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# Beret Case Raises Many Issues

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WASHINGTON, Sept. 30—From mysterious start to melodramatic finish, the case of the Green Berets has been a case of "Who's in charge here, anyway?"

Who has charge—and responsibility—for the Army men detached from their service for unmentionable operations of the Central Intelligence Agency? Who is accountable for political and cloak-and-dagger activities by Americans in a nominally sovereign South Vietnam?

Do powerful members of Congress exert more influence than the President's Cabinet over the processes of military justice? Who determines when the C.I.A. acts—or refuses to speak—in the national interest? And who is truly responsible for acts of horror by men engaged in horrible enterprises in a horrible war?

## A Difficult Contention

Those questions hung like barnacles to the case of the Special Forces soldiers charged with the murder of a South Vietnamese agent—with single, double or even triple loyalties. The Army appeared to believe for a time that it could stage a conventional court-martial to determine the "facts" of a single death. But it was forced to retreat because too many men and institutions were unwilling or unable to cope with the larger questions.

From the moment that the Secretary of Army, Stanley R. Resor, dismissed the murder

## Foremost Is Question of Responsibility and of Influence

charges yesterday on the ground that the C.I.A. had refused to supply witnesses for the trial, Washington had difficulty with the White House contention that President Nixon was in no way involved in the matter. Many were surprised, in fact—after all the debates here over "control" of the supersecret agency—that any President would let stand the impression that the C.I.A.'s definition of the national security was not subject to his approval.

Mr. Nixon's spokesman backed away a step today, saying that he had no personal knowledge of the President's involvement. In Washington parlance that is yet another retreat in this case, but it leaves only new questions about the pressures that determined the President's course.

The White House was never enthusiastic about a long and public trial of the case, of the country's cloak-and-dagger operations, of the Army and the C.I.A., and perhaps of the war itself. The intelligence agency did not invite scrutiny. And a great many members of Congress, reflecting significant public sentiment, portrayed the prosecution as merely persecution.

But the Army's senior officers here and in Vietnam seemed determined to press the charges for a variety of

reasons. Secretary Resor argued to the end that the killing was murder rather than just bitter duty. Others in the Army appeared intent on asserting their command responsibilities over the Special Forces, for which a special standing of privilege is often claimed.

The defendants are said to have told their families that Gen. Creighton W. Abrams, the United States commander in Vietnam, resented their less-than-candid accounting to him in this and other cases. And at least one report suggested that the South Vietnamese Government had demanded retribution for the death of a loyal agent.

## Warm Supporters Defect

It may not be clear for some time how much the political pressures counted in the President's calculations. Arrayed against the Army were some of the Pentagon's warmest supporters on other defense issues. On the horizon are student demonstrations and new protests against the war that would have seized upon sordid revelations about the C.I.A. and the Green Berets.

Yet the arguments of the C.I.A. itself probably would have carried the day. Even if it had felt compelled at first to clear up its own complicity and to assist at the trial, it was faced with some of the country's best trial lawyers threatening to make public the most sensitive information.

The impression here, from the Congressional end of town to the Pentagon, was that the national-security argument had resolved the last doubts in the White House.