before the next election. But there was also Rule 2, learned shortly thereafter, in Korea: Do not fight a land war in Asia with U.S. ground combat troops either. Three Presidents, starting with Truman, managed to satisfy both constraints during their terms and passed the challenge on to their successors. The problem grew, and Lyndon Johnson's Presidency was crushed in its first full term by the impossibility of fulfilling both requirements. But Johnson's fondering on Rule 2 did not repeal Rule 1 for his successor: even in 1969, even for a Republican, even for Richard Nixon.

Like Kennedy and Johnson before him, Richard Nixon believes he cannot hold the White House for a second term unless he holds Saigon through his first.

His two predecessors had seen the leaders of the previous Democratic Administration driven from office after they had been charged with having "lost China." More specifically, they were accused of losing China without trying, without making full use of U.S. airpower or advisors, without giving full support to an anti-Communist Asian ally: omissions pointing to weakness or treason. Kennedy and Johnson both feared that the accusation of "losing Vietnam"—or simply "losing a war"—could rally again the hounds of McCarthyism against their party.

Nixon does not feel immune ~~just~~ because he once was one of the leaders of that pack. On the contrary, he knows better than anyone else just what he would try to do with such an issue, if he

were on the outside seeking power, even against a Republican President. He is determined not to have to suffer from it in 1972, either from Reagan summoning away his supporters in the convention or from Wallace calling to his voters in the election. (Whether the fears shared by Nixon and his predecessors of a threat from the right are based on political reality, or on a specter of their own making, is not the issue here. What matters is that four of the last five Presidents have felt compelled to take such a threat seriously, and Nixon still does.)

No doubt there are other and perhaps even stronger motives that influence Mr. Nixon's choices, but they point in the same direction. There is good evidence that the President is, even more than his predecessors, a "true believer" in the Cold War premises they all shared, including that of the importance of maintaining U.S. power in Asia, showing strength to the Russians and Chinese, containing Communism—monolithic or not—and avoiding the reverberating damage of a U.S. failure or humiliation.

Which of these instincts is the stronger matters little in this case, for they reinforce each other in Vietnam policy: Saigon must not "fall" . . . above all, not too soon or too suddenly. Those who imagine otherwise, who suppose that Nixon's views on domestic politics conflict with his notions of U.S. interests abroad, and that his instincts for political survival inexorably urge him toward total withdrawal "no matter what," are almost surely wrong.

During 1968 Henry Kissinger frequently said in private talks that the appropriate goal of U.S. policy was a "decent interval"—two to three years—between the withdrawal of U.S. troops and a Communist takeover in Vietnam. In that year, an aim so modest had almost a radical ring; no major public figure, in fact, dared openly to endorse it. But in 1969, when Kissinger moved to the White House, his notion took on a sharper meaning and new urgency. It became not a goal but a requirement; and the "interval," it became evident, could not end before November, 1972. In its new, tougher form, the doctrine had practical implications for policy well beyond 1972. In effect, it meant acting immediately and over the next several years to achieve both an indefinite fighting stalemate in Vietnam and support for such

a stalemate in the U.S. And that aim had implications for the prospects of renewed escalation of the air war in Indochina.

To begin with, it was evident in Paris by the spring of 1969 that Hanoi and the NLF would not accept terms that would meet the Administration's needs for assuring non-Communist control in Saigon through at least 1972. Nor would the Russians intervene to achieve this, as Nixon had hoped. So the war had to go on.

Total Vietnamization? U.S. military advisors held out no hope whatever that Saigon could be held with any assurance for three years, or even one year, if no U.S. military personnel remained in South Vietnam. No foreseeable improvement in ARVN, or amount of U.S. aid, including air support, would prop up Saigon reliably in the face of North Vietnamese forces if all our troops went home. Both U.S. troops and airpower were needed, in sizable amounts, for years, perhaps indefinitely.<sup>2</sup>

In fact, through 1969 and, so far as is known, today, the highest military leaders have never judged officially that the job of holding Saigon could be done, with reasonable assurance and with adequate safety for remaining U.S. troops, with fewer than 200,000 military personnel in the country to provide air support, logistics, communications, intelligence, self-defense, and strategic reserve. That figure, Nixon probably thinks, and with reason, is inflated; but there are limits to what the Joint Chiefs of Staff will certify as "militarily acceptable," and the semi-permanent minimum may well turn out to be not much lower than 100,000 for the end of 1972 and after. It is more likely to prove higher; and it will almost certainly not be less than half that figure, long after 1972.

With the military floor somewhere between 50,000 and 150,000 troops, the political ceiling is surely not very much higher. LBJ's strategy, putting half a million U.S. troops in the South, met the goal he defined in his first week in office; he left the White House five years later accused of many things, but not of being the first President to lose a war. Yet his approach was, obviously, only a partial success; it saved Saigon but lost the White House. As would anyone determined to hold both, Nixon drew an immediate lesson: U.S. troop levels and budget costs must go down, and

<sup>2</sup> This was the JCS position in their answers to National Security Study Memorandum No. 1 (NSSM-1) in February, 1969, described in the Introduction.

casualties, draft calls, and news space must go down even more sharply. In fact, even 50,000 troops—still twice as many as LBJ had in Vietnam at the onset of the bombing—could be acceptable to the public or, better, ignored by it, only if U.S. casualties were very low indeed and newsworthy North Vietnamese successes anywhere in Indochina almost nonexistent.

Thus Nixon's practical goal—a "Korean solution," as officials began to call it—became clear: to make Indochina safe for an indefinite presence of 50,000 U.S. troops or more in South Vietnam. The key to a solution, Nixon and Kissinger concluded, was to expand the role of airpower, and, in particular, to restore and increase the threat of bombing the North.

How else, they reasoned, could Nixon ever compel successful negotiations? How could he induce the Russians to use their leverage for a settlement, unless the Russians were made to fear—in Laos, say, or in Haiphong—that they would become more directly involved?

How else could Nixon deter the North Vietnamese forces, once they recovered from the 1968 losses, from making embarrassing gains at will in Laos; or worse, from coming south to overpower ARVN; or worst of all, attacking the reduced U.S. units, either destroying them or forcing them home?

"Vietnamization," if confined to the borders of South Vietnam and with the threat of escalation excluded, had no persuasive long-run answer to these threats. In view of that, and of the unpromising prospects in Paris, the best alternative, to some officials in Washington, was a total, prompt U.S. extrication from Vietnam. To Nixon and Kissinger, it meant instead that a credible bombing threat was essential to their program.

The policy they decided on was in many ways a familiar one, especially for Republicans. Its main ingredients were precisely those prescribed twenty years ago by the "Asia-first" right-wing Republicans in Congress for preventing the "fall of China" and, later, by MacArthur and others, for winning "victory" in Korea—the threat and, if necessary, use of U.S. strategic airpower and allied Asian troops under an authoritarian, and anti-Communist, regime, approved, financed, and equipped by the U.S. and using American advisors and logistical and air support. (Vice President

Nixon had been willing to add some U.S. ground combat troops to that package to save North Vietnam in 1954, before the fall of Dien Bien Phu, but this was considered an aberration at the time.)

If one adds the threat of nuclear weapons—a threat used privately, Nixon believes, by Eisenhower to settle the Korean War, and later used publicly by Secretary Dulles to influence the First Indochina War—one has all the elements underlying Dulles' doctrine of "massive retaliation" and the "New Look" defense posture of the Eisenhower Administration. This was the policy that enabled Republicans to combine aggressive rhetoric with a limited defense budget throughout the years when Nixon was Vice President. As an academic strategist during that period, Henry Kissinger dissented from this formula mainly by stressing the role of "tactical" nuclear weapons (in the book *Nuclear Weapons and Foreign Policy*, which made his reputation). But in Nixon's Administration, the threat of nuclear weapons in Indochina is not—as yet, at least—an essential part of the strategy of Kissinger and Nixon (except, as usual, to deter Chinese intervention)—though they have explicitly refused to foreclose their use. The new strategy differs from the old mainly in relying on the strategic threat of non-nuclear bombing.

But how could Nixon and Kissinger believe, after the experience of the sixties, that threats of massive bombing could solve their problems in Indochina? What could new threats promise now, when the *practice* of sustained bombing under Johnson had in fact failed to deter or physically to prevent even the Tet offensive?

Nixon's answer was that the Democrats had moved too gradually and too predictably, and had never threatened or used *heavy enough* bombing. This is what the Joint Chiefs had been saying all along, though Nixon had no need to take instruction from them. He was using a language he shares with the generals when he explained after the Cambodian invasion that, whereas Johnson had moved "step by step,"

This action is a decisive move, and this action also puts the enemy on warning that if it escalates while we are trying to deescalate, we will move decisively and not step by step.

What he was then threatening, as he had done before the election, was "decisive" bombing of targets long proposed by some U.S. military chiefs and their political spokesmen: Haplong, "military targets" in Hanoi and unrestrictedly throughout the North, and the communications with China.<sup>3</sup>

Nixon believed the threat would be newly credible and effective because he would demonstrate to Hanoi that it could be carried out without destroying his own political base or ability to govern the U.S. Johnson had lost these, in Nixon's view, because he had combined inadequate air attacks with excessive numbers of ground troops, U.S. casualties, and draft calls. Once those numbers were diminished, Nixon believed, the American public and its representatives in Congress would accept even a semi-permanent and geographically extended war, financed by America but with direct American combat action limited primarily to airpower.

That was a bold judgment to make in 1969. Yet the North Vietnamese had to be forced to accept this judgment if Nixon's threat of bombing were to deter them from challenging a protracted American presence, or bring them, ultimately, to accept his terms for a "just peace." Only convincing demonstrations of his willingness and ability to escalate could bring that about.

The notion of "warning demonstrations" has thus been central to the tactics of Nixon and Kissinger, and it explains the sequence of political threats and offensive actions they have taken over the last two years. As early as the spring of 1969,<sup>4</sup> our first air attacks on Cambodia—not officially announced and little noticed in the U.S.—were soon followed by a warning to Hanoi which was

<sup>3</sup> See Leslie Gelb and Morton H. Halperin, "Only a Timetable Can Extricate Nixon," *Washington Post* Outlook section, May 24, 1970; and Halperin, "Vietnam: Options," *New York Times*, Op-Ed page, November 7, 1970. Each of these analysts served both Johnson and Nixon in positions dealing with Vietnam policy, Halperin having served until September, 1969, as assistant to Henry Kissinger in the White House.

This discussion owes a great deal to the thinking of these former colleagues—though they are in no way responsible for any of the interpretations presented here—as it does to a number of others with comparable governmental experience who cannot be named.

<sup>4</sup> Since this was written, members of the Vietnam Veterans Against the War have revealed that a major ground operation into Laos—Dewey Canyon I—took place secretly at this time.

inserted in an otherwise moderate speech by Nixon on a Vietnam settlement.

At the same time the bombing expanded in Laos, and a series of bombing raids began on North Vietnam. As these raids continued, Administration officials gradually dismantled Johnson's 1968 "understanding" which had strictly limited the justification for such raids. Finally, in his televised interview with the press on January 5, 1971, the President virtually abandoned this "understanding".<sup>5</sup>

The ground invasion of Cambodia took place in spring, 1970; in the fall, troops landed in North Vietnam; now we are supporting an invasion of Laos. In each case the White House has conveyed unmistakable warnings to Hanoi that more such action was to come.

All of these actions could be, and were, defended as tactics necessary to delay enemy buildups or "spoil" enemy offensives. Indeed, all of them may keep things quieter in South Vietnam, in the short run. They make offensive action difficult and costly for the North Vietnamese, thus delaying a new offensive until Hanoi once again faces the inescapable need to make the necessary sacrifices. They do, in short, buy time, with U.S. airpower and thousands of Asian lives. The airpower, especially the lavish use of armed helicopters, substitutes for U.S. troops. The fewer American troops in Vietnam, the more need for U.S. airpower throughout Indochina, if U.S. losses are to be cut and the North Vietnamese prevented from taking the initiative.

Of course this view can be challenged on tactical grounds as well. By expanding the war, the U.S. commanders are multiplying their risks and committing themselves to protracted war in three countries, for only limited gains. In Laos, for example, U.S. helicopter losses and South Vietnamese casualties may turn out to be sizable. A right-wing coup may follow our interventions—revers-

<sup>5</sup> Nixon claimed that the North Vietnamese had violated another understanding that our "unarmed reconnaissance planes could fly over North Vietnam with impunity," although former high officials in the Johnson Administration have denied that there was any such understanding. Nixon went on to state that "if they say there is no understanding in that respect"—as Hanoi leaders do say—"then there are no restraints whatever on us." (Even before the current offensive [April, 1972] there had been as many raids over the North in three months in 1972 as in all of 1971.)

ing the order of events in Cambodia—with complex repercussions, possibly including an increased Chinese combat presence, which would automatically cause U.S. nuclear contingency plans to be presented for consideration to the Secretary of Defense, if not to the President. And the North Vietnamese have considerable ability, as in Cambodia, to respond to our moves in the border areas by enlarging their control elsewhere.

But, as the White House planners see it, none of this tactical argument really matters. The domestic risks, in their view, are not great ones, even in the worst circumstances. After an unpopular beginning, the operation in Cambodia showed to Nixon's satisfaction that the war can be reduced in visibility while expanding geographically, so long as U.S. ground units are not involved.

In fact, tactical success is not what these initiatives are all about. Their real significance, in every case, is that they are con-Chinese allies—violent warnings to the Hanoi leadership, and to their Soviet and

They warn, first, of what Nixon is willing to do and feels free to do without consulting Congress or feeling limited by Johnson's precedent. Each one of the measures listed above broke a restraint maintained or eventually imposed by Lyndon Johnson in his campaign to bring "pressures on Hanoi." There were, after all, some good reasons for observing those limitations, and many of those reasons are still plausible. Nixon's actions thus serve all the more forcefully as deliberate signals to his opponents that he will not be bound by earlier constraints.

His actions demonstrate, furthermore, how far Nixon thinks he can go by using the rationale of "protecting the lives of American troops" and the formula of "limited-duration interdiction operations, to permit continuation of the withdrawal of U.S. forces." These terms—Hanoi is meant to notice—could be used just as well for the "limited" ground invasion of North Vietnam to destroy depots and bases above the DMZ that has been mentioned by General Ky. The same language could be used to justify the mining and aerial destruction of the port of Haiphong; or full-scale attacks on the land and water links to China and on "military targets" throughout the North, including Hanoi. All of these could be described as "limited in time and space."



In fact, each one of these moves could be presented as a logical progression in a series of "interdictions" running from south to north, just as the present attacks in Laos "logically" followed the closing of the port of Sihanoukville by the Lon Nol government and the invasion of Cambodia. Each step could be explained as "closing" a remaining door in the channel of war material to North Vietnamese and NLF forces in South Vietnam.

To be sure, none of these steps could reliably close off that necessary trickle of supplies from the North, even if they were all taken together. But Nixon has been told this; again, that is not what such threatened moves are about. They point, rather, toward the program that the U.S. Joint Chiefs of Staff have urged for over six years<sup>6</sup> in the absence of a permanent and "acceptable" settlement by Hanoi: the final destruction of "the will and capability of North Vietnam to wage war." Or to survive.

Not that Nixon hopes or expects this ultimate escalation will be necessary; his threats and commitments make it contingent on North Vietnamese behavior. Hanoi's leadership is left two options for avoiding this punishment. It can, tacitly but permanently, accept things pretty much as they are in the South, without initiating heavy combat, or with no more than can be handily contained by South Vietnamese ground forces with U.S. air support. The war would continue but military action would taper off and U.S. casualties would virtually cease. Or else, bowing to the conclusion that the American people will support a low-level or airpower war indefinitely, and that the American President will meet any attempt to convert it to a high-cost war by burning North Vietnam to the ground, the Hanoi leaders can seek to conclude a formal settlement on U.S. terms.

U.S. officers choose to call the first possibility a "Korean solution"—though it could mean permanent war and permanent U.S. air operations—because it combines a permanent U.S. presence with very low U.S. casualties. The second possibility, which defines Nixon's aim of "winning a just peace," would more truly be a "Korean solution," especially in view of Nixon's conviction that settlement in Korea was based on the threat of massive

<sup>6</sup> See, for example: *PP*, III, 179 (1964); *PP*, IV, 254-56 (1968).

bombings. Faith in either possibility permits Nixon to deny charges that he has chosen a "no-win" strategy.

So Che's prescription, finally, is turned around to Nixon's ends. Not only did the short-range problem of lowering U.S. casualties during a gradual and limited reduction of strength—the problem of "getting through '72"—invite a broadening of the battleground to include the border bases and supply routes in Laos and Cambodia. Far more important, the symbolism of such widening—the dramatic crossing of frontiers in defiance of domestic protest and contrary expectations—was uniquely suited to making credible Nixon's crucial threat: to extend the battleground to all of North Vietnam. From the moment that Sihanouk's oyster cleared the way, it was almost inevitable that the search for a second "Korea" would lead the President to institute a second and a third "Vietnam"—to warn the North he could create a fourth.

In Laos the Administration is showing that it has learned its "lessons from Cambodia." No American rifle units in action, crossing borders or shooting white college students. No promises, no bulletins, no news at all, in fact. No statement on the operation by the President. Instead, on the afternoon of the day the helicopters and amtracs moved across the border, Nixon went before the TV cameras with a brief message on ecology, beginning (according to the White House press release):

In his *Tragedy, Murder in the Cathedral*, T. S. Elliott [sic] wrote, "Clean the air. Clean the sky. Wash the wind." [sic] I have proposed to the Congress a sweeping and comprehensive program to do just that, and more—to end the plunder of America's natural heritage.

No TV or news photos of the invasion were permitted; cameramen were barred from recording what we and our allies were doing to the natural heritage of their neighbors. (The Vietnamese were struck, a *New York Times* account reported, by the lushness of the yet undfoliated jungle they were entering.) Instead viewers were offered pictures of the moon and of the staging areas at Khe Sanh: an uncanny juxtaposition, the war-created moonscapes

near the DMZ compensating for the lack of live coverage of the lunarization of Laos.

What will this new invasion mean to the people of Laos? War is not new to them, nor are foreign soldiers or American bombers; yet they are now feeling the impact of all these in a new and terrible way. As in Cambodia, the first operations are in relatively unpopulated areas; and as in Cambodia, the North Vietnamese forces will most likely fight back in more heavily populated lowlands, where our bombers and armed helicopters will seek them out. Then the refugees will come—many of them from areas where they have lived for years in the vicinity of Pathet Lao or North Vietnamese troops—to the fetid enclosures on the outskirts of towns that are not being bombed, leaving their dead behind them.

"We have learned one thing in Laos and Cambodia," the counsel for the Kennedy Subcommittee points out. "The mere presence of enemy forces does not lead to refugees. Heavy battles do; U.S. bombing does."

As an essential part of Nixon's "winding down the war" for American troops in South Vietnam, American pilots were sent to inflict the war more heavily on Laos and Cambodia. In the fall of 1969, more than six hundred sorties a day were being flown over Laos; some of the heaviest months of bombing in the war occurred in that year, and again in 1970. The number of refugees in Laos had already risen sharply in 1968, after American bombers were shifted in late March from North Vietnamese targets to areas in both northern and southern Laos.

But in the first twelve months of the Nixon Administration, the number of refugees nearly doubled. The official estimate for the end of 1969—certainly a low one—was at least 240,000 (in a population of under three million). In the first eighteen months there were at least 30,000 civilian casualties, including more than 9,000 killed. The number of refugees continued to rise in 1970, by the fall it was almost three times the estimate for February, 1968.<sup>7</sup>

<sup>7</sup> See the Kennedy Subcommittee Staff Report, "Refugee and Civilian War Casualty Problems in Indochina." (Subcommittee to Investigate Problems Connected with Refugees and Escapees of the Committee on the Judiciary, United States Senate, September 28, 1970.) Also see Senator Kennedy's "sanitized" summary of two classified reports on war victims in Laos, released February 7, 1971.

Then in November of last year, U.S. bombing escalated sharply in Laos.

Whatever the impact of recent events on the flight of people within Laos, it is likely soon to be magnified by the effects of operations similar to those in Cambodia, where *well over a million* refugees have been "generated" during the last nine months (in a population of about 6.7 million).<sup>8</sup> There is no available estimate of the number of civilian deaths in Cambodia since last spring's invasion.

How many will die in Laos?

What is Richard Nixon's best estimate of the number of Laotian people—"enemy" and "non-enemy"—that U.S. firepower will kill in the next twelve months?

*He does not have an estimate.* He has not asked Henry Kissinger for one, and Kissinger has not asked the Pentagon; and none of these officials has ever seen an answer to this or any comparable question on the expected impact of war policy on human life, whether in Laos or Cambodia, or North or South Vietnam. And none of them differs in this from his predecessors. (Systems analysts in the bureaucracy make estimates as best they can of factors judged pertinent to policy: "costs" or "benefits," "inputs" or "outputs." The deaths of "noncombatant people" have never been regarded by officials as being relevant to any of these categories.)

Officials would, however, have an answer of some sort if other parts of the government or the press or the public had ever demanded one. Were it not for the Kennedy Subcommittee there would be no overall official calculations of *past* casualties in Vietnam—not even the underestimated figures that have been made available. But as a result of that questioning and the subcommittee's own surveys and analyses, we now know that at least 300,000 civilians have been killed in South Vietnam—mostly by U.S. firepower—between 1965 and 1970, out of at least one million casualties. Of these, the subcommittee's calculations indicate that about 50,000 civilians were killed in Nixon's first year in office, about 35,000 in his second.

<sup>8</sup> By early 1972, the estimate of the Kennedy Subcommittee was two million.

Though reliable figures for Cambodia and Laos are not available—the Administration still makes no attempt to obtain them—the Kennedy Subcommittee staff estimates that civilian war casualties and deaths throughout Indochina were higher in 1970 than in 1969. Moreover, the refugee rate within South Vietnam began to increase in late 1970, and rose to the highest level in two years for the second quarter of 1971.

So the war is not “winding down” for the people of South Vietnam any more than for their neighbors: as would be apparent to the American public if figures on civilian casualties, refugees, defoliation and bombing tonnage were flashed weekly on the evening TV news along with U.S. and “enemy” casualties.

But even the Kennedy Subcommittee has made no effort to calculate deaths and injuries from American bombing in North Vietnam, or to elicit estimates of future victims throughout Indochina. Nor have the press and television. Nor has there been any public demand for this information.

Given this background of two decades of official and public ignorance of and indifference to our impact upon the people of Indochina, one can understand the ease with which the Nixon Administration has sold the slogan: “The war is trending down.” To agree with that proposition—and it is scarcely questioned—is to *define* “the war,” very narrowly indeed, as U.S. ground troops, U.S. casualties, budget costs. It is simply to ignore those aspects of the war that are “trending up”: U.S. air operations and ground fighting outside South Vietnam, and the resulting deaths and casualties we are sponsoring in Laos and Cambodia. It cannot really be said that this narrowed perception is simply a hallucinatory trick played by the Nixon Administration on the public. Americans have always seen the Indochina war this way.

U.S. military officers are sometimes better at perceiving things clearly. “War is killing people,” a Rand physicist was once instructed by General Curtis LeMay, one of history’s “terrible simplifiers.” “When you kill enough people, the other side quits.”

But the new Administration is abandoning the previous crude strategy of ground combat “attrition,” with its bloody-minded calculus of “body counts” and abstruse models of the birth rate

of young “enemy males” to be killed in the future. Most of the victims that the new strategy kills as a result of its “warning demonstrations” have no place in bureaucratic calculations. The same is true of the vast numbers of North Vietnamese people who will be threatened if their leaders, continuing thirty years of armed struggle, decide to fight against a “Korean solution.” The plans for air war designed by General LeMay may then be carried out by the Nixon Administration.

Joseph Alsop, whose column noting the “cool courage” of the President in Laos had been distributed widely by the White House, wrote several days after the Laos invasion: “As of now, Richard M. Nixon is beginning to appear as one of our better war presidents.”

The passage our war President chose to recall to the American people that Monday afternoon of the invasion does not, in fact, have to do with air pollution, or with any ordinary defilement. As my son pointed out to me: it speaks of murder. It is a chorus of horror chanted as murder is being done, in full view, at the wishes of a ruler, for reasons of state.

*Clear the air! Clean the sky! Wash the wind! Take stone  
from stone and wash them.*

*The land is foul, the water is foul, our beasts and ourselves  
seized defiled with blood.*

*A rain of blood has blinded my eyes. . . .*

*How how can I ever return, to the soft quiet seasons?  
Night stay with us, stop sun, hold season, let the day*

*not come, let the spring not come.*

*Can I look again at the day and its common things,  
and see them all smeared with blood, through a*

*curtain of falling blood? . . .*

*In life there is not time to grieve long.*

*But this, this is out of life, this is out of time,*

*An instant eternity of evil and wrong. . . .*

These lines are almost unbearable for an American to read, in the year 1971, after the last six years. If we are ever to return to the soft quiet seasons—and we have not earned an easy passage—

enough Americans must look past options, briefings, pros and cons, to see what is being done in their name, and to refuse to be accomplices. They must recognize, and force the Congress and President to act upon, the *moral* proposition that the U.S. must stop killing people in Indochina: that neither the lives we have lost, nor the lives we have taken, give the U.S. any right to determine by fire and airpower who shall govern or who shall die in Vietnam, Cambodia, or Laos.

## THE RESPONSIBILITY OF OFFICIALS IN A CRIMINAL WAR

This is a somewhat expanded version of a lecture originally delivered at the Community Church, Boston, Massachusetts, on May 23, 1971; footnotes, some reflections, and, of course, all direct references to the Pentagon Papers, have been added. The audience was, as I had expected, considerably older than the college audiences I had been facing; it included, though I had not foreseen this, a number of refugees from Nazi Germany. Partly because I felt it would be my last speech for a while—the disclosure of the Pentagon Papers was expected shortly—I chose to talk about some personal aspects that I had not addressed before.

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... not to have tried to see through the whole apparatus of mystification—was already criminal. At this initial stage my guilt was as grave as, at the end, my work for Hitler. For *being in a position to know and nevertheless shunning knowledge creates direct responsibility for the consequences—from the very beginning.*

... In the final analysis I myself determined the degree of my isolation, the extremity of my evasions, and the extent of my ignorance . . . Whether I knew or did not know, or how much or how little I knew, is totally unimportant when I consider what horrors I