

IMPACT OF VIETNAM
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This is not the first time we have addressed ourselves to Vietnam at the Center. Eleven years ago, Mr. Ashmore was in Hanoi and had just come back from there, when I persuaded him to address the freshmen at the University of Denver, which he did, to their astonishment, and, in a sense, to the enlightenment of many who had never thought of Vietnam seriously enough to understand that they were going to have to take sides about it. And from those days until today, the problems of that agonizing period in American history have occupied the minds and the activities of the Center. Mrs. Laucks, two or three years ago, became concerned or interested in the impact of the war in Vietnam on the American style of life and on the American character. Good questions to raise. The incident is unique in our history, the impact of that war on our society is unprecedented. It seems reasonable to assume that it created pressures on life in this country, and our view of ourselves, and other people's view of us, our view of our mission here and elsewhere, that are worth examining. And she was good enough to make available to the Center the means to do some preliminary work. We have had some heated discussions here, and some of that has been

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who are planning the next annual convocation of the Douglas Inquiry reflected in The Center Magazine. And there have been some differences into the State of Individual Freedom. We think of it at the moment of opinion, which is a very healthy approach that characterizes much as being something we will hold in Los Angeles, sometime in early Center discussion. It became clear to us that it would be helpful December, and so with some regret and with a sense of having been if we could go beyond the limitations of the dialogue, and spend a deprived of an opportunity to take part in one of the valuable few days in examination of this problem, and address ourselves to experiences of the Center, I have to leave in a few minutes. some better understanding of where the Center might usefully operate

Let me introduce to you the, a member of the board of directors in this area, and where other people might usefully engage in research of the Center, whose foundation has been generous enough to make and discussion. And that produced this conference. The entire this activity possible, Mrs., I should say Dr., Mrs. Irving F. Laucks. activity has been from the beginning under the direction of Professor LAUCKS: Thank you, Mitch. Well, following Mr. Mitchell's remarks, Capps, of U.C.S.B. But we are indebted to Mrs. Laucks. And I am I just want to remind participants at the outset of the conference going to introduce her to you in a moment.

Let me apologize for the fact that I am leaving. I very rarely first devised. In a subject of this scope, it is easy to get mixed leave dialogues here, unless I am thrown out. But I have to go to down to tangential discussions, which, although they may be important Los Angeles in connection with the William O. Douglas Inquiry, which in themselves, may reflect the original intent of the inquiry, which is a Center activity. Some of our chairpeople will be there, Mrs. was to try to determine the impact of the Vietnam experience on moral Douglas is coming out for a dinner which the William O. Douglas Award, which is not our award, will be presented to Tom Wicker tonight, prompted the project in the first place include the following. and I would like to see her and some of us, and some of my associates first, to the extent that the Vietnam war can be isolated as a

who are planning the next annual convocation of the Douglas Inquiry into the State of Individual Freedom. We think of it at the moment as being something we will hold in Los Angeles, sometime in early December, and so with some regret and with a sense of having been deprived of an opportunity to take part in one of the valuable experiences of the Center, I have to leave in a few minutes.

Let me introduce to you the, a member of the board of directors of the Center, whose foundation has been generous enough to make this activity possible, Mrs., I should say Dr., Mrs. Irving F. Laucks.

LAUCKS: Thank you, Mitch. Well, following Mr. Mitchell's remarks, I just want to remind participants at the outset of the conference of some of the questions we had in mind when the Vietnam project was first devised. In a subject of this scope, it is easy to get mired down in tangential discussions, which, although they may be important in themselves, may deflect the original intent of the inquiry, which was to try to determine the impact of the Vietnam experience on moral and ethical values in this country. Some of the questions that prompted the project in the first place include the following.

First, to the extent that the Vietnam war can be isolated as a

unique phenomenon, how and to what degree was it responsible for the significant changes that are now apparent in American attitudes and values, regarding just about everything from living habits to environmental concerns? I feel that in the time that we have available, we should not try to sort out all the complexities of the sixties counter-culture in order to evaluate the influence of the Vietnam experience on American sensibilities and character, even though all facets of that era's experiences are closely interwoven. My caveat also is that we don't get into protracted discussions about the war from the standpoint of strategy, or try to discover how we got into it or why we didn't get out of it sooner, or who among politicians were to blame for it, and that kind of thing.

A second question we had was, how valid is the notion that stamina and the spirit, the stamina and the spirit of the U.S. as a nation were broken by the ignominious defeat of Vietnam? Historically, as you well know, Americans had been used to gaining total victory in wars, in exacting unconditional surrender. They had also been used to the good feeling of virtue afterward, by helping pick up the pieces. This didn't happen with Vietnam, of course. It's been said, in fact,

that we Americans are suffering psychologically from unpurged guilt, for the futile destruction of land and lives in Vietnam. Is this a myth?

A third question was, to what extent did the information overload of living the battles day by day in our living rooms, through television coverage, contribute to changing the moral and ethical values of the American public, if, in fact, they have changed? My hope is that we might principally focus on such basic questions as these, in order to coincide with the theme we set when we first planned this conference. Thank you. That's all I need to say at the moment.

MITCHELL: Thank you. Walter?

CAPPS: Well, I'll simply repeat what has already been said, and then add a couple of things about the mechanics of the conference. This is in every sense of the word, to be a working conference. We do not have papers in advance, except in a couple of cases. You will notice that there are microphones around the table, and the, all of the remarks that are being made during the conference, the presentations and the responses and all of the discussion is being recorded, and will be transcribed. And we are hoping, of course, to develop a book of essays about the

impact of Vietnam from the work that goes on during this, during the conference. And we want to devote at least one issue of The Center Magazine to the subject, and perhaps more. So that really is the reason for the microphones. Somebody is up in the room, the control room, here listening to it and recording it.

I think what has been said so far covers the background very, very well. But there is another element that reaches back into the history of the Center for the Study of Democratic Institutions that ought to be mentioned, I believe. And that is that this Center began before I had any involvement at all with it, after the Second World War, when it was discerned that certain things had happened during that period which made human life from that point forward very different from anything that had, it had been before. And we refer, of course, to Hiroshima and Nagasaki, and to the Jewish Holocaust, and to all that that meant with regard to the restructuring of the institutions of society, and really all the institutions of society. And as I have read the record, Robert Maynard Hutchins and those responsible for founding the Center, simply decided that things had to be rethought, that the function of institutions within the society had to be rethought,

that every aspect of American life needed to be analyzed anew, because everyone who is here, people that I have been talking with over the telephone, whose faces I haven't seen, and whom I have been corresponding with, same kind of drama going this time, but one could offer the same rationale for the subject that we are addressing ourselves to at this conference, because there are a variety of ways in which the Vietnam war has had the same influence upon American life. It has called for a reconsideration of the function of institutions of whatever they are, within our corporate life. And there are even some who have argued that the time has come for reconstruction, not simply self-analysis or critical analysis of these institutions, but it is time to put the pieces back together again. And it's rather interesting to me that McAllister College, just two weeks ago, had a conference similar to this one, on the impact of Vietnam. Professor Lewi participated in that. That was not a private kind of working conference, like this one is. It was a public conference. And I would expect that this subject will become more and more prominent in the next months and years. I think the time is ripe for that. And I think the Center is uniquely qualified, or equipped, to do something about it.

Now, that's really all I wanted to say except to welcome all,

is not here yet, but he will be, we hope this evening. He will be everyone who is here, people that I have been talking with over the here tomorrow for sure, and he will talk about Vietnam in retrospect, telephone, whose faces I haven't seen, and whom I have been corresponding, relying upon his experience as one of the first, if not the first, over the past months. David Krieger is sitting at my right. I have television reporters and correspondents in Vietnam. And before that asked David to prepare a response to the first presentation, but because I didn't get the material to him in time, he is not able to they have been at work for some time, analyzing beliefs and attitudes do that. So that's one part of the program we are going to change. about the war. There will not be an evening session tomorrow, but David is going to talk, whenever he feels like he'd like to, but he is not, he is not offering a formal response to the presentation.

The program will take place, I hope, as it has been announced in certain at this point that Jacob Needleman will be here, but the the schedule. We will be meeting, all the sessions will meet in this, other three panelists will be, for sure. will take place in this room. There will be a meeting this evening

And then we need some volunteers for the final session to sort on veterans' perspectives on the war. I am not sure that David of pull things together, under the category, findings of the Langness will be here for that, but the other two persons are present conference. And if I have no volunteers, I'll ask various people to now, Fred Downs and Shad Meshad, who are sitting at the table. And do that for us. And we conclude following lunch on Saturday. then tomorrow morning we have a kind of panel discussion, under the

Now, there are a number of housekeeping matters that we ought general heading of how did Vietnam change things. That is meant to be to take up at some point. Those of you who have traveled in from a general heading, will enable us to think about change, think about outside Santa Barbara. But I don't want to take the conference time Vietnam, not simply the war but also the experience. And then in the afternoon, there are, there will be two sessions. Murray Fromson

is not here yet, but he will be, we hope this evening. He will be here tomorrow for sure, and he will talk about Vietnam in retrospect, relying upon his experience as one of the first, if not the first, television reporters and correspondents in Vietnam. And before that time Jim Rosenau and Ole Holsti will report on a project at which they have been at work for some time, analyzing beliefs and attitudes about the war. There will not be an evening session tomorrow, but we resume again on Saturday morning, with a discussion of values and moral questions coming out of the Vietnam experience. I am not certain at this point that Jacob Needleman will be here, but the other three panelists will be, for sure.

And then we need some volunteers for the final session to sort of pull things together, under the category, findings of the conference. And if I have no volunteers, I'll ask various people to do that for us. And we conclude following lunch on Saturday.

Now, there are a number of housekeeping matters that we ought to take up at some point. Those of you who have traveled in from outside Santa Barbara. But I don't want to take the conference time for that. I think there will be other opportunities. So at this time

it's my privilege to introduce Guenter Lewi, who is professor of political science, University of Massachusetts at Amherst. He has written a book which has been reviewed many, many times, America in Vietnam, published this year by Oxford University Press. And he is just arrived in the last few minutes. The airline strike has made it difficult for many people. I am grateful to you for the efforts that you made to come to the conference. We will ask Guenter Lewi to make the opening statement, and then it's open for discussion.

Professor Lewi.

LEWI: Thank you. The Vietnam war, I am sure we can all agree, was the most divisive and most difficult war, perhaps, that this country has experienced. The impact of this war on American society, we can also all agree, I am sure, was highly damaging. Among other things, it has resulted in an attitude of cynicism and distrust of government, and perhaps still more damaging, it has left the country with a tremendous sense of guilt, guilty not only because the war was lost, but because, in the eyes of many, the entire enterprise was flawed, the war was criminal and immoral. Now, with regard to the last count in particular, it is my position that the wounds suffered were

largely self-inflicted, and that the American sense of guilt is not warranted by the facts about the war which we know today. Given the limitations of time, I will be able to present merely a very summary account of this argument. I hope that you may have a chance to read the fuller discussion which I have developed in my book, complete with substantiating evidence to which I can only allude here today.

What I have to say may run counter to the thinking of many of you. Nevertheless, I hope that the passion of the public debate over Vietnam by now has subsided and cooled sufficiently that you will be willing to consider my argument on its merits. Some of my critics have painted me as a kind of moral leper, comparing me to those who deny that the Jewish Holocaust happened, deny that six million Jews were murdered during that Holocaust. Others have considered my work a job of revisionism which is useful in stimulating debate, perhaps, but otherwise is too extreme to be considered reliable. Needless to say, I disagree with both of these appraisals, and I ask your attention, even if my position causes you some unease.

Peter Berger, an opponent of the American involvement in Vietnam, has called my book disturbing, disturbing because it called into question many of the moral judgments which he had made and which he had considered settled once and for all. I hope that, like Peter Berger, you too may be willing to rethink some of your assumptions and some of the conventional wisdom on the war.

I will touch briefly on three issues that bear on this question of guilt. First, American military tactics and their legality and/or morality; secondly, the overall impact of the war on Vietnamese society; and thirdly and lastly, the question of individual atrocities and war crimes.

As regards American military tactics, critics have considered illegal and/or immoral such actions as the bombardment of fortified villages, the creation of free fire zones, the destruction of crops, the defoliation of forests, and so forth. Now, it is rather clear to me, I think, and in this I do not adopt a position that is unusual, it is rather clear to me that reliance on these tactics, accompanied by the lavish use of fire power, ignored the political and social

dynamics of a revolutionary war, ignored the need to win the proverbial hearts and minds. Reliance upon such heavy-handed tactics may, and probably does help explain why we lost this war. But in my view, and I develop this argument in some detail in my book, these tactics were not illegal under the international law of war, and I'll go further and say that for the most part, in my view, they were not immoral either. The international law of war consists of treaties, conventions, it also includes certain customs and principles that govern the conduct of war and which seek to minimize the ravages of war. The international law of war codifies certain minimum rules of human decency in war, and war in general is hell, and is badly in need of such rules. And because it tries to protect certain minimum rules of human decency, the international law of war has a moral dimension. And to abide by the law of war, therefore, means to abide by certain elementary standards of morality. Much of the vehement criticism to which my book has been subjected probably derives from the critics' acceptance of this link between legality and morality. By showing that American military tactics were legal, I clearly also undermine the bare assertion that the American conduct was also immoral.

Immoral conduct, I think it is obvious, has to involve immoral illegal or grossly immoral conduct. The Nuremberg Tribunal in 1946, intentions. The context and the purpose of an action must be taken in the so-called hostages case, ruled on the legal aspect of this into account, in evaluating it. For example, a motorist who accidentally kills a child, because he is a bad driver, has not committed the same moral evil as someone who abducts, rapes, and kills a child to satisfy his aggressive and sadistic impulses. The law recognizes this distinction. It distinguishes between homicide on one side and murder on the other. And moral judgment, I think, similarly recognizes the crucial importance of intent and so should, in my view, moral judgment of military actions.

The terror bombing of civilian populations in World War II, for the aim of breaking the morale of people in my view was immoral. On the otherhand, military commanders in Vietnam who created free fire zones and destroyed crops did not intend thereby to terrorize the civilian population. For the most part, they believed, however mistakenly, that these actions were essential to win the war, and would indeed speed up its successful conclusion. These tactics, it is rather clear now, were shortsighted, if not outright stupid. They will lose wars. But in my view they did not constitute either

illegal or grossly immoral conduct. The Nuremberg tribunal in 1946, in the so-called hostages case, ruled on the legal aspect of this issue. "It is our considered opinion," said the court, "that the conditions as they appeared to the defendant at the time were sufficient upon which he could honestly conclude that urgent military necessity warranted the decision made. This being true, the defendant may have erred in the exercise of his judgment, but he was guilty of no criminal act." And in my view, such a person was also not guilty of immoral conduct.

Now, I want to touch briefly on the question of the over-all impact of the war. It has been argued that America committed genocide. It seems to me, and I don't think it is difficult to make that case, it seems to me that neither in terms of intent nor in terms of result did American actions constitute the crime of genocide. Intent, again, is essential under the definition of a genocide code, as adopted by the United Nations, and of course results are similarly crucial. According to statistics developed by the United Nations, the population of South and North Vietnam, during the course of the war, increased at a rate

roughly double that of the United States in a comparable period.

And that alone, it seems to me, makes the charge of genocide, the

intentional destruction of a whole people, rather grotesque.

It can be shown, and I try to do this, with some care, in an appendix of my book, that noncombatants were not killed in Vietnam in anything like the proportions of Korea, and they probably even somewhat lower than in World War II. They certainly were drastically lower in absolute numbers, despite the fact that the war lasted such a considerable publicity in the media, did not, in fact, take place, but long time. But even the proportion between noncombatants and military deaths is roughly half what it was in the Korean war, and it is slightly lower than what it was in World War II.

All of this, it seems to me, casts doubt on the charge that of course was often heard during the course of the war, that America was devastating and destroying a whole society. That charge, too, it seems to me, remains unproven and must be rejected.

Now, the third point I want to touch on briefly is that of individual atrocities and war crimes. Atrocities occurred in Vietnam, of course. Every war has its atrocities. Atrocities happened in World War II, also. They were largely ignored because that war was

seen as a crusade against evil, in which the Allies could do no wrong. At the same time, after some careful examination of the record, I have become convinced that atrocities in Vietnam were far less frequent than was alleged during the course of the war. Critics of the American war effort, like Telford Taylor and Daniel Ellsberg, agree with me that My Lai was not a typical occurrence. It was something quite unusual. We also know now that many alleged atrocities, which received considerable publicity in the media, did not, in fact, take place, but were staged for a variety of reasons. We know of at least one instance where a dead body was thrown out of a helicopter, a soldier took a picture, forwarded that picture with a suitable story to his friend, who submitted it to the Washington Post, and that became the proof of a practice that we all heard a lot about, although not a single case has been confirmed, namely, the practice of taking Vietcong captives up in a helicopter, throwing one of them out in order to scare the others into talking. We know of at least one case where a C.B.S. cameraman provided a knife to an American soldier, asking him to cut off the ear of a Vietcong. That was filmed and was a big sensation on

the Walter Cronkite evening news. We know that at the so-called
? winter soldier investigation of war crimes, held in the City of
Detroit, early 1971, alleged American atrocities were reported by
alleged veterans, and yet it turned out, in examination and investigation,
that these veterans had never been to Detroit. Some of them were able
to submit sworn affidavits by their employers they had never left their
place of employment. What had happened was that someone had used their
name and serial number in order to read charges or crimes into the
record. We know that the Committee of Concerned Asian Scholars,
trying to outdo the Bertrand Russell war crimes tribunal, engaged in
the following neat trick: at the, at one of the sessions of the
Bertrand Russell war crimes tribunal, testimony was given by a North
Vietnamese investigator that American fliers had been shot down, who
had in their possession maps on which hospitals were marked. Now
that, of course, could be given a quite innocuous interpretation.
Hospitals could be marked on aviators' maps so that the aviators
would not bomb these hospitals. The Concerned Asian Scholars reported
this testimony, slightly changed, namely, American aviators were shot
d own who had in their possession maps with hospitals marked as

targets.

There was laxity of enforcing the rules of engagement governing combat, and I make some rather severe charges against Westmoreland on that count. But violations of the law of war were known, were vigorously prosecuted, by the judge advocate general's corps. Between January, 1965, and March, 1973, 201 Army personnel were convicted by court martial of serious offenses against Vietnamese civilians. And during the same time period, seventy-seven Marines were similarly convicted. It should be noted that the United States is the first country in history which tried its own offenders, while a war was still going on. The seriousness with which the judge advocate general's corps pursued the enforcement of the law of war is brought out by this example. In a case involving a Marine lance corporal, who in August, 1966, had killed an unarmed villager, allegedly for revenge, the accused charged with premeditated murder too the stand and testified that he had been in heavy combat for several months, had seen many of his buddies get killed and wounded, and finally he decided, "I had to kill a VC for those guys; I just had to kill one." A psychiatrist who had examined the accused testified that as a result

of stress experience, his ability to adhere to the right was significantly impaired. Another psychiatrist maintained that this ability was to some degree impaired. The prosecutor, backed up by the law officer of the court martial, argued that the accused had known what he was doing, and that impairment of the ability to adhere to the right to some extent was not sufficient to exculpate criminal responsibility. "Gentlemen," he told the court, "life is not so cheap, even in Vietnam. It is not so cheap that indiscriminate killing of a defenceless Vietnamese without justification whatsoever can be tolerated or condoned." The court found the Marine guilty as charged, and sentenced him to dishonorable discharge, forfeiture of all pay and allowances, reduction to private, and confinement at hard labor for life.

The terror tactics of the Vietnam, of the Vietcong, in my view, were morally more reprehensible, because unlike American atrocities, they were officially condoned. And that included such things as what the Vietcong called the extermination of traitors. The best-known example of that is the massacre of Hue. It included the mining of roads used by villagers taking their wares to the market. It

included attacks on refugee camps, several of them with flame-throwers. It included the indiscriminate shelling of cities with rockets, and included the torture of United States prisoners, both in the North and in the jungle cages in South Vietnam. Some French intellectuals, earlier in the forefront of the worldwide opposition to the American actions in Vietnam, have since acknowledged that they were less than fair or objective in their defense of the Vietcong and the North Vietnamese. A good case in point is Jean Lacouture, who had an important influence not only in France, but on the American antiwar movement as well. In a recent interview with the Milan newspaper Il Journal in Nuovo, Lacouture acknowledged that, and I quote, "With regard to Vietnam, my behavior was sometimes more that of a militant than of a journalist. I dissimulated ^{certain} ~~some~~ defects of North Vietnam at war against the Americans, because I believed that the cause of the North Vietnamese was good and just enough, so that I should not expose their errors. I believed it was not opportune to expose the Stalinist nature of the North Vietnamese regime in 1972, right at the time when Nixon was bombing Hanoi. But if we re-examine the dossier, it is true that I did not tell all that I knew about Vietnam."

Lacouture goes on to call people like himself, and I quote again, "vehicles and intermediaries for a lying and criminal propaganda, ingenious spokesmen for tyranny in the name of liberty," and he admits, and this again is a quote, "my shame for having contributed to the installation of one of the most oppressive regimes history has ever known." The last reference obviously is to the Pol Pot regime in Cambodia, but in Lacouture's view, and I agree with him, the Communist regime of North Vietnam is a close second.

I harbor the hope that American intellectuals may be willing to undertake the same kind of soul-searching here demonstrated by Jean Lacouture, and I hope that this re-examination will include also the conduct of the Americans.

and Sandy
CAPPS: Thank you. We are ready now for discussion. Mr. Bernstein?

BERNSTEIN: Yes. I am, I must confess I am a little confused by the course we have taken. I want to comment on that, before commenting upon what more deeply troubles me, and that is our original injunction, or mandate, was not to talk about how we got into the war, not to talk about the military tactics of the war, but rather to talk about the impact of the war. And now we have heard for roughly now half an

prepared, by the way, to document this contention--the systematic hour a discussion that requires, among other things, talking about dissembling by the American government, first under Kennedy, and then the tactics of the war, a discussion that requires, in order to assess under Johnson, as to the nature of the war and American commitments legitimacy in the historical context, the question of how the United States got into the Vietnam war. That is, we would not ask the question how the North and South felt it legitimate to get involved in a civil war within their country, but if we were talking about a hundred years ago in America, and we had discovered that a large European power had imposed itself upon, in that war, we would raise questions of legitimacy. We might talk about imperialism, arrogance, moral outrage, and turpitude of various types. And yet, the very analysis we have heard today strips the historical context by not asking the first set of questions. We heard an analysis that talks of North Vietnam, and presumably there are those other people from some military people with as good reason to believe that there Well, was South Vietnam's government legitimate? What was the N.L.F.? Who invited America? Was that invitation in any way legitimate? Or was it fundamentally illegitimate? What does one do with the 1954 settlement? What does one do with the systematic violation of it? What does one do with the systematic--I am not

prepared, by the way, to document this contention--the systematic dissembling by the American government, first under Kennedy, and then under Johnson, as to the nature of the war and American commitments in the war? What about the secret war in Laos, a war that American leaders denied was being conducted, but it was being conducted? What about the bombing that went on when American leaders denied it went on? That is, it seems to me that the analysis we have heard can be faulted on at least three fundamental grounds of perspective. One is, it eliminates history. And yet the basic questions are historical and the relevance is essential. Secondly, it looks at the conduct of the war itself and eschews all questions about official proclamations describing that war. Thirdly, in analyzing the conduct of the war, it uses as evidence of intent highly selected evidence from some military people with as good reason to believe that there was intended dissimulation, often upon the implicit directives from above. By the criteria you use today, what would you do with the notion of plausible denial, with the C.I.A., for example? People are told to deny what they are doing. How can you actually use

to that industrial base and army in order to produce victory, I would

literally the document that they cast if they are told not to admit what they are really doing? Let's take the example which you offered of the motorist killing a child, and the importance of intent. Now, it's true that if the motorist accidentally kills a child, we do not usually find moral complicity. But let me offer you the following scenario, to enrich and provide context. If the motorist, dashing across town because he hankers for a lollypop, traveling at eighty miles an hour in a fourteen-mile zone, and going through two school areas where there are lots of kids, kills one, although he did not intend to kill one, we would make a different judgment, based upon reasonable and prudential conduct. But going beyond that, your contention that bombing which to us in America looked very much like terror bombing, but was not really terror bombing because it was designed to win the war, indeed the legitimation during World War II for terror bombing was that in World War II, as a total war, in which the war was conducted not simply against armies, but against the political economy in the homeland, it was necessary to destroy the industrial base, and the morale, which was essential in various ways to that industrial base and army in order to produce victory, I would

contend that the same underlying conception, fueled or directed the American activity in Vietnam, which led to the very acts which you are prepared to say are not illegal, and thus are not immoral. I am prepared to say that they are fundamentally immoral, and if we want to scrupulously investigate each particular case when complete documentation is available, and not when the selective documentation through Freedom of Information Act, which can deny as many things as it can grant, is available, we can then conduct a meaningful dialogue. I think to make a full judgment on the basis of selective documents provided by the government about its own prior conduct is to engage in an illusory and self-deceptive pursuit. And I think it is fundamentally flawed. If you read the Freedom of Information Act, or mandatory declassification review, the two procedures under which most of these documents have become available, we are told that material which is in the national security can continue to be kept secret. So one expects a certain skewed pattern of material to be made available. How they've gotten some material declassified for Vietnam, and a good deal declassified in the period 1944 through the nineteen-sixties, and having probably written over five hundred

I would speak in opposition to it. You suggested that the war is letters to the American government over the last eight years, and damaging to American society, was damaging to American society, having secured probably close to ten thousand documents, I am prepared to say, on the basis of watching the trickle, the selective quality of that trickle and its relationship to politics, that one is not getting simply a random selection of documents bearing upon the case, but documents which are made available on the basis of highly selective political criteria, for a particular purpose. And I think that must be taken into account in even judging the evidence which you bring to bear.

CAPPS: I think Professor Lewi may wish to wait until he has had several responses to his presentation. There are a couple of other hands up. David?

KRIEGER: It seems to me, from what I hear you saying, in a broad framework, is that we are not as bad as we may seem to be, because our tactics were neither illegal or immoral by the criteria that you used to judge them, although they may have been bad tactics, since they lost. I am not quite sure where that argument takes you, I mean where you go after having said that, but I doubt very much that your initial premise that you started from is correct, or at least

I would speak in opposition to it. You suggested that the war is damaging to American society, was damaging to American society, because it created a sense of cynicism toward the political system and a sense of guilt because the war was perceived to be criminal and immoral. And rather than, I disagree with you fundamentally, because rather than seeing those as damaging outcomes of the war, I would tend to look at them as rather positive outcomes. I don't think it's inappropriate to be cynical toward a political system in which it's demonstrated rather conclusively that there is not that there doesn't seem to be a great deal of difficulty in lying on various subject matters to the public, and in which the, there seems to have been demonstrated, largely in the Vietnam conflict, that there was a slipperiness in the justifications used to support our presence there. You talk about immorality, and you talk about illegality, and do it in the context of the war without dealing with some of the things that Mr. Bernstein talks about, but you also talk about without talking about the constitutionality of our

presence in Vietnam. You do it without talking about the fact that

we supported rather corrupt regimes, which a case could be, you

know, I think a case could be made rather well that there is a certain immorality in supporting an immoral regime. Now, whether or not you, you know, we go to bat and argue about which side was more immoral, I think that, I don't think that that is really the point. I think that is somewhere beside the point. If we have a sense of guilt, as a result of having been involved in Vietnam, I think there is other things that can be pointed to besides the precise conduct of the war. And I think that that's not the criteria that that should be argued on. I think looking at the war, for example, in trying to discern whether or not we were winning by means of a body count, that there is a certain not-too-subtle immorality in that kind of procedure, which permeated the whole country at that time. And I think that I just come up feeling that the cynicism and the sense of guilt, quite aside from all the arguments that you made, are quite warranted, and may turn out to be the most positive aspects of the war on American society in the future. In other words, I think the

CAPPS: Yes. which give rise, which gave rise to this sense of guilt,

ROSENAU: I just want to ask Professor Lewi what, it seems to me that much of your analysis is relevant to this occasion, if indeed

there is a pervasive sense of guilt. And I would just like to inquire what kind of, what you mean by guilt. Maybe it's a pervasive sense of chastisement, or something. Or a variety of other words can be used. What you mean by guilt in your book, or some general way, what kind of evidence one would cite of a pervasive sense of guilt. Irrespective of whether, as David says, it's positive or negative in its consequences.

CAPPS: We've had three responses. Would you want to--want to speak to those, or shall we continue this way.

LEWI: Whatever you want.

CAPPS: I think the group would like to hear from you.

LEWI: All right. The subject, our subject, is the impact of Vietnam. In my view, the sense of guilt is very pervasive in the intellectual community, to begin with the last issue raised. And if that indeed is true, and I think it is true, then this is something that cannot be ignored. In other words, I think the issues which give rise, which gave rise to this sense of guilt, in my view should not be swept under the rug. I think we need the kind of re-examination which at least, as I indicated, some French

intellectuals are beginning to undertake. Now, you ask how do we establish that there is this pervasive sense of guilt. You may have data on this that I do not have. I arrived at this largely on an impressionistic basis, simply having lived in the intellectual community over the last ten, fifteen years. Now, I may be all wrong in my impressions, and you may have data which indicate that actually this is not the case, that most intellectuals do not feel guilty about Vietnam, or do not think that the war was criminal and immoral. I don't know. If you do, it would be interesting to get this. Perhaps we will talk about this tomorrow. But it was my impression, it is my sense, and it seems to be shared by many others, that indeed this sense is rather pervasive in the intellectual community, and the intellectual community, of course, to some extent, at least, dictates the over-all Zeitgeist, as it were, of society at large. So if it is correct that there is this sense of guilt, then this is an important issue to be addressed, and it ought to be addressed, it seems to me, in very substantive terms. Was it justified? Was it warranted? And there is therefore no shortcut. But to undertake a kind of messy, detailed examination of evidence

and legal and moral issues that I could only briefly hint at here.

ROSENAU: Could I just, O.K., and, but we do not have data on that subject. We haven't even wrestled with what is meant by guilt.

But now, at one point in your response, you sounded like you equated guilt with immorality, a feeling of having engaged in immoral things in Vietnam.

LEWI: Yeah, right.

ROSENAU: Now, David here is saying, well, that guilt's a very positive thing. I, would you interpret his remark as an expression of guilt? Is, in other words, some judgment that immorality was practiced, the equivalent of a sense of guilt? Because I do agree with you, if guilt is an appropriate judgment about this, it has important consequences and is very properly a subject for discussion here.

LEWI: All right. Well, then there are two issues here really.

First of all, is there such a sense of guilt in the American intellectual community today, because of past criminal and immoral conduct engaged in by this country? And the second question, that is, how do we interpret and assess that, evaluate it? Is it something

positive, something negative? And that is something that can be discussed, of course. I know that a number of German Protestant theologians, for example, looked with a sense of guilt on the attempted assassination of Hitler, the July, 1944, attempt. And for them this is a very special kind of assessment. It is something almost positive, because they feel that the deed, had it succeeded, might have been justifiable, and yet it still leaves them with a sense of guilt, something that can be condoned morally and yet one feels somewhat guilty about it. So I agree, the dimension of guilt and the sense of guilt is complex, and again, I used a shorthand expression. There may be room for exploring this further.

Yes, I did not address the issue of how we became involved and was it legal to become involved in what many regard as a civil war. And I did not do so because it seems to me there is a clear distinction in the tradition of international law between what we call use ad bellum and use in bello. The use ad bellum indeed involves the question, was it right, was it legal, to intervene in a particular conflict? Use in bello addresses the question, having intervened, what was the conduct of the armed forces in that particular conflict?

And the two are conceptually completely separate, and do not at all overlap. That is to say, it is possible to engage in a just war under use ad bellum, and to conduct the war unjustly, and illegally, under use in bello, and vice versa. For example, we regard the German war effort in World War II as a war of aggression, as an illegal and immoral war, yet we also know that some German generals including, for example, General Rommel, got out of this war with clean hands. Their conduct of the war passes muster very easily, on the criteria of use in bello. So it is possible to discuss, to examine, to evaluate, how a country conducts its military operations, whether it does or does not violate canons of use in bello without becoming involved in the still more difficult question of why did the country become involved? Was it justified? Was it a civil war? What about the status of the Geneva Agreement, and is it significant that South Vietnam was recognized by forty other countries in the world? Is it significant that the Soviet Union at one time tried to get both Vietnams admitted to the United Nations? Does that make South Vietnam legitimate or does it not? And so forth and so on. The issues get very complex. But it seems to me there is no

need to get into these in order to discuss the issue of use in bello.

Which is what I addressed myself to.

Now, what is the nature of my evidence? I must tell Mr. Bernstein that hardly any of my documentation was acquired through the Freedom of Information Act. Some was, but hardly any of any significance. Most of my documentation was obtained on the basis of a blanket clearance to examine military documents in possession of the various offices of military history in the Army, Air Force, and Marine Corps. And this clearance was made possible on the basis of an executive order, issued first by President Eisenhower, later confirmed, of all people, by President Nixon in 1972, and recently somewhat watered down in a new executive order by President Carter, who was elected promising to promote the people's right to know. But that's a side issue. This executive order grants the Secretaries of the military services the discretionary authority to admit scholars to classified defense documentation. Once you get this clearance, and I received it not as a special favor, but simply because no one else had applied for it. It sounds strange, but is a fact. Once you have this clearance, you can see anything. And I

mean anything, up to your level of clearance. My clearance included confidential, for official use only, and secret. And the only thing that I could not see immediately was top secret, and that was no more than perhaps four per cent of the total documentation. And even there in some cases I was able to ask for downgrading, and that was possible. So for all practical purposes, I was able to work with the complete files that no one had sorted, or had removed things from.

BERNSTEIN: May I respond to that?

LEWI: You may, of course, but let me just finish this. And I can tell you that the evidence that comes out of these files sometimes is devastating. This is not self-serving evidence, because these are raw data. Now, we do know that even raw data, of course, are falsified. The most notorious instance is the body count. But in this case, it was possible to check evidence from different corners, from different elements involved in Vietnam. For example, there existed an organization called the Pacification Studies Group. This was a group of troubleshooters who had their own transportation, who were able to go anyplace in Vietnam without asking permission

from anyone, and snoop around and report back to the head of the designation of top secret, was viewed as most likely to fall within pacification effort, which was first Mr. Coleman and later Mr. the orbit of national security. It's tantamount to going into a Colby. And the reports of these people have to be read to be civilian agency, or corporation, and seeing everything but not believed. And much of my most devastating criticism of military president's files and the files of the chairman of the board, but tactics, and there is plenty of that in the book, comes right from getting to see the files of all the secretaries in the other offices that source. Now, it seems to me that one cannot, on one hand, who get to keep the blue copies of the marginal material. So to welcome internal evidence when it is damaging, at the same time say that you have seen everything but, is, it seems to me, to reject other evidence that may be exculpatory. This is of course a very fundamental question of analysis. I would suggest that if what happened with the Pentagon Papers. Many critics accepted the you haven't seen four per cent, if that's your estimate, there veracity of the Pentagon Papers when it suited their political is every reason, unless you think that the security system is totally purposes, and rejected as unreliable documents from the same source random, in the most statistical sense, that you haven't seen the which they did not like. That cannot be done, it seems to me.

BERNSTEIN: Well, I think there are these three issues. First of But thirdly, let us take one of the conclusions, empirical all, the Pentagon Papers were classified as top secret and only a in nature, upon which you have built an argument, both about morality little more than a handful of copies were available. Secondly, and legality. That the bombing was not designed for terror, but the notion that you have seen almost everything because you only designed to win. Well, now, that kind of a judgment is based upon didn't see four per cent, strikes me as a historian who has worked material you have seen only through secret. And only through secret through archives for years, as a naive judgment. Because in fact and also in the province of the office of chief of military history, you have not seen that four per cent which by the stipulated or the counterpart agencies for the other services. In fact, there

designation of top secret, was viewed as most likely to fall within the orbit of national security. It's tantamount to going into a civilian agency, or corporation, and seeing everything but the president's files and the files of the chairman of the board, but getting to see the files of all the secretaries in the outer offices who get to keep the blue copies of the marginal material. So to say that you have seen everything but, is, it seems to me, to beg a very fundamental question of analysis. I would suggest that if you haven't seen four per cent, if that's your estimate, there is every reason, unless you think that the security system is totally random, in the most statistical sense, that you haven't seen the vital material.

But thirdly, let us take one of the conclusions, empirical in nature, upon which you have built an argument, both about morality and legality. That the bombing was not designed for terror, but designed to win. Well, now, that kind of a judgment is based upon material you have seen only through secret. And only through secret and also in the province of the office of chief of military history, or the counterpart agencies for the other services. In fact, there

is good indirect evidence to suggest the most interesting material doesn't even reach them. So what you've seen is ^(sic) four per cent of that part of the material which they are able to gather, or permitted to hold. Now, how does one make a judgment about the intentions of bombing and who plans bombing, if you can't see the most classified material on bombing. It seems to me that on the face of it, to reach the very comfortable conclusion that you did, this was bombing designed to win, but not bombing designed to terrorize, runs first of all contrary at least to common sense.

Secondly, it seems to me that it relies upon a, the distinction between winning and terrorizing, which is dubious.

Thirdly, it runs contrary to earlier military practices, about which we have more evidence. For example, we have more evidence, probably, on the Korean war in the public domain than we do the Vietnam war. We certainly have more evidence on World War II than we do on the Vietnam war, and in fact scholars having paid attention as citizens to the adventures of Vietnam, have gone back and looked at earlier wars and discovered things which at the time, scholars either passed by because they seemed uninteresting, or passed by

because they seemed irrelevant. So let me ask you precisely what kind of evidence, stipulate it, if you will, permits you to make the distinction, and what does that kind of a document, or set of documents look like, where you can say, it was viewed as militarily essential to kill civilians, but it was not a part of terrorizing, that free fire zones were militarily essential, but not a part of terror tactics. Tell me about the nature of that evidence.

LEWI: Well, first let me correct one misunderstanding. A lot has been said here about military documentation. I don't think I would be worth anything if I were to build an analytical judgment simply on one type of document. I think I have used everything that anyone else has been able to use, but in addition to that, I have been able to use military documentation, which I think is highly interesting and valuable. I have, with regard to the bombing of both North Vietnam and South Vietnam, I have read my way through congressional reports, and reports of journalists, and diaries of soldiers who have written about it and so forth and so on. The military documentation is simply an additional dimension, certainly not the only one.

Secondly, it is probably correct to say that the four per cent

that are today still considered classified top secret, for the most part involve diplomatic issues. That is to say, relationship with the Cambodian government and issues touching on relations with China and so forth. They have hardly any bearing at all on the issues that we are concerned with here. So this is just a brief response.

Now, you asked me how can we judge intent? Well, how does one judge intent? One first of all examines what people themselves say. And that always has to be taken with a grain of salt. You check this against the account of others who have observed what was going on. You look at consequences. You look at results. And in some way you arrive at a judgment. As regards free fire zones, the intent was to negate what Morrow had called the principle of guerrillas being like fish in the water, who derived sustenance from the people among which they lived. The intent was to remove, to isolate, to drive a wedge between guerrilla forces and the population. So the design was to remove the civilian population from these areas, so that hopefully all that would be left in these zones would be combatants who could then be attacked. Now, we know that in practice it didn't always work out this way. Not only this, we also know that the

practice really was completely counterproductive. But the fact remains that the intent here was not to terrorize the civilian population, but in some ways quite the contrary, to remove them from battle, so that when indeed guerrilla forces are attacked, civilians will not be hurt. So I think there is really very little mystery about all this.

I apologize for getting into details, but, and we may want at some point simply to say that's not on the agenda. But I find it impossible to discuss issues of this sort in generalities. And it seems to me there is no substitute but for what I called before the rather messy job of becoming involved ⁱⁿ detail, and trying to be as precise about these as possible. Because judgements, moral or legal or others, that are not based on evidence and this kind of painstaking examination of detail, in my view are not worth very much.

CAPPS: I want to raise a question. First of all, to clear up one matter, Professor Lewi has done exactly what I asked him to do.

I invited him to the conference because, I didn't know about Professor Lewi till I learned about the book. And I asked him to talk about the book. So he is not in violation of any conference objectives as

I have outlined them. And I think he's also right in saying that if we address the general topic of the impact of the war, or the impact of Vietnam, we do have to do some reassessment of what happened, in order to, because, I mean, that's what the conference is about. But what we don't want to do is to immerse ourselves exclusively in fighting one or another battle, and going through the thing in more and more detail. However, in order to come up with valid interpretations in this reassessment, we do have to reflect on what happened. So he is entirely within the rules of the conference. But the question that I want to raise, I guess kind of a simple one, and that is, if he is right in suggesting, I say he, I mean you, Professor Lewi, are right in noting that there is this feeling of guilt, or disaffection, of American people with the war, and if it's also true, as you've argued, that there is no firm basis for that militarily, and that they were not, I mean, there were the usual violations of the rules of war, but they are no more unusual in this case than in any other case of war, then how, how then, and if the American people had learned, could learn that, that there is not that basis for their guilt, my hunch is that they would still feel

guilty about it, and if so, why would they react that way? What I am really suggesting is that that isn't the reason for the guilt, that is, you have a war here that is unlike other wars, and because there are no good analogues for that, for the Vietnam war, that it doesn't help us much to draw upon traditional categories of warfare to alleviate or eliminate feelings of guilt, because probably the feelings of guilt are not based upon that factor to begin with.

Now, that's the way I, I was looking through your book, and I notice when you come to that point, page 432, it said "a decisive reasoning for this growing disaffection of American people was a conviction that the war was not being won, and apparently showed little prospect of coming to a successful conclusion." I am not sure that's the case. I think even, the other literature that we have come across suggests that the people who were involved in the war thought there was no way that the war could be won, because winning didn't mean what it did formerly, or losing didn't mean what it did formerly. It was because it was a different kind of war. There were no analogues for it. So traditional categories of warfare have, couldn't be tapped to explain what was happening. Therefore the guilt is a

very peculiar kind. It probably cannot be dismissed in this way.

HABER: Can you take yourself back to Korea, and, Walter, I'm really referring to you, and perhaps to Eulah, too, and discuss, very briefly, the analogue between Korea and Vietnam?

CAPPS: I know, we've been over this one before, and I--

HABER: Well, the point being--

CAPPS: I don't want--

HABER: No, no, the point being that Eulah said, in her introductory remarks, that Vietnam was the only war that we lost. And it kind of set a tone for me that makes me, ~~impressed~~ ^{and perhaps} for others, which makes me wonder just whether or not we're, we've lost the right track here. You see, if you go back that way, and perhaps you are too young, but--

CAPPS: Thank you--

HABER: But it, as some of the people here recall, there was again a great dissatisfaction that you saw in Vietnam, occurring in the Korean war, to the point where, as we know, Eisenhower said he was going to go to Korea to settle the war. That was a large talking point. And it seems to me as though if you talked about Vietnam as

a philosophy, or within a segment of a society. And then lastly, being a singular incident, that that perhaps is not really true. And therefore, one has to broaden one's view of this, of this moral problem that you're talking about.

CAPPS: Well, I want to pass on that if I can. I saw Professor de Conde's hand up, and--

DE CONDE: May I raise a few questions here? Well, I don't, I find the conversation intellectually disturbing. I don't think Professor Lewy answered Professor Bernstein's questions. I saw no effort to discern the difference between terrorism and winning. I think that number of scholars, as Professor Bernstein indicated, look into the past and find that there were black records in the past that had been buried by American scholars and American intellectuals. And so it seems to me that what I've heard is the fuzziest of generalizations here. There was one cited evidence in the opinion of a French journalist. Opinion is not evidence. Furthermore, one talks about in the Vietnam war is about as American as cherry pie, and I think this is the thing that we should address ourselves to, rather than specific data. The American people felt this way or felt the other way. It's utter nonsense. We don't know what the American people felt. There is no firm documentation on this. We have an idea of what it might be. On the matter of guilt, I don't know how one can

CAPPS: Mr. Black, analyze this except within the context of an entire society and

a philosophy, or within a segment of a society. And then lastly, to Professor Capps' comments, I think there are numerous analogues in the American past concerning this war. You can find it in the Mexican war, you can find it in the War of 1812. All you have to do is read a book that's almost, well, one My Lai after another. All you have to do is read Bury My Heart at Wounded Knee, and you get an idea of what happened. And furthermore, the matter of guilt and the Vietnam war, I think it was one of the healthiest things that ever happened in the American society. It made a number of people, a number of scholars, as Professor Bernstein indicated, look into the past and find that there were black records in the past that had been buried by American scholars and American intellectuals. And so I can't see where one can look upon this as anything particularly unique. In other words, it seems to me that much of what happened in the Vietnam war is about as American as cherry pie, and I think this is the thing that we should address ourselves to, rather than trying to look for some unique or some aberration in the past that was pristine. I said my piece.

CAPPS: Mr. Flacks.

FLACKS: Just, there is one piece of data on American intellectuals. There is a book called The American Intellectual Elite, by Charles Kadushian, which is an interview study of people he identified as the leading figures in the American intellectual community, focused a large part of the study on Vietnam. And one of the things he remarks in conclusion with respect to that study is that there is relatively little basis for thinking that the intellectuals, most of whom opposed the war strongly, did so on moral grounds. In fact, he, I gathered from reading that particular interpretation of his, it was with some surprise and chagrin he found that most of the people that he interviewed dated their opposition to the war on much more, much more in terms of the cost of the war, the policy implications of the war, the fact that we couldn't win it, they had a political analysis, policy analysis, rather/^{than} a moral analysis. And these are the people who I am sure you have in mind, although he doesn't name them. That is, these are the people who put out the New York Review of Books, and other journals of that kind. So I just put that forward just to indicate that there is some data with respect to this question, since you specifically referred to

intellectuals. But I, you said the word guilt was a shorthand. I am wondering what it's a shorthand for. I think it's a shorthand from what I heard underneath your statements, was it's a shorthand for your distress that there is so much resistance among intellectuals and other Americans to repeating the Vietnam type of experience. That is, you wish, I take it, that there was less public resistance to American involvement in foreign conflict. Because that is, I mean a sort of behavioral statement I would make, that I think has a lot of support for it. There is resistance, whether it is based on guilt or some other emotion or consideration, there is a resistance throughout the society to movement by this country in a direction that would lead to, quote, another Vietnam or something like that. And I take it that either before you started the book or after you finished doing it, one of your intents, since you are interested in intention, was to try to overcome that resistance in some sense. It's not just a question of guilt, it's a question of the policy results of what you call guilt, namely, that it seems to reduce the flexibility of some people in the American government and you don't like that. Some of us like that. And I would say that we might like it on

to rest the argument about the immorality of the war primarily on three distinct grounds. One, some of us are opposed to the institution of war and wish that the human race would make some fundamental progress in abandoning it. Therefore, a resistance by a population that previously was, had more mixed feelings about its country's military posture seems like a healthy sign. Secondly, some of us feel that the American empire ought to be dismantled, that no empire should, we are past the stage when empires are a guarantee of anything decent for humanity. And on that score, would find it healthy that there is resistance to further military adventures as Walter was indicating, bypasses probably what most people think that seem to preserve the boundaries of the empire.

And third, there are people who more particularly, you know, react to the war itself and want to make sure that people don't forget it in some sense, because it happened, it was at least a thirteen-year involvement of the, of the American people, in an adventure which, as you indicate, they regard as in one sense or another as immoral. But the immorality question, I think that during the war period I must have made several hundred speeches against the war. So I am one of your young intellectuals who certainly was trying to shape opinion about it. I don't think I ever tried

to rest the argument about the immorality of the war primarily on genocide. I think the word genocide, of course, is, was used in what the United States was doing in Vietnam. What we were doing part as a rhetorical device. I am willing to grant that a cold in Vietnam was a by-product, in my argumentation, a symptom of analysis would not lead to that conclusion. But one person has a necessary consequence, if you will, of the fact that we were often been quoted who, with reference to our policy in Vietnam, in Vietnam, and that the immorality issue, as well as the practicality Professor Huntington, often quoted, same quote is often used, spoke issue had to do with whether we ought to be there in the first of a policy of forced urbanization. And that was really the intent place. So to try to define the issue primarily in terms of the of the bombing. Forced urbanization, meaning movement of a whole conduct of the war itself is, well, sort of bypasses the whole point people from the countryside to the city. And I am quite sure that of the debate as it was going on during that period and, I think when many people use the word genocide, they had in mind not just as Walter was indicating, bypasses probably what most people think this physical destruction of human beings, but the total disruption was the lesson of Vietnam. It was not that we did wrong things in... of a way of life, because we felt that that was in our policy interests. Vietnam that was fundamental. Once we were there, we had to do And that's the second point about intent that I would make and close those things. And it's, for the most part. You may disagree. It with. may have been a cleaner effort, this, perhaps, but you know, many In reading the Pentagon Papers, one of the people that I always of us were not that interested in defining what was legal and rely on to define American intent, the name just slipped my mind, the illegal with respect to the war so much as defining the whole assistant to McNamara, was killed in a plane crash--McNaughton. operation as something that was morally and practically, and those McNaughton impressed me because he was so clear and I think clear, are intertwined, really, things that should be ended. perhaps, for good reason, that is, to make some other policy-makers

Now, one final point about, that I would like to raise about and what their intent was. And at one point, if I recall correctly,

genocide. I think the word genocide, of course, is, was used in part as a rhetorical device. I am willing to grant that a cold analysis would not lead to that conclusion. But one person has often been quoted who, with reference to our policy in Vietnam, Professor Huntington, often quoted, same quote is often used, spoke of a policy of forced urbanization. And that was really the intent of the bombing. Forced urbanization, meaning movement of a whole people from the countryside to the city. And I am quite sure that when many people use the word genocide, they had in mind not just this physical destruction of human beings, but the total disruption of a way of life, because we felt that that was in our policy interests. And that's the second point about intent that I would make and close with.

In reading the Pentagon Papers, one of the people that I always rely on to define American intent, the name just slipped my mind, the assistant to McNamara, was killed in a plane crash--McNaughton. McNaughton impressed me because he was so clear and I think clear, perhaps, for good reason, that is, to make some other policy-makers see what their intent was. And at one point, if I recall correctly,

in listing the reasons we are in Vietnam, he said most of the reason had to do with the preservation of American power, not the saving of the people of Vietnam. Now, one might well raise questions about the morality of everything that was done in Vietnam, whether it was done within the terms of the legal definition of war, you know, the decent behavior of war or not, on that ground, that is, did, is it not somewhat bordering, if not fully genocidal, to move a whole people around, using bombing as the technique of inducement for the purpose of preserving America's credibility on a world scale.

ASHMORE: It seems to me that goes back to the question of the morality of the intervention, inescapably, not what you've been talking about, which is the conduct of the war, once we were there. I can't, I have great difficulty equating genocide with the tactical decision and the bombing. It seems to me that that's a leap I can't make. True, it would rearrange the society, but then any war would do that anyway. Any war is characterized by great displacements of people. I can't imagine how you'd fight one that didn't have that. I don't, it seems to me genocide is something we might talk about, if I might suggest it, and see if there is any

support for the notion that there was a moral element of genocide.

FLACKS: Well, what ^{does} does, what ~~is~~ the code of genocide say about the definition of genocide, do you have that in your appendix?

LEWI: Yeah-- crime involved under existing statutes and maybe there

FLACKS: Because, I'm, that, I mean that's the only, it's a legal term, I-- r to be in, that is, deciding that this present society

LEWI: The crime of genocide is defined in the unanimously adopted resolution of the United Nations General Assembly on 9 December, 1948, as "committing with intent to destroy in whole or in part, a national, ethnical, racial, or religious group as such. Acts such as killing members of the group, causing serious bodily or mental harm, deliberately inflicting on the group conditions of life calculated to bring about a physical destruction in whole or in part." So what is crucial is, physical destruction in whole or in part and done with the intent to destroy in whole or in part, a group for being what it is. And of course the prototype of genocide is the final solution, the destruction of European Jewry for no other reason but because they were Jews. you are interpreting him

FLACKS: Deciding that a peasant society which harbors guerrillas

should no longer exist. I am not willing to get up in a court of law and, this kind of debate doesn't make me particularly comfortable. And it's somewhat unfortunately semantical. But it, you, maybe there is no definite crime involved under existing statutes and maybe there is, but it seems to me a very questionable moral posture for a great power to be in, that is, deciding that this present society is untenable for our reasons, and therefore we will force the urbanization of that society, is it something that raises a question. I mean, I still have that question. I am not being rhetorical now, I don't have to convince anybody.

LEWI: I don't think you are quoting Samuel Huntington correctly,

Mr. Flacks.

FLACKS: Do you know the quote?

LEWI: Yes, I do know it. I know not only the published quote, but I also know a paper which it is on the same subject, which was promptly classified for stupid reasons. A paper for the State Department after this same visit, which he then based his published article. I don't think you are interpreting him correctly.

ASHMORE: It seems to me that logic comes out that if you can't use this kind of approach, or something like it, you can't fight a guerrilla war. Therefore, anybody that has a guerrilla war, we can't morally engage in any kind of military action against them. Isn't that where you come out with this?

CAPPS: Mr. Flacks--

ASHMORE: That means we just ruling out the whole war as being immoral, which is all right with me, but it will be a short meeting.

LEWI: Can I just, could I just respond very briefly to some other point? I did not set out to write this book in order to prepare American for new Vietnams, even though some of my critics have suggested this to be the case. I have no desire to resurrect the American empire, or anything of that kind. I don't want more Vietnams, any more than you do, nor do I like wars any more than you do. But that, I don't think, is the issue. The slogan, no more Vietnams, strikes me as inane and empty. It doesn't provide guidance for foreign policy. The slogan, no more Vietnams, I think, is symptomatic for a mood of neo-isolationism, which is why it spread in this country, as a result of Vietnam. And I for one

do not consider this a healthy phenomenon. I do not think that the world is a better place if the United States is weak. And you may agree with me, perhaps, Mr. Flacks, that for example, American influence and strength displayed rarely these days, but when it was displayed, with regard to the Israeli-Egyptian negotiations, for example, our leverage may have in the long run some beneficial results. And there are other areas of the world where perhaps American strength would lead to consequences that you and I would be, would be willing to consider beneficial. Altogether it strikes me that given the suffering of the people of Indochina today, it is not completely stupid to think that the American intervention, even though it was not only based on that of course, may not have had some moral justification. It was always said, if only the United States would get out of Indochina, peace would be restored and the suffering of the people of Indochina would come to an end. Well, you and I know, and this is in part what I think has led to the reassessment that I quoted on the part of Jean Lacouture, you and I know that the suffering of the people of Indochina today, after the United States is out, is in many ways infinitely worse than

what has preceded. Peace has not come to Indochina after the United States has had, withdrawn. So, I just want to, not to be misunderstood, I do not like war, I do not relish making comparisons about a loss of life in different wars, and yet it seems to me when one engages in moral assessment and moral judgments, again these are the kinds of considerations which I think are important.

BERNSTEIN: I'd like to suggest a more profitable line of inquiry, at least I hope will deflect this from some of these polluted streams. And that is, let's go back to the very shrewd question asked earlier about Korea and Vietnam, and let's ask, let me begin by asking it this way. Given the fact that each, it can be argued, was a civil war, that each represented, or was constituted by, massive American intervention. The numbers of troops are almost, well, they are quite similar. Given the fact that in each case many concluded that America could not win, at least could not win within the constraints without violating alliances and ultimately escalating to danger. Given those three salient similarities, we should ask, if we are going to address matters of the impact of Vietnam, why does Korea produce in American society such a different impact, such

a different set of values? Think about the striking similarity. Is it in each case a lesson for some time, is learned, absorbed, or believed by the American people, that a limited war, and some kind of small-scale invasion, is undesirable? One can argue that it's that very lesson of Korea that not only shapes American mentality or perception or ideology during part of the Eisenhower years, but also constrains the President himself and constrains the Army from giving advice during Dien Bien Phu, suggesting, the Air Force said bomb, the Army said, don't go in, get into a land war, the same type of advice McArthur had given earlier. But if you go beyond that, to the larger question, why doesn't the Korean war raise questions of legitimacy in America, the morality of authority, why doesn't it raise questions about the nature of the war? That is, when Americans argued about the Korean war, they argued, escalate or pull out. Or can you conduct a limited war? There is almost no argument in the main body of the American politic, 1950 to 1953, about, is this a moral war, are we conducting it in the right way, are we killing too many people, is bombing the villages immoral, et cetera, that is, all the questions that you address in your book, and where you

find America largely innocent, and where historians could go back and find at least the same level of evidence for the Korean war. Nevertheless, the American people did not even come to those conclusions. There was no dialogue on that matter. So we can ask, it seems to me, at least a reasonably pointed question, and that is, why does the massive intervention of 1950-1953 have one set of impacts upon American society, and the prolonged and seemingly more enervating intervention of roughly 1961, some of you may want to start it earlier, but 1961 to 1975, produce a very different set of responses? Well, one could say that length had something to do with it. But that's not terribly useful. Why is it that moral and legal and governmental authority questioned in a second case? Is it that the events occur in an already markedly different culture, which is prepared to receive evidence and translate it? Is it the evidence received, whether correct or not, is very distinctive, that is, did the media play a very different role? Is it both, plus what else? And, going it one step further, what has happened to the American intellectual, let me phrase it differently, what has happened to the consensus on anti-Communism, and the narrowing of intellectual

dialogue on the academies? If you were to compare 1950 to 1953, with 1961 to 1966 or 1967, could it not be that a major difference is there is already various openings to broader theory and left or radical theory, as the Vietnam war heats up? But there's a subtle interplay between the two, but if one thinks back to the McCarthyite period, this whole construction of ideology had already been precluded from American dialogue. By 1950, there is no Left in America. By 1950 there's a very truncated dialogue, where really the issue of who's a better anti-Communist is a question which everybody searches for credentials. And that as a result, Vietnam occurs, as I say, in this very different climate, where people are prepared to read evidence differently, and in addition they receive rather different evidence. If one goes, let me just, one paragraph more, and then I'll cease.

If one goes back to the Korean war, and reads about the treatment of bombing, even in the major newspapers, the official versions are normally accepted. For example, in 1952, twice in July and twice in August of 1952, Pyongyang was bombed. The capital city of North

And for that reason I think the Korean war is a useful analogue.

Korea is bombed four times and three out of the four attacks are, I believe, are up to that date, the largest attacks by bombers in the war. That gives you some notion. Nevertheless, The New York Times reports that only military targets were hit, or only military objects were targeted, I guess, is the way it's put. The implication clearly is, civilians didn't get killed. Well, we know at least two things now. One is we know that surgical bombing has never been precise. The question is only the level of imprecision. Secondly, we now have evidence on the Korean war where we know that there was, as the official history puts it, a policy of terror bombing, psychological warfare through bombing, the official history by Frank Futrell, tells us about the Korean war period of this time. But The New York Times did not. Now, when the bombing of cities occurred, and villages, in Vietnam, at an early stage, certainly by 1965, it was described as killing civilians. It was either described as, or there was at least the subtle, lurking attribution of intent, that it was designed to kill civilians. And I suggest that that tells us something very critical about the differences in the reception of the two wars. And for that reason I think the Korean war is a useful analogue.

It's one of those rare cases where one has an analogue only a decade short. It's very rare in history that you can get sort of nice comparisons of, despite the asymmetrical features in other ways, they are reasonably nice comparisons. And I think it's very shrewd question that was asked earlier.

HOLSTI: Well, I'd like to try at least a partial response to the question. I might begin with just the point that I think it's at least a, we might debate whether both were civil wars. But I, it seems to me there are some differences, and I suspect that they are crucial. In the Korean case, while there were border skirmishes that took place before June 25, 1950, the fact is that Korea looked in some respects in its origins like World War II. Massive infantry and armored divisions crossing what was at least intended to be a temporary frontier. I suspect that those who argue that it was a civil war would not accept if West Germany had crossed into the Eastern zone at that same time that that too was a civil war. I think that the origins of the war were much less ambiguous in the Korean case. They looked much more like something that we had become familiar with, World War I and World War II. That's one thing.

I think a second thing, and a point of legitimacy which was raised, I think it's a very salient point. But I think there is a difference here. Whatever one might think of the United Nations, the fact is that there was, for a variety of reasons, including the accident of Soviet absence, considerable international support for the intervention. Sixteen nations became involved. Now, whether that makes it legitimate or not, it lends something to the enterprise that was clearly missing in the Vietnam case. That is, we had some client states, by and large, providing assistance for the enterprise, but I think that was largely missing. I think a very salient question here is raised by a recent article by George Quester in the Political Science Quarterly, which tries to go back and look at how the world was viewed, not only by American publics, but by publics in a whole variety of other nations, some American allies, some neutralist nations, and so on. I think the world in 1950 was viewed rather differently, by a whole lot of publics, that what looked like a legitimate enterprise in 1950, by 1963, 1961, whatever starting point you want to make, looked less so. Well, why was that? I think one of the reasons is the international

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the international side. I think that's perhaps where there's a context. I think that one would not necessarily label somebody in tie between the two of them.

1950 who saw the world as bi-polar as a total madman, who questioned

whether there was a fair degree of solidarity within the members of the so-called Communist bloc. That was a position that could be

taken, I think, with some degree of evidence that could be cited.

By 1961, 1963, whatever date you want to put, 1965, when the

bombing started in Vietnam, that assumption clearly was open to

the most serious kinds of questions. In other words, some of the

assumptions about the nature of the international systems had

changed. Now, this is not, I am not trying to argue here against

Bart Bernstein and his, and his view that American society had

also changed. I think it had. I think that's quite right. But

I think other things, I think some of the parallels, I think we

can go too far in seeing parallels between Vietnam and Korea.

I think the world between, say June 25, 1950, and February 7, 1965,

when the American bombing started, the world had really changed.

And the perception of the world having changed, I think was crucial.

I think that's where we can tie up, maybe, some of the things that

Bart Bernstein is saying about the internal, the domestic side, and

the international side. I think that's perhaps where there's a guilty unless I am convinced, of course, that I have done wrong. tie between the two of them.

CAPPS: We're coming near the end of the time we allotted for I, let me just all you, two points with regard to question of this, and I think you, I think we should allow Professor Lewi to have the last word. And there are several things to respond to.

LEWI: Well, just that I don't want to engage in any summarizing.

I don't think that's possible. I, I prefaced my initial remarks with a statement that most likely what I have to say will not please very many people here, and this clearly has been confirmed. But that's neither here nor there. I guess I was asked to make this statement, with Walter Capps knowing full well that this is the way it would be. And I don't have any bad feelings about that. I do think that in due time there will be the kind of reassessment that I am asking for, and I do think that when it is all done, the sense of guilt and self-flagellation that has occurred will pass, will weaken, and I think, in my view, this will be all to the good. I don't relish the idea of feeling guilty about either something I have done personally or that the society of which I am a part has done. I don't see anything positive in feeling

guilty unless I am convinced, of course, that I have done wrong. If that were the case, obviously the situation would be different. I, let me just add one, two points with regard to question of Korea, how different was Korea. I think it was different in the sense that it did not really lead to a lost war. It resulted in a stalemate. The old borders were reaffirmed, and South Korea remained a going concern, whereas South Vietnam no longer is a going concern. In that sense, the end of the war in Vietnam was a smashing defeat for the United States, which had tried to protect South Vietnam, whereas the American effort in Korea, while it did not lead to the achievement of all the war aims, that some had, nevertheless did not end with a loss of South Korea. South Korea, for whatever it is worth, is still a going concern. And perhaps another factor that we have missed, and perhaps that will come up tomorrow, the Vietnam war was the first war seen on the TV screens. And in living color, to boot. And blood is red, and it doesn't look good. And when you see it every night, there develops a cumulative effect. If World War II had been shown on the TV screens every night, and if the Korean war had been seen on the screens every night, I

would speculate that Americans might have felt somewhat differently about these two wars as well, because it is something very difficult to stomach, especially when it lasts for a long time.

CAPPS: I think we've done it once again. The, it often happens at the Center that we'll be talking about moral atrocities, or genocide, or profound sense of guilt, and then we come up to the time when it's time to quit, and we all sit down and have lunch together, or supper. And what we are doing tonight, if we don't change it quickly, is to do that before we've even introduced ourselves to one another. I didn't ask that, for that in the beginning, because we weren't at full strength. We, a number of people who are not yet here, whom I knew were coming. But I would like to take the time now, if you are willing, to simply work around the circle here and have each one introduce who he or she is, where you have come from today, what your normal line of work is, and then we'll stop, and do something else.

KRIEGER: I'm David Krieger. I'm a political scientist and a writer, and I used to be associated with the Center in a full-time capacity, and now I simply live in Santa Barbara and continue to do

my work on my own.

MESHAD: I'm Shad Meshad, and I'm a Vietnam veteran, and I also a psychiatric social worker. And I've been dealing with Vietnam veterans for about eight years, out of Los Angeles, and have one of the only programs designed especially for readjustment problems for Vietnam veterans in the country. And I like California.

FREY: So do I. I am Cynthia Frey. I am trained as a political scientist, but I, in my work for the National Endowment for the Humanities I spend most of my time giving away money to philosophers, among others. How much do you need?

ROTHMAN: I am Stanley Rothman. I am in political science at Smith College. I have been working mostly on the student movement of the nineteen-sixties. But I have done also work on American intellectuals. And I think Santa Barbara is very lovely.

LEWIS: My name is Michael Lewis, and I am with the California Council for the Humanities in Public Policy, which like Cynthia, I give away money, but only to Californians. How much to you need?

ROSENAU: I am Jim Rosenau, a teacher at U.S.C., international relations and political science. With Ole Holsti, we've been involved

for some four or five years on a major project investigating elite attitudes toward the impact of Vietnam, or the lessons of Vietnam.

BERNSTEIN: Bart Bernstein. I teach history at Stanford, and I do some writing on the World War II and postwar period, seeping into the nineteen-sixties.

LICHTY: I am Larry Lichty. I am a professor of communication arts at the University of Wisconsin. But I haven't been there for three years, because I am, currently work in the national public radio.

DE CONDE: I am Alexander de Conde, professor of history, American foreign relations, University of California at Santa Barbara.

PIEDISCALZI: Nicholas Piediscalzi, professor from Wright State University in Dayton, Ohio. And I am spending N.E.H. money here this year, on a sabbatical leave.

GRAHAM: I am Otis Graham. I teach history at the University of California, Santa Barbara, and am involved in directing the program here at the Center, except that I had nothing to do with this, although by Saturday, if it keeps going so well, I may claim something.

FADIMAN: I am Clifton Fadiman, consultant to the Center, and I guess

the only token nonacademic that the Center has to boast of.

HABER: I am Bernard Haber, and I have to challenge Clifton's remark, and classify myself the same way. I am an engineer by training and experience, and a Center associate.

HOLSTI: I am Ole Holsti, of Duke University and also the University of California at Davis, and as Jim has said, we have been collaborating on a study for some time. If there are people who are willing to support continuation of that here giving away money, be glad to accept. And I also vote for Santa Barbara. First time I have been here. It's great.

DOWNES: I'm Fred Downes, the assistant director for the State of New Mexico for the Veterans' Administration, as of a month ago. I just got transferred there from Washington, D.C. I am also a writer. I wrote a book about Vietnam, and I've written a number of articles about Vietnam veterans and the impact on those people.

FLACKS: Dick Flacks. I teach sociology here at U.C.S.B., and currently am trying to write about the relationship between American political consciousness generally and the Left in the United States.

HUTCHINS: I am Vesta Hutchins. I am a director of the Center, more

correctly the Fund for the Republic.

DOUGLAS: I am James Douglas. I am a director of the Fund for the Republic. I have been interested in Center activities closely for the last ten years. Before that, perhaps relevant to say that I was in the Air Force in World War II and spent the Eisenhower Administration associated with the Air Force.

HUTCHINS: I think that's a very modest statement.

GRAHAM: Misleading, in fact.

HUTCHINS: Misleading, indeed. Would you care to expand?

DOUGLAS: No, not at all.

GRAHAM: Secretary of the Air Force would not care to expand.

COMSTOCK: I am Dick Comstock, and I am a professor in the Department of Religious Studies at U.C. Santa Barbara.

ASHMORE: I am Harry Ashmore. I am an Associate of the Center, and I expect I am the only person here whose experience in Vietnam was wholly in the North. I never got to South Vietnam, only to Hanoi.

LAUCKS: I am Eulah Laucks. I am also on the board of the Center.

CAPPS: We have met Professor Lewl. I am Walter Capps. I'll take

GUENTER LEWY:

Thank you. The Vietnam war, I am sure we can all agree, was the most divisive and most difficult war, perhaps, that this country has experienced. The impact of this war on American society, we can also all agree, I am sure, was highly damaging. Among other things, it has resulted in an attitude of cynicism and distrust of government, and perhaps still more damaging, it has left the country with a tremendous sense of guilt, guilty not only because the war was lost, but because, in the eyes of many, the entire enterprise was flawed, the war was criminal and immoral. Now, with regard to the last count in particular, it is my position that the wounds suffered were