

The Military and Morality

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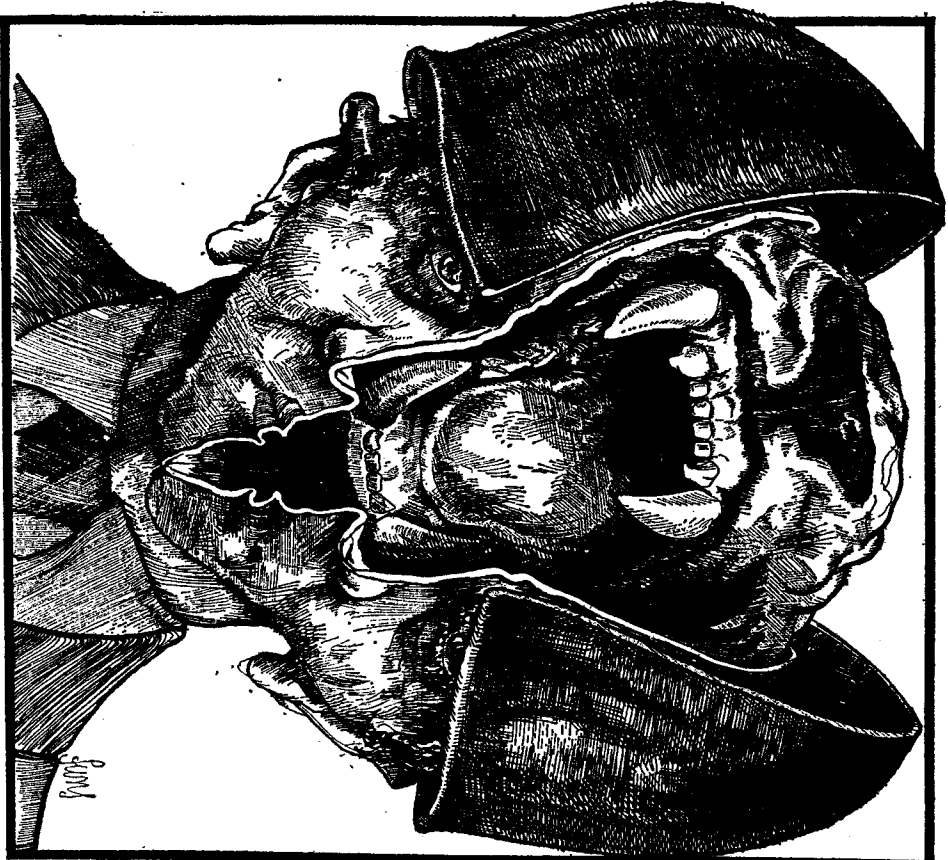
By ERNEST VAN DEN HAAG

Presidents Johnson and Kennedy sent half a million soldiers to Vietnam. President Nixon is bringing home 14,000 a month (230,000 are left now). Meanwhile, some erstwhile Kennedy-Johnson supporters want to impeach Mr. Nixon. Our soldiers are accused not only of waging an unjust war but also of "war crimes" and our commanders of ordering or condoning them. While the enemy has repudiated them, we have recognized the "laws and customs of war" as binding. They do not avoid the horrors of war, but they do restrict the evil they cannot eliminate. Have we violated them?

500,000 Americans would commit robberies, rapes and murders as civilians. (The draft-age group' commits more violent crimes than any other age group.) Crime-disposed Americans sent to Vietnam will commit there the crimes they would have committed here. Some pro and some antiwar fanatics argue that wars make soldiers indiscriminately violent — therefore they should never be punished. Nonsense. As do policemen, soldiers learn that violence when required is a duty against enemies (or criminals), but otherwise a crime.

The Vietcong have repudiated the Geneva Convention which requires guerrillas to bear "fixed distinctive signs recognizable at a distance" and to "carry their arms openly." By mingling with peaceful peasants (too terrified to oppose them) and hiding their combatant status, the Vietcong deliberately make it impossible for our soldiers to tell them apart. This tactic has sacrificed many peasants killed in error, and also provoked war crimes (often committed in blind anger or in panic), injuries inflicted neither in putative self-defense, nor to destroy military objectives.

Worse crimes were committed. The trials of Lieutenant Calley, or of the soldiers who abducted, raped and murdered a peasant girl, demonstrate that these men were not motivated by even a delusion of military necessity. Such



Fons van Woerkum

crimes, described by Daniel Lang in "Casualties of War," are not "limited to Americans . . . the V.C. committed these crimes so indiscriminately that the victims were sometimes their own sympathizers . . . American troops . . . found pits piled high with Vietnamese . . . machine-gunned by the Vietcong." The V.C. do not try their war criminals.

We do. But too infrequently and softly. We should try suspects right in Vietnam, and hang convicted murderers on the scene of their crimes.

Yet, are the military authorities more lax than civilians? Do they hush up more crimes? Only 3 per cent of all crimes committed in the United States are ever punished. Why should we expect the military to do better? The very persons who lament the laxity of the military fervently advocate more laxity with criminals out of uniform. And didn't Harry Truman declare Alger Hiss a "red herring" — to protect the image of the Democratic Administration? Institutions, the Welfare Department no less than the

Defense Department, hide whatever impairs their image. Why pretend that the military is to blame, if our society is lax in punishing soldiers, or civilians, who commit crimes? I blame the very liberal politicians and professors who refuse to realize that the contempt for law and order, indeed for any rule, or discipline, which they have spread in civilian life necessarily affects military life too. Not just in Vietnam, but here too crimes are not prosecuted and suspects are protected more than the victims of crime are.

What about "free-fire zones" ordered directly by the command? And, don't we kill children when bombing a village where we think V.C. are hiding?

We do. So does the enemy when lobbing rockets into cities. The laws of warfare entitle combatants to bomb what they plausibly regard as military targets, even though noncombatants suffer. Both sides have done so. "Free-fire zones" are areas from which the civilian population has fled or has been evacuated to avoid danger. There American air strikes can be called in, without case-by-case permission of the South Vietnamese province chief. These zones are legally, militarily and humanly justifiable. (They have been overextended; but no new such zones are being established.)

It is obscenely unfair to accuse soldiers who did their duty of crimes—because accusers insist that since "society" is to blame those guilty of crimes cannot be separated from the innocent, let alone punished. Guilt by association remains calumny even when used against the military. Let us work for the control of crime everywhere, even if opposed by zealots who prefer to condemn America as a whole. Those who insist that our society is worse than others of its size must find one that is better. I haven't.

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