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The Special Forces Eight 10/13/69

It was probably inevitable that at some point the American government would take a second look at the case against the Special Forces Eight and conclude that no good could come from a public trial, even a court-martial proceeding that was heavily censored. The Central Intelligence Agency's dutiful (and wise) decision not to permit its men to testify is a way out for the Army, whose grotesque mismanagement of the case from the beginning is about the only fact not open to serious question. If the President wanted to force the issue, he was at liberty to order testimony from CIA. He did not choose to do so, and now the case has been dismissed, in effect by executive fiat.

But it won't go away, not only because justice has not been done, but because it has been seen not to have been done. A Vietnamese double agent is dead, and six Green Berets were accused of murdering him (the charges against two others were not pressed). Secretary Resor's statement does not lighten the burden of accusation that the six carry, and now presumably forever onward we must wonder if the act was undertaken in a spirit of cold-blooded homicide, or as part of the shadow war in South Vietnam—the war to which we commit our young men with the instruction to win—and don't bother to tell us how.

It is difficult to comment coherently on this case, because so few of the facts are established. From the moment the Green Berets were arrested and confined to the jail at Longbinh, two distinct sets of ethics began to operate. The first has to do with the conduct of the war, and the necessity

to keep parts of it under cover. As the public has been endlessly told, it is a complicated war, whose details go beyond massed battalions shooting at each other from tree lines. On both sides, the line between soldier and civilian is often indistinct. Agents exist, and they must be protected; clandestine maneuvers exist, and they must be protected. They must be protected because they are for the most part useful operations, essential in saving allied lives, and in any case are crucial in the conduct of this particular war. (It may be an excellent argument, in fact, why the United States should never have involved itself in Vietnam. But that's another story.)

The second set of ethics concerns public understanding of the war, and to that extent a trial, even a censored trial, would have been enormously instructive. For the first time, the public would have looked into the dark corners of the war, and been given to understand exactly what is involved when one nation commits itself to help another in a guerrilla war where it is difficult to tell friend from enemy.

How does that balance? It doesn't.

From the standpoint of the national interest, it is well that the trial was cancelled. No good could come of it, and lives are at stake on the ground in South Vietnam, and any revelations that add to the risks cannot be justified. From the standpoint of public understanding of the reality of this war, not to mention the reputations of six men whose interests have been mishandled from the beginning, it is a travesty of justice, and one more indication that dirty tricks are not this country's strong suit.