

'No Intent to Deceive'

By Anthony Lewis

LONDON, July 22—When is a lie not a lie? When it deceives only 99.9 per cent of those who hear it.

That is the moral doctrine of Gen. George S. Brown, the new Chief of Staff of the United States Air Force. He propounded it the other day in commenting on the disclosure that Air Force officers had systematically falsified reports in order to conceal the secret American bombing of Cambodia.

By all indications General Brown was serious. He probably reflects the legal and moral attitudes of a number of military leaders. It would therefore be a mistake to let his statement pass without close attention.

Between March, 1969, and April, 1970, the Air Force made 3,630 bombing sorties on Cambodia, a country whose neutrality the United States officially respected. The bombing was done without announcement and without the approval of Congress. And now it emerges that even the classified military records were falsified.

A former Air Force officer testified that he and others had made detailed false reports of raids in South Vietnam—raids that were not made—and had burned the real records of attacks in Cambodia. A supposedly complete bombing record supplied to the Senate Armed Services Committee by the Pentagon only last month still omitted these Cambodia raids.

General Brown, in a letter to the committee, did not dispute the testimony. He just said, in effect, that the lies did not matter because those who ordered and planned the raids would not have been deceived. He put it:

"I do not believe it is correct to characterize reports under special security precautions directed by higher authority as 'false' so long as the reports met in every detail the requirements imposed. They were not intended to deceive those with a security 'need-to-know.' . . .

"I feel sure that the special security reporting conducted at unit level was designed to provide for maximum security, not to mislead those who had a need to receive accurate information."

Translation of General Brown's Newspeak is easy. "Special security reporting" means lying. "Those who had a need to receive accurate information" means the chain of military command, presumably up to the President. Congress and the public had no "need to know" and hence

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were not entitled to the truth. Lies do not count when told to them.

General Brown added that the false reports had not violated the Uniform Code of Military Justice. That requires proof of "intent to deceive," he said, and there was none here.

These theories got no support from Melvin R. Laird, the former Secretary of Defense now in the White House, or Henry Kissinger, who termed the falsification of records "deplorable." But the present Secretary of Defense, James R. Schlesinger, described the practice in officialese as a species of "special security precautions." And his spokesman defended it as mere double-entry bookkeeping.

Is General Brown's moral and constitutional doctrine what they teach at the Air Force Academy? Is it the official policy of the Secretary of Defense that one legitimate security device shall be calculated falsifying of the military reporting system?

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If so, it is quite clear what the cadets in American military academies and the officers and men in the services are going to understand as the basis of their careers: Truth and your oath to the Constitution are outdated notions; you owe no respect to the American public or its legislative representatives; you may lie in the performance of your duties without fear of retribution or conscience, by relying on the "legal" excuse that your superiors knew you were lying.

What is so sad is that the Pentagon reaction to the Cambodian bombing disclosures was all so unnecessary. Just a little candor and sense of proportion would have enabled a Chief of Staff or a Secretary of Defense to say something like this:

"The testimony about falsifying of bombing records is correct. These measures were undertaken in 1969-70 in good faith, in connection with highly sensitive military missions. But it is recognized now that falsification of the military records system is not an appropriate security measure. The department also regrets the supplying of inaccurate information to Congress."

Why is it that we do not get such simple — and effective — admissions of error? Doubtless the most important reason is that we look to the President of the United States for moral example. And we have a President now who sets an example of defensiveness, obsession with secrecy, and indifference to law.