

# THE WARS IN YOUR FUTURE

A WARNING  
BY  
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FULBRIGHT

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WE ARE OVEREXTENDED in our foreign commitments, especially our military commitments, and in the process of becoming overextended, we have allowed our national executive to acquire almost dictatorial powers in the field of foreign policy.

The United States now has security treaties—bilateral or multilateral—with 43 countries around the world. Every one of these defines conditions under which we would be expected to go to war.

And extensive as they are, the actual terms of these treaties fall far short of being the full scope of our commitments. Like the Great Powers of Europe before 1914, we tend to ignore the qualifications and limitations in the treaties and have interpreted our obligations as if they were absolute and unlimited.

Nothing in the SEATO Treaty, for instance, obligates us to be fighting in Vietnam, which is not even one of the 43 countries to which we have treaty obligations. All that we were ever required to do about South Vietnam was to "consult immediately" with our SEATO allies when we judged that country to be gravely threatened. Nonetheless, we have been told again and again that we were bound by that treaty, as a matter of honor and of law, to go to war in Vietnam.

As a result of this fateful misconception of both our interests and obligations, we allowed ourselves to become bogged down in the Vietnam quagmire with half a million men and at a cost of some \$30 billion a year. So recklessly have we committed our strength and resources to this unwinnable war that we are now scarcely capable of honoring our legally valid and politically warranted commitments to other countries.

We have been practicing a kind of indiscriminate internationalism and have taken it upon ourselves almost single-handedly to preserve order and stability in much of the world. I am not one of those who believes that these vast commitments were taken on out of delusion or the conscious lust for power. The threat, though exaggerated and distorted in some instances, has been real enough in others. But real or not, the effect

of war and the chronic threat of war are carrying us toward despotism.

The test of any foreign commitment is its relevance to the national interest. It is my belief that in several areas of the world, but primarily in Southeast Asia, we have contracted obligations that not only exceed but positively detract from the requirements of American national security.

The heart and core of the case against the seemingly endless war in Vietnam is the proposition—now generally accepted though not yet implemented as policy—that there is no vital security interest of the United States at stake and, accordingly, that the nature of the government of South Vietnam is not a matter of vital interest to the United States but only one of strong preference. The premise on which this outlook is based is that our vital interest with respect to any other country has to do not with its ideology or form of government but with whether and how that country threatens the safety of the United States.

I do not think that any country in Southeast Asia poses—or is remotely capable of posing—a threat to the safety of the United States. Nor is there any basis in fact or logic for the assertion that, but for our war in Vietnam, China would pose a threat to American security. The United States has a near monopoly of sea and air power over the Pacific Ocean, which, combined with our vast nuclear arsenal, provides us with all the security a nation can have in the nuclear age. The contention that the Vietnam war has something to do with our security is, in the words of a former Marine Corps commandant, Gen. David M. Shoup, "pure, unadulterated poppycock."

It follows that the United States has no vital security interest in the preservation of South Vietnam as an independent, non-Communist state. We have, to be sure, a moral obligation to those South Vietnamese whose lives would be jeopardized by an American military withdrawal. But this obligation could be met by any one of a number of means as part of a peace settlement and certainly does not in itself justify the continu-

ing sacrifice of American lives every week. If necessary, indeed, we could simply permit 100,000 or more Vietnamese to immigrate to the United States. We are a nation of immigrants, and every new cultural infusion has enriched our society.

My basic point is that it is not a matter of vital interest to the United States whether South Vietnam is governed by Communists, non-Communists or a coalition; nor is it a matter of vital interest to the United States whether North and South Vietnam are united or divided. Accordingly, Vietnam must be accounted the most tragic, fateful and utterly unnecessary American overcommitment of the post-World War II era, if not indeed of our whole history.

In its Report on the National Commitments Resolution, the Senate Foreign Relations Committee said that the traditional distinction between the treaty as the appropriate means of making significant political commitments and the executive agreement has substantially broken down.

The Committee added that sometimes a sense of binding commitment builds up from a series of executive declarations, no one of which in itself would be thought of as constituting an obligation. Simply by repeating something often enough with regard to our relations with some particular country, we come to suppose that our honor is involved. This is perhaps best described as a process of commitment by accretion. The cases of Thailand and Spain, in addition to the prime example of Vietnam, illustrate how we get involved in foreign commitments:

Under the SEATO Treaty, the United States has two specific obligations to Thailand: under Article IV, Paragraph 1, to "act to meet the common danger in accordance with its constitutional processes" should Thailand be attacked and, under Article IV, Paragraph 2, to "consult immediately" with our SEATO allies should Thailand be threatened by subversion. In fact, however, the presence of 50,000 American troops in Thailand—dispatched there without the consent of Congress—combined with Thailand's involvement in the Viet-

continued



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Military commitments by presidential action set us on dangerous courses abroad

nain war, has created a de facto commitment going far beyond the SEATO Treaty.

In a joint declaration issued by Secretary of State Dean Rusk and Thai Foreign Minister Thanat Koman on March 6, 1962, Mr. Rusk expressed "the firm intention of the United States to aid Thailand, its ally and historic friend, in resisting Communist aggression and subversion." At the SEATO meeting last May, Secretary of State William Rogers reaffirmed the Rusk-Thanat agreement.

Quite obviously, this declaration constitutes a de facto commitment made by executive agreement. In the treaty, there is no automatic obligation to go to war in Southeast Asia, as strongly implied by the Rusk-Thanat-Rogers agreement. All that the treaty obligates us to do is to "consult" with our allies in the event of internal subversion and, in the event of international aggression, to act to meet the "common danger" in accordance with our constitutional processes. The latter clearly requires affirmative action by Congress, since Congress, and Congress alone, has the constitutional power to declare war.

An even more striking instance of military commitment by executive action is provided by our successive agreements with Spain for the maintenance of bases in that country. Here, there was no treaty to build upon; the Executive had to start from scratch. Nonetheless, through a series of executive agreements, and even more through the simple fact of having American forces stationed in Spain, we have been brought to a state of virtual military alliance with the Franco regime.

The process began with an executive agreement. In 1953, the United States acquired base rights in Spain in return for military supplies and equipment. The agreement contained no commitment for the United States to come to the defense of Spain. Then, in 1963, Secretary Rusk and Spanish Foreign Minister Castiella issued a joint declaration asserting that a "threat to either country," and to their joint facilities, would be a matter of "common concern," in response to which each country would "take such action as it may consider appropriate within the framework of its constitutional processes." Except for the specific reference to the bases, this language closely resembles the language used in our formal mutual-defense treaties. And a new bases agreement concluded last June has the effect of extending the Rusk-Castiella agreement.

More significant than any written agreements in committing the United States militarily to the Franco government is the presence of American forces on Spanish soil. This was explicitly acknowledged in a memorandum that Gen. Earle G. Wheeler, acting under instructions from Secretary Rusk, gave to Spanish military

authorities in November, 1968. It asserted: "By the presence of U.S. forces in Spain, the U.S. gives Spain a far more visible and credible security guarantee than any written document." This interpretation of the meaning of the American presence in Spain was disavowed by the Nixon Administration, but since General Wheeler was talking about a commitment arising out of the fact of our military presence, the value of this disavowal is questionable. One can disavow a written agreement; one cannot disavow a fact.

American forces in Spain have engaged in joint military exercises with Spanish forces. In one recent exercise, the "scenario" specified American counterinsurgency support for Spanish forces hard pressed by domestic insurgents. In effect, our forces were rehearsing the support they might provide to the Franco regime in the event of civil war or rebellion in Spain.

In another exercise, conducted last April, Spanish, Portuguese and American naval units conducted joint antisubmarine maneuvers. This joint naval exercise gave the Spaniards at least a toehold in NATO that they have long desired.

In the Foreign Relations Committee's view, as expressed in its Report on the National Commitments Resolution, the making of a military commitment to Spain "by means of an executive agreement, or a military memorandum, has no valid place in our constitutional law, and constitutes a usurpation of the treaty power of the Senate."

We have, to be sure, a check on our President at four-year intervals: We can throw him out. But within his term of office, there is almost no restraint—except his own political discretion—on the President's power to

commit the country to dangerous, and often irreversible, courses of action in foreign policy. It is a demonstrable fact, hardly debatable, that the President of the United States wields foreign-policy powers far exceeding those of executives in many other democratic countries, possibly exceeding even the powers of rulers of some nondemocratic countries, and far exceeding the intent of the framers of the American Constitution.

The "dog of war," which Jefferson thought had been tightly leashed to the legislature, has passed under the virtually exclusive control of the Executive. The President's powers as Commander in Chief, which Hamilton defined as "nothing more than the supreme command and direction of the military and naval forces," are now interpreted as conferring upon the President full power to commit the armed forces to conflict without the consent of Congress.

As a first, tentative step restoring the authority of Congress in the initiation of war and the making of foreign commitments, the Senate recently adopted, by a vote of 70 to 16, the National Commitments Resolution to which I have already referred. Lacking the force of law, this "sense-of-the-Senate" resolution is an expression of judgment—and perhaps a warning—to the Executive that significant foreign military and financial commitments can only be incurred by the Executive with the consent of Congress, it being clearly understood that the President has the right—and the duty—to repel an attack on the United States.

Now, there is no time to lose in solving the immediate problem of American overcommitment abroad. Largely because of the extravagant diversion of our resources—political and moral as well as military and continued



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## Young men should not die to honor obsessions of earlier generations

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economic—from domestic requirements to foreign involvements, the fabric of American society is beginning to come unstuck.

The first, absolutely essential requirement toward reversing the ominous trend in our affairs is an end to the war in Vietnam. We have a good deal of choice about how to end it. The exact terms of peace simply do not matter much from the standpoint of our vital interests, but the earliest possible restoration of peace matters enormously.

It is time to get tough with our Saigon clients, to let them know that we are prepared to accept a genuine compromise with the Vietcong—one which inevitably must give them a part in the government of South Vietnam. We need not force a coalition or anything else upon the Saigon government. We have only to tell them the terms that are acceptable to us, in accordance with our security requirements, and give them the choice of going along with us or of continuing the war on their own.

Beyond withdrawing from Vietnam, the United States must recon-

sider the entire spectrum of its commitments from Spain to Thailand. Unlike Vietnam, there is time for dealing with these matters, using the procedures of both Congress and the appropriate executive agencies to conduct a thorough, deliberate reappraisal of our commitments around the world, weighing in each case our security interests against the risks and resources involved.

In the longer run, we must devise procedures that will enable every generation to reconsider the commitments bequeathed by previous generations. Perhaps, for example, the Senate Foreign Relations Committee could make it a standard practice at least once in every decade to conduct a public review of all of the nation's major foreign commitments. It would be a beneficial experience for everybody if people in the State Department were required to come up to Capitol Hill at periodic intervals to justify NATO and SEATO and the others all over again in terms of altered conditions and security requirements.

We must find ways of keeping in touch with the past without becoming

its prisoner. Young men are dying in Vietnam today because so many of the generation still in power have spent their public careers doing penance for the appeasement of Munich. We must find ways of liberating each new generation from the burden of fighting and dying to honor the commitments—and obsessions—of other, earlier generations.

In the end, restoring balance to our Government and health to our society will require decisions as to the kind of country we want America to be and the kind of role we want it to play in the world. At present, we are committed, or virtually committed, to a policy of unilaterally maintaining what we believe to be a desirable balance of power, even to the extent of participating in other people's civil wars.

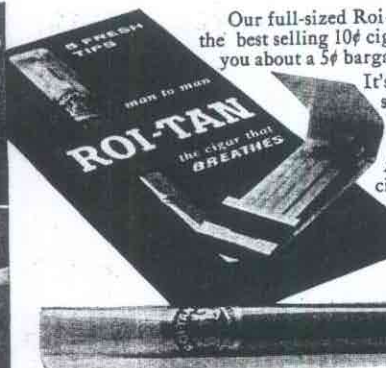
If this is to be our course, if America is to try to do all this alone, then the future can hold nothing for us except endless foreign exertions, chronic warfare, burgeoning expense and the militarization of American life. Our Government would become what it is already a long way toward

becoming, an elective dictatorship.

A wise accommodation to the realities of the 20th century must be one of involvement in the world, to be sure, but of *selective* involvement, selective according to our interests and our resources—by which I mean our moral and intellectual as well as our material resources.

I do not think we have yet chucked away the promise of America, although we are making impressive progress in that direction. I think it is still possible for us to restore the balance between foreign and domestic commitments. Power, it seems, has intoxicated us; it has caused us to mistake ambitions for interests, vanities for responsibilities. But perhaps we can still clear our heads of all this nonsense and learn to use our power with the temperance appropriate to a dangerous intoxicant. Then it should be possible to restore some balance to our judgment, and, with it, to our priorities and commitments. We must decide what kind of a country we want America to be, and that decision will shape our lives and institutions. END

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