

Real Amnesty Would Be Good for America

Our divisions over Vietnam won't be healed if tomorrow's cutoff date stands, a long-time defender of the exiles argues.

By James Reston Jr.

Is this really the way that amnesty will be laid to rest after four years in the news: an extension for March of the pitiful and punitive Clemency Program, and a crack by its director, former dove Charles Goodell, that resisters had better take advantage of the program this month or wake up to "a cruel joke on April Fool's Day"?

Such an end is certainly possible, because the American people have simply not responded to the deep issues that amnesty raises. They have not been moved by the human torment of tens of thousands of exiles abroad. They have not been moved by the historical precedents or the moral imperative to soothe the wounds of a Vietnam generation. Most of all, they have not been prepared to face the lessons of Vietnam: there is no substantive change in our approach to foreign involvements. The Ford request for \$300,000,000 more in military aid for Thieu attests to this; the spectacle of Asians killing one another with American weapons continues; and the loss of vast chunks of Vietnam bring the bankrupt statement from the secretary of defense that Congress has been "niggardly" and is to blame for all this.

Why has it been so difficult to sell true amnesty? There are five reasons.

First, *the nature of the problem.* True amnesty after Vietnam is not something that has to be done for any practical reason. The country can operate perfectly well without the war resisters. "Stay away. We don't need you!" Sen. Goldwater blasted out to the Republican Convention in 1972, and, in a managerial sense, he was certainly right. The exiles are dispensable. The country can operate without them. A permanent refugee community abroad does not hurt anywhere, except in the American soul, and no one seems to be very worried about that nowadays.

This is in sharp contrast to the amnesties after the Civil War, which I have always argued are the only precedent for the present situation. The Civil War was obviously our most divisive war, and Vietnam is our most divisive in this century. But the South had to be brought back into the Union. The Confederate footsoldiers, technically guilty of treason (as today's exiles are not) had to be pardoned . . . or they had to be tried and imprisoned. The Confederate gentry and the Confederate leadership had to be dealt with, because the Union needed their skills to undertake recovery.

Second, *bad luck.* The bad luck began with a President whose political power was based on his appeal to the negative rather than the positive side of Americans. The dissenter—or the "rad-lib"—was singled out as a figure of hate and scorn, and there was a lot of mileage in that, especially after seven years of living room warfare, and it diverted the attention of the nation from any meaningful discussion of what a post-war America should be. In the 1972 election, Sen. McGovern became the candidate of "abortion, amnesty, and acid," the three A's, and this too was a powerful political negative, which he never shook, much as Goldwater never shook the label of "extremist" in 1964. But those who understood the impossible choice of the Vietnam generation bided their time. The timing for amnesty was not right, we were told.

The period immediately after the signing of the Paris Peace Agreement in January, 1973, was the high point of the amnesty movement, such as it was. Newsweek ran a cover story on amnesty. Pollsters took great interest in gauging American opinion. But then the POWs began to dribble home over a three-month period, and Nixon turned their homecoming into a patriotic debauch. The exiles were pitted successfully against the POWs. The press knew nothing else to ask the exiles except: "But what do you say to the mother of a POW or the wife of someone killed in Vietnam? . . ." Nixon must have enjoyed this neutralization of the issue. It meant that he had to offer no explanations whatever about why all these POWs, exiles, wounded, or killed had been necessary at all.

By the time all the POWs were back, and the timing appeared to be perfect, Watergater James McCord had written his letter to Judge Sirica, Sen. Ervin's Select Committee had been empaneled, and the next year and a half was lost for any issue save the investigation and punishment of criminal activity in the White House. The process ended with the resurrection of amnesty in Ford's Clemency Trick, which put the President in a position to declare his universal amnesty of Nixon.

Third, *the question of American guilt.* Can the Amer-



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ican people not face the exiles because they cannot face their own bad conscience? This is a question that takes a Karl Jaspers to sort out, as he did in "The Question of German Guilt," but unless the desire of Americans to put Vietnam completely out of sight and mind is rooted in guilt, their resistance to amnesty makes no sense. That is part of the irritation of Ford's request for an additional \$300,000,000 worth of bullets for Thieu. It means that the country and the Congress have to think about Vietnam again.

The Ford Clemency Program implies no humility on the part of the government about decisions it made in the Vietnam Era; it arrogates to itself the role of judge and sentencer, a role for which it has no standing, and this is the reason for its failure. It is admittedly a logical impossibility for Ford to be humble about the mistakes of the Vietnam Era, and to be boisterous about millions more for continued American involvement.) But by Ford expressing no remorse about past decisions, the American people likewise do not have to face their collective remorse, or, in Jaspers' terms, they do not have to face their collective political guilt for decisions made by their political leaders. The clemency program seems generous to many people who do not care to study its specifics or who have no appreciation or interest in the depth of bitterness among the exiles. That only a few resisters have taken advantage of the program—it is more than a 90 per cent failure—affords the guilty person the chance to say: "The government tried to be nice. . . ." He can talk about "irreconcilable differences" as

if the exiles "divorced" themselves from the country and thus, as always, the onus to explain himself is left on the exile.

Fourth, *the old familiar arguments.* Amnesty is really not a very complicated issue, even though Congress has studied it to death (but cannot bring itself to report an amnesty bill out of its study groups), and Ford has tried to set up complicated machinery for judging who was more moral than someone else. The issue is simply that the exiles are the largest group of American victims who continue to suffer from the Vietnam war, and something ought to be done about allowing them to come home without humiliating themselves.

But there is nothing very new that one can say about amnesty now. The opponents keep saying the same old thing like: "But what if there is another war like Vietnam and a generation of Americans refuses to fight? . . ." (Are they referring to Henry Kissinger's war on the oil-producing states?) The dialogue has really become quite boring, even to many who care a great deal about the issue.

So there is nothing more to say, or to be learned about amnesty. The government must simply do it, or reconcile itself quietly to a permanent refugee community abroad. If it is the former, then an amnesty amendment to any further appropriation for Vietnam is one way to go about it. If it is the latter, then the exiles should be entitled to relief from the United Nations High Commissioner for Refugees, along with their counterparts, the Palestinians, the Bangladeshi, and the Ugandans.

And fifth, *style.* How to put across this issue, where the national leadership appeals to our negative and selfish side, and when a sense of guilt seethes in the collective soul. The realities of modern salesmanship have been an additional problem for amnesty advocates. Whenever there has been an amnesty development in the past four years, the same newsmen have hopped the plane for Toronto and stuck a microphone in front of the same exile "spokesmen" and predictable rhetoric has flowed. As a result, the image of a scrofulous, hate-filled radical has lodged in the national mind, with a good deal of help from the guilty imagination, and this has made it easier to say, "Why should I do him any favors?"

And so the voice of amnesty has not been well-carried. It has simply not got across that amnesty is something that the country should do for itself, for its own sense of self-respect, as something elevating and generous. The benefit to the exiles that would flow from that act is an important—but a secondary—consideration.

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