

### Justice for Col. Herbert

To the Editor:

I am sure that anyone who read your Sept. 5 editorial and the concurrent article in The New York Times Magazine regarding the ordeal of Lieut. Col. Anthony Herbert did so with a mounting feeling of outrage.

The implications of the alleged acts coupled with the treatment afforded Colonel Herbert are not simply terrifying; they are horrifying. They suggest that committing atrocities for whatever reason is sanctioned by high United States commanders and that those who object do so at the peril of their careers in the service of the United States . . . or worse. Could not such acts, then reflect U.S. policy?

To dispel this unimaginable imputation, I agree with your editorial that the issue must be determined at the highest levels. But I would go beyond the defense establishment. The Commander in Chief should intervene in this case to insure that a truly impartial determination of the facts is made and that justice will be served. There is precedent for his intervention. The President personally involved himself in the case of Calley when he indicated that he would take a part in the ultimate review of the lieutenant's conviction for his part in the Mylai atrocity.

THOMAS A. BUCKNER  
Bronx, Sept. 6, 1971

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