

The Lavelle Case

The initiative of a young Air Force officer compels the Pentagon—and should impel Congress—to take a harder and deeper look at the case of Gen. John D. Lavelle, who ordered unauthorized raids against North Vietnam and reported them as “protective reaction” missions.

Acting only after an enlisted man had reported the deception to a member of Congress, the Air Force has chastised the general by relieving him of his four-star command over United States air units in Indochina and by withdrawing one star, an unprecedented demotion. However, the force of this reprimand was undercut by a decision to let him retire on the pay of a full general—some \$2,250 a month.

First Lieut. Delbert R. Terrill Jr., a 1970 graduate of the Air Force Academy, believes—with good warrant—that this punishment does not fit the crime. He has exercised his right under military law to file court-martial charges against the retired general for willfully disobeying a lawful order and falsifying official documents, criminal actions that, if proved, could entail penalties of up to six years in jail.

“What kind of discipline can be maintained in a military system in which commanders are relieved and retired while others for like offenses are court-martialed and given dishonorable discharges?” the young lieutenant asks. His point is well taken.

There is ample evidence from this case and such others as the Mylai massacre that soldiers in the field—or in the air—take their cue from their superiors. Commanding officers at the highest level have a special obligation to observe scrupulously in their own conduct the same unwavering discipline they demand of their men.

The question for the Pentagon and Congress is whether the problem in this case ends with General Lavelle. Even though he told a House committee, “I’m the commander and the buck stops here,” General Lavelle intimated that higher officials had been aware of what he was doing. In the light of this possibility, Lieutenant Terrill has called on Secretary of Defense Laird to convene a court of inquiry “concerning the propriety of the conduct” of four of General Lavelle’s superiors—Gen. John D. Ryan, Air Force Chief of Staff; Gen. Creighton W. Abrams, the newly designated Army Chief of Staff; Adm. John S. McCain, chief of the Pacific command, and Adm. Thomas H. Moorer, chairman of the Joint Chiefs of Staff. Without such a review, there could be lingering suspicion that General Lavelle, like Lieutenant Calley in the Mylai affair, was being held solely accountable for a fault more widely shared.

The disturbing questions of command and control raised by the Lavelle case and other Indochina incidents also require scrutiny in Congress as part of its constitutional duty “to make rules for the government and regulation of the land and naval forces.” The possible role of General Abrams will certainly be a proper subject for explanation when Congress considers his nomination to become Army Chief of Staff.