

# EUROPEAN REACTIONS TO U.S. POLICIES IN VIETNAM

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HEARINGS  
BEFORE THE  
SUBCOMMITTEE ON EUROPE  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
NINETY-THIRD CONGRESS  
FIRST SESSION

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## PREFACE

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The past 12 months have seen the climax of American military action in Southeast Asia, an unprecedented worldwide criticism of the United States because of that action, the withdrawal of American military forces following a peace settlement in Southeast Asia, and the imposition, by the Congress, of a legislative ban on further military action by the United States in that area.

This past year represents, in short, a dramatic stage in an American policy which extends back to three previous American Presidents and over a 20-year period.

This volume of hearings and associated documents reflects a painful period for Americans concerned with their country's foreign relations. Most of the things said here about our role in Southeast Asia are sharply critical. But this is not the justification for holding these hearings or for printing them now. What has concerned me, and still does, is that these are European voices speaking (directly or indirectly through American observers) and Western Europe is America's best friend. What Europe thinks and says about the United States is important to *our* goals which are numerous and complex in Western Europe.

American goals in Europe are also changing. This was one obvious implication of the characterization of 1973 by President Nixon as the "Year of Europe." It has been a bad year, one can now safely say as its last weeks roll by. From criticism of the "Christmas bombing" which this volume depicts, to the abortive attempt to restore old relationships by the administration's call for a new "Atlantic Charter," to the bitterness engendered on both sides of the Atlantic by the October war in the Middle East, it has been one piece of bad news after another.

The "Year of Europe" proclaimed by our administration late last year was either too long or too short.

The proclamation excited more expectations than any series of speeches, consultations, and declarations could satisfy. Proper servicing of the relationship between Europe and America is as complex as the historical ethnic, economic, and political ties which bind us across the Atlantic. Even suggesting that 12 months of activity could contain that restorative effort was a disservice to our true interests in West Europe. And even the best intentions and the best performance during any year would have left an unfortunate implication: that the end of the year will mean another new direction to American efforts in 1974 away from Europe. (Why not a "Year of Japan" and a "Year of Latin America"?)

Yet Europe had most to expect from a redirection of American attention after the tragic years of Vietnam, for more was happening in Europe from 1964-72 when we were preoccupied in Southeast Asia.

An immense undertaking, perhaps the greatest of our century, was underway as the Six and now the Nine began to create an alloy of national elements which stretch back in history for thousands of years.

We Americans were deceived, perhaps, by the economic forms with which European unity began. Some people (on both sides of the ocean) thought that the European Community was fancy language for a trade bloc. Others (again on both sides of the Atlantic) thought progress toward political unity was too slow, too difficult, and too unlikely to be taken very seriously.

It would have been reassuring if the "Year of Europe" meant that we finally recognized that something fundamentally different *had* occurred in Europe. Instead, the Year seems to mean to our administration that we had better try to restore the American hegemony of the past 25 years on our European allies. The Kissinger speech of April 23 sounded unfortunate echoes of those past years. A new "Atlantic Charter"? Like the Anglo-American one of 1941? Did Dr. Kissinger's citation of a "global" America and a "regional" Europe represent a new perspective?

No. Our policy-making, imbued with WWII ideas about the American-European ties, should have recalled another, more appropriate catch-phrase from that period: Too little and too late.

We need some fresh insights into what is going on in Europe today. Particularly we need to reexamine the European Community which is larger in population than either the United States or the Soviet Union; which controls 40 percent of the world's trade; and which is on a one-way street leading to economic, monetary, and political union by 1980!

We must also find something new to replace the trans-Atlantic institutions, like NATO. The Europeans may have chosen wrongly in the Middle East war but NATO obviously wasn't the institution for discussing and making that choice.

Even with tranquility at home, and the best powers of national concentration, we would have had trouble in belatedly digesting these facts about Europe. We have not had that kind of concentration because we were desperately distracted on our homefront and elsewhere in the world. Renewed repression in the Soviet Union sours détente. A Middle East war embitters participants, their patrons, and the European onlookers.

Each new stress weakens us *and* our European ties. The "Year of Europe" is best forgotten as we enter its final month. More modest expectations abroad and a chance for slow recovery at home is what we need now. Europe remains America's best friend whenever we find ourselves in a position to deal again with friends.

BENJAMIN S. ROSENTHAL,  
*Chairman, House Subcommittee on Europe.*

December 4, 1973.

# EUROPEAN REACTIONS TO U.S. POLICIES IN VIETNAM

THURSDAY, JANUARY 4, 1973

## HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS, SUBCOMMITTEE ON EUROPE.

The subcommittee met at 10 a.m. in room 2200, Rayburn House Office Building, Hon. Benjamin S. Rosenthal (chairman of the subcommittee) presiding.

Mr. ROSENTHAL. The subcommittee will be in order.

I am disappointed that a letter from the Department of State, which I received last night, announced that a witness will not appear this morning.

The subcommittee requested testimony on the European reactions to recent American bombing in North Vietnam. Our interest in that reaction is not academic. There are many important—even vital—American interests at issue in Europe today. The Conference on European Security has already started its planning sessions in Helsinki. Talks on mutual and balanced reductions of American forces in Europe will begin soon. The enlargement this week of the European Community to include, among other countries, Great Britain, portends enormous and complicated problems for our country. The administration has itself indicated that 1973 will be a year for concentrated diplomatic, economic, military, and political efforts in Europe.

Yet, all of these efforts can be seriously affected by the exceptionally sharp and predominantly negative reaction in Europe to the American bombing of North Vietnam cities just before Christmas. These reactions come largely from friends of the United States. They are not the voices of professional or even habitual anti-American spokesmen. Whether or not one accepts the premises of that criticism, its temper is a fact which can jeopardize the important bonds which tie our country to Europe.

### REASSURANCES SOUGHT

I had hoped for a reassurance today from our State Department that these reactions are transitory. Even better, I would have welcomed an assurance that our Government understands the abhorrence expressed in Europe against the Christmas bombing. Finally, I would have welcomed a careful and thoughtful exposition of how our Government proposes to work under these difficult circumstances with our European partners in trade and in politics toward the goals of common effort and high dedication which have marked so much of our past relations with that continent.

We received yesterday afternoon or last evening a letter from David M. Abshire, Assistant Secretary for Congressional Relations, the substance of which is as follows:

As I mentioned to you on the telephone earlier today, Mr. Stoessel is now in California and had not expected to return to Washington until January 22. I have, however, been in touch with him by telephone today, and in view of your desire to have him appear before the subcommittee, he has adjusted his plans so as to permit his return to Washington at the end of next week. Mr. Stoessel would be glad, any time at your convenience on Friday, January 12, to discuss with the subcommittee in executive session the subjects identified in your letter.  
(The full text of the letter follows:)

LETTER FROM DEPARTMENT OF STATE

DEPARTMENT OF STATE,  
Washington, D.C., January 3, 1973.

HON. BENJAMIN S. ROSENTHAL,  
*Chairman, Subcommittee on Europe, Committee on Foreign Affairs,  
House of Representatives.*

DEAR MR. CHAIRMAN: Secretary Rogers has asked me to thank you for and to respond in his behalf to your letter of December 30 asking that Assistant Secretary of State Walter Stoessel appear before your Subcommittee on Thursday, January 4. As you know, we did not receive your letter until yesterday, which accounts for the last minute nature of this response.

As I mentioned to you on the telephone earlier today, Mr. Stoessel is now in California and had not expected to return to Washington until January 22. I have, however, been in touch with him by telephone today, and in view of your desire to have him appear before the Subcommittee, he has adjusted his plans so as to permit his return to Washington at the end of next week. Mr. Stoessel would be glad, any time at your convenience on Friday, January 12, to discuss with the Subcommittee in executive session the subjects identified in your letter.

I hope these arrangements are satisfactory to you, and that the slight delay in Mr. Stoessel's availability will not prove any serious inconvenience to the Subcommittee's schedule of hearings.

Sincerely yours,

DAVID M. ABSHIRE,  
*Assistant Secretary for Congressional Relations.*

MR. ROSENTHAL: I have responded to that with a letter to Mr. Abshire asking that Assistant Secretary for Europe, Walter Stoessel, testify next Friday, January 12, in open hearing and not in executive session as the Department proposed yesterday to me. I wrote as follows:

As you know, it is the policy of the subcommittee to proceed in open session except where discussion of security or diplomatic matters is of such overriding importance to make closed hearings mandatory. I do not see the existence of these factors in the areas we asked Secretary Stoessel to cover.

We would like to have a frank report from him about the nature of the European reactions to recent events in Vietnam, particularly the December bombing of North Vietnam and an assessment of how those reactions might affect the important issues between the United States and Europe. We are specifically interested in the public reactions to those events and their effects on the political climate in which those issues will be considered. Additionally, we would like a report on the status of our country's

relations with Sweden.<sup>1</sup> An open discussion of these matters serves two important purposes: first, Congress and specifically the Foreign Affairs Committee is better informed by open sessions which produce transcripts and hearing records readily available to all Members; second, the public benefits by a better understanding provided by such discussions of the diplomatic and political climate in which foreign affairs is conducted. (The full text of the letter follows:)

LETTER TO STATE DEPARTMENT FROM SUBCOMMITTEE CHAIRMAN

CONGRESS OF THE UNITED STATES,  
COMMITTEE ON FOREIGN AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., January 4, 1973.

HON. DAVID M. ABSHIRE,  
*Assistant Secretary for Congressional Relations,  
Department of State, Washington, D.C.*

DEAR MR. SECRETARY: I was disappointed that neither Assistant Secretary Stoessel nor Acting Assistant Secretary Fessenden could appear this morning to testify on the effects of recent developments in Vietnam on American relations in Europe.

I am concerned also about the reference in your letter to the availability of Mr. Stoessel next week in executive session. As you know, it is the policy of the Subcommittee to proceed in open session except where discussion of security or diplomatic matters is of such overriding importance to make closed hearings mandatory. I do not see the existence of these factors in the areas we asked Secretary Stoessel to cover.

We would like to have a frank report from him about the nature of the European reactions to recent events in Vietnam, particularly the December bombing of North Vietnam and an assessment of how those reactions might affect the important issues between the United States and Europe. We are specifically interested in the public reactions to those events and their effects on the political climate in which those issues will be considered. Additionally, we would like a report on the status of our country's relations with Sweden. An open discussion of these matters serves two important purposes: first, Congress and specifically the Foreign Affairs Committee is better informed by open sessions which produce transcripts and hearing records readily available to all Members; second, the public benefits by a better understanding provided by such discussion of the diplomatic and political climate in which foreign affairs is conducted.

It is my wish that Secretary Stoessel and other officials knowledgeable about our European relations testify next week in open session on these matters.

Sincerely,

BENJAMIN S. ROSENTHAL,  
*Chairman, Subcommittee on Europe.*

Mr. ROSENTHAL. Additionally, I asked the Library of Congress to submit and, if necessary, update the paper that they released on November 6, 1969, entitled "The Recall or Withholding of U.S. Ambassadors To Influence Other Governments or Express Disapproval of Their Actions."

I shall read the first two paragraphs of that paper because it is pertinent to one area of this hearing. I quote as follows:

This paper briefly explores a question which has apparently received very little direct attention from writers on U.S. foreign policy. In what cases has the United States sought to influence another government or to express disapproval of its actions by

<sup>1</sup> The United States, in response to statements on Vietnam by Swedish officials, withdrew its Charge d'Affaires in late December 1972. The Swedish Government was also told its new Ambassador to Washington would not be welcome for the present. (See appendix, p. 80.)

Hearings on resolutions urging the restoration of normal diplomatic relations with Sweden were held in September 1973 and published under the title "U.S. Diplomatic Relations With Sweden." Copies are available from the Committee on Foreign Affairs.



recalling the U.S. Ambassador or by delaying the appointment or accreditation of a new one?

The question assumes that diplomatic relations take place without the presence of the U.S. Ambassador. For example, the U.S. Embassy might be headed by the deputy chief of mission or other officers designated as *Chargé d'Affaires*. Our question also assumes that the U.S. Ambassador is recalled or that the sending of a new Ambassador is delayed on the initiative of the United States, for the broad purpose mentioned.

I have asked the Library of Congress to bring this up to date to include the recent events concerning United States-Swedish relations.

Without objection, the entire paper will be included in the record.

#### THE RECALL OR WITHHOLDING OF U.S. AMBASSADORS TO INFLUENCE OTHER GOVERNMENTS OR EXPRESS DISAPPROVAL OF THEIR ACTIONS: SOME SPECIFIC CASES

(Prepared by Ernest S. Lent, specialist in international politics, Foreign Affairs Division, Legislative Reference Service, Library of Congress)

NOVEMBER 14, 1969.

#### INTRODUCTION

This paper briefly explores a question which has apparently received very little direct attention from writers on U.S. foreign policy.<sup>1</sup> In what cases has the United States sought to influence another government or to express disapproval of its actions by recalling the U.S. ambassador or by delaying the appointment or accreditation of a new one?

The question assumes that diplomatic relations take place without the presence of the U.S. ambassador. For example, the U.S. embassy might be headed by the deputy chief of mission or other officers designated as *charge d'affaires*. Our question also assumes that the U.S. ambassador is recalled or that the sending of a new ambassador is delayed on the initiative of the United States, for the broad purpose mentioned.

Seven cases are cited in this paper. A more intensive study, utilizing the exhaustive published materials available, particularly for earlier periods, might well turn up numerous other examples.<sup>2</sup>

The United States does not always spell out its reasons for withdrawing or withholding an ambassador. There is much uncertainty in some of these cases on the precise ways in which the U.S. sought to influence another government. This paper does not undertake the large task of weighing the subtleties. In all but one of the seven cases, it seems perfectly clear that some such purposes were present. The case of U.S. relations with the Dominican Republic during the absence of an ambassador for some three months in 1963-1964 is not so clear. This case is tentatively identified as "possible."

#### I. CUBA, 1960-1961

The United States extended recognition to the "provisional Government of the Republic of Cuba" on a note delivered on January 7, 1959. This was five days after the victorious Fidel Castro had proclaimed Judge Manuel Urrutia Lleó to be Provisional President of Cuba.<sup>3</sup>

<sup>1</sup> A sampling of guides to diplomatic practice, treatises on diplomacy, texts on international law and texts on the conduct of U.S. foreign policy has turned up only one brief discussion of a topic embracing this question.

Elmer Pilschke writes, "It is somewhat exceptional for a state to bring an overseas diplomatic representation to an end without severing diplomatic relations." He cites an action by the Government of Iran in 1936 and the widespread recall or withholding of ambassadors and ministers from Spain in accordance with a 1946 United Nations resolution. *Conduct of American Diplomacy*, 3rd. ed., Princeton, New Jersey, Van Nostrand, 1967, pp. 299-300. Professor Pilschke's summary of the Spanish case is quoted below in the Section entitled "Spain, 1946-1961."

Edwin S. Costrell, Chief of the Historical Studies Division, Historical Office, Department of State, recently advised that the Historical Office has made no study of this topic.

<sup>2</sup> The writer had the benefit of off-the-cuff leads, some of them not fully explored in the time available, which were helpfully suggested by three officers of the Historical Office, Department of State, and by area specialists in the Foreign Affairs Division, Legislative Reference Service.

<sup>3</sup> For diplomatic correspondence at this time, see Marjorie M. Whitman, *Digest of International Law*, Vol. 2, Department of State Publication 7753, Washington, U.S. Govt. Print. Off., 1963, pp. 238-270.

The story of the development of increasingly acute tensions between the United States and Cuba in 1959 and 1960 is readily available in condensed form<sup>4</sup> and need not be repeated here. On January 21, 1960, U.S. Ambassador to Cuba Philip A. Bonsal was recalled to Washington for "consultations." He returned to Havana on March 20, 1960. On March 29, Premier Castro announced that he would not send the Cuban Ambassador to the U.S. back to Washington unless the U.S. modified its "unfriendly" policies toward Cuba.

On October 20, 1960, U.S. Ambassador Bonsal was again recalled to Washington, this time for "an extended period of consultations." The United States has not had an ambassador in Cuba since that time. The U.S. severed relations on January 3, 1961. The previous day, Premier Castro said the U.S. embassy in Havana was the center of counter-revolutionary activities and would have to reduce its staff to eleven persons within forty-eight hours.

## II. THE DOMINICAN REPUBLIC, 1963-1964

On September 25, 1963, a bloodless military coup ousted the democratically-elected government of President Juan Bosch. On the same day the United States suspended diplomatic relations and announced that it was halting aid to the Dominican Republic. Shortly thereafter, the U.S. withdrew its ambassador, John Bartlow Martin, as well as its economic and military aid personnel. However, embassy personnel below the rank of ambassador remained in the Dominican Republic, as did members of the Peace Corps.

Shortly after the coup in the Dominican Republic, on October 3, 1963, another coup took place in Honduras. A U.S. statement, read to newsmen on October 4, declared in part:

We view the recent military coups in the Dominican Republic and Honduras with the utmost gravity. The establishment and maintenance of representative and constitutional government is an essential element in the Alliance for Progress. Stable and effective government, responsive to the popular will, is a critical factor in the attainment of social and economic progress.<sup>5</sup>

The detailed account of U.S. Ambassador John Bartlow Martin relates many ways in which the United States sought to influence the Dominican Republic during the period in which relations were officially suspended.<sup>6</sup> Initially, the U.S. objective was a return to government by the party of the ousted Juan Bosch. However, the new military-backed civilian government fought back. It complained officially to the Organization of American States about U.S. "intervention." Little by little, according to Ambassador Martin's account, the United States reluctantly cut back its objective. On November 22, 1963, President Kennedy was assassinated. On December 14, the United States, fearing that governmental instability might lead to a dangerous counter-coup in the Dominican Republic, recognized the new government. A statement by the Department of State read in part:

Both the Honduran and the Dominican regimes have issued decrees setting forth election timetables for return to representative and constitutional governments. Both regimes have given public assurances of respect for civil liberties, freedom of action for political parties, and that international obligations will be fulfilled.<sup>7</sup>

No U.S. ambassador presented his credentials to the new government of the Dominican Republic until March 23, 1964. This was more than three months after U.S. recognition. The new U.S. ambassador, W. Tapley Bennett, had been confirmed by the Senate on February 19, 1964, but did not arrive in Santo Domingo until March 21.

None of the various sources we have consulted discusses whether the U.S. delayed the sending of a new ambassador in a further effort to influence the new government. The Historical Office of the Department of State is currently unable

<sup>4</sup> Hubert Herring, *A History of Latin America from the Beginning to the Present*, 3rd ed., New York, Knopf, 1968, pp. 409-412. Often the facts cited in this section are taken from *Deadline: Data, Cuba*, pp. 6-17, and this source, for the relevant country and data, is used frequently throughout this paper.

<sup>5</sup> Department of State Bulletin, October 21, 1963, p. 624.

<sup>6</sup> Martin, John Bartlow, *Overtaken by Events: The Dominican Crisis From the Fall of Trujillo to the Civil War*, Garden City, New York, Doubleday, 1966, Chapter 24 and 26. Unfortunately for our purposes, this detailed treatment does not include U.S. policy in the three-month period following the resumption of diplomatic relations on December 14, 1963.

<sup>7</sup> Department of State Bulletin, December 30, 1963, p. 907.

to supply an answer to this question.<sup>8</sup> A more intensive study than the present one might establish the facts here. At present, we can merely term this a "possible" case.<sup>9</sup>

### III. GERMANY, 1938-1941

Cordell Hull wrote in his *Memoirs*:

In November 1938, a savage pogrom against Jews in Germany broke out on an official scale in retaliation for the shooting of a member of the German Embassy in Paris by a German emigre Jew. Assistant Secretary Messersmith prepared a memorandum for me recommending that Ambassador Wilson be ordered home for consultation as a token of our disapproval of this wholesale inhumanity. I conferred with my assistants as to the advisability of this step. Against it was the fact that it would deprive us of an Ambassador in Berlin at a time when one was needed to keep in close contact with the aims and acts of the German Government and to give weight to any representations we needed to make. Favoring it was the fact that words seemed to have no effect on Hitler and his lieutenants; all they perceived was deeds; and, as a nation advocating certain standards of conduct, we could not let so despicable an action as that of the German Government pass unnoticed. We agreed upon Wilson's recall, and I recommended it to the President. He approved.

The statement, as the President gave it to the press on November 15, read:

'The news of the past few days from Germany has deeply shocked public opinion in the United States. Such news from any part of the world would inevitably produce a similar profound reaction among American people in every part of the nation.

'I myself could scarcely believe that such things could occur in a twentieth century civilization.

'With a view to gaining a first-hand picture of the situation in Germany I asked the Secretary of State to order our Ambassador in Berlin to return at once for report and consultation.'

Hitler retaliated by ordering Ambassador Dieckhoff home for consultation. Germany and the United States were to be without ambassadors to each other for the remainder of their peacetime relations.<sup>10</sup>

### IV. HUNGARY, 1956-1967

The Kadar government of Hungary came to power on November 4, 1956, following suppression by Soviet troops of the Hungarian revolt. The new American minister, Edward W. Wiles, appointed on July 26, 1956, arrived while the revolt was in progress. He had not presented his credentials to the short-lived independent communist government of Premier Imre Nagy. Acting under instructions, he did not present them to the new regime. He left Budapest in February 1957, the Hungarian Foreign Office insisting he should present his credentials or leave.<sup>11</sup>

The United States did not, however, sever diplomatic relations with Hungary. The U.S. embassy staff remained in Budapest. This situation continued until October 30, 1967, at which time Martin J. Hillenbrand presented his credentials as U.S. Ambassador to Hungary. In November 1966, the United States and Hungary had raised their diplomatic relations from the ministerial or legation level to the ambassadorial or embassy level, still without the dispatch of a U.S. ambassador.

The origins of this unusual situation are described in some detail by Marjorie Whiteman.<sup>12</sup> She includes the partial transcript of a news conference of December 2, 1956 in which Secretary of State John Foster Dulles is extensively questioned about it. There is no doubt that the United States was, at least for some of the period, expressing distaste for a government imposed on the Hungarian people by Soviet military force.

<sup>8</sup> Byron Fairchild, Historical Office, Department of State. Telephone conversation with the writer, November 5, 1969.

<sup>9</sup> A useful source for this case as a whole is Deadline Data, Dominican Republic, pp. 19-22.

<sup>10</sup> The Memoirs of Cordell Hull, Vol. I, New York, Macmillan, 1948, p. 599.

<sup>11</sup> Whiteman, *op. cit.*, p. 398.

<sup>12</sup> *Ibid.*, pp. 398-400.

On July 18, 1962, Peruvian military leaders staged a successful coup. The Kennedy Administration the same day suspended diplomatic relations, deploring "this military coup d'etat which has overthrown the constitutional government of Peru."<sup>13</sup> Most U.S. assistance programs to Peru were suspended the following day.

The U.S. Ambassador to Peru, James I. Loeb, was recalled, and relations with Peru remained suspended until August 17, 1962. In resuming relations, the U.S. noted that the junta had promised elections and decreed the restoration of constitutional guarantees of civil liberties. The U.S. also resumed economic, but not military assistance. It did not for some time send a new ambassador to Lima. The new U.S. ambassador, J. Wesley Jones, was not appointed by President Kennedy until November 29, 1962, more than three months later.

Was the delay in the appointment of the new ambassador part of a U.S. effort to persuade the Peruvian junta that it should indeed move to assure a return of democratic government? An unpublished study in the Historical Office of the Department of State suggests that this was the case.<sup>14</sup>

Hubert Herring writes:

To the surprise of many, the promised presidential election of June 9, 1963, actually took place—perhaps because the junta had felt the sharp distrust of the public, and were cowed by the American government, which could both give aid and take it away. The elections gave the office to Fernando Belaúnde Terry . . . .<sup>15</sup>

#### VI. SPAIN, 1945-1961

Elmer Plischke summarizes the collective withdrawal and withholding of ambassadors and ministers from Spain under a 1946 resolution of the U.N. General Assembly as follows:

. . . On December 12, 1946, the General Assembly of the United Nations approved a resolution providing that all of its member governments immediately recall their ambassadors and ministers from Madrid. This resolution also barred Spain from participation in the specialized agencies and other technical activities under the United Nations so long as the Franco regime remained in power. This action was intended as a diplomatic sanction designed to induce reform in the Spanish Government, to evidence reproval for Spain's wartime aid to the Axis, and principally to prevent the Franco regime from endangering international peace. Diplomatic relations were not severed by this action, and United States representation was continued under a charge d'affaires. In November 1950, the General Assembly passed a resolution which revoked the 1946 resolution, and ranking emissaries were again accredited to Madrid. This later action did not imply approval of the Franco regime and its policies, but constituted an acknowledgment that the sanctions had not fully achieved their intended purposes.<sup>16</sup>

In reply to an inquiry of December 20, 1946 from the U.N. Secretary-General, the United States replied that it had not had an ambassador or minister plenipotentiary in Spain since the departure of Norman Armour from Madrid on December 1, 1945. The United States abstained on the U.N. resolution in 1946 and voted for its repeal on November 4, 1950. Stanton Griffis, the first U.S. ambassador to Spain in more than five years, presented his credentials on March 1, 1951. Marjorie Whiteman provides an extensive documentary record of the U.S. part in this collective effort to encourage the establishment of "a government which derives its authority from the consent of the governed," as well as the considerations which influenced the development of U.S. policy.<sup>17</sup>

<sup>13</sup> For the texts of Department of State statements during this period, as well as the immediate background of the coup, see Whiteman, *Ibid.*, pp. 310-312.

<sup>14</sup> Peter V. Cirl, Historical Office, Department of State. Telephone conversation with the writer, October 31, 1969.

<sup>15</sup> A History of Latin America, *op. cit.*, p. 607. For Herring's account of the coup and its aftermath, see pp. 605-607.

<sup>16</sup> Conduct of American diplomacy, *op. cit.*, p. 300.

<sup>17</sup> Whiteman, *Op. cit.*, pp. 430-439.

The United States has not had an ambassador to Sweden since William W. Heath ended his service in that capacity on January 23, 1969. The United States has not severed relations with Sweden, but neither has President Nixon named a new ambassador to that country.<sup>18</sup> The following account of the increasing ill-feeling between the United States and Sweden is extracted from a memorandum written in October of this year by Pauline Mian of the Foreign Affairs Division, Legislative Reference Service.<sup>19</sup>

"In 1967, the Swedish government started granting asylum to American military deserters, who today number around 250. Also, in 1967, Sweden granted Lord Bertrand Russell permission to hold in Sweden his 'War crimes tribunal' against 'American crimes in Vietnam,' after permission was denied to him by several other European countries. In February 1968, the Swedish Education Minister Olof Palme—who has just been elected to succeed Tage Erlander as Premier—led a protest march against United States Vietnamese policy. Following this demonstration, the then United States ambassador to Sweden, William Heath, was called back to Washington for consultations, and remained away from his post for five weeks. The Swedes saw in the ambassador's prolonged absence from his post a sign of disapproval on the part of the United States, and on March 27, 1968, then Premier Erlander expressed little hope that relations would improve until the end of the war. On January 10, 1969, ten days before President Nixon's inauguration, it was announced that Sweden would establish full diplomatic relations with North Vietnam, thus making it the first West European country to do so. In a letter accompanying the announcement, Swedish Foreign Minister Nilsson stated: 'As the negotiations in Paris are now entering a stage which, it is hoped, will be decisive for the peace in Vietnam, it would appear that the time has come to establish diplomatic relations.'<sup>20</sup> Robert J. McCloskey, United States State Department spokesman, issued a statement criticizing the Swedish decision: 'The United States Government does not believe this decision will help the cause of peace in Southeast Asia, coming as it does at a time when the Hanoi regime is still continuing its efforts to overthrow by armed force the elected constitutional government of South Vietnam.'"<sup>21</sup>

"In addition to the opening of embassies in Hanoi and Stockholm, the National Liberation Front—the political arm of the Vietcong—has been allowed to open an information office in Stockholm. Sweden still has formal diplomatic relations with South Vietnam, but has not sought to accredit an ambassador to Saigon since 1967."

Mr. ROSENTHAL. This hearing will close after a statement by Mr. Frelinghuysen and response by myself, subject to being recalled next Friday if Secretary Stoessel is available and if the question of whether a closed hearing or open hearing is successfully resolved.

Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman. I certainly appreciate the opportunity of testifying. I suppose that is what we could call my remarks since we don't have any witnesses before the subcommittee. It must be disappointing to the audience to get nothing but perhaps a little better understanding about how the congressional committee system functions. This meeting certainly is something I don't understand at all and my statement will concern itself with what is going on here.

I have served here for 20 years, am starting my 11th term, and this is the first time I have ever attended a meeting where we knew there would be no witnesses. I would assume anyone in his right mind would simply call off the meeting if there was no witness.

<sup>18</sup> Ambassador Jerome H. Holland was nominated by President Nixon and arrived in Stockholm in April, 1970 (Subcommittee Editor's note).

<sup>19</sup> Report on the status of United States recognition of Sweden. Legislative Reference Service, October 3, 1969.

<sup>20</sup> *New York Times*, January 11, 1969, p. 1.

<sup>21</sup> Keesing's Contemporary Archives, 1969, p. 28182.

I might say, for those who don't know, that there are 13 Members of the 93d Congress who served in the 92d Congress as members of the Europe Subcommittee. Of those 13 there are two here today. I might say this is not the Members' fault. Our subcommittee has not organized. Our subcommittee hasn't decided anything about holding hearings.

#### LETTER SENT TO STATE DEPARTMENT

What has happened is that our chairman has taken it upon himself to send a letter to the State Department—and I only found this out this morning—a letter dated Saturday, December 30, requesting a witness from the State Department for today. I spoke to the chairman yesterday because I had heard through the grapevine—I am the senior Republican on the subcommittee—I had heard through the grapevine there might be a meeting today. I asked my chairman what was going on, and said that I had no notice but I understood there was the possibility of a hearing. He told me on the floor yesterday that he doubted very much if the State Department was going to be able to send anyone up tomorrow and he assumed it would be held next week. There was never an indication so far as I know that the State Department was going to be able to comply with a request that they did not even receive until January 2.

Mr. Abshire pointed out that they responded as quickly as they received it, in his communication and by telephone I assume. Certainly the letter which he sent, a copy of which I received last night, says that Mr. Stoessel is on leave, and this letter says he is making a considerable concession to get back on January 12. But the impression is created that we should be fully functioning today. I think it is an outrageous abuse of authority by a chairman to simply go ahead, on the day when Hale Boggs is having a memorial service in New Orleans, with holding a mockery of a hearing because we have no witnesses. We have had no discussions as to the subject matter of the hearing, and we have quite obviously no one to discuss the matter with this morning. So I don't know what is going on, but I would think out of courtesy that members of the subcommittee should at least be informed what the plan is.

I might say I was in my own office until a quarter of 12 yesterday. There was no indication from anyone, including our friend Mr. Hackett, that there was going to be a hearing, or that an effort was being made to get a hearing. A green paper was left at my office by Mr. Hackett, after I went to the floor, saying "You are cordially invited to attend the following open session meeting of the Subcommittee on Europe, today's date, 10 a.m.; subject: To hear officials of the State Department."

This couldn't have been sent out on the basis that they had any indication there was going to be anyone here from the State Department today. And I had no indication from the chairman when I asked him what was going on, than for him to say he didn't think there would be anything until next week.

#### PURPOSE OF HEARING QUESTIONED

I repeat my question: What is the point of having a charade like this? What are we trying to do? I would assume we are both Members

of Congress, we are both members of the Subcommittee on Europe, and we both should be equally interested in subjects that might be discussed. What is the point of going off on an operation like this? Why do you act as if we had been imposed upon by the State Department because Mr. Stoessel hasn't been recalled from his leave to appear here today?

I understood the chairman was going to respond. I hope he will, I hope that if he does nothing else, that he would recognize there is some necessity for a reasonable degree of comity, a reasonable degree of communication between members of the subcommittee. What is the point of an exercise like this?

Mr. ROSENTHAL. When you have finished I will respond.

Mr. FRELINGHUYSEN. I am not sure I have finished. It depends on what your response is going to be.

Mr. ROSENTHAL. I am happy to address myself to the questions sincerely and legitimately raised by Mr. Frelinghuysen, and my response shall be in a temperate vein as his remarks have been and without any personal or partisan considerations at any time.

Yesterday I was in constant telephone communication and in personal communication with Mr. Abshire, Assistant Secretary of State for Congressional Relations. During the morning and the early part of the afternoon he informed me that Ambassador Stoessel was out in California, presumably on a vacation, and it was hardly my intention to impose upon his personal life to have him come back for a hearing today.

#### ANOTHER WITNESS REQUESTED

When it was finally concluded at about 2 or 3 in the afternoon that Mr. Stoessel would certainly be unavailable today and neither of us would presume to intrude upon his vacation, I recommended to the State Department that Mr. Fessenden, Acting Assistant Secretary of State for European Affairs, appear here today.

Sometime in the late afternoon Mr. Abshire took up that recommendation, I am told, with the Secretary of State. I was subsequently notified late in the day that the State Department had no one other than Ambassador Stoessel available.

I suggested to Secretary Abshire that Mr. Fessenden was certainly well acquainted with all of the matters the subcommittee has under inquiry this morning and in view of the fact that he was Acting Assistant Secretary of State for European Affairs, the subcommittee would be not only pleased but honored to have him appear here today.

Early yesterday evening I was formally notified by letter that the negotiations for an appearance of a witness here this morning had concluded, at least upon behalf of the Department of State, and that they would not make anyone available.

At that point I felt that the urgency of this situation required a public accounting because when I received the letter from Mr. Abshire yesterday he had in it a statement, which I had not agreed to, that the State Department would make Secretary Stoessel available next Friday "in executive session."

One function of this subcommittee is to ventilate the important issues. We revert to closed sessions only when the overriding national concern makes it mandatory that the public be excluded from these hearings.

I also told Secretary Abshire yesterday that under no conditions during the dialog with the representative of the State Department would we engage in any matters concerning the substantive negotiations in Paris. What we were concerned with was the relationship with the Government of Sweden and in the reactions in other European capitals that could affect matters of important public policy between our respective governments.

The issue is not whether the subcommittee was considerate of Ambassador Stoessel's vacation. We are, and I would expect that I be given the kind of consideration that we are giving to him.

The issue is twofold: Whether or not the State Department had available any other person who could direct himself to the questions involved. The second part of the issue is whether or not these areas of concern are such that the American public has a right to see them ventilated in an open forum. Those are the two issues, not whether we want to intrude on someone's vacation.

The third issue that the subcommittee faces today—and I think we ought to address ourselves to—is that indeed it is inconvenient to hold this hearing on a day when a funeral service is being accorded to our departed and beloved Majority Leader of the House of Representatives, and whether or not the situation requires some modest inconvenience on the part of Members of Congress.

All of the members of the subcommittee have been made aware of the fact that a witness would probably not be here this morning, and I do appreciate Mr. Frelinghuysen joining with me and engaging in this discussion.

#### CONTINUING AUTHORITY OF THE SUBCOMMITTEE

There have been, I think, some questions raised whether committees have yet been formed and whether there has been a designation of subcommittee chairman and whether or not there is a valid authority to proceed as we are doing this morning. It is my own view that the urgency of the situation requires the House as well as the Senate to engage itself continuously in matters of great public policy. This meeting today is an affirmation of that position, and it is for that reason that I felt it absolutely essential to proceed at least in the formal opening of these hearings and into the establishing of a record.

It is also my further position that my role as chairman of this subcommittee continues without interruption from the last Congress and that there is a legitimate presumption of authority to act until I am either replaced by someone else or there is a designation of another person.

So it is my position that all of these three areas of valid concern, as raised by Mr. Frelinghuysen, have been adequately amplified and clearly stated.



Mr. FRELINGHUYSEN. Mr. Chairman, I don't think anything I said questioned your authority to act. It is the wisdom of the way you are exercising the authority that I question very strongly. I would suppose as a normal procedure—and I probably am wrong because I don't know how this subcommittee does operate—that when there is any plan for a hearing that members are advised beforehand.

#### WHETHER MEMBERS WERE POLLED

I was not advised until yesterday afternoon that there was going to be a meeting at 10 a.m. I would have assumed since this notice arrived at my office before my discussion with you that this didn't really mean there was going to be a meeting because you yourself indicated there probably would not be one until next week. I would suppose that the 11 other Members who are Members of the 93d Congress are presumptively also members of this subcommittee, if they want to be. They may not want to be—I could certainly see reasons why they would want to get off a subcommittee like this. If they were notified that there was going to be a meeting, I would assume Mr. Hackett or someone would ask if they were going to be in town so they attend.

May I ask if there was any effort to poll the members yesterday? If so, what was the result? And was this before or after they were notified there was not going to be any witness?

Mr. ROSENTHAL. In response to the specific inquiry as to whether or not there is a polling of the subcommittee, my colleague knows full well there is always a polling of the subcommittee.

Mr. FRELINGHUYSEN. Take it for granted that I know nothing about this subcommittee. If I don't know what is going on or how we got here, you can take it for granted I know nothing about whether there was a polling or not. If there was a polling, did someone call my office?

Mr. ROSENTHAL. I would assume then in view of your statement you know nothing about the subcommittee.

Mr. FRELINGHUYSEN. Assume that to begin with.

Mr. ROSENTHAL. I will begin at ground zero. The rules of the committee require that before a committee session can proceed for the taking of testimony at least two members of the subcommittee have to be present. My observation at the moment is that there are two members of the subcommittee present.

Mr. FRELINGHUYSEN. Presumptive members, if I decide to continue with this subcommittee. Again it is enough to make one want to get off, the way the subcommittee is being run. Let's assume there are two members of the subcommittee here.

#### SUBCOMMITTEE PRACTICE DESCRIBED

Mr. ROSENTHAL. It is also the practice of the subcommittee, and has been the practice, I think, of all of the subcommittees of the House Foreign Affairs Committee to poll the members vigorously on their availability for a meeting. This was done yesterday afternoon. A poll was made of members of the subcommittee and at least four members of the subcommittee indicated they would be here; one member of the subcommittee said he would not be here; five members of the subcommittee said that they would be out of town, and three offices were not certain if the members would attend.

I might also add that when we poll members of the subcommittee, we regularly have a fairly high number of members who say they will be available and yet who, through conflict with other legislative activities and district activities, find themselves precluded from being here. But I can assure the gentleman from New Jersey there was a polling of the members and I was satisfied there would be a minimum of two members here in the event there would be a witness available.

Mr. FRELINGHUYSEN. I don't think we ought to talk nonsense, Mr. Chairman. I am here, my legislative assistant is here, and I can vouch for the fact that I was not polled. You didn't poll me yourself nor did Mr. Hackett. How can you say in the normal course there is a vigorous poll taking. There was an announcement delivered in my office there would be a meeting. Is that considered a poll, or that am I going to be able to attend? I didn't know myself whether I was going down to the funeral. So no one had the authority, had they been asked, to answer for me, and nobody asked me that question. My legislative assistant who received this green letter from Mr. Hackett says he did not indicate that I would be present at the meeting. He wouldn't have the authority to make such a statement, but had he done so, I would assume you could say that I had been polled.

#### SUBCOMMITTEE STAFF POLLED OFFICE

Mr. ROSENTHAL. The subcommittee staff informed me that a member of the subcommittee staff called your office and advised them of the meeting and I am not sure I am at liberty to say what the response was at that time.

Mr. FRELINGHUYSEN. I would certainly suggest that this doesn't involve the Nation's security; that you certainly could indicate what the nature of the response from my office was. Perhaps it was the young lady with the smirk over there in the corner who made the telephone call. Maybe she would be good enough to speak up, unless the chairman is reluctant to involve her, regarding a telephone call to my office. Were you the one?

Mr. ROSENTHAL. I think that question intrudes into personalities of either your office or my subcommittee staff.

Mr. FRELINGHUYSEN. I am making the flat statement I was not polled, my office was not polled, and I did not indicate whether I was coming or not. So I am challenging the procedure under which the subcommittee is handling its responsibilities, if it is handling its responsibilities at all. I say that there had not been a poll, there had been no indication from members as to whether we were coming. In fact there was extreme doubt as to whether there would be a meeting, and this meeting should not have been held at all. We should be talking over this in either Mr. Rosenthal's office or, if he would be good enough to come, in my office. We would be saying in private "What in the hell is going on?" instead of having this audience, which I assume is astonished to be hearing this kind of discussion when they thought we were going to be talking about urgent significant matters involving European reaction to the bombing of North Vietnam.

Mr. ROSENTHAL. Anything else?

## TIGHTENING UP SUGGESTED

Mr. FRELINGHUYSEN. I would suggest that we tighten up, and I would like a little elucidation from Mr. Hackett if he would be willing to speak up. I don't suppose it would damage his reputation if he had something put into this record as to just what he does consider a poll involves. Does it mean reaching a member and getting a definite response that he plans not only to be in town but to attend the meeting? Is it dependent on whether there is going to be a witness before they give an answer? What kind of a poll is made normally? And what kind of a poll was made with respect to this particular session?

Mr. ROSENTHAL. No member of this subcommittee staff will be permitted to say anything publicly for the record.

Mr. FRELINGHUYSEN. I think that is an outrageous position, too. Why in heaven's name not? What are we trying to do? Whose security are we trying to protect? Whose reputation are we trying to defend? It makes us all look foolish.

Mr. ROSENTHAL. Can I speak without interruption?

Mr. FRELINGHUYSEN. I don't know. Why not?

Mr. ROSENTHAL. The subcommittee stands adjourned until next Friday at 10 a.m.

(Whereupon the hearing was adjourned, to reconvene at 10 a.m., Friday, Jan. 12, 1973.)

# EUROPEAN REACTIONS TO U.S. POLICIES IN VIETNAM

WEDNESDAY, JANUARY 17, 1973

## HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS, SUBCOMMITTEE ON EUROPE.

The subcommittee met at 10 a.m. in room 2200, Rayburn House Office Building, Hon. Benjamin S. Rosenthal (chairman) presiding.

Mr. ROSENTHAL. The subcommittee is in order.

We resume today our consideration of the effect of recent Vietnam bombing on the political climate in Europe and specifically on major American interests which will be the subject of negotiations during the new year in Europe.

At our first meeting on January 4, I announced that a State Department witness was not available. The Department subsequently agreed to send Assistant Secretary of State for Europe Walter Stoessel to testify but only in a closed session. I have rejected that proposal because I believe that the issues involved in this hearing deserve full and public discussion.

The Department of State has not yet eliminated the possibility of such public testimony some time in the future, and that matter is still under negotiation. I am optimistic that it will be favorably resolved.

Today we are fortunate in having as our witnesses three prominent religious leaders who have just returned from a week in Europe where they talked with many Europeans about recent developments in Vietnam and the reactions in Europe. Prof. Harvey Cox of Harvard, organizer of that trip to four European countries, will be our first witness. He will introduce his colleagues.

Professor Cox, would you and your colleagues sit at the table, and before we ask you to testify, Mr. Frelinghuysen wants to make a statement.

### A POINT OF ORDER

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman. I appreciate your inquiry 2 minutes ago as to whether I had any objection to television. You neglected to ask me before then, and you also neglected to ask if I had any objection to holding a hearing. I am going to make a point of order against holding a hearing.

We are both Members of the 93d Congress. We have not been reappointed to the Foreign Affairs Committee. The Foreign Affairs Committee has not been organized. We have no subcommittees. It may be that you will be chosen as chairman of this subcommittee, but I can

assure you that we Republicans do not know who will be members of the Europe Subcommittee.

I assume that you have sent out 13 notices and perhaps even polled the Members of the 92d Congress who were on the Europe Subcommittee. Yet I know of one senior Democrat who didn't even get a notification, let alone a request as to whether he was going to attend. I think it's unconscionable that we should be kept in such darkness. I would assume that comity would demand that we at least be asked whether we thought it advisable to hold informal discussions or what I suppose might be called hearings, in spite of the fact that the committee is not organized.

All I know about these individuals—the first time I heard that these individuals were coming—is that they were listed in the newspaper recently as nationally known religious figures prominent in the antiwar movement. I don't know what an antiwar movement is. I don't know why our subcommittee should be dignifying these particular individuals out of the many thousands who have recently returned from Europe. I would be interested in their views on an individual basis. It might be that they might have something useful to contribute should we be organized, but I am surely going to make a point of order. I would suggest as a bare minimum that the chairman have the courtesy to get in touch with the members of his subcommittee, or those whom he thinks may be members of the subcommittee, both to inform us as to what his plans are and to find out our reaction.

#### A POINT MADE EARLIER

I thought I had made my point when you attempted a hearing before. This is listed as a continuation of hearings held, and the chairman has referred to a previous hearing. There has been no hearing held. We made a mockery of the legislative process when we had a meeting with no witnesses, with the knowledge the day before that meeting was held that there would be no witnesses. Under the circumstances, you cannot call that a hearing, any more than you can call this abortive attempt to listen to individuals a hearing. We are not organized. I regret that these distinguished individuals sitting here in front of us find themselves confronted with a situation like this, but we are not organized in a way that makes it possible, unless there is agreement, for us to listen to you in a formal hearing.

So I am constrained of necessity to make a point of order against this so-called hearing. I suggest that we have no further attempts of this kind until our committee has its membership, and until there has been notification from Members as to what subcommittees they want to serve on. We don't know yet even what will be the size of the subcommittees, and here today are only four members out of a possible 13, if all Members of the 92d Congress who served on this subcommittee were asked if they wanted to attend.

So I regret that we make ourselves look foolish by attempting something of this kind. It could have been avoided quite easily had the chairman had the wits to inquire as to the attitude of the minority. I assume he has been in touch with the Members of the majority, but I can vouch for the fact that I haven't been approached at all. A young lady called and asked if I was going to attend this morning's

meeting, and I saw no reason why I should notify her whether I was going to attend or not.

I might say that I am here in spite of the fact that there is a meeting of the Committee on Committees at which committee assignments are being discussed right now. The Republican assignments to committees have not yet been completed, and I am obliged to leave that meeting in order to attend this travesty of the legislative process.

#### POINT OF ORDER OVERRULED

Mr. ROSENTHAL. The chairman of the full Committee on Foreign Affairs, Dr. Morgan, has authorized this meeting this morning and the previous meeting. The point of order is overruled.

Mr. FRELINGHUYSEN. Mr. Chairman, I challenge that, too. I spoke to the chairman myself yesterday, and that is not accurate. He authorized the use of this room, and I am sure he does not want to involve himself. There is no way in which the Chair can overrule a point of order when there is no legality to what he is attempting to do. The rules do not permit Members of Congress to sit as subcommittees when the committee on which they are sitting has not been organized.

There is no foundation at all for forcing a hearing of this kind, and I protest vigorously. I also protest vigorously the allegation that the chairman of the full committee has authorized this. I spoke to him myself yesterday. At the most, he tacitly authorized a discussion by allowing this room to be used, but that's the extent so far as I know. I certainly think it is unconseionable if the Chair is going to overrule my point of order, and disregard the basic rules under which the House operates. He can go quite far in what he considers his authority, but let me remind him he doesn't have any authority at this moment except as a Member of Congress. The fact that he is in the majority as a Democratic Member of Congress gives him no right to hold a hearing.

Mr. ROSENTHAL. The point of order is duly noted. It will be recognized in the record. It is duly overruled, and the hearing will commence.

Professor Cox.

Mr. MATHIAS. Mr. Chairman.

Mr. ROSENTHAL. Yes, Congressman Mathias.

#### A SIMILAR HEARING CITED

Mr. MATHIAS. I would certainly like to back up what my colleague, Mr. Frelinghuysen, has said. One point I would like to bring to the attention of the chairman is that our colleague from California, Jerome Waldie, was in a very similar situation where the parent committee was not organized for the 93d Congress, and his committee was the House Post Office and Civil Service Committee. I believe today he has organized a subcommittee hearing, but the fact is that since we are not organized yet, like all committees are not organized, because he had to have a hearing he is paying for the hearing out of his own pocket, and this would cover the cost of recording and transcribing the proceedings, because the full committee is not organized yet. He estimates the cost at \$500.

So I would suggest that, since nobody knew about this hearing and it was not fully organized, if the chairman insists on having the hearing, that he pay for the cost instead of having the full committee pay for it because it is not authorized.

Mr. ROSENTHAL. I appreciate the gentleman's comments. I suppose that's a matter the gentleman could take up when the full committee meets, and if that's the decision of the full committee, I, of course, would be obliged by it.

Professor Cox.

## STATEMENT OF REV. HARVEY COX, PROFESSOR OF DIVINITY, DIVINITY SCHOOL, HARVARD UNIVERSITY

### BIOGRAPHY

Born in Chester County, Pennsylvania 1929. Married, three children. Professor of Divinity—Harvard Divinity School, where he has taught since 1965. Received AB degree—honors in history—University of Pennsylvania, 1951. BD degree—Divinity School—Yale University, 1955. Member of Baptist Church—Ordained 1956. PHD degree in History and Philosophy of Religion, Harvard 1963.

From 1955-58 Director of Religious Activities—Oberlin College. 1958-63 program associate for American Baptist Home Mission Society. Assistant Professor of Theology and Culture at the Andover Newton Theological School 1963-65. Served as a fraternal worker for the Gossner Mission in East Berlin from 1962-63. December 1962 attended New Delhi Conference of the World Conference of Churches.

In spring 1970 lectured at the Pontifical Catholic University of Lima, Peru. Associate Fellow at the Cambridge Institute. Served as an Editorial Board Member of *Christianity and Crisis*. Author of *"God's Revolution and Man's Responsibilities,"* 1965; *"The Secular City,"* 1965; *"On Not Leaving it to the Sneaks,"* 1967; *"The Situation Ethics Debate,"* 1968; *"The Feast of Fools,"* 1969; and Editor of *"Church Amid Revolution,"* 1967.

Reverend Cox. Mr. Chairman, we are appreciative of the invitation to be here. My name is Harvey Cox, and I teach at the Divinity School at Harvard University.

I want to start by introducing the two colleagues who are with me and identifying the other three members who are a part of our group which recently returned from Europe.

On my left is Sister Mary Luke Tobin, who is a Roman Catholic nun and is a member of the Order of the Sisters of Loretto; and to my right is Bishop Robert DeWitt, who is the Episcopal bishop of the diocese of Pennsylvania.

Also with us in the group that visited Europe were Bishop James Armstrong, who is the Methodist bishop of the Dakotas area; Rabbi Leonard Beerman, who is the rabbi of Leo Baeck Temple in Los Angeles; and Prof. Robert McAfee Brown of Stanford University, who is a Protestant theologian and an expert on Vatican II.

### PURPOSE OF THE VISIT

I just want to say a word about why we went to Europe and then come to the questions that I think this committee might be more interested in. When the bombing was resumed again at Christmas, many of us who have been working for the ending to the war thought that the time had come for us to appeal to a larger group, to appeal rather explicitly to the conscience of mankind, and especially to religious leaders of the various religious denominations in Europe. We really

wanted to suggest to them that this is now a matter which is not simply on the American conscience but really is on the conscience of the entire race, and to encourage them not to be reticent or hesitant in speaking up rather forcibly about what we take to be a gross violation of the conscience of mankind, especially in the use of annihilation weapons on civilian populations.

So we were moved to do that. We organized ourselves and were given considerable help in making our arrangements to see various people in Europe by the National Council of Churches; by Dr. Robert Bilheimer, who is the Director of the Office of International Affairs; and by various members of the Roman Catholic hierarchy here in the United States. We did not go as an official delegation of any particular body, but we did go with the blessings of some of these groups and certainly representing officially taken positions on the war and on the bombing which are clearly in the record and statements of which we have with us.

#### SEVEN CITIES, FOUR COUNTRIES

We visited seven different cities in Europe during a very hasty 6-day trip. We spent some time in London, in The Hague, in Amsterdam, Rotterdam, Stuttgart, Bonn, and in the Vatican, and in each of these places we met with groups of religious leaders, Catholic and Protestant largely, and in some places with political figures. Although we had not anticipated meeting with political figures, we noticed when we arrived in Europe that many of them wanted to see us, and so we spoke with them as a kind of an extra on our trip. We met, for example, with the British Council of Churches in London, with the entire synod of the largest Protestant church in the Netherlands, of the Dutch Reformed Church, with the Council of Churches of the Netherlands, and with the Roman Catholic prelate, Cardinal Alfrink of the Netherlands. We met with the ruling body of the largest Protestant church in Germany, the so-called Evangelische Kirche der Rheinland; and in the Vatican we met with a special group called together by the Pontifical Commission on Justice and Peace, with representatives from other organs of the Roman curia and representatives of the religious orders.

Now let me turn for a moment to what we discovered, and then I would like to have my colleagues speak to this. We were enormously impressed at how quickly people responded to our visit, organized special meetings, brought together extraordinary sessions of synods, called together bishops, and so on, at very, very short notice. This is perhaps the first evidence we had of a rather remarkable unprecedented wave of concern, if not outrage and bewilderment, on the part of large numbers of people in Europe, and in this case especially religious leaders, especially focusing on the Christmas bombing.

#### MET POLITICAL PARTY OFFICIALS

For example, when we arrived in Holland, there was a call for us that early the next morning if we could work it into our schedule, representatives from five of the seven political parties of the Netherlands wanted to have a special meeting with us at breakfast. As you know, in Holland there are Protestant and Catholic parties as well as the Socialist Party. It included representatives of all of those who



told us that all of those parties in question had sponsored a demonstration the week before in Utrecht in protest to the war. This is the first time that the Roman Catholic Party and the Socialist Party had found themselves cooperating on anything, and they observed, while we sat at breakfast, how remarkable it was that parties of such disparate ideologies and background, including the minuscule Communist Party of the Netherlands, by the way, had all come together for the first time in this reaction to the American bombing. It was absolutely unprecedented that those disparate groups should find something to come together on, but the bombing did elicit that kind of response in the Netherlands.

That afternoon we met with Cardinal Alfrink, the Roman Catholic Prelate of the Netherlands, who had been one of the official sponsors of this demonstration.

Now, I want to give just two other examples of what, to me, seemed like an overwhelming impression of revulsion and bewilderment and anger on the part of the people we spoke with; really a kind of puzzlement about what was happening in our country.

#### A MEMBER OF BRANDT'S CABINET

In Germany, we were privileged to meet for 2½ hours with a member of Chancellor Willy Brandt's Cabinet who asked that his remarks be confidential, and whom I feel it is probably not wise to identify here because he asked that it be confidential. He was especially interested in what the response would be in the United States to a strong statement by the Chancellor himself, or by the Social Democratic Party, or even by the Bundestag, comparable to the statement made by the Canadian Parliament objecting in the strongest possible terms to the bombing.

However, one point that he made which I think made an impression on all of us—a very telling impression on all of us—was that he told us that he, as a young man, having come out of the German Army right after the Second World War, had been taught his democracy with the model of the United States as the teacher of the new Germany.

Now, as a Cabinet Minister in the German Government, he had to confess to us that his major fear in the current behavior of the United States in the world arena was whether millions and millions of young Germans, for whom democracy is at this point still only a tenuous idea, would be so disappointed and so disillusioned by the behavior of their teacher that it might have disastrous consequences for what is at best only the beginning of a firmly founded democracy in West Germany. That was a very sobering remark that he made.

He asked us also whether we thought world opinion meant anything to the United States anymore, and we told him that we thought it did. We told him that we thought we, in the United States, are not insensitive to the conscience of the rest of the world. We assured him that some kind of statement or expression of concern would be heard and would be responded to.

#### BOYCOTTING DISCUSSED

We were also astonished in both Germany and in the Netherlands with the kind of questions people raised with us about how they

might respond; how they might express their outrage. People asked questions about boycotting American ships, boycotting American cultural products, recalling Ambassadors, and things like this.

Our response to them was that we had no specific list of recommendations to make. We were there to ask for help. We were there to assure them that by speaking out they were not intruding into American domestic politics. That was our conviction. It remains our conviction today, that the destruction of Vietnam is not a domestic issue but an issue for the international conscience.

Mr. ROSENTHAL. Other than on this subcommittee, I would say that is true. Go ahead.

Reverend Cox. I am simply telling you what we were telling them, Mr. Chairman. So we didn't bring with them a grocery list of things that they should be doing. They were suggesting these things but I think all of us on the delegation were surprised at the kind of suggestions they were making which would be new for many of these countries, for Holland or for West Germany.

One other thing. This will be my concluding remark. When we addressed the synod of the Protestant Church in the Rhineland, we discovered that even the anticipation of our coming had elicited from the entire Council of the Protestant Church in Germany, the Ev.KiD (Evangelische Kirche in Deutschland), a very strong statement, of which we also have copies, condemning the American bombing. To my knowledge as a theologian, this is the first time in the history of the German churches since the Second World War that a specific, explicit statement condemning a policy of the United States has been issued. It's difficult to understand how much of a precedent it is when one doesn't realize the special history of the relationship between Germany and the United States.

Now I think I will terminate my remarks and ask, first, Sister Mary Luke Tobin to continue, and then Bishop DeWitt.

## STATEMENT OF SISTER MARY LUKE TOBIN, REPRESENTATIVE AT LARGE, SISTERS OF LORETTO

### BIOGRAPHY

Born 1908 Denver, Colorado. BA Loretto Heights College, Denver, Colorado. MA in History, Notre Dame. LLD—Notre Dame and Marycrest College, Davenport, Iowa. President of Sisters of Loretto 19—1970. President of Conference of Major Religious Superiors of Women's Institutes, 1964-1967. Auditor—Vatican Council II 1964-1965.

Currently, Representative-at-Large, Sisters of Loretto, Member of General Assembly and of Executive Committee of Sisters of Loretto. National Co-Chairman of Clergy and Laity Concerned, 1971. Member of Board of Directors of Fellowship of Reconciliation, 1972. Chairman of Committee on Peace and Justice of the Leadership Conference of Women Religious, 1972.

July 1970—One of the 10 member fact-finding team studying repression in South Vietnam—visited Saigon. March 1971—participant on Citizen's Conference on Ending War in Indochina—met with peace delegation in Paris. April 1972—Member of small delegation to Vietnam groups in Paris sponsored by People's Coalition for Justice and Peace.

Sister TOBIN. I was impressed by the immediacy of the response also. It reminded me, as I think back on it, of a movie scenario that was rehearsed, because immediately when we arrived in each city, someone met us, someone took us to rooms in which persons were assembled already, they were eager for everything we could tell them—

dismayed, puzzled, disappointed, hurt, I think, at the action of a country that they have come to regard as one of the great democracies of all history.

Among the experiences I would like to record just briefly, as a Roman Catholic, is our meeting with Cardinal Alfrink in Holland. He told us that he was highly shocked by the terrible inhuman military violence, and he expressed solidarity with the stricken people of Vietnam. He told us that he would do anything he could and he did put through some calls for us to try to arrange matters with the persons in Rome whom we were trying to see. We then went on to the other groups.

#### COMPARISON WITH WORLD WAR II BOMBING

I think another thing that astonished me very much was that when we began to put together the facts and the data, one striking assembly of facts I think that impressed the people in England so much was that during the Battle of Britain, 80,000 tons of bombs had been dropped on England. But in the Christmas war of a few days, 80,000 tons of bombs were dropped on Vietnam. I think, in England, this was a very striking fact that we were able to present.

But again I think the response from all of them was, you know, "Tell us what can we do, is blockade a good thing, is demonstration a good thing, what can we do that won't be counterproductive, what can we do that will be helpful."

In Rome when we met with the Pontifical Commission on Peace and Justice and the chairman said, "I have a world network of the Peace and Justice Committee, and I will be glad to send out to them any help you can give them." He wanted Dr. Cox to write on the principle of proportionality, which is one of the elements of the just war theory, the tremendous lack of proportionality between means and ends which has been a feature of the present war. That committee then, that network throughout the world, will receive any kind of facts or data and can be helpful in our search.

Reverend Cox. Bishop DeWitt.

#### STATEMENT OF BISHOP ROBERT L. DeWITT, EPISCOPAL BISHOP OF PENNSYLVANIA

##### BIOGRAPHY

Born, Jamaica Plains, Massachusetts March 12, 1916. Graduated from high school, Auburn, New York. BA, Amherst University 1937. Bachelor of Divinity degree, Episcopal Theological School, Cambridge, Mass., 1940. Ordained Deacon, June 1941. Ordained Priest, October 1941.

Curate at Christ Church, Cranbrook, Bloomfield Hills, Michigan, 1940-44. Rector of St. Luke's, Ypsilanti, Mich., 1944-48, when he returned to Cranbrook as rector of Christ Church. Consecrated as Suffragan Bishop of Michigan on October 27, 1960, at St. Paul's Cathedral, Detroit, Mich., with specific responsibility to supervise urban work of the diocese.

Elected Bishop Coadjutor for the Diocese of Pennsylvania on December 12, 1963, and assumed duties on April 1, 1964. Following death of late Bishop J. Gillespe Armstrong, he was automatically elevated to the post of Diocesan Bishop.

Married Barbara Ann De Yoe in 1939. 5 children, 4 grandchildren.

Bishop DeWitt. I have been appointed the cleanup position in the batting order. I would just like to mention some things which I would like to underscore, some of which already have been touched upon.

In England, we discovered that the Archbishop of Canterbury, the head of the worldwide Anglican community of many millions of communicants, had indeed made a Christmas message to his people deploring the bombing in Vietnam, even though in this country we were not aware a person of that distinction had come out with such a statement.

In Amsterdam, reference was made to a group of political persons whom we met with, and they called to our attention the fact that there was a great deal of concern in Holland about the bombings over the Christmas period, and that there were active conversations taking place in Holland, and they asked us for our opinion on this, as to whether or not it would be helpful if the Netherlands were to recall its Ambassador. Indeed, the initiative had been taken by a group of individual citizens in the Netherlands making this proposal to the Dutch Government. They also told us that some of the groups in Holland concerned about America's role in Vietnam had prepared and were selling posters for people to place in the windows of their homes, the message on which posters was "Nixon Sign Now."

#### DISCUSSIONS IN DUTCH PARLIAMENT

They also told us that there had been a considerable discussion about this whole issue formally in the discussions in the Dutch Parliament. In The Hague, we had drawn to our attention the fact that there had been this large anti-Vietnam rally in Utrecht just the weekend before we arrived, numbering some 50,000 or 60,000 people, which was reported to us as the largest rally which had been held in the Netherlands; and I have a copy from a Dutch newspaper which has a story and also a very large-sized picture of that rally which was held there.

At the press conference which was held for us at The Hague, a comment was made by somebody about the landslide victory which President Nixon had received last November; and one of the reporters put the question to us, "Do Americans feel cheated because of that?"

#### A CARDINAL'S TELEGRAM

In Rotterdam, Cardinal Alfrink, to whom reference has been made by my colleagues here, gave us a copy of a telegram which he had sent to President Nixon on December 29. The telegram reads as follows:

His Excellency, President Nixon, Washington, D.C. Highly shocked by terrible inhumane military violence. I express solidarity with stricken people of Vietnam and request urgently immediate ending of the bombing because of humane reasons and to open better prospects for peace by nonmilitary means and by negotiations with all parties involved.

In Bonn, reference was made by Dr. Cox to our meetings there. We did have the better part of an hour with President Heinemann of the West German Republic, and he gave us copies of a Christmas message which he had delivered to the German people, and in this message he had made references to the war in Vietnam. It was reported to us that he had received some criticism for so doing because it seemed a little bit inappropriate for the President of the German Republic to usurp a position which typically would be carried by the Prime Minister, by Willy Brandt. It was interesting that Prime Minister Brandt

made a comment not much later than that in which he studiously avoided making any reference to Vietnam and was criticized for that. It was interesting to me that Saturday, the day after we returned back, a story was carried in the American press that Bonn had warned the United States, "End the war or face loss of friend," as it appeared in the Philadelphia Inquirer, the account of that statement.

The Rhineland synod of the German Evangelical Church Dr. Cox referred to—a meeting which we were invited to and which Dr. Cox and Rabbi Beerman of our group were called upon to address—the president of the synod, in making some introductory remarks, referred several times in his remarks to the war in Vietnam as "this dirty war."

#### A QUESTION OF CONFIDENCE

In Stuttgart, reference was made to our having met with a Cabinet Minister of the Bonn government. I would like to point out a further observation about this. In his comments about the negative impact which America's war in Vietnam is having on the young people and young adults of Germany, resulting in a failure of their confidence in the democratic type of government, this minister made the comment that America is in danger of exporting the credibility gap.

And in terms of one other point I would like to draw attention to, he spoke about a very real generation gap in Germany, the dividing line of which would fall between those who had a clear remembrance of the Second World War and those who did not, and in terms of taking a posture of criticism of what any other national body is doing those who were older and who remembered Germany's role in the Second World War felt that it did not behoove them to take a stand of criticism—people who live in glass houses should not throw stones. Not so with the young people and young adults in Germany who have a very clear consciousness of what they think should and should not be happening in this world, and they are not only eager and anxious to speak out themselves, but feel that their Government should also.

#### A NOW GENERATION

One could not help but feel that the statement which issued from the Bonn government on Saturday last was the result of a recognition on the part of the Bonn government of the trend of the future that Germany increasingly will be represented by people who come from this younger generation who do not remember the Second World War but who are acutely conscious of the realities of the world in which they live now.

In Rome, comment was made about the meeting with the Pontifical Commission on Justice and Peace, and reference was made that the members of that commission were concerned about the Vatican taking as strong a position as would be appropriate with reference to America's role in that war and, therefore, for that reason were anxious to have any U.S. church statements, official statements, which have been made public, and requested also, as has been said, a statement from this group of ours on the principle of proportionality on the waging of war, and also requested that we give to them, which they would personally deliver to the Pope, a personal message from our own delegation. Copies of that also we have available here.

## PRESIDENTIAL CARICATURES

In Rome one evening walking about the town, we saw on the wall in a courtyard posters which were pictures of President Nixon. On closer inspection, these pictures of President Nixon turned out to be caricatures in the shape of a skull.

If I might make three very brief general observations, it seems to me that Western Europe and the United States make up one community which we call the Western World. Any casual visitor to West Europe cannot help but be struck by the sameness culturally, the way in which, no matter if one's language is limited to English, he has no difficulty getting about. With the presence on all hands of American corporations, Coca-Cola, General Motors, Honeywell, the rock music which one hears on the radios, any American would feel at home anywhere in Western Europe; and since this is one community, this Western civilization community, therefore, no one part, in this case the United States, can be indifferent to the attitudes of the rest of that one community.

Secondly, with reference to the Vatican, in the group which met with us for 2½ hours in the Vatican, there was a young priest from India who was a part of the apostolate to youth in the Vatican. When a comment was made in our long discussion there about the fact that any statement issuing from the Pope would be heard gladly in the Southern Hemisphere of this world and throughout the third world, which makes up most of this globe, this young priest from India nodded very vigorously and very shortly after came into the conversation endorsing that concern, because American indifference to underdeveloped nations is an indifference which is not shared by Europe. The terror and the torture of the Christmas bombings has resulted, it would seem to me, in America largely in a disappointment over peace deferred, whereas the reaction to that same terror and torture of those same bombings in Europe seemed much more marked by moral outrage. Just as the Western World is one community, so we are discovering increasingly that this world is one community, and America will reap for a long time the harvest of resentment and hatred because of its callous indifference and its perpetration of genocide, genocide being characterized as the deliberate and systematic destruction of a racial or national group.

So, lastly, growing out of that point, the reaction of American minority groups, and especially American blacks, to that genocidal action is a very sober and very melancholy comment on the future of America's own most vexing and devastating domestic problem.

## COMMITTEE AUTHORITY DISCUSSED

MR. ROSENTHAL. Let me thank you. I do have some questions, but first let me be very frank and apologize to you for my discomfiture that you suffered together with us in the discussion as to the jurisdiction of the committee to proceed. I am sorry that my colleagues are not here to have heard your very sobering views.

For your edification, the differences between the members of this subcommittee, I think, go to the heart of the role that Congress ought to be playing in the decisionmaking process. Secondly, our differences concern varying views of the urgency of the situation.

A new Congress traditionally takes weeks to organize. It's my personal view that Congress has a continuing responsibility between its sessions, especially in matters of pressing national concern. To effect this principle, I further believe that there is a presumption of continuity of the Congress' committees and subcommittees. Specifically, I believe that the committee has the authority to proceed with urgent matters. Other committees do.

The Armed Services Committee had the honor to meet with Secretary-Designate Richardson and hear him in closed session. Other committees of the Congress are proceeding.

I think one has to evaluate these things on the scales of justice and responsibility. We could await the development of the orderly procedure. On the other hand, Congress can assert its role within the bounds of propriety, as this committee is presently proceeding to do.

The full committee and the Congress ought to be afforded your views, which they will have by the transcript, and the printed record. The public is also entitled to your views. I think they are entitled to those views now rather than 2 or 3 months from now.

#### A PARALLEL RESPONSIBILITY

I do appreciate the personal inconvenience and sacrifice that each of you has suffered in coming here on short notice. I can only tell you that I am sorry that you were participants in this exchange. I suggest to you that your responsibility in pursuing the mission you did in going to Europe is parallel with our responsibility in Congress in permitting you this opportunity to present your views to us and to the American people. On behalf of the American people and those Members of Congress who are interested in your views I thank you for undertaking your mission and in bringing your views to our attention.

I have three questions. My reading of the European press and my conversations with Europeans and Americans in recent weeks indicate that the December bombing in Vietnam had a much greater impression in Europe than in the United States. If that is so, why, or is my impression wrong?

Reverend Cox. I could give my personal reading from that one week which is that it seemed much stronger in Europe than it did in the United States. I think the reason may be that Europeans have had the experience of living under bombing. It struck us very forcibly meeting with people in London and in Rotterdam and in Stuttgart that the experience of bombing is foreign to most of us as Americans but it is within the memory of people in Europe and they were horrified and all the memories came back when they read about the Christmas bombing. I think that is one of the reasons.

Would either of you like to comment?

Sister TOBIN. No one ever asked us: Was there bombing? Did this happen? They were totally informed, it seemed to us, and very intense in their shock, in dismay, and I didn't find anyone who wanted to know when did the things happen. They seemed to be very, very well informed.

## WHAT IS HAPPENING TO AMERICA?

Bishop DeWitt. I think we would all agree with your reading on that and I think that almost everywhere we went, when we talked with people and the press, the question was put to us again and again: What is happening to America? As I believe I indicated, everywhere we went it seems to me without fail the latest news on Vietnam was front page news in every city. I think I would add one other factor as to the why of this and that is not only the arrogance of power on the part of this country but also the slumbering quality of insularism that we hear so much of by the bordering of the oceans makes us not as close to the realities of the situation as these countries in Europe.

Mr. ROSENTHAL. Bishop DeWitt, that leads to my second question. Is the European reaction to the Vietnam Christmas bombing more serious than our Government seems to realize? I have a suspicion that many Europeans are prepared to reassess their relations with the United States today. Is that an overreaction in Europe or has something happened which we don't seem to understand, or at least our Government doesn't understand? Do you see the threat of a reassessment in this special relationship we have had with European countries?

## AN EROSION OF PRESTIGE

Bishop DeWitt. I don't think there is any doubt. I don't think there would be any possible doubt that there has already occurred—how to assess it quantitatively I wouldn't know—some erosion of American prestige in Europe because of this. You do not have a Roman Catholic cardinal in Holland coming out and endorsing a large-scale demonstration against America's foreign policy without having this have an impact on millions of people in Holland, and so in every country where we were we saw this kind of open challenge.

I mean the Swedish reaction was rebuffed by the President in making the Swedish presence unwelcome here and the response to that was not a frightened one but rather Dutch people started petitioning their government to recall their ambassador. There seems no doubt about the erosion of American influence and prestige in Europe.

Mr. ROSENTHAL. One last question. Throughout the last 4 or 5 years we have repeatedly heard from those who supported our position in Vietnam that we had to stay there to conclude the matter satisfactorily; otherwise our friends wouldn't have confidence in us and our commitments would be open to challenge. Are we losing friends elsewhere by pursuing this alleged commitment in Southeast Asia?

Bishop DeWitt. If I might mention one quote, I remember in our meeting with representatives of the British Council of Churches the comment was made that people in England had long felt that America was stupid about its Vietnamese policy and now they felt that America was stupid and wrong. This is a very strong statement.

## A CHANGE IN GERMANY

Reverend Cox. I think the change in Germany was to me the most dramatic. This is a country which has in all of the years since the Second World War thought of itself as having almost everything liberated in some sense by the United States with a special kind of



friendship and with a special reticence to make public criticism. That matter was under discussion when we were there and we could see from our conversation with the Cabinet Minister and from reading the press that this was a turning point in West German relationships to the United States. I don't think one should underestimate the care with which Chancellor Brandt made that statement and his recognition of what kind of difference this signals in the possible future direction of West German-American relations.

My own view would be that as far as losing confidence, having our friends lose confidence in us, there is no better way to pursue a policy of losing their confidence than to continue on the track that we are now on.

Mr. ROSENTHAL. Congressman Hamilton.

Mr. HAMILTON. Thank you, Mr. Chairman.

I want to express my appreciation to you for these hearings in spite of some obstacles and I think you have performed a service for the subcommittee and the full committee and the Congress, and also my appreciation to the witnesses for their appearance this morning. We appreciate it very much.

I want to get in mind the chronology of your visit. Did your entire visit occur during the bombing and before the bombing was called off?

Reverend Cox. No. We planned the trip during the bombing and actually arrived in Europe a week after the cessation of bombing north of the 20th parallel. We arrived there on the 8th of January and were there the 8th, 9th, 10th, 11th, and 12th, that week; in other words, just last week.

Mr. HAMILTON. So the bombing was not going on while you were there; is that correct?

Reverend Cox. The heavy bombing north of the 20th parallel was not going on. The bombing south of the 20th and in the south was still continuing while we were there and was being reported and discussed.

Mr. HAMILTON. You mentioned your conversations with a variety of leaders who opposed it. Did you find any support for the bombing?

Reverend Cox. No.

Bishop DEWITT. None.

#### A RATIONALE FOR BOMBING

Mr. HAMILTON. The administration's position, of course, is that we bombed them back to the peace table and that Hanoi would not have come to the peace table the second time had we not bombed. How do you respond to that?

Sister TOBIN. We have been back and forth to the peace table many times and bombing halts have been cleared and started again many times, and I felt people in Europe were aware of that and I don't think they thought this was any great news. I think they realized that there had been intervals back and forth and there would be others. I don't think that made any impression on them at all. I didn't ever hear anything in that regard.

Mr. HAMILTON. They weren't persuaded by that rationale of the administration in any way so far as you could check?

Sister TOBIN. No; I don't think that entered into any of the conversation at all.

Mr. HAMILTON. How do you respond to that personally?

Reverend Cox. One of my major concerns, especially at the Vatican, was to remind the members of the Pontifical Commission on Justice and Peace that there is a very old Western moral tradition about what proportionate means are morally acceptable in any war, quite apart from the question of whether a war is just or not.

#### PROPORTIONALITY OF MEANS

There are means which are acceptable and means which are not, and this has been fairly well specified in international law and in religion and philosophical edicts over the years.

And I am deeply concerned personally as a student in this area to contrast, for example, the kind of outrage that quickened the whole world after the bombing of Guernica in the 1930's or the destruction of Rotterdam or the bombing of Dresden with the relative lack of international response or, let's say, relative lack of response in this country to the bombings over the Christmas holidays.

I am really concerned about what appears to be kind of erosion or an anesthetizing of moral consciousness about to what extent annihilation weapons can be used under any circumstances. I don't believe personally that this brought anybody back to the peace table, but suppose it did. Are there any limits whatever now on the weapons that our Nation will use even within a war, or have we now gone beyond that tradition of restraints in the use of weapons which has been institutionalized in international agreements to which our country is a signatory; for example, discriminating between civilians and combatants, the destruction of whole sections of cities, and so forth. I don't see how one can defend the use of B-52's and high-explosive bombs as a weapon which is intrinsically technologically incapable of making the kinds of discriminations which have been accepted as just and morally acceptable weapons in warfare.

That is an issue that we especially discussed with the Pontifical Commission, and we were asked specifically to prepare a statement on that for the Pope, and we still hope that the Pope will make some statement, not wait until the next bombing and then be glad that it stopped, but really to make a very clear statement that we have now really exceeded the bounds of acceptable proportionality.

#### AN ATROCIOUS WAY OF NEGOTIATING

Sister TOBIN. I would like to respond personally, also. I think it is outrageous that we would use that means of getting people back to the peace table and I think that any good accomplished by that is horribly outweighed by the destruction of human life. There is no kind of way in which I think the Christian arm or human conscience can tolerate that kind of atrocious means of negotiating.

Mr. HAMILTON. Once the peace negotiations broke off the first time in December or whenever it was—and that prompted the President's decision to launch this saturation bombing—what steps do you think we should have taken to get back to the peace table?

Reverend Cox. Well, I am really not here as an expert in what steps we take when we are in a war to encourage furthering negotiations or anything else. I think our position as those who are trying to repre-

sent the religiously informed conscience is that there are boundaries on the use of weaponry and technology which should be respected, which are a part of the international law and part of Western moral tradition, and it is our responsibility to remind people about that. We have a special responsibility and you have a responsibility. I would think it would be outstepping my own role as a theologian and as a minister to suggest to the State Department or the Pentagon how they should have proceeded.

I think it is very importantly a part of my responsibility to try to remind all of us that it is simply not the case that in the war anything goes. I had thought we had outgrown that, and we have signed as a nation certain codes and covenants which suggest that we do accept limitations in the use of certain kinds of armaments.

But there was no suggestion of that when during the Christmas holidays we created in effect a hundred Rotterdams, 5,000 Guernicas; and my own personal concern was that there should have been in our own Nation a kind of revulsion at least comparable to the previous levels. However, I think the escalation of bombing has really deescalated our capacity for that kind of moral judgment.

Mr. HAMILTON. I am curious as to why you went to Europe if the lack of reaction to the bombing in the United States impresses you. After all, we are the people who are responsible for it, our Government. You are religious leaders with a constituency. Why do you feel compelled to go to Europe instead of to your own constituency to evoke a response from the people that could be applied upon their representatives in the Congress and their officials?

#### AN APPELLATE PROCESS

Bishop DEWITT. I would say that it has something to do with an appellate process growing out of the fact that in this country it seems increasingly that it is very possible for the Government in some measure to manage the news by virtue of its capacity to manage events and therefore to seduce public opinion, to lull public opinion, in ways which are very detrimental to the conscience of the soul of America. People outside of the boundaries of our country are not subjected to that kind of insularism. They have a prospective which is not available to most of the people in this country.

Precisely for that reason, therefore, we sought out other people with whom we could identify as part of the worldwide community of faith, to help reinforce what to us is the very clear moral judgment which should be made on this war, the level of perspective.

Mr. HAMILTON. I am interested in your terminology of appellate procedure. Are you suggesting that you were appealing American political decisions to a European constituency for some determination?

Bishop DEWITT. I think what I am speaking about now is that in the court of moral judgment, we needed to appeal to a higher court.

Mr. HAMILTON. My impression is that, with your influence in the religious community and your leadership in that community, perhaps you could have more effectively appealed to the people who respect your judgment very deeply in this country, and it might have been more helpful to us, at least those of us engaged in the political process here, had you done that.