

Out, But Not Out

The expected return today of the last American combat troops and prisoners from Vietnam should be an occasion for universal relief and rejoicing, marking the end of the long and anguished United States intervention in Indochina. To most Americans it is inconceivable that this country would again become militarily involved in a regime so remote from any vital national strategic interest.

And yet intervention persists. United States military aircraft based in Thailand continue to devastate the countryside of Cambodia in support of a shaky military regime. The White House says this bombing will continue until Communist forces in Cambodia stop their military operations and agree to a cease-fire, which at the moment appears to be an extremely remote possibility.

Any further American military action in Cambodia after the completion of disengagement from Vietnam would raise the most serious constitutional questions. Following repeal of the Tonkin Gulf Resolution, President Nixon's sole justification for operations in Indochina has been his alleged powers as President and Commander in Chief "to protect American forces when they are engaged in military actions." Even this dubious claim evaporates with the departure of the last United States combat soldier from Vietnam.

So far neither the Defense nor the State Department has been able to come up with a substitute justification for what is going on in Cambodia although a State Department official reportedly told Congressional aides that his department had two lawyers working on the problem. White House Press Secretary Ronald Ziegler has lamely explained that the heavy daily bombings are being conducted because "the Cambodian Government has asked for our air support."

That is a doctrine for Presidential intervention in foreign conflicts that must not be allowed to stand unchallenged. It would mean, in effect, an assumption of Presidential authority to invoke the devastating power of American air forces wherever and whenever a government which enjoyed White House sympathy was in trouble.

Failure of Congress to assert its own constitutional prerogatives promptly and forcefully could result in continuing unauthorized bombing in Cambodia and would establish a perilous precedent for future Presidential intervention in trouble spots around the world, not excluding an already threatened resumption of American hostilities in Vietnam.