

Post 7/1/73 Military-Political Separation Should Be Maintained

I deeply regret that Heiberg totally missed the Constitutional point on which I have centered my criticism of General Haig's status. There is no quarrel with his military background.

The founders of our nation held a variety of classical virtues in great esteem. What they did not desire, however, was for professional military people to hold non-military positions of importance in government service.

Again and again throughout American history, Presidents have forbidden our professional military establishments from engaging in overt political activity and from holding civil offices while retaining military commissions.

As I pointed out in a previous statement on the floor of the House, we have ample precedents on which to base such a stand. A federal Attorney General forbade the victor of Gettysburg, General Meade, from even holding the office of park commissioner of the City of Philadelphia. In 1873, a federal Attorney General ruled that General Sherman could not serve as Secretary of War, even temporarily, without resigning his commission.

General Haig has stated that he will resign on August 1st. That means every day he remains in his present partisan, political post he violates an ex-

isting statute: 10 U.S.C. 973 (b). Meanwhile he is setting the most menacing kind of precedent a democracy can allow; one I believe we dare not tolerate.

Further, General Haig has brought at least two professional military officers with him to Haldeman's office, without public notice and I believe in violation of law, where they have been and are performing or helping him to perform many of Haldeman's function. By what right are these men there? Do they not add to a continued blurring of that line between our professional military establishment and partisan politics?

Until the Senate approves Haig's nomination to the retired list and sends that nomination to the President for signature, and the President signs it, General Haig remains a professional soldier of four star rank. The Comptroller General of the United States has held he is chargeable to the Pentagon budget and is subject to provisions of the Uniform Code of Military Justice. In my eyes, he is still a soldier, and therefore illegal in his present post.

I have no doubt whatsoever that the entire professional military establishment itself, active and retired, must

feel profound unease over Haig's status and actions. Every day he remains in the post further compromises the military and its traditional code of non-involvement in active partisan politics. Such activity strips from our military its traditional immunity from partisan political interference.

Most of all, we must recognize and insist upon enforcement of the rule laid down by the founders of this republic; that American professional military people shall not cross the boundary into political life while wearing the uniform of our armed forces.

The concept of the apolitical soldier has deep roots in our American tradition. The Constitution carefully defines that by making the President Commander-in-Chief and gives Congress alone the right to declare war and appropriate funds for its prosecution. Further, no where in the Constitution is there a provision for any institutionalized channel of communication between the military and their civilian leaders. The President knew this and has only compounded our problems by this appointment.

JOHN E. MOSS,
U.S. Representative (D-Calif.)
Washington.