

The Canal and Watergate

The pace of Latin American diplomatic history quickened in February as the foreign ministers of the hemisphere prepared to meet with Henry Kissinger in Mexico City. And yet it was hard to take very seriously the feverish Latin caucussing and agenda juggling beforehand, for in reality there was to be but one agenda item: Dr. Kissinger.

Extraordinary Latin interest had developed in anticipating just what the Secretary would do in preparation for his first hemispheric exposure, whether he would first go to Cuba, try to resuscitate the Alliance for Progress, or possibly extract major Latin trade concessions from the White House. His tactic proved very simple; he spent part of a day in Panama.

It soon became apparent that Dr. Kissinger, in one of his faster commutes, had scored a neat diplomatic double. By officially abandoning a 70-year insistence upon perpetual U.S. sovereignty over the Panama Canal and Zone, Secretary Kissinger had deftly defused in an afternoon the only explosive issue looming ahead for the United States at the Mexico meeting.

Whether the President's decision on the Panama Canal reflected statesmanship, Dr. Kissinger's persuasion, or was simply part of his continuing effort to wallow out of the other Watergate by trying to change the subject, it is too early to tell. There are many who would argue that this is just one more example of the President's brilliant foreign policy talent. But the compulsory piece to any brilliant solution in Panama has to be senatorial sympathy, a phenomenon our President may never again experience. And it is ironic that probably the only bloc of senators that Mr. Nixon could rely on in an impeachment trial is the very same ultra-conservative group which would become dispeptic at being asked to ratify a new Panamanian treaty of the kind now in prospect.

Anticipating this situation, Sen. Strom Thurmond has recruited 35 members of the Senate as signators to a resolution expressing opposition to any treaty with Panama that dilutes U.S. "sovereignty and jurisdiction over the U.S.-owned Canal Zone."

Dr. Kissinger's proposition on Feb. 7 in Panama had been made possible by the patient brokering of roving Ambassador Ellsworth Bunker.

He spent several months working out a mutual declaration of principles—a favorite pre-negotiation technique of Mr. Kissinger. These precepts, which the Secretary announced in Panama, will serve as a basis for renewed canal negotiations now scheduled to get started in May.

This time both sides seem confident that diplomatic negotiations will go rapidly to a conclusion, that full agreement can be reached this year on all eight principles. The first point enunciated by Dr. Kissinger gives a feel for the clarity and framework of the negotiating task: "The Treaty of 1903 and its amendments will be abrogated by the conclusion of an entirely new interoceanic canal treaty". The other seven items deal as succinctly with sovereignty, jurisdiction and money, all tilted in favor of Panama.

Always before, the basic disputes surrounding the 1903 treaty had come down to the question of *whether* the U.S. would ever be willing to relinquish sovereignty over the Canal Zone. On Feb. 7 the question was changed to *when*. Since then, the question for

Richard Nixon seems to have become *how*. It is clear that the test for Nixon, Kissinger and Bunker will be much less the problem of reaching accord with the Government of Panama on a new canal treaty than it will be to persuade an increasingly America-first Congress on the one hand, and a dug-in Pentagon on the other, that the time has come to modernize Panamanian-U.S. relations. The overwhelmingly conservative views of the Panama Canal issue on Capitol Hill have filled volumes of the Congressional Record. The Joint Chiefs, meanwhile, hold to a canal philosophy that smacks

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of the Platt Amendment. Representative Daniel Flood of Pennsylvania, the belligerent bellwether of House opposition to any movement forward in Panama, has publicly warned Ambassador Bunker that he might call a congressional strike in reaction to any concession to the Panamanians.

It began to appear to the U.S. Executive Branch at the time of the 1964 Canal Zone riots that the Panamanian fuse was getting shorter and world opinion less tolerant. After preliminary high-level sparring, during which the main issue was whether the two nations would "discuss" or "negotiate" their differences, President Johnson agreed to begin negotiations on some kind of new treaty. As distinct from Nixon and Kissinger, however, he insisted on the caveat that there be no pre-conditions.

Those negotiations were subtly aborted by the Pentagon through its dictum that a possible sea-level canal must be part of the negotiation package. Such a requirement entailed extensive and costly plumbing of all alternate canal routes in Panama, Colombia and Nicaragua. In addition, safe nuclear excavation of a sea-level canal would be contingent upon the results of long-term underground testing being carried out through "Operation Plowshare." When the latter program ground to a halt, so too did canal negotiations. Panamanians suddenly found themselves empty-handed after nine years of American manana, and left with the helpful Army conclusion that the ideal location for a sea-level canal, if it had to be dug by conventional means, was right where the present lock canal operates.

The next move was Panama's. It scored tellingly. In a very carefully orchestrated diplomatic ploy which caught the U.S. lowering its profile, Panama managed to arrange for a United Nations Security Council meeting right in Panama City in March of last year. Without Kissinger, the U.S. delegation came off as needlessly defensive, undiplomatic and inept. In the end, responding to congressional-Pentagon pressure, the U.S. vetoed the virtually unanimous pro-Panamanian resolution urging prompt settlement of the canal issue. Today, diplomats generally credit that Security Council meeting with being the most significant element behind the recent shift in U.S. position.

As far back as 1971, the attitude of the State Department toward resolution of the nagging canal problem began to veer sharply away from the don't-give-the-natives-an-inch National Security Council policy then subscribed to by Dr. Kissinger. This may have been the single significant instance of where Secretary William Rogers was out ahead of Secretary Kissinger. But already Mr. Rogers' status and clout had been eclipsed to the point that no one really noticed a shift in State Department policy anyway.

Can Kissinger and Bunker now neutralize the Pentagon and convince a majority of senators during the coming months that the United States must settle equitably and soon with Panama? On the answer to that question rides the outcome of the only real crisis the U.S. faces in Latin America today. Although Panamanians can take hope from the fact that Dr. Kissinger and Ambassador Bunker are presently among the most persuasive figures in U.S. public life, they also must realize that the client of these two men has recently joined the ranks of the least convincing. For our Panamanian friends it is somewhat disconcerting that the hour of truth for both the U.S. President and the last remaining U.S. colony may well come in the same Senate forum, and at about the same time. All of which brings to mind an ancient Spanish gypsy curse: "*Entre diputados te veas*" (May you find yourself surrounded by legislators).