

Jackson's Latest Scoop

By James Reston

WASHINGTON, April 8—"I have been reliably informed," Senator Henry M. Jackson of the State of Washington told the Senate of the United States, "that there exist between the Governments of the United States and South Vietnam secret agreements which envision fateful American decisions whose very existence has never been acknowledged."

Coming from the man who now leads the Gallup Poll for the Democratic Presidential nomination in 1976, this amounts to a charge of treachery and raises serious questions not only about the good faith of President Ford and Secretary of State Kissinger but of the responsibility of the Senator.

The Administration has always said it had a "moral obligation" to help South Vietnam after the U.S. troops were withdrawn. Also, President Nixon said in April of 1973, "We shall insist that North Vietnam comply with the [cease-fire] agreement. . . . "It is also true that, in trying to persuade President Thieu to accept the Paris agreements, President Nixon sent several letters to Thieu indicating continued support—all of which the Administration has admitted—but this was a moral obligation, freely and publicly admitted by the Administration, and not a legal "secret agreement" as charged by Mr. Jackson.

Even if he had produced evidence to support the charge, Senator Jackson's timing would have been astonishing. In fact, it is hard to imagine how anybody could make the nation's present divisions over the Vietnamese tragedy worse than they really are, but Senator Jackson has managed to do it.

If his charges are right, he has merely been careless and insensitive, and if wrong, he has been irresponsible. He has the authority as one of the most powerful men in the Senate to take his information to the majority leader and compel the Secretary of State to testify in private on the facts in the case.

Then, if his information proved that the Secretary of State has not told the truth in his repeated denials that no secret agreements were made, he has every right to expose the deception and even to call for the resignation of Mr. Kissinger.

It is easy to understand why Senator Jackson and other legislators would resent recent intimations by the President and Mr. Kissinger that the Congress, in refusing to vote more hundreds of millions for military aid to Saigon, was somehow renegeing on what Mr. Jackson calls "obligations" and "commitments" to the South Vietnamese Government. For as Senator Jackson properly says in his statement, "Congress is being accused of violating commitments and obligations it never heard of."

But almost always in the negotia-

tions ending a war there are vague intimations that the withdrawing nation will do what it can to help in the future. This, however, is quite different from a binding commitment or a legal "secret agreement."

The Paris agreements on the Vietnam war permitted the United States and North Vietnam to replace weapons on a one-to-one basis, but nobody, including Senator Jackson, has produced any evidence that the United States went any further and "committed" itself to such replacement or entered into a "secret agreement" to do so. (If there were such a "commitment," Washington would now be obliged to replace almost a billion

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dollars worth of war matériel abandoned by South Vietnam without a fight in the last few weeks.)

It is odd, besides, that Mr. Jackson would use the term "secret agreement." He is one of the most knowledgeable Senators on the floor, and in Dorothy Fosdick, the professional staff director of his subcommittee on investigations, and Richard N. Perle, a professional staff member, he has two of the most experienced aides in the Senate.

They know, probably better than almost anybody on the Hill, that "secret agreements" have a special meaning and have been the source of violent controversy ever since President Woodrow Wilson called at the end of the First World War for "open covenants" without "secret agreements."

At that time, with Senator Lodge badgering Wilson as Jackson is now badgering Kissinger, Wilson sent Colonel Edward House to world leaders to explain what he meant by open covenants, and the definition is still good today: The purpose is clearly to prohibit treaties, sections of treaties or undertakings that are secret. The phrase "openly arrived at" need not cause difficulty. In fact, the President explained to the Senate last winter that his intention was not to exclude confidential diplomatic negotiations involving delicate matters, but to insist that nothing which occurs in the course of such confidential negotiations shall be binding unless it appears in the final covenant made public to the world.

Yet Mr. Jackson has chosen to envenom the debate without, according to Mr. Kissinger, ever asking to discuss the matter. Miss Fosdick denies this latter point.

The result is that, while the Administration, Senator Mansfield and other leaders of the Democratic party are trying to cool the debate and reunite the country, Senator Jackson has added to the confusion and once more raised questions about his timing, his judgment and even his fitness for the Presidency.