

Letters to the Editor

Our Involvement in Vietnam

To the Editor:

It is regrettable that so distinguished a scholar as Eugene Rostow should do disservice to a cause he has well served in public life. I refer to his contentions (letter Nov. 15) concerning the rights and obligations of the United States under regional collective security arrangements, in general and the South East Asia Treaty in particular. The terms and the legislative history of that treaty make clear the limits of the undertaking and neither required nor justified U.S. military intervention in Southeast Asia.

The operative clause of commitment in the treaty provides that, in the event of aggression by means of armed attack in the treaty area, each signatory would "act to meet the common danger in accordance with its constitutional processes."

In presenting the treaty to the Senate for consent to ratification, Secretary of State John Foster Dulles assured the Foreign Relations Committee that "we do not intend to dedicate any major elements of the United States military establishment to form an army of defense in this area. . . ."

In reliance upon such assurance, together with an explicit executive undertaking to request Congressional consent prior to commitment of forces, the Senate committee dropped consideration of a pending reservation to the treaty. This would have explicitly prohibited the use of U.S. ground, naval or air forces in any defense action in the treaty area unless the Congress, by a declaration of war, consented to their use. Notwithstanding the assurance thus given to Congress, almost 25,000 ground, air and naval forces were subsequently committed to the area by President Kennedy, in the absence of any overriding emergency and without recourse to the Congress.

The Tonkin Gulf Resolution, cited by Professor Rostow, rested on the faulty premise that the United States was acting "in accordance with its

obligations under the Southeast Asia Collective Defense Treaty." But the treaty, as has been pointed out, did not contemplate armed intervention on the part of the United States and, indeed, ruled out such intervention without prior Congressional sanction, which had been neither sought nor granted. The massive U.S. force build-up in the area quickly followed, with President Johnson brandishing the Tonkin Gulf Resolution as the "functional equivalent of a declaration of war."

Whatever else may be said of the merits of the Tonkin Gulf Resolution and the dubious version of events then placed before the Congress to support the resolution, it was at best a most unsatisfactory form of the "constitutional processes" called for by the South East Asia Treaty.

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