

The War: The Record and the U.S.

By W. W. ROSTOW

AUSTIN, Tex.—Mr. Reston's column of June 13, 1971, says this:

"One of the many extraordinary things in this collection is how seldom anybody in the Kennedy or Johnson Administrations ever seems to have questioned the moral basis of the American war effort." He mentions me among others who "concentrated on pragmatic questions . . . rather than whether they were justifiable for a great nation fighting for what it proclaimed were moral purposes."

Mr. Reston is quite wrong. The moral and other bases for the position I held—and hold—on American policy in Asia are set out in "The Prospects for Communist China" (1954); "An American Policy in Asia" (1955); "The United States in the World Arena" (1960); as well as in a good many other pieces, including a talk at Fort Bragg in June 1961 and a number of memoranda written as a public servant which have, somehow, not yet found their way into *The New York Times*. My colleagues can speak for themselves, but I am sure their views were as deeply rooted as mine.

I raise the matter now not in personal defense, for I feel no need for that. I do so because the relation of morality to the national interest has been a peculiarly different problem for Americans (as George Kennan, for example, has lucidly pointed out) and because the question is dangerously bedeviled in current discussions of foreign policy. For reasons that reach back to our birth as a nation, out of the ideas of the Enlightenment, we have tended to oscillate between high-flown moralism and a highly pragmatic pursuit of conventional national interests.

There are moral issues involved in supporting the pursuit of the national interest—ours or anyone else's. And they are not simple.

First, and above all, is the question

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of pacifism. For any reasonably sensitive human being the rejection of pacifism does not come easy. War is ugly and sinful. But pacifism requires an acceptance of all the consequences of never fighting. And this most Americans, including myself, cannot do. That means, however, that all national policy—like the human condition itself—is morally flawed because it envisages war as an ultimate sanction and contingency.

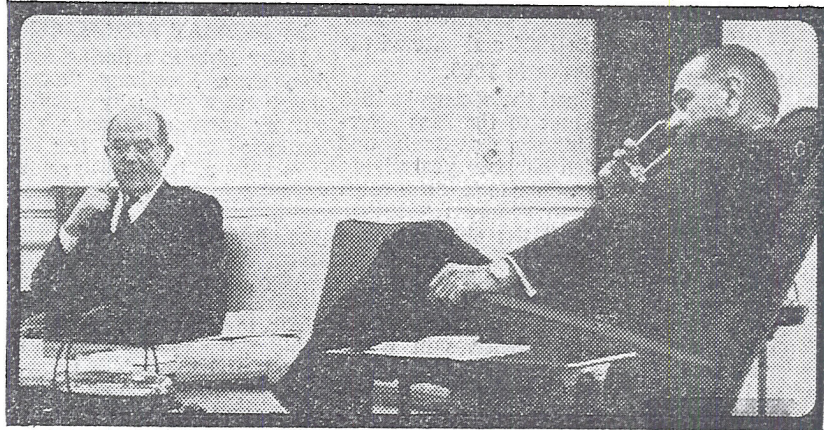
Second is the question of whether the defense of American interests runs with or against the interests of those most directly affected. In Asia this has meant, for example, answering the questions: Did the South Koreans in 1950 and the South Vietnamese in 1961 and in 1965 want to fight for an independent destiny or did they prefer

to go with the Communist leadership in Pyongyang and Hanoi? (I can attest that it was this question President Kennedy felt he had to answer above any other before making his critical commitments to South Vietnam in November-December 1961.)

Third is the tactical moral question of conducting war, if it comes, so as to minimize damage to civilian lives. The history of war suggests this is never easy nor wholly successful; but it is clearly a part of the problem and a legitimate claim on the nation and its armed forces.

Fourth is the broad question of whether the raw power interests of the nation, in general, are decent and morally defensible in at least relative terms. I have for long taken the power interest of the United States to be negative: to prevent the dominance

1966: Secretary Rusk and L.B.J. at White House



of Europe or Asia by a single potentially hostile power; and to prevent the emplacement of a major power in this hemisphere. These objectives demonstrably accord with the interests of the majority of the peoples and nations of Europe, Asia and Latin America. We could not have conducted our post-1940 foreign policy if this were not so. This convergence of our interests with theirs is reflected in treaties and other agreements which have been approved in accordance with our constitutional arrangements and those of other nations. In the world as it is, I find our power interests, as I would define them, to be morally legitimate.

Fifth is the moral question of the nation's word, once given. For a great nation to make the commitments we have to Southeast Asia involves a moral commitment to stay with them. I believe it immoral to walk away from our treaty commitments, which other nations and human beings have taken as the foundations for their lives in the most literal sense.

I do not detect any thoughtful weighing of these inherently complex moral considerations in Mr. Reston's casual *obiter dicta*. What I do detect is a slipping into *realpolitik* in the next column. What he implies is that, for reasons he does not explain, the fate of South Vietnam ceased at some point to relate to the fate of Southeast Asia as a whole. Mr. Reston appears to have unilaterally repealed the domino theory. As late as 1969, when I last toured Asia, there was great and widespread anxiety from Tokyo to Djakarta about the consequences of premature American withdrawal from the area. And I would guess that anxiety is at least as high today. This is not a moral but a factual question and a matter for judgment on the basis of evidence. We ought to be able to discuss it in a mature and dispassionate way.

In many years of debate about Southeast Asia, I have studied with care and sympathy the views of those who arrived at judgments different from mine. The issues at stake are such that, as Mr. Rusk used to say, they ought to be approached on our knees. My most profound objection to those who would withdraw our commitment to the defense of the area is the sanctimony with which they sometimes clothe their positions.

It is time for all of us to recall these words of Dean Acheson: "On one thing only I feel a measure of assurance—on the rightness of contempt for sanctimonious self-righteousness which, joined with a sly worldliness, beclouds the dangers and opportunities of our time with an unctuous film. For this is the ultimate sin."

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By ROGER FISHER

CAMBRIDGE, Mass.—The publication by The New York Times of the secret documents about U.S. Government decisions on the Vietnam War provides fuel for two great debates: one over what the United States did in the 1960's, and the other over what The Times did this June. Let me enter into that second debate.

The temptation for The Times—and for its counsel—is to advance every argument, and to insist not only that The Times acted wisely and in the national interest, but also that its action was legal.

Its self-congratulatory editorials already suggest the dangers of sitting as judge in one's own case. The wisest and most honorable course would appear to be for The Times and its officers to recognize that they broke a valid law, that they engaged in a form of civil disobedience and that if necessary they will accept punishment although they may believe none is deserved.

Before looking at what The Times ought to do, let's look at what the law ought to be.

First, there is no doubt but that the Government should be able to classify as Secret or Top Secret documents involved in the confidential planning of high military and political strategy.

Second, there should be no different rule for the one who knowingly receives and passes on Government secrets than there is for the one who first takes them.

Third, documents once classified as confidential should not automatically lose their confidential character after two or three or even after ten years.

There are strong reasons for keeping internal documents confidential for a long time. To publish verbatim lengthy texts that have been transmitted in code by radio risks disclosing something about our cryptographic techniques. Disclosure may also involve adverse effects on people still in office, or upon policies still being pursued.

The Times itself recognizes the importance of continuing confidentially in its own operations. It insists on preserving the confidentiality of its sources of news. It does not disclose the positions which its officers took in reaching important decisions (such as publishing the Vietnam papers).

Fourth, the decision to declassify and release documents should be made by the Government, not by each employe or reporter. The Times would not tolerate a system in which any member of its staff could overrule an institutional decision to keep something confidential and leak it to other newspapers "in the national interest."

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Fifth, the only exception to the legal power of the Government to classify and preserve the secrecy of internal documents should be when it acts capriciously, arbitrarily, or without a reasonable basis for its judgment.

I submit that it is to the interest of the country (including The Times) to have the law be as suggested above, and that The Times should not try to have the statute or the Constitution interpreted to the contrary.

Positions which The Times might properly assert, I believe, would include the following:

- In view of the overwhelming importance of this material and the comparatively modest adverse impact which publication would have, the executive branch should have declassified it.

- For the same reasons, the Congress now should adopt a law providing for full publication of this material.

- Because of the importance of the freedom of the press from prior restraint, the Constitution should be interpreted as precluding an injunction against publication of this material, even if it be a crime to publish it.

- The Times' decision to publish was based not on a lawyer's decision that

it was legal to do so but rather on a policy decision that the national interest required it.

- The Times believes that the Government ought to exercise its discretion not to prosecute, because of the national interest served by the publication and the motives involved.

- If prosecuted criminally for publication, The Times will admit to a violation of a valid statute—at least a technical violation—and will urge that no

more than a nominal fine at most is justified.

The Times, in trying to further the national interest, should recognize not only the legitimate interests in disclosure, but the legitimate interests in rules of law which protect confidentiality in government.

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