LETTER FROM RICHARD B. LILICH

UNIVERSITY OF VIRGINIA SCHOOL OF LAW,

Congressman Robert N. C. Nix,
Chairman, Asian and Pacific Affairs Subcommittee of the House of Representa-
tives, Washington, D.C.

DEAR CONGRESSMAN: In somewhat belated reply to your letter of April 26, 1973, requesting my comments for inclusion in your hearing record on whether or not the President has the constitutional authority to bomb Cambodia, the short answer is that in my opinion he has none whatsoever. As you indicate, after the repeal of the Tonkin Gulf Resolution the President's sole authority for acting in Southeast Asia, and one which he repeatedly reiterated, was that derived from his capacity as Commander-in-Chief to protect the lives of American troops during the withdrawal process. That process having been completed, any authority to continue bombing operations evaporated. The argument recently advanced by the Department of State to the effect that the Paris Accords which supposedly settled the war somehow gave the President constitutional authority to continue it, albeit in another country, is clearly without merit.

In conclusion, it seems to me that much recent talk about the possible impeachment of the President over Watergate is misplaced, since if ever grounds existed for impeachment they exist with respect to the President's continued aerial bombardment of Cambodia in direct defiance of both branches of Congress. Hence, I would hope that you and your colleagues not only would vote against funds for continuing the bombing, but also for any bill or resolution purporting to deny the President authority to continue his unilateral warmaking, including one for impeachment if need be.

Sincerely,

RICHARD B. LILICH, Professor of Law.
UNITED STATES POLICY TOWARD VIETNAM APRIL 1970 - APRIL 1973:
Statements by President Nixon, Dr. Henry Kissinger,
and the Secretaries of State and Defense

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April 25, 1973
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Text of the Note Sent by the United States to Participants of the Paris Conference on Vietnam. 63

Text of the Note Sent by the United States to Participants of the Paris Conference on Vietnam. 64
1. Statements of President Richard M. Nixon

1970

April 20: The President's Address to the Nation. WCPD, v. 6, #17: 554-555.

...But I again remind the leaders of North Vietnam that while we are taking these risks for peace, they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia, or in Laos.

I repeat what I said November 3d and December 15th. If I conclude that increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

April 30: The President's Address to the Nation. WCPD, v. 6, #18: 597-599.

...North Vietnam has increased its military aggression in all these areas, and particularly in Cambodia. After full consultation with the National Security Council, Ambassador Bunker, General Abrams, and my other advisers, I have concluded that the actions of the enemy

1/ The Weekly Compilation of Presidential Documents (WCPD) and the Department of State Bulletin (DSB) are the sources used unless otherwise noted.
April 30: (cont.) in the last 10 days clearly endanger the lives of Americans who are in Vietnam now and would constitute an unacceptable risk to those who will be there after withdrawal of another 150,000.

To protect our men who are in Vietnam and to guarantee the continued success of our withdrawal and Vietnamization programs, I have concluded that the time has come for action.

Tonight, I shall describe the actions of the enemy, the actions I have ordered to deal with that situation, and the reasons for my decision.

Cambodia, a small country of 7 million people, has been a neutral nation since the Geneva Agreement of 1954 — an agreement, incidentally, which was signed by the Government of North Vietnam.

American policy since then has been to scrupulously respect the neutrality of the Cambodian people. We have maintained a skeleton diplomatic mission of fewer than 15 in Cambodia's capital, and that only since last August. For the previous 4 years, from 1965 to 1969, we did not have any diplomatic mission whatever in Cambodia. And for the past 5 years, we have provided no military assistance whatever and no economic assistance to Cambodia.

North Vietnam, however, has not respected that neutrality.

For the past 5 years — as indicated on this map that you see here — North Vietnam has occupied military sanctuaries all along the Cambodian frontier with South Vietnam. Some of these extend up to 20 miles into Cambodia. The sanctuaries are in red and, as you note, they are on both sides of the border. They are used for hit and run attacks on American and South Vietnamese forces in South Vietnam.

These Communist occupied territories contain major base camps, training sites, logistics facilities, weapons and ammunition factories, air strips, and prisoner-of-war compounds.

For 5 years, neither the United States nor South Vietnam has moved against these enemy sanctuaries because we did not wish to violate the territory of a neutral nation. Even after the Vietnamese Communists began to expand these sanctuaries 4 weeks ago, we counseled patience to our South Vietnamese allies and imposed restraints on our own commanders.

In contrast to our policy, the enemy in the past 2 weeks has stepped up his guerrilla actions and he is concentrating...
his main forces in these sanctuaries that you see on this map where they are building up to launch massive attacks on our forces and those of South Vietnam.

North Vietnam in the last 2 weeks has stripped away all pretense of respecting the sovereignty or the neutrality of Cambodia. Thousands of their soldiers are invading the country from the sanctuaries; they are encircling the capital of Phnom Penh. Coming from these sanctuaries, as you see here, they have moved into Cambodia and are encircling the capital.

Cambodia, as a result of this, has sent out a call to the United States, to a number of other nations, for assistance. Because if this enemy effort succeeds, Cambodia would become a vast enemy staging area and a springboard for attacks on South Vietnam along 600 miles of frontier — a refuge where enemy troops could return from combat without fear of retaliation.

North Vietnamese men and supplies could then be poured into that country, jeopardizing not only the lives of our own men but the people of South Vietnam as well.

Now confronted with this situation, we have three options. First, we can do nothing. Well, the ultimate result of that course of action is clear. Unless we indulge in wishful thinking, the lives of Americans remaining in Vietnam after our next withdrawal of 150,000 would be gravely threatened.

Let us go to the map again. Here is South Vietnam. Here is North Vietnam. North Vietnam already occupies this part of Laos. If North Vietnam also occupied this whole band in Cambodia, or the entire country, it would mean that South Vietnam was completely outflanked and the forces of Americans in this area, as well as the South Vietnamese, would be in an untenable military position.

Our second choice is to provide massive military assistance to Cambodia itself. Now unfortunately, while we deeply sympathize with the plight of 7 million Cambodians whose country is being invaded, massive amounts of military assistance could not be rapidly and effectively utilized by the small Cambodian Army against the immediate threat.

With other nations, we shall do our best to provide the small arms and other equipment which the Cambodian Army of 40,000 needs and can use for its defense. But the aid we will provide will be limited to the purpose of enabling Cambodia to defend its neutrality and not for the purpose of making it an active belligerent on one side or the other.
April 30: (cont.) Our third choice is to go to the heart of the trouble. That means cleaning out major North Vietnamese and Vietcong occupied territories, these sanctuaries which serve as bases for attacks on both Cambodia and American and South Vietnamese forces in South Vietnam. Some of these, incidentally, are as close to Saigon as Baltimore is to Washington.

This one, for example [indicating], is called the Parrot's Beak. It is only 33 miles from Saigon.

Now faced with these three options, this is the decision I have made.

In cooperation with the armed forces of South Vietnam, attacks are being launched this week to clean out major enemy sanctuaries on the Cambodian-Vietnam border.

A major responsibility for the ground operations is being assumed by South Vietnamese forces. For example, the attacks in several areas, including the Parrot's Beak that I referred to a moment ago, are exclusively South Vietnamese ground operations under South Vietnamese command with the United States providing air and logistical support.

There is one area, however, immediately above Parrot's Beak, where I have concluded that a combined American and South Vietnamese operation is necessary.

Tonight, American and South Vietnamese units will attack the headquarters for the entire Communist military operation in South Vietnam. This key control center has been occupied by the North Vietnamese and Vietcong for 5 years in blatant violation of Cambodia's neutrality.

This is not an invasion of Cambodia. The areas in which these attacks will be launched are completely occupied and controlled by North Vietnamese forces. Our purpose is not to occupy the areas. Once enemy forces are driven out of these sanctuaries and once their military supplies are destroyed, we will withdraw.

These actions are in no way directed at the security of any nation. Any government that chooses to use these actions as a pretext for harming relations with the United States will be doing so on its own responsibility, and on its own initiative, and we will draw the appropriate conclusions.

Now let me give you the reasons for my decision.

A majority of the American people, a majority of you listening to me, are for the withdrawal of our forces from Vietnam. The action I have taken tonight is indispensable for the continuing success of that withdrawal program.

A majority of the American people want to end this war rather than to have it drag on interminably. The action I have taken tonight will serve that purpose.
April 30: (cont.) A majority of the American people want to keep the casualties of our brave men in Vietnam at an absolute minimum. The action I take tonight is essential if we are to accomplish that goal.

We take this action not for the purpose of expanding the war into Cambodia but for the purpose of ending the war in Vietnam and winning the just peace we all desire. We have made and we will continue to make every possible effort to end this war through negotiation at the conference table rather than through more fighting on the battlefield.

May 8:

The President's News Conference.

Q. Mr. President, have you been surprised by the intensity of the protest against your decision to send troops into Cambodia, and will these protests affect your policy in any way?

The President. No, I have not been surprised by the intensity of the protests.

...But I know what I have done will accomplish the goals that they want. It will shorten this war. It will reduce American casualties. It will allow us to go forward with our withdrawal program. The 150,000 Americans that I announced for withdrawal in the next year will come home on schedule. It will, in my opinion, serve the cause of a just peace in Vietnam.

Q. On April 20th, you said Vietnamization was going so well that you could pull 150,000 American troops out of Vietnam. Then you turned around only 10 days later and said that Vietnamization was so badly threatened you were sending troops into Cambodia.

Would you explain this apparent contradiction for us?

The President. I explained it in my speech of April 20th, as you will recall, because then I said that Vietnamization was going so well that we could bring 150,000 out by the spring of next year, regardless of the progress in the Paris peace talks and the other criteria that I mentioned.

But I also warned at that time that increased enemy action in Laos, in Cambodia, as well as in Vietnam, was something that we had noted, and that if I had indicated, and if I found, that increased enemy action would jeopardize the remaining forces who would be in Vietnam after we had withdrawn 150,000, I would take strong action to deal with it. I found that the action that the enemy had taken in Cambodia would leave the 240,000 Americans who would be there a year from now without many combat troops to help defend them, would leave them in an untenable position. That is why I had to act.

Q. ...If that is the case, what have we accomplished in Cambodia? Was it worth the risks, and what do we do when they reestablish those sanctuaries?

...At the present time, I will say that it is my belief, based on what we have accomplished to date, that we have bought at least 6 months and probably 8 months of time for the training of the ARVN, the Army of South Vietnam. We have also saved, I think, hundreds, if not thousands, of Americans, as Frank Reynolds reported tonight on ABC. Rockets by the thousands and small arms ammunition by the millions have already been captured and those rockets and small arms will not be killing Americans in these next few months. And what we have also accomplished is that by buying time, it means that if the enemy does come back into those sanctuaries next time, the South Vietnamese will be strong enough and well trained enough to handle it alone.

Q. After the American troops are removed from Cambodia, there may still be a question as to the future of Cambodia's ability to exist as a neutralist country.

What is your policy toward Cambodia's future?

The President. The United States is, of course, interested in the future of Cambodia, and the future of Laos, both of which, of course, as you know, are neutral countries. However, the United States, as I indicated in what is called
the Guatemalan Doctrine, cannot take the responsibility in the future to send American men in to defend the neutrality of countries that are unable to defend themselves.

In this area, what we have to do is to go down the diplomatic trail, and that is why we are exploring with the Soviet Union — with not too much success to date, but we are going to continue to explore it — with Great Britain, with the Asian countries that are meeting in Djakarta, and through every possible channel, methods through which the neutrality of countries like Cambodia and Laos who cannot possibly defend themselves — to see that that neutrality is guaranteed without having the intervention of foreign forces.

June 3:

The President's Interim Report to the Nation

...Based on General Abrams' report, I can now state that this has been the most successful operation of this long and very difficult war.

Before going into the details which form the basis for this conclusion, I believe it would be helpful to review briefly why I considered it necessary to make this decision, what our objectives were, and the prospects for achieving those objectives.

You will recall that on April 20, I announced the withdrawal of an additional 150,000 American troops from Vietnam within a year — which will bring the total number withdrawn, since I have taken office, to 260,000. I also reaffirmed on that occasion our proposals for a negotiated peace. At the time of this announcement I warned that if the enemy tried to take advantage of our withdrawal program by increased attacks in Cambodia, Laos, or South Vietnam, I would, in my capacity as Commander in Chief of our Armed Forces, take strong action to deal with that threat.

Between April 20th and April 30th, Communist forces launched a series of attacks against a number of key cities in neutral Cambodia. Their objective was unmistakable — to link together bases they had maintained in Cambodia for 5 years in violation of Cambodian neutrality. The entire 600-mile Cambodian - South Vietnam border would then have become one continuous hostile territory from which to launch assaults upon American and allied forces.

1/ Ibid., p. 3-5.
This poses an unacceptable threat to our remaining forces in South Vietnam. It would have meant higher casualties. It would have jeopardized our program for troop withdrawals. It would have meant a longer war. And -- carried out in the face of an explicit warning from this Government -- failure to deal with the enemy action would have eroded the credibility of the United States before the entire world.

After very intensive consultations with my top advisers, I directed that American troops join the South Vietnamese in destroying these major enemy bases along the Cambodian frontier. I said when I made this announcement, "Our purpose is not to occupy the areas. Once enemy forces are driven out of these sanctuaries and once their military supplies are destroyed, we will withdraw." That pledge is being kept. I said further on that occasion, "We take this action not for the purpose of ending the war in Vietnam." That purpose is being advanced.

As of today I can report that all of our major military objectives have been achieved. Forty-three thousand South Vietnamese took part in these operations, along with 31,000 Americans. Our combined forces have moved with greater speed and success than we had planned; we have captured and destroyed far more in war material than we anticipated; and American and allied casualties have been far lower than we expected.

... The success of these operations to date has guaranteed that the June 30 deadline I set for withdrawal of all American forces from Cambodia will be met.

... The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that is necessary to protect the lives and security of our men in South Vietnam.

Our discussions with the South Vietnamese Government indicate that their primary objective remains the security of South Vietnam, and that their activity in Cambodia in the future -- after their withdrawal from the sanctuaries -- will be determined by the actions of the enemy in Cambodia.

... Let us examine the long-range impact of this operation.

CRS-6
First, we have eliminated an immediate danger to the security of the remaining Americans in Vietnam, and thereby reduced our future casualties. Seizing these weapons and ammunition will save American lives. Because of this operation, American soldiers who might not otherwise be ever coming home, will now be coming home.

Second, we have won some precious time for the South Vietnamese to train and prepare themselves to carry the burden of their national defense, so that our American forces can be withdrawn.

From General Abrams' reports and from our advisers in the field, one of the most dramatic and heartening developments of the operation has been the splendid performance of the South Vietnamese Army. Sixty percent of all the troops involved in the Cambodian operations were South Vietnamese. The effectiveness, the skill, the valor with which they fought far exceeded our expectations. Confidence and morale in the South Vietnamese Army has been greatly bolstered. This operation has clearly demonstrated that our Vietnamization program is succeeding.

Third, we have insured the continuance and success of our troop withdrawal program. On April 20, I announced an additional 150,000 Americans would be home within a year. As a result of the success of the Cambodian operations, Secretary Laird has resumed the withdrawal of American forces from Vietnam. Fifty thousand of the 150,000 I announced on April 20 will now be out by October 15.

After intensive consultations with my top advisers, ...With the South Vietnamese, we launched joint attacks against the base areas so long occupied by Communist forces.

Our military objectives were to capture or destroy the arms, ammunition, and supplies that had been built up in those sanctuaries over a period of years and to disrupt the enemy's communication network. At the least, this would frustrate the impact of any Communist success in linking up their base areas if it did not prevent this development altogether.

I concluded that, regardless of the success of Communist assaults on the Cambodian Government, the destruction of the

1/ Ibid., p. 6-7.
enemy's sanctuaries would:

--remove a grave potential threat to our remaining men in South Vietnam, and so reduce future American casualties.
--give added assurance of the continuance of our troop withdrawal program.
--insure the timetable for our Vietnamization program.
--increase the chances of shortening the war in South Vietnam.
--enhance the prospects of a negotiated peace.
--emphasize to the enemy whether in Southeast Asia or elsewhere that the word of the United States—whether given in a promise or warning—was still good.

Now that our ground forces and our logistic and advisory personnel have all been withdrawn, what will be our future policy for Cambodia?

The following will be the guidelines of our policy in Cambodia:

1. There will be no U.S. ground personnel in Cambodia except for the regular staff of our Embassy in Phnom Penh.

2. There will be no U.S. advisers with Cambodian units.

3. We will conduct—with the approval of the Cambodian Government—air interdiction missions against the enemy efforts to move supplies and personnel through Cambodia toward South Vietnam and to reestablish base areas relevant to the war in Vietnam. We do this to protect our forces in South Vietnam.

4. We will turn over material captured in the base areas in Cambodia to the Cambodian Government to help it defend its neutrality and independence.

5. We will provide military assistance to the Cambodian Government in the form of small arms and relatively unsophisticated equipment in types and quantities suitable for their army. To date we have supplied about $5 million of these items principally in the form of small arms, mortars, trucks, aircraft parts, communications equipment, and medical supplies.

6. We will encourage other countries of the region to give diplomatic support to the independence and neutrality of Cambodia. We welcome the efforts of the Djakarta group of countries to mobilize world opinion and encourage Asian cooperation to this end.

7. We will encourage and support the efforts of third countries who wish to furnish Cambodia with troops or material. We applaud the efforts of Asian nations to help Cambodia preserve its neutrality and independence.
Mr. Sevareid. Do you feel that you can give categorical assurances now that we will not send ground troops back into Cambodia no matter what?

...I can say now that we have no plans to send American ground forces into Cambodia. We have no plans to send any advisers into Cambodia. We have plans only to maintain the rather limited diplomatic establishment that we have in Phnom Penh and I see nothing that will change that at this time.

...I think that anybody hearing the answer that I have just given would certainly get the impression and would incidentally be justified in having the impression, that the President of the United States has no intention to send ground forces back into Cambodia, and I do not believe that there will be any necessity to do so.

When you say can I be pinned down to say that under no circumstances would the United States ever do anything, I would not say that, but I will say that our plans do not countenance it, we do not plan on it, and under the circumstances, I believe that the success of the operation which we have undertaken, as well as what the South Vietnamese will be able to do, will make it unnecessary.

October 7:

Address to the Nation. WCPD, v. 6, #41: 1349-1350.

...Tonight I would like to talk to you about a major new initiative for peace.

...First, I propose that all armed forces throughout Indochina cease firing their weapons and remain in the positions they now hold. This would be a "cease-fire-in-place." It would not in itself be an end to the conflict, but it would accomplish one goal all of us have been working toward: an end to the killing.

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CBS-11
October 7: (cont.) A cease-fire should encompass not only the fighting in Vietnam but in all of Indochina. Conflicts in this region are closely related. The United States has never sought to widen the war. What we do seek is to widen the peace.

A second point of the new initiative for peace is this:

I propose an Indochina Peace Conference. At the Paris talks today, we are talking about Vietnam. But North Vietnamese troops are not only infiltrating, crossing borders, and establishing bases in South Vietnam -- they are carrying on their aggression in Laos and Cambodia as well.

An international conference is needed to deal with the conflict in all three states of Indochina. The war in Indochina has been proved to be of one piece; it cannot be cured by treating only one of its areas of outbreak.

December 10:

The President's News Conference. WCPD, v. 6, #50: 1653-1655.

Q. Mr. President, Secretary Rogers assured the Senate Foreign Relations Committee today that there is no present intention of ever using American ground forces in Cambodia. Can you foresee any circumstances whatever under which we would use ground troops in Cambodia?

The President. None whatever.

Q. Mr. President, how do you plan to keep your quarter billion dollar aid program for Cambodia from escalating into a guarantee of the survival of the Cambodian Government?

The President. The quarter billion dollar aid program for Cambodia is, in my opinion, probably the best investment in foreign assistance that the United States has made in my political lifetime.

CHS-12
The Cambodians, a people, 7 million only, neutralists previously, untrained, are tying down 40,000 trained North Vietnamese regulars. If those North Vietnamese weren't in Cambodia, they'd be over killing Americans. That investment of $250 million in small arms of aid to Cambodia so that they can defend themselves against a foreign aggressor - this is no civil war, it has no aspect of a civil war - the dollars we send to Cambodia saves American lives and enables us to bring Americans home. And I only hope the Congress approves it.

Q. Mr. President,...is there any limit to what we might do to protect our forces in South Vietnam?

The President. We have indicated several limits. For example, we are not going to use ground forces in Laos. We are not going to use advisers in Laos with the South Vietnamese forces. We are not going to use ground forces in Cambodia or advisers in Cambodia as we have previously indicated and we have no intention, of course, of using ground forces in North Vietnam. Those are limitations.

Q. Can you tell us, sir -- the idea of an incursion into Laos has been under consideration in Saigon on the military level for some years. Why did you decide that now is the time to do it? And second, can you give us some kind of a status report on how it's going and what the prognosis is in terms of the possible enemy resistance, what is it the intelligence suggests?

The President. Yes. In looking at this situation, I recall, as probably some of you who were there, in 1965, that some of our military people and civilians for that matter, were then saying that the way to stop the North Vietnamese infiltration into South Vietnam was to cut the Ho Chi Minh Trail. It was not undertaken during the previous administration, as I understand, and, I can speak for this administration, was not undertaken until now for a reason that the South Vietnamese and, for that matter, the United States had enough on our plate in South Vietnam.

Laos would not have been possible had it not been for Cambodia. Cambodia cutting off one vital supply line and thereby practically bringing enemy activity in the southern half of

1971

February 17: The President's News Conference. WCPD, v. 7, #8: 236-238.
1971

February 17: (cont.) South Vietnam to an end released the South Vietnamese forces, who, by this time, had not only gained confidence in Cambodia but also had additional strength, released them for undertaking what they could not have undertaken even 8 months ago, an incursion on their own into Laos with only U.S. air support.

The decision to do it now or, I think, perhaps, put it this way, the decision not to do it before, is that, one, neither the United States nor the South Vietnamese felt that they apparently had the capability to do it; the second, the decision to do it now was that based on the fact that the South Vietnamese, because of the confidence, the training they gained as a result of their actions in Cambodia, the South Vietnamese felt that they were able to undertake it. Our commanders agreed and, therefore, it was undertaken.

As you know, the Communist Chinese have been operating in northern Laos for some time. But this action is not directed against Communist China. It is directed against the North Vietnamese who are pointed toward South Vietnam and toward Cambodia.

Putting it in the context of the earlier reply, the Cambodian action in May and June cut one lifeline, the lifeline from Sihanoukville into the southern half of South Vietnam.

This action would either cut or seriously disrupt the other pipeline or lifeline, the lifeline coming from -- down through Laos, the Ho Chi Minh trail, into the northern half of South Vietnam.

Therefore, we expected the North Vietnamese to fight here. They have to fight here or give up the struggle to conquer South Vietnam, Cambodia, and their influence extending through other parts of Southeast Asia.

When I made the announcement about moving into Cambodia, I said that its purpose was to insure our troop withdrawal, to reduce our casualties. And we hope to shorten the war. It has had those effects. Our casualties, even in this past week in which we have moved in with air support in support of the South Vietnamese and have suffered some air losses, were only half of what they were in the same week before Cambodia.
February 25:
The President's Radio Address to the Nation. WCPD, v. 7, #9: 299.

...American casualties after Cambodia have been half the rate they were before Cambodia. Our decision to clean out the sanctuaries in Cambodia saved thousands of American lives. And it enabled us to continue withdrawing our men on schedule.

February 25:
The President's Foreign Policy Message to Congress. 1/
WCPD, v. 7, #9: 305-376.

After our one-time sweep against the Communist bases in Cambodia, we have ruled out American ground combat troops in either Laos or Cambodia for several reasons. Our fundamental Vietnam-related objectives are served by other means. In any event, we believe that the two governments can survive through their own efforts, our various kinds of assistance, and that of other friends. We look to them to shoulder the primary combat responsibilities for their own defense.

In the previous chapter on Vietnam I briefly recalled the background and results of the allied sweeps against the Communist sanctuaries which were so vital to Vietnamization. With the operations concluded, our policy for Cambodia took shape as follows:

--No U.S. ground combat personnel in the country, and no U.S. advisors with Cambodian units.
--Air missions against enemy supplies and personnel that pose a potential threat to South Vietnam or seek to establish base areas relevant to Vietnam.
--Military assistance to the Cambodian Government in amounts and types suitable for their army.
--Encourage and support the efforts of third countries who wish to furnish troops or material.

...Cambodia is, in short, a concrete illustration of Nixon Doctrine principles:

--assumption of primary responsibility for its own defense.


CBS-15
February 25: Foreign Policy Message (cont.)

- help from regional friends.
- our support through military and economic assistance.

The objective of all our activities related to Cambodia remains constant: to bar the reestablishment of secure Communist base areas that could jeopardize allied forces in Vietnam.

March 4:


...American policy is that we will have no ground forces in North Vietnam, in Cambodia, or in Laos, except, of course, for rescue teams which go in for American fliers or for prisoners of war where we think there is an opportunity in that case.

Q. Sir, if all of the North Vietnamese troops were to be withdrawn from South Vietnam, would we still insist that American troops could not be withdrawn until North Vietnamese troops also left Cambodia and Laos?

The President. The proposal we have made, Mr. terHorst, is, of course, for a Southeast Asia settlement, one in which the North Vietnamese troops -- there are 40,000, approximately, as you know, in Cambodia, there are now approximately, by latest estimate, 90,000 to 100,000 in Laos and, of course, there are 100,000 or so in South Vietnam. It is a one-package situation.

As far as we are concerned, that is the proposal and that is the one that we will stick by in Paris.

Q. You said also in your foreign policy report, that even if the North Vietnamese negotiate seriously in Paris, there will be serious problems left in Laos and Cambodia, and that on the battlefield there would be some hard options to be made about deploying allied troops. Could you clarify those statements, because it suggests that we're going to be there a much longer time than your earlier answer did.

The President. Well, Mr. Lisagor, our goal is a complete
March 4: (cont.) American withdrawal from Cambodia, Laos, and South Vietnam.

As you know, that is the proposal I made on October 7th [1970]. I made it, however, on a mutual basis, that we would withdraw, but that the North Vietnamese would withdraw at the same time.

Now, as to what happens after we withdraw, we cannot guarantee that North and South Vietnam will not continue to be enemies. We cannot guarantee that there will not continue to be some kind of guerrilla activities in Laos or even in Cambodia.

As far as our own goal is concerned, our proposal is clear and we ask the enemy to consider it: A mutual withdrawal of forces, our forces and theirs. If that happens, we will be glad to withdraw, and then these other nations will have to see whether or not they can handle their own affairs.


Q. Mr. President, to be clear on the cease-fire, would that include Laos and Cambodia as well as South Vietnam?

The President. That is our goal, Mr. Lisagor, yes, sir. As you know, we have offered that in my talks of last year in October. We have been continuing to offer it. We would, of course, believe that attaining that goal would bring peace to the whole area, which is what we want, and of course would greatly reduce the need for a very heavy American aid program that presently we have for particularly Cambodia.

Q. Mr. President, in your most recent foreign aid bill, you requested a total of $341 million in military and economic aid for Cambodia. The head of the government of Cambodia has just renounced democracy as a viable form of government, which some people think has an analogy to earlier developments in Vietnam. What assurance can you give the American people that we are not sliding into another Vietnam in Cambodia?

The President. We didn't slide into Vietnam. That is the difference. In Vietnam, conscious decisions were made to send Americans there, to become involved in combat. I am not criticizing those decisions; I am simply reflecting what the situation was.

It was not a question of sliding in, but was a question of decisions being made, first, to send American combat troops in. Those were first made, you know, by President Kennedy, the first troops that went in; and then the decisions to bomb in
November 12: (cont.) the North, those were made by President Johnson, and the increases in forces.

Now let's look at Cambodia. We have made a conscious decision not to send American troops in. There are no American combat troops in Cambodia. There are no American combat advisers in Cambodia. There will be no American combat troops or advisers in Cambodia.

We will aid Cambodia. Cambodia is the Nixon Doctrine in its purest form. Vietnam was in violation of the Nixon Doctrine. Because in Cambodia what we are doing is helping the Cambodians to help themselves, and we are doing that rather than to go in and do the fighting ourselves, as we did in Korea and as we did in Vietnam. We hope not to make that mistake again if we can avoid it.

January 25:

January 25:

February 9:

The President's Address to the Nation. WCPD, v. 8, #5: 123.

There are several other proposals in our new peace plan; for example, as we offered privately on July 26 of last year, we remain prepared to undertake a major reconstruction program throughout Indochina, including North Vietnam, to help all these peoples recover from the ravages of a generation of war.

February 9: (cont.) Vietnam is the central theater in what, in fact, a wider war. For Hanoi has made the war an Indochina conflict by spreading its troops throughout the peninsula.

In 1971, with their position deteriorating in South Vietnam itself, the North Vietnamese continued, and have now stepped up, their aggression in Laos and Cambodia. Hanoi maintains over 60,000 troops in Cambodia and more North Vietnamese troops in Laos, some 100,000, than in South Vietnam.

The situation in Laos and Cambodia are similar in many respects:

- Both of these countries have totally defensive establishments; neither poses any conceivable threat to North Vietnam.
- The neutrality, independence, and territorial integrity of both countries have been inscribed in international agreements which Hanoi signed, but contemptuously ignores.
- North Vietnamese troops for years have used both countries as infiltration corridors, staging bases, and sanctuaries for attacks against South Vietnam.
- North Vietnam continues to threaten the legitimate governments in both countries in order to further its attacks on South Vietnam, but also perhaps with the intention of taking Laos and Cambodia themselves.
- The overwhelming numbers of North Vietnamese troops in both countries strip away any pretense that the conflicts in Laos and Cambodia are civil wars.

The Lao and Cambodian governments have tried to restore their independence and neutrality through diplomatic means; failing that, they have been forced to turn to their friends for support of their defense. The United States and other nations have responded to their requests for assistance. We have supported both diplomatic efforts to bring peace to Laos and Cambodia, and defensive military efforts in the absence of a settlement.

On the diplomatic front, we have always backed the efforts of Lao Prime Minister Souvanna Phouma -- the neutralist leader supported by Hanoi at the time of the 1962 Geneva Accords -- to reinstitute those Accords. In Cambodia we long tolerated a difficult military situation and we encouraged negotiations when Prince Sihanouk was first deposed by the National Assembly in March 1970.

Our negotiating proposals on Vietnam have consistently been addressed to the broader Indochina context. In the face of North Vietnam's refusal to address these problems at the con-

GRS-19
We have continued the policies of previous Administrations in extending military and economic support to the Royal Lao Government. We have provided military assistance for Cambodia since the spring of 1970, when North Vietnamese troops moved out of the border sanctuaries and extended their operations into broader areas of Cambodia.

Our constant objectives in both countries have been to ensure the momentum of Vietnamization and our withdrawals, to protect American and allied lives, and to help maintain the precarious balance within these two countries as they fight to restore their independence and neutrality.

In both countries our activities are limited, requested, supportive, and defensive.

Laos and Cambodia Provide for Their Own Defense. In Laos, government forces continue to offer a tenacious defense despite years of combat against a numerically superior enemy. The struggle there ebbs and flows on a seasonal basis. The Laotian conflict is, in effect, two wars. In the north, North Vietnamese troops maintain pressure on the very government which Hanoi helped to create in 1962. In the south, the enemy concentrates on expanding and protecting the Ho Chi Minh trail complex which is vital to its military strength in South Vietnam and Cambodia.

The Cambodian Government, faced with the assault on its independence, has rallied the population to the cause of national survival. From a lightly-equipped and largely ceremonial force of 35,000 men in 1970, the Cambodian army has now grown to approximately 200,000 for the most part volunteers. The army has fought bravely, but it lacks training, equipment, and experience. And it faces over 60,000 well-equipped North Vietnamese troops, hardened and experienced by years of war.

Despite the measures which they are taking in their own defense, these two countries are clearly no match for a much larger North Vietnam, and they must have external assistance to survive. It would be a grim development indeed if these two small nations, so clearly the victims of external aggression, were overwhelmed because of restrictions placed on American and other allied aid while North Vietnam continued to receive the full backing of its own allies.

Neither country has requested the deployment of U.S. troops. They are manning the front lines. Thus, there are not -- and there will not be -- any U.S. ground combat troops in either country.

Together With Other Countries, We Provide Military And Economic Assistance. In Laos, this remains as outlined in my comprehensive report of March 1970 -- military aid for regular
and irregular Lao forces when requested by the Lao Government; reconnaissance flights and air operations to interdict North Vietnamese troops and supplies on the Ho Chi Minh Trail; logistic and air support for Lao forces when requested by the Government. We also provide economic assistance to control inflation, support essential Government services, and assist economic development.

In Cambodia, we have given military assistance since April 1970 and economic assistance and PL 480 programs since March 1971. With the approval of the government we are also conducting air interdiction missions against enemy personnel and supplies that are, or can be, used in offensives against American and allied forces in South Vietnam.

South Vietnamese has mounted defensive operations against North Vietnamese forces in their Laotian and Cambodian base areas. I have already described the purposes of these operations and noted the increasing South Vietnamese capabilities that they have demonstrated. In Cambodia, operations are at the request of the Government and serve to relieve enemy pressures against Cambodia as well as South Vietnam. In Laos, the South Vietnamese operations were strictly limited in objective and duration.

It is senseless to claim that these operations against enemy sanctuaries serve to widen the Vietnam War. Not a single South Vietnamese soldier has gone anywhere except where tens of thousands of North Vietnamese troops have been entrenched for years, violating one country's territory to attack another. It is Hanoi which widened the conflict long ago.

As I said in last year's Foreign Policy Report:

"The arguments against South Vietnam's defensive actions suggest that Hanoi has the right — without provocation and with complete immunity — to send its forces into Laos and Cambodia, threaten their governments, and prepare to bring its full strength to bear on South Vietnam itself.

"The choice for South Vietnam is not between limiting and expanding the war. It is between what it is doing in self-defense and passively watching the menace grow along its borders."

The presence and activities of North Vietnamese troops in Laos and Cambodia are indefensible. Nevertheless, we can expect the Lao and Cambodian peoples to be subjected to additional attacks as Hanoi pursues its aims in the region. These countries ask nothing but to be left alone to shape their own destinies. They have demonstrated their courage, and their determination to try to provide for their own defense.
February 9: (cont.) Together with others, we shall continue to provide the support that will help to sustain them in their struggle.

... ... ...

May 8:
The President's Address to the Nation. WCPD, v. 8, p. 841.

... ... ...

Once prisoners of war are released, once the internationally supervised cease-fire has begun, we will stop all acts of force throughout Indochina, and at that time we will proceed with a complete withdrawal of all American forces from Vietnam within 4 months.

March 2:
The President's News Conference. WCPD, v. 9, p. 215.

... ... ...

As I have pointed out, and as Dr. Kissinger has also pointed out, the situation in Cambodia is much more complex than Laos because you don't have the governmental forces there that can negotiate with each other. However, there has been an attempt on the part of the Cambodian Government to have a unilateral cease-fire that has not been reciprocated on the part of the opposition forces in that area. Once a cease-fire is agreed to or adhered to, we will observe it. Until it is adhered to, we, of course, will provide support for the Cambodian Government.

I would not want to indicate that the prospects in Cambodia are as, shall we say, positive as those in Laos. But we do believe that there, too, the withdrawal of the North Vietnamese forces, which has been agreed to in our agreement with the North Vietnamese, from Cambodia is the key thing.

If those forces are out and if the Cambodians then can determine their own future, we believe the chances for a viable cease-fire in Cambodia will be very substantial.
April 3:

Joint Communiqué by President Nixon and President Thieu Following Their Meetings at the Western White House. WCPD, v. 9, #14: 329.

Both Presidents also agreed that there could be lasting peace in Vietnam only if there is peace in the neighboring countries. Accordingly they expressed their earnest interest in the achievement of a satisfactory implementation of the cease-fire agreement reached in Laos on February 21. They expressed their grave concern at the fact that Article 20 of the Agreement which calls for the unconditional withdrawal of all foreign forces from Laos and Cambodia has not been carried out. They agreed that this Article should be quickly implemented.

CBS-23
II. Statements of Dr. Henry A. Kissinger

1972


There is finally a section on Cambodia and Laos in which the parties to the agreement agree to respect and recognize the independence and sovereignty of Cambodia and Laos, in which they agree to refrain from using the territory of Cambodia and Laos, to encroach on the sovereignty and security of other countries.

There is an agreement that foreign countries shall withdraw their forces from Laos and Cambodia and there is a general section about the future relationship between the United States and the Democratic Republic of Vietnam in which both sides express their conviction that this agreement will usher in a new period of reconciliation between the two countries, and in which the United States expresses its view that it will in the postwar period contribute to the reconstruction of Indochina and that both countries will develop their relationships on a basis of mutual respect and noninterference in each other's affairs, and that they will move from hostility to normalcy.


We believe, however, that if the agreement that has been negotiated is implemented in good faith, that the problem of the forces will tend to lose its significance, or at least reduce significance, partly because of de facto withdrawals that could occur, and partly because if the provisions with respect to Laos, Cambodia, and no infiltration are maintained, the consequences in attrition will have to be obvious.

1973


Dr. Kissinger. Ladies and gentlemen, the President last evening presented the outlines of the agreement and by common agreement between us and the North Vietnamese we have today
January 24: (cont.) released the texts. And I am here to explain, to go over briefly what these texts contain, and how we got there, what we have tried to achieve in recent months and where we expect to go from here.

Let me begin by going through the agreement, which you have read.

Chapter VII deals with Laos and Cambodia. Now, the problem of Laos and Cambodia has two parts. One part concerns those obligations which can be undertaken by the parties signing the agreement — that is to say, the three Vietnamese parties and the United States — those measures that they can take which affect the situation in Laos and Cambodia.

A second part of the situation in Laos has to concern the nature of the civil conflict that is taking place within Laos and Cambodia and the solution of which, of course, must involve as well the two Laotian parties and the innumerable Cambodian factions.

Let me talk about the provisions of the agreement with respect to Laos and Cambodia and our firm expectations as to the future in Laos and Cambodia.

The provisions of the agreement with respect to Laos and Cambodia reaffirm, as an obligation to all the parties, the provisions of the 1954 agreement on Cambodia and of the 1962 agreement on Laos, which affirm the neutrality and right to self-determination of those two countries. They are, therefore, consistent with our basic position with respect also to South Vietnam.

In terms of the immediate conflict, the provisions of the agreement specifically prohibit the use of Laos and Cambodia for military and any other operations against any of the signatories of the Paris Agreement or against any other country. In other words, there is a flat prohibition against the use of base areas in Laos and Cambodia.

There is a flat prohibition against the use of Laos and Cambodia for infiltration into Vietnam or, for that matter, into any other country.

Finally, there is a requirement that all foreign troops be withdrawn from Laos and Cambodia, and it is clearly understood that North Vietnamese troops are considered foreign with respect to Laos and Cambodia.

Now, as to the conflict within these countries which could not be formally settled in an agreement which is not signed by the parties of that conflict, let me make this statement, without elaborating it: It is our firm expectation that within a short period of time there will be a formal cease-fire.
January 24: (cont.) in Laos which, in turn, will lead to a withdrawal of all foreign forces from Laos and, of course, to the end of the use of Laos as a corridor of infiltration.

Secondly, the situation in Cambodia, as those of you who have studied it will know, is somewhat more complex because there are several parties headquartered in different countries. Therefore, we can say about Cambodia that it is our expectation that a de facto cease-fire will come into being over a period of time relevant to the execution of this agreement.

Our side will take the appropriate measures to indicate that it will not attempt to change the situation by force. We have reason to believe that our position is clearly understood by all concerned parties, and I will not go beyond this in my statement.

February 22:

News Conference of Dr. Henry A. Kissinger. WCPD, v. 9, #8: 170-175.

...Could you tell us anything about your discussions in Hanoi concerning Laos and Cambodia and the prospect you see for the general completion of a peace agreement?

Now, with respect to Laos and Cambodia. The United States has always taken the position that Article 20(b) of the agreement provides for the withdrawal of foreign troops from both Laos and Cambodia, and, indeed, no other interpretation of that article is possible. We, therefore, have strongly favored — and we had extensive discussions on this trip — a final arrangement in Laos and a settlement in Cambodia.
February 22: (cont.) There now has been an agreement in Laos which was negotiated not by us, but by the Prime Minister of the Royal Laotian Government, Souvanna Phouma. This agreement essentially contains the practical provisions of the 1962 agreement with respect to political power and reflects the best judgment of the Royal Laotian Government about a free political evolution in their country. It provides for a cease-fire and for the withdrawal of North Vietnamese forces. This leaves only Cambodia still lacking a formal arrangement.

As I pointed out before, the situation in Cambodia is complicated by the fact that there are three or four different groups rather than one homogeneous opposition group to the government that we recognize in Phnom Penh. We had extensive discussions at all our stops about this problem and we will work on a settlement in Cambodia with energy. We maintain that all foreign troops must be withdrawn from Cambodia.

Q. Did you see Prince Sihanouk?

Dr. Kissinger. No,
III. Statements of Secretary of State William P. Rogers

1970


Secretary Rogers: ... Now, it is clear that there is a large number of North Vietnamese troops in Cambodia. Both Prince Sihanouk and Prime Minister Lon Nol have taken that position - that there is a large number of invading troops.

So that the question of whether the war widens really should be directed to Hanoi. If they will respect the neutrality of Laos, which they agreed to do in the 1962 agreements; if they respect the neutrality of Cambodia, as they promised to do in the agreements of 1954 - then the war would not widen.

Insofar as the Nixon doctrine is concerned, if it should widen, we have made it quite clear that it will not be because of the employment of American troops in those countries. If it widens, it will widen as it has somewhat in Cambodia because of the conflict between the North Vietnamese and the Cambodians.


As anxiety mounted following North Vietnam's February offensive in Laos, public interest shifted to Cambodia when Prince Sihanouk was displaced. This event served to focus world attention on the illegal North Vietnamese occupation of parts of Cambodia and a growing Cambodian resentment of that occupation.

CBS-28
In Cambodia, as in Laos, North Viet-Nam has long been occupying territory in direct violation of its repeated promises to respect the country's neutrality. There are today some tens of thousands of North Vietnamese troops in Cambodia. In Cambodia, as in Laos, Hanoi is using armed force against a state where it has no legitimate rights and against a people with whom it has no ethnic affinity.

The cumulative effect of years of these violations has, for some time, caused the Cambodian Government to express increasing concern. Since 1968 Sihanouk had been protesting the violations. In April 1969 he revealed publicly that he had been unable to visit an area in northeastern Cambodia because of the presence of North Vietnamese troops. Sihanouk sought international support for his efforts to get the North Vietnamese armed forces to withdraw. At the time of his downfall, he was on a trip to Moscow and Peking for this purpose.

The rise of Cambodian hostility over the North Vietnamese presence came rapidly and dramatically. Most governments, including ours, were surprised at the ouster of Prince Sihanouk by the Cambodian Parliament. This was an internal Cambodian development, motivated partly by resentment of the presence of North Vietnamese troops in Cambodia.

The Prime Minister, Lon Nol, promptly called for North Vietnamese military withdrawal and initiated measures to strengthen the Cambodian armed forces. At the same time he emphasized that the Cambodian Government remained committed to a policy of neutrality and did not seek alliance with the West.

A year ago, before we reestablished diplomatic relations with Cambodia with a small mission, we affirmed publicly our recognition and respect for the "sovereignty, independence, neutrality, and territorial integrity" of Cambodia within its present frontiers. The policy we expressed toward Cambodia then remains our policy toward Cambodia now.
Cambodia has wisely sought to negotiate a solution directly with the invaders. We hope that North Viet-Nam and the Viet Cong will respond so that further resort to force can be averted in favor of a peaceful settlement acceptable to all sides. We respect recent Cambodian proposals to seek diplomatic measures of protection through United Nations action and through a return of the International Control Commission established by the 1954 Geneva accords.

International Initiatives

Having said these things, I should point out that we recognize that the problems of Laos, Cambodia, and Viet-Nam are interrelated. We welcome initiatives by countries in or outside the area which might lead to progress toward restoration of peace in Southeast Asia. France, Indonesia, and New Zealand have all made suggestions which we are discussing with them and which may be helpful.

Some proposals suggest that possibly the Geneva conference machinery should be reconvened to consider all of Indochina. In fact, Ambassador Malik, the Soviet Representative to the United Nations, made a specific reference to this possibility on Thursday. President Nixon has made it clear that he is interested in exploring any suggestion that holds out any reasonable prospect for peace. We would, of course, like to know what motivated Ambassador Malik’s remarks and how deliberate they were. Consequently, I have instructed Ambassador Yost [Charles W. Yost, U.S. Representative to the United Nations] to seek whatever clarification and explanation the Soviet Union is prepared to offer.

But, wholly apart from consideration of a new Geneva conference, the nations which signed the Geneva accords assumed responsibilities. The violations of those accords by North Viet-Nam in Laos and Cambodia
April 18: (cont.) are explicit, uncontested, open, and without any shred of international sanction. Is it not time for nations which are signatories to international agreements actively to support them? Should not the international community itself more actively look for ways to shoulder its responsibilities?

The sharply increased fighting in Laos and the possibility of overt warfare in Cambodia have understandably caused concern among Americans. They ask if the war in Southeast Asia is widening rather than diminishing. They wonder if this means that the period of American involvement will be lengthened, rather than reduced.

The objective of the Nixon administration is to avoid both these results.

It is true, of course, that we cannot be indifferent to the military pressures by North Viet-Nam on the independence and neutrality of Laos and Cambodia. They affect the safety of our own forces in South Viet-Nam and the prospects for peace there. They also affect the future stability of Southeast Asia. We continue to believe that an ultimate settlement to the Viet-Nam war must take Laos and Cambodia into account.

However, we are determined not to reverse the long-term direction of our policy toward fostering more self-reliance among Asian states.

In time this troubled region may cease to be the tinderbox of the Far East. Political settlements at some point in time may replace military pressures. We may see in Southeast Asia, as we may now be seeing in Vienna, the beginnings of an era of negotiation. That is our hope and that is what the Nixon doctrine seeks to accomplish.

CH3-31
April 25:

Address by Secretary William P. Rogers before the American Society of International Law at New York, N.Y. DSB, v. LXIII, f1812: 626-627.

In Cambodia, as in Laos, North Viet-Nam has long been occupying territory in direct violation of its repeated treaty commitments to respect the country's neutrality. More than 40,000 North Vietnamese and Viet Cong troops have invaded and now occupy Cambodia. In Cambodia, as in Laos, Hanoi is using armed force against a state where it has no legitimate rights and against a people with whom it has no ethnic affinity. Both Prince Sihanouk and his successor, Prime Minister Lon Nol, agree that this is the case.

A more explicit and unprovoked violation of the fundamental provisions of the Charter of the United Nations and of additional specific international obligations to respect the territory of others could hardly be imagined.

Seven nations endorsed the Geneva accords of 1954 upholding the independence and neutrality of Cambodia and Laos. Fourteen nations undertook further obligations in 1962 to hold consultations in the event of a violation, or threat of violation, of the neutrality of Laos. The violations of those accords by North Viet-Nam in Laos and Cambodia are explicit, uncontested, open, and without any shred of international sanction. Is it not time for nations which are signatories to international agreements actively to support them? Should not the international community itself more actively look for ways to shoulder its responsibilities?

CRS-32
April 25: (cont.) Article 4 of the 1962 agreement on Laos is explicit in requiring the signatories to "consult" on measures to ensure observance of the agreement in event of a violation or even the threat of a violation. The Soviet Union, whose Foreign Minister is a cochairman of the Geneva conference, has a particular responsibility "to exercise supervision over observance" of the agreement. Yet, except for a proposal by the Soviet United Nations Representative, Mr. Malik, about reconvening the Geneva conference machinery—a proposal from which the Soviet Union has been steadily backpedaling since—the Soviet attitude has been negative toward exercise of its treaty responsibilities.

The flouting of international agreements which were freely entered into by Hanoi is not just a problem for the parties to the agreements. It is a problem for the world community. If states fail to honor their obligations solemnly agreed to, then the role of law in the settlement of international disputes becomes minimal and nations have no recourse but to resort to force to protect their sovereignty and territorial integrity.

In addition to the obligations of signatories to the 1954 accords, there are responsibilities of a more practical sort which concern particularly the states of the area. In this regard it is encouraging to note that the Foreign Ministers of such nations as Indonesia, Thailand, and Japan are initiating consultations to determine what action they can take in the international community to protect and restore the independence and neutrality of Cambodia.

In conclusion, the suggestions I have made today—to revive the International Court of Justice, to encourage more multilateral lawmaking treaties, and to insist on observance of international agreements—reflect my conviction that it is both necessary and possible to increase the role of international law in the settlement of disputes.

CRS-33.
April 25: (cont.)

1970

We must take steps which will build international confidence in international law. Mankind eventually must become wise enough to settle disputes in peace and justice under law. That is your goal—that is the goal of your Government.

May 3:

Interview with Secretary William P. Rogers by Marvin Kalb, CBS News. DSB, v. LXII, #1613: 646-649.

Q. Mr. Secretary, how has the operation inside Cambodia gone so far?

A. Well, it's gone reasonably well. We haven't, of course, encountered the opposition that we thought we might. But I think it may take a couple of more days. There are some very good results. One good result, of course, is that our casualties have been quite low. I think we'll know better about it in a couple of days.

Q. Supposing it turns out in this operation that the enemy simply withdraws into the interior of Cambodia? Will we pursue them?

A. Well, I think it's important, Mr. Kalb, to make it clear what this decision is. It's a limited decision made by the President. And it's limited in three ways. It's limited in the extent, purpose, and duration. Now, it's limited in extent by those parameters. It is limited to the border area that has been occupied by North Vietnamese forces for many years and used as sanctuaries to attack American troops, so it's limited in extent. We're not going to exceed those limitations of the sanctuaries on the border.

CBS-34
Second, it's limited in purpose. The purpose, as the President said the other night, is not to kill the enemy; the purpose is to destroy the sanctuaries themselves—to find the military supplies, the military equipment that's there, and to destroy the base areas from which they've been operating. Now, there are five major sanctuaries, and so far the attacks are against two of these sanctuaries. So it's limited in purpose.

Third, it's limited in duration. The President has made it clear that it's not going to last more than 6 to 8 weeks at the most. We would hope that it's completed before then. At that point the American troops and the South Vietnamese troops will withdraw from Cambodia.

Q. Is it possible to assume, sir, that the action into Cambodia and this incident in North Viet-Nam is part of a larger gauged American military effort now in all of Indochina?

A. No, I think it's exactly what the President said it was. It is an effort on his part to make it clear to the enemy that he was not to have privileged sanctuaries where American men could be attacked. And it's nothing more than that. He made it clear that we are going to continue to withdraw 150,000 men from South Viet-Nam this year and in that process he doesn't propose to have safe havens where the enemy can make these attacks—totally free from any worry.

Q. Does this go to all safe havens?

A. Well, the safe havens that I'm speaking about are principally in Cambodia.
Q. In Cambodia. Does it relate to those in North Viet-Nam?

A. Well, I don't think there have been attacks of this kind against American men across the DMZ [demilitarized zone] to any considerable extent.

Q. Is there any threat in the DMZ area now?

A. Not any more than there has been.

Q. That has been a steady--

A. There's some buildup of North Vietnamese troops just north of the DMZ, but I wouldn't say that we expect any major attack there.

Q. Mr. Secretary, do you have confidence that this operation can succeed?

A. Well, Mr. Kalb, I think it was a very courageous decision on the part of the President. It was very difficult and a painful decision for him to make. He realized, of course, that it would cause a good deal of unhappiness, that a lot of people would oppose it. He realized that there would be a good deal of congressional opposition, but as Commander in Chief of the Armed Forces, he had to make the decision that he thought was best calculated to protect American lives, and he made it. And it may well cost him politically—he's quite conscious of that—but I think it's a very courageous decision. We hope it will be successful. We have reason to think it will be successful, and I think all Americans should support the President during this time.
Q. Mr. Secretary, in the last week or so there's been a great accent on the American military activity in Indochina. Where has the negotiating side been? Where has the diplomatic input been?

A. Well, we made every possible effort to get negotiations started in good faith, negotiations dealing with Laos and Cambodia, and we made every effort in Paris to get negotiations started in a meaningful way. Now, just take Cambodia, for example. For years, it's been clear that the North Vietnamese troops have invaded Cambodia. Everyone agrees to that. Sihanouk [Norodom Sihanouk, former Chief of State of Cambodia] agreed to it before he left; that's why he went to Moscow and Peking. Prime Minister Lon Nol makes it clear; no one now disputes it. It's clear that there have been 40,000 North Vietnamese invaders in Cambodia. We tried to get the United Nations interested; at least Cambodia tried to get the United Nations interested. There were efforts by the French to have a Geneva conference started. There was no response on the other side. Ambassador Malik at the United Nations, the Soviet Union's Ambassador to the United Nations, suggested the possibility of a new Geneva conference.

Q. Nothing ever developed on that?

A. No, and we responded right away saying we thought it was a good idea, we'd like to know more about what he had in mind; and then he backed away from it. So we've made every possible effort to get negotiations started in good faith. I think what the President had in mind, he didn't feel, under those circumstances—when we had done all we could to get negotiations started, and we knew, and everyone else knew, that the North Vietnamese had invaded Cambodia and were using these sanctuaries to attack our men—that we should stand there and permit them to continue to use it safely. And Lon Nol, of course, as you noticed this morning in the papers, said he thought this was a positive reaction on the part of the United States.
When you ask me whether it's going to be successful or not, time will tell. We certainly hope so, and I think the American people should support the President in the hope that it will be successful.

In any event, it's going to be a limited incursion, or limited incursions, which will be completed in from 6 to 8 weeks.

Q. Is the diplomatic track, at this point, I gather, dead?

A. No, I wouldn't say that at all. We would hope now that there would be increased activity in the diplomatic field. We would hope, now that it's clear that the North Vietnamese have invaded Cambodia and it's clear that we've taken this action, that all states would become interested in discussing what they can do to guarantee the neutrality of Cambodia.

Q. Mr. Secretary, before taking this job you were a lawyer and then in another administration an Attorney General, so I can put this question in a legal sense. Do you believe that the President, one, has the constitutional authority to move American ground forces into another country, although part of a Viet-Nam operation; and, second, do you believe that a constitutional crisis is now developing between the administration and the Hill over this very issue?

A. Well, I have no doubt at all that the President has the constitutional authority to take this action as Commander in Chief of the Armed Forces. He has the constitutional authority to do it to protect the lives of Americans. Now, whether a constitutional crisis develops or not, I can't predict. I would hope not. I think the President has the highest regard for congressional prerogatives, and he met with the congressional leaders when he announced this decision. He's agreed next week, as you know, on Tuesday to meet with the appropriate committees of both the Senate and the House to discuss the matter with them further and answer any questions that they have.
So I would hope that the constitutional crisis does not develop, and I rather doubt that it will. I know there was a good deal of disappointment on the part of some members of the Senate, especially, at this decision. I conveyed that thought to the President before he made the decision. I testified before the Senate Foreign Relations Committee, and it was quite clear that most of the members of that committee opposed the use of any American troops in Cambodia. But the President knew that. I might say that several members of that committee indicated their willingness to have these incursions take place as long as the troops were South Vietnamese troops, and I pointed that out to the President. There was opposition to the idea that we should have a large military aid program, military assistance program, which might be a repetition of what happened in Viet-Nam. And the President knew that.

He decided, as you know, not to engage in a large military aid program for Cambodia, and he decided that this action was necessary to protect the lives of American men.

Q. Senator Fulbright has said that he felt you misled him last Monday.

A. Well, I don't think he will be as time goes on. I notice that Senator Mansfield did not say that. Senator Mansfield said that he thought that I had been frank under the circumstances, and I think Senator Fulbright will come around to that conclusion.

Now, I did talk to the Senate Foreign Relations Committee on several occasions about the problem that we had. The problem that we had was that these sanctuaries were being used, and it didn't make any sense to have them protected -- 30 miles, 35 miles, from Saigon. And I pointed that out, and I said the President now is facing the difficult decision about whether he should continue a war that didn't make any sense or whether he should change the policy or not. And there was discussion about that. Several of the Senators said, well, we think as long as the South Vietnamese troops are used to knock out these sanctuaries, it'd be all right--we'd oppose the use of American troops.
I don't believe that Senator Fulbright was misled. I don't think he realized, of course, that the President was going to make this decision. At that time, the President hadn't made the decision, but there was plenty of notice as far as I was concerned that this was one of the matters under consideration.

Q. What is the policy of the United States Government on South Vietnamese assistance—military assistance or cooperation with the Lon Nol government in Cambodia?

A. Well, as you know, the South Vietnamese have been cooperating with the Lon Nol government, and on this riverine operation they discussed the matter in advance. So there is some cooperation between the two Governments.

Naturally, we encourage that. The whole Nixon doctrine as pronounced at Guam is that the Asians should work with each other to take care of their common problems. And I was pleased to see that Thailand has renewed its diplomatic relations with Cambodia.

In terms of all the ramifications of that relationship, I think it's probably a little premature to discuss that.

Q. Mr. Secretary, will South Vietnamese troops be withdrawn from Cambodia at roughly the same time as American troops?

A. Well, I think there's a limit to what we should say about what South Vietnamese troops are going to do. Originally, it was contemplated that most of the troops would be out of Cambodia by the end of July, but I don't know that I'd want to make a commitment on behalf of the South Vietnamese. I have no
reservation at all about restating what the President has said, and that is that the American troops will be out of Cambodia by the 1st of July and all the American troops will be out, including advisers.

Q. Mr. Secretary, could you comment on whether the Cambodian incursions have helped or hurt from a diplomatic standpoint in the world and as far as the negotiations are concerned?

A. Well, I think, in terms of the diplomatic community, or the international community, as far as that's concerned, probably the initial reaction was somewhat either reserved or negative, because just as a good many Americans—particularly young people in this country—thought that this involved a long-drawn-out Cambodian operation by American troops and because they were fearful that we might get bogged down, there was, as I say, concern on the part of some nations and some negative reaction.

I think that that's changed now. I think it's because of the President's statements that this is going to be a limited operation; it's going to end by the 1st of July. It has not changed the policy at all; it's a continuation of the Vietnamization policy. And he firmly believes, as do I, that this will reduce the casualties. I think that the diplomatic climate is changing considerably so that the reaction recently is good.

Q. Mr. Secretary, specifically, has the incursion complicated our relations with the Soviets?

A. It's a little too early to tell, I think. As you know, Kosygin had his press conference; and they have, I think, taken some steps to gain propaganda advantage. But I think it's too early to tell. I don't see any indication it's adversely affected their attitude on the SALT [Strategic Arms Limitation Talks]. I don't see it has changed their position in the Middle East. So it's too early to tell, I think. I think that the fact that Prince Sihanouk and his government-in-exile has been incubated and hatched in Peking has caused the Soviet Union some concern.
June 7: Interview with Secretary William P. Rogers on CBS "Face the Nation." DSU v. LXII, #1611: 785-791.

Mr. Herman: Secretary Rogers, news reports this morning indicate a widening struggle across much of Cambodia, with the Lon Nol government forces in some trouble. The administration, and you yourself, sir, have said that we have no commitment to support the Lon Nol government with troops. But if it does come to a pinch, can we let that government fall to a Communist push?

Secretary Rogers: Well, we certainly hope that the government doesn't fall; but the President has made it perfectly clear—and as you have indicated, I have said the same thing—that we will not support the Lon Nol government with U.S. troops.

Mr. Herman: Mr. Secretary, the President's duty under the Constitution, and under his concept of it, is to protect the safety of American troops in South Viet-Nam. Can he afford to have a Communist government take over in Cambodia on the flank of those troops?

Secretary Rogers: Well, as I indicated, we certainly would hope that the present government does not fall. We would hope that the Communists are not successful in taking over Cambodia. But we are committed to the proposition that we will not use United States troops to support the government, the present government in Cambodia.

Mr. Bailey: But Mr. Secretary, regardless of whether or not U.S. troops should be used or will be used in Cambodia, I think a lot of people are concerned about—with the fear that the new action in Cambodia has permanently widened the war and that South Vietnamese or Thai troops will be fighting in Cambodia from now on and that the United States will inevitably be involved in supporting them. Don't we have a permanent enlargement of the war geographically now?
June 7: (cont.)

Secretary Rogers: Well, not at all. I think that it is possible that the war will be fought in a different place and it is possible that it will continue with South Vietnamese forces and Cambodian forces, and even possibly Thai forces, fighting a common enemy. But that doesn't mean that the United States forces will be enmeshed in a combat in Cambodia. The President has made it perfectly clear that our troops will be out of Cambodia by the end of June, and we will follow through on that commitment.

I think it is interesting that for the first time the countries in the area—Thailand, Cambodia, Laos, and South Vietnam—are all working together. For the first time they all have diplomatic relations with each other. And after all, the Nixon doctrine is to encourage Asian nations to handle Asian problems and to cooperate with each other, and that is what they are doing.

Mr. Herman: And this is American participation in the sense of troops. I notice, for example, that the Saigon Government estimates that their continued participation in Cambodia might run to $200 million a year, which I presume the United States would have to pay.

Secretary Rogers: Well, I wouldn't think that that would necessarily follow. There are other Asian nations that are becoming very interested in the future of Indochina.

But the fact is, and I think people forget this, that at the present time the South Vietnamese have about 110,000 men trained and armed. There are about 100,000 Thais. There are about 100,000 Laotians; now, probably, 50,000 Cambodians. All together, that totals about three times the strength of North Vietnam. So there is no reason why that those forces, the forces of freedom, can't compete successfully against the forces of communism. They have a common enemy now. There is just one enemy, North Vietnam, supplied by the Russians and the Chinese. And there are three times as many armed forces in the friendly nations, and they have about three times the combined population of North Vietnam.

CBS-43
Mr. Kalb: Mr. Secretary, the President has established as a matter of principle, by his action against the sanctuaries, that he finds unacceptable and intolerable Communist control of the border areas. Does it then not follow that he would find equally "intolerable" communist control of all of Cambodia?

Secretary Rogers: No, I don't think so. I mean, the reason he found intolerable the sanctuaries is because they were using those sanctuaries to fire on American forces. Now, that is not true if they moved to the west in Cambodia.

Mr. Kalb: But if they control the entire country, they would have a larger reserve from which to fire upon American forces.

Secretary Rogers: Well, they still wouldn't control the sanctuary areas.

Mr. Kalb: What I'm trying to get at, sir, is--

Secretary Rogers: Well, there is no doubt, Mr. Kalb, that obviously if the government of Cambodia came into Communist hands, it would be an unfavorable development. We would hope that that doesn't happen.

Mr. Herman: Would it be "unacceptable"?

Secretary Rogers: No, not unacceptable in the sense that we would use American forces to support the government. Now, that is a decision that the President made when he entered into Cambodia, and there has never been any deviation from that.

Mr. Kalb: Then it is irrevocable that there will never again be American troops used in Cambodia, no matter what?
Secretary Rogers: Well, with the single exception of the Byrd amendments, which suggests that if it is necessary to protect the lives of American forces right on the border. But there is no intention of using American forces in Cambodia. Now, as I have said several times to young people that I've talked to, by the end of June we will demonstrate that that is the fact. Our forces are going to be out of Cambodia by June 30. We will have no military people there at all, advisers or anything else. And we have no intention of having any American forces return to Cambodia. Now, South Vietnamese forces may return. The President said we may use air interdiction to protect our forces, but we will not use American forces in Cambodia. If we did, it would enlarge the war, and it might mean that we'd be there on a semipermanent basis, and we're not going to do that.

Mr. Bailey: Are you saying, sir, that we don't want the government of Cambodia to fall into Communist hands, we would regard it as an unfortunate development, but that we are not prepared to use American troops to prevent that happening?

Secretary Rogers: Correct.

Mr. Herman: How do you estimate, Mr. Secretary, the impact of our—"incursions," I think, is the proper term that the administration insists on—our incursion into Cambodia on the negotiations to bring about the end of the war, which, after all, I believe you all expect is the only way the war is going to end?

Secretary Rogers: Well, I think it is a little early to tell. We haven't seen any results of it yet. We wouldn't, I don't think, anyway, until the operation is completed. I would think that there is the possibility that somewhere along the line the enemy will decide that the game is not worth the candle; that whereas they thought Vietnamization would not work, they may begin to think it will work. And if that time arrives, and I think it is possible that it may arrive, then they may be willing to negotiate a peace that is fair to both sides.
June 9:

Statement by Secretary William P. Rogers before the House Committee on Foreign Affairs. DSB. v. LXIII, #1619: 1.

It is now 16 weeks since President Nixon submitted his report to the Congress on "U.S. Foreign Policy for the 1970's." In my statement today, I would like to refer briefly to certain key developments in our foreign policy since the report was issued.

In Southeast Asia our goal remains, as the President put it in February in the report, a "just peace" in Viet-Nam. Since February the President has made two major decisions—the decision to withdraw 150,000 more troops from South Viet-Nam by next spring and the decision to attack the Communist sanctuaries in Cambodia.

Many Americans have feared that our policy was changing. They have feared that we were abandoning Vietnemization and the pursuit of a political settlement and that we were expanding the war and looking for a military solution. This is not so. We do not intend to retain American troops in Cambodian territory after June 30. We will fulfill the President's decision on troop withdrawals from Viet Nam, a decision which will turn over to the South Viet-namese the responsibility for ground combat by the middle of 1971.

We are determined to do everything possible to end this war while giving South Viet-Nam a maximum opportunity to preserve its right to self-determination. That was our policy when the President submitted his report to Congress and it is our policy today.

CBS-46
June 9: (cont.)

In his speech last Wednesday the President described again the changed situation in Cambodia which led to our action against the sanctuaries. As he said, the Communist attempts to link together their bases would have made the entire 600-mile Cambodian-South Viet-Nam border "one continuous hostile territory from which to launch assaults upon American and allied forces."

Moreover, at the Indochinese "summit" in southern China April 24-25, Sihanouk [Prince Norodom Sihanouk, former Chief of State of Cambodia] and the North Vietnamese, Viet Cong, and Pathet Lao leaders agreed to "wage a heroic and tenacious fight" on an "Indochinese" basis and to seek "total victory" through "mutual support in the struggle against the common enemy." These statements make clear the purpose of Hanoi's open and long-standing violations of Cambodian and Laotian neutrality.

In the light of these developments, the President decided that an attack on the sanctuaries was necessary so that Vietnamization and the withdrawal of our forces from Viet-Nam could proceed. As far as Cambodia is concerned, we want for it what it wants for itself—to be free, sovereign, neutral, and unmolested.

June 25:


...Could you give us your estimate now of the impact of the American withdrawal in Cambodia and what we may expect to do to support operations there after our withdrawal?

Impact of U.S. Withdrawal From Cambodia

A. Yes. We will, of course, carry out the promise that President Nixon made. Our troops will be out of Cambodia by June 30; and that includes all of our forces, including advisers.

CBS-47