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Power Without Pity

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PRESIDENT NIXON has sent the bombers over North Vietnam again, but it is hard to see how this air war can go on for long at the present rate.

In the first place, there are not that many legitimate military targets in North Vietnam, and the cost to the United States of the present offensive is also rising steeply, in terms of downed aircraft and lost fliers.

Second, the President no longer has the excuse that this heaviest bombardment of the war is essential to stop an enemy offensive. The White House spokesman, Ronald L. Ziegler, linked the air raids to the threat of another Communist drive but no evidence of this was every produced and the plain fact is that nobody believed him. He has since given up this part of his charade.

Third, the President has mounted this aerial war while the Congress was in Christmas recess, and has never offered a single word of explanation as to why it was necessary or what it was intended to achieve.

The result is that he has left the impression that he is bombing, not as a necessary instrument of war but as a brutal weapon of negotiation, and that he feels free to turn the bombing on or off as he pleases.

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FOR THE last two years, the Senate of the United States has tried to get some control of the President's power to fight the war as he likes, and always it has failed because a majority simply would not withhold funds from a commander in chief in the middle of a battle; but the situation is different now.

He is not in the middle of a battle but in the middle of a negotiation and is insisting on using the same weapons of war to compel the enemy to accept terms that have never even been made clear to the American people.

Also, the excuse given by Dr. Henry Kissinger is that the war is going on because the Communists changed the truce terms, though the impression he left with French officials and others in Paris was that Saigon caused the impasse by insisting on sovereignty over all of South Vietnam, including territory the U.S. was willing to leave in the hands of the North Vietnamese.

Ever since October of 1970, the U.S. has said it was prepared to arrange a cease-fire-in-place, without demanding that the North Vietnamese withdraw their troops from the South. The military and political aspects of the truce were to be separated: there would be a military cease-fire, the return of U.S. prisoners, and later on negotiation between the Vietnamese themselves about the political future of Vietnam.

But now the U.S. is deeply involved in the political future of the country and is complaining that the North Vietnamese want to "intervene" in the affairs of South Vietnam. What did Mr. Nixon and Kissinger think the North Vietnamese would be doing with troops in South Vietnam when they agreed to leave them there in the first place?

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THIS TANGLE over who ruined the peace at hand, however, is not the immediate question. Nobody had signed anything, and everybody probably had second thoughts when it came to the point of decision. The interesting thing is how the President reacted to all this, using power without pity, and without consultation and without any personal explanation.

If this is how Mr. Nixon interprets the mandate of his election, we had better know it now, for even in the long and shameful record of the Vietnam war we have never seen such power used with so little provocation. This is war by tantrum, and it is worse than the Cambodian and Laotian invasions, for Mr. Nixon had at least a strategic purpose in those offensives, and back then he explained what he thought he was doing.

Now, Ziegler merely says "We are not going to allow the peace talks to be used as a cover for another offensive." If there's not an offensive, he merely suggests there might be one. If you're going to bomb North Vietnam, of course you have to blame North Vietnam for wrecking the talks, and if you're asked about South Vietnam's part in the wreck, you can't discuss "questions of substance."

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MAYBE NONE of this is surprising. The war has corrupted everything else, and is now corrupting the American Democratic process, not for the first time. The trouble is that this sort of thing is bound to produce an ugly confrontation with the Congress when the members come back early in the new year, if there is not a lull in the bombing and a return to the negotiating table by that time.

Violence of this intensity for such ambiguous reasons cannot help but produce trouble on Capitol Hill, if not a constitutional crisis, and even more violence in the streets. This was not what Mr. Nixon had planned for the beginning of his second term, but he has treated the Congress and the people with contempt and even made a mockery of the Christmas spirit in the process.

N.Y. Times Service

Herb Caen is on vacation