

see NYTimes (filed Indochina)

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Nixon now must face the moral realities

NEW YORK — For millions of Americans, the Calley verdict has raised terrible questions about the responsibility for things that have happened in Indochina in the last six years. It is right and inevitable that we examine that record of the past. But it is more urgent that we face one simple fact about the present: In this year, 1971, more civilians are being killed and wounded in the three countries of Indochina, and more made refugees, than at any time in history. Most of those casualties are caused, and people made refugees, by American and allied military activity.

That is the estimate of the experts on Edward Kennedy's Senate subcommittee on refugees, whose figures on the civilian toll of the war are recognized as the best available. In other words, as Americans are told by their government that the war is winding down, the number of Vietnamese, Cambodians and Laotians being killed and maimed and made homeless is at a record high.

The realities behind that fact can be illustrated in a number of ways.

In South Vietnam alone last year, the subcommittee estimates, the number of civilians killed averaged more than 500 a week. That was six times the American war deaths.

In the last three months of 1970, 150,000 people in South Vietnam became refugees. On the very day that Calley was sentenced for the massacre at My Lai, South Vietnamese troops began a sweep of the My Lai area that officials believed could drive 16,000 villagers there from their homes.

In Cambodia, a check last August showed one million refugees—in a country of six million people. The figure is undoubtedly higher now, after more American bombing. Cambodia used to live with political compromises that were awkward but at least did avoid the real ravages of war. The refugees and

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civilian casualties have come in the last year.

In Laos, with a population of only three million, 292,000 are officially on the books as refugees. And again the experts say that American bombing is the principal cause. People do not usually leave their homes merely because of the presence of Viet Cong or North Vietnamese troops in the area.

In the past, American politicians and generals who ordered saturation bombings and free-fire zones and the burning of villages and defoliation undoubtedly told themselves that such actions served a legitimate purpose—an earlier end to the war. For that reason, among others, it must be difficult to define "war crimes" in Indochina.

But that reason is no longer easy to argue. Can it really be said that killing and wounding civilians and driving them from their homes on such a scale serves any legitimate political purpose?

The United States is supposed to be withdrawing from Indochina. But as the ground troops leave, bombing and air support activities spread. The political aim is to maintain the present Saigon government in office. But can that end justify the use of military means that are necessarily indiscriminate, as the cruel figures of civilian casualties show?

That is a question that every American official connected with the war, and every high-ranking military officer, will have to begin asking himself. Whatever the law may be, whatever the doctrine of Nuremberg or the Yamashita case, does he as an individual want to share moral responsibility now for a war poli-

cy that holds human life, civilian life, so cheap?

The curious thing is that the cost of the war to the actual residents of Indochina hardly ever figures in official speeches. President Nixon, in his major talks on the war since Nov. 3, 1969, has spoken about American casualties and the defense of an independent South Vietnam and the danger of the United States being seen as a pitiful helpless giant. He has not mentioned the human cost of the war to the people of Indochina — the continuing cost of a continuing war.

It seems unlikely that the President can go on much longer showing little or no sensitivity to that human cost. Three weeks ago, from abroad, I wrote that I thought Nixon was wrong if he believed Americans felt no moral concern for death and disintegration among the Indochinese people. After traveling in this country I am even more convinced that there is such concern.

Americans are not only worried about American casualties in Vietnam. More and more of them want to stop the killing all over Indochina. More and more of them feel a national responsibility for terrible things that have happened and are still happening in Indochina, and they want those things to end. That is why, even before the Calley verdict, there was evidence of developing concern about war crimes.

All this must have a serious impact on President Nixon's political options as he considers what to tell this country about our course in Indochina. He has to deal now not only with a new awareness of military realities after Laos but a new American awareness of the moral realities in Indochina.

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