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Speeches, Troubled Times

Mike Mansfield 1903-2001

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REMARKS OF SENATOR MIKE MANSFIELD (D., MONTANA)

before the
Missouri Bar
Muchlebach Hotel, Kansas City, Missouri
Thursday, September 7, 1967
11:00 a.m. (CDT)

TROUBLLED TIMES

There are, I am advised, about a thousand lawyers at this conference. A lot of lawyers. But if my calculations are correct, this large gathering forms only .003% of the legal profession in the United States.

To a non-lawyer who happens to be a law-maker, the thought of 300,000 lawyers gives rise to a most uncomfortable question. How can we, in the Congress, who are so few generate so much business for so many? I find even more appalling the possibility that the necessity for so many lawyers may be related to the quality of the product of the law-makers.

Be that as it may, I do know that law-makers and lawyers share a common endeavor and a common hope. We work to
strengthen the nation and the freedom and well-being of its people within a framework of law.

This joint effort is confronted in 1967 with a challenge whose character is peculiarly of our own times even if it has been of many times in the making. We are living through a long night of violence both at home and abroad. A harsh antiphony of hostility is heard throughout the nation. It rises out of the ordeal of Viet Nam and is echoed in the turbulence of the nation's cities.

The sound of violence does not set well with me or with you who are trained to seek peaceful and orderly solutions to disputes. Nevertheless, as a nation we have become so jaded by the continuous violence of our times that the sense of indignation appears dulled except at moments of fierce fury when a great city goes up in flames.

It takes a Detroit to arouse the nation. But Detroit took a toll of 43 dead and brought injury to more than 1,000 people, many of whom were peaceful bystanders. For 5 days the over-all
casualties in Detroit ran at a higher rate than those which, of late, have been suffered by American forces in Viet Nam.

While Detroit burned, it was not uncommon to hear expressed as a remedy for rioting, less coddling and more crudgelike. That remedy on a massive scale is thought by some also to provide a way out of the difficulty in Viet Nam.

Experience has demonstrated, however, that it would be as futile as it is dangerous to yield to an easy indulgence of that kind at home or abroad. In the urban areas of the nation no less than in Viet Nam an abject reliance on force is a formula not so much for solutions as for stretching a summer of seething disorder into an autumn of simmering discontent and so on, from season to season and year to year.

The cure of urban ills involves something more than force, even as force is essential in the restoration of an order which has broken down. On that subject, let me say that for too long, we have expected too much for too little from the police of the nation. The police are more often than not underpaid,
underprivileged, over-used and over-abused. Indeed, it is not unusual to hear the cry of "police brutality" while a policeman is being hit over the head.

A well-trained and disciplined police and the availability of a graduated supplement of force is an essential characteristic of every orderly society in the world. Anyone who makes light of the dangerous and difficult work of the police makes light of his own life and of civilized survival.

The safety and order of the community is the first responsibility of organized government. On that score, there can be no uncertain trumpet and, insofar as the federal government is concerned, there is no uncertain trumpet. President Johnson has made perfectly clear that riots will not be tolerated and rioters will not be rewarded. I want to say that insofar as the recent crises in the cities are concerned, the President has acted, in my judgment, with a blend of a firm resolve in the face of violence and a wise understanding of the plight of the urban areas.

Riots have been suppressed; they will continue to be suppressed. Rioters have not been rewarded; they will not be rewarded.
But I would hope that we would all keep our perspective as the President has kept his. We do not reward rioters when we improve the diet, the education, and the health of little children. We do not reward rioters when we stimulate the building of the kind of housing and neighborhoods in which people can live decently and safely. We do not reward rioters when we try to curb air pollution and assure a plentiful supply of pure water in metropolitan areas. We do not reward rioters when we seek to protect infants from rats.

It is one thing to reject rioting. It is another, however, to turn our backs on the difficulties of the urban areas because riots have occurred in them. Those difficulties were there before the riots. They were there during the riots. They are there now. The nation's responsibility for confronting these difficulties existed before the riots. It existed during the riots. It exists now.

It is my good fortune to come from a State where the standard ills of pollution, delinquency, ghettos and the like are not yet fixed institutions. Yet, the serious decay of urban America
is of deep concern to me as I am sure it is to you and I hope that it is to all Americans wherever they may live.

The time is past, if it ever existed, when one part of the American community could ignore with impunity to itself, serious problems in the others. The fact is that distinctions of rural and urban are fast losing significance in this nation. Americans are moving in increasing numbers into and around the cities of the nation. By the year 2000, 150 million Americans will have been added to the population of the United States and it is anticipated that most of the increase will be housed in great metropolitan complexes.

That is but one relevant statistic. There is no end to other statistics which will tell us what we already know about the urban problem. They will tell of the disintegration of the physical environment by pollution of air and water. They will tell of the trek of the improverished into the central cities and the flight out of those with means. They will tell of the grim discontent that stalks the streets of the slums, of the lack of employment opportunities therein and of the accumulation of the permanently
unemployable. They will tell of the massive breakdown of family life, inadequate schools and poor recreation facilities. They will tell of miserable housing, hunger, and rats. Statistics will tell, in sum, in modern mathematical idiom, an ancient story of human poverty, neglect and degradation.

There has indeed been a long night of violence in the cities of the nation. There has also been a long night of neglect of the needs of the cities.

That is not to say that an effort has not been made, in a paraphrase of the words of John Fitzgerald Kennedy, "to get the cities moving again." We owe a great deal to him for his efforts in this direction. We owe a great deal to Lyndon B. Johnson in continuing and expanding the effort and, also, to his insistence that the effort be realistic in a financial sense. Under his leadership, and in cooperation with Congress, many federal stimulants have been applied boldly and broadly in an effort to revive the urban centers.

These efforts have cost a great deal of money. They are going to cost more. We are properly concerned with these costs
and with the effectiveness of the efforts. We can properly inquire into the great number of programs which have put into operation in the last few years. May I say that I have advocated for several years a more vigorous exercise of legislative review by the Congress in this connection. And various Senate committees are proceeding with the job of evaluating, adjusting and improving this vast body of legislation.

It will help to keep a perspective in this process, however, if we note that the cost of the federal programs which are directed heavily at the urban and other social ills of the nation run to billions a year less than the cost of the Viet Nam war and are but a fraction of the budget of the Department of Defense which now reaches an over-all annual figure of about $70 billion. As we have been prepared to make the effort for security of others abroad and particularly the security of Viet Nam, we must also be prepared to act for the inner security and stability of the nation.
For those of us who do not live in cities, no less than for those who do, there is a need to recognize that the way to restrain the mushrooming of violence is to defuse the seething inner cores of the metropolitan areas. As I have already noted, there can be no uncertain trumpet when the safety and order of the community are challenged. But the trumpet would sound a hollow note, indeed, if it blew over devastated community after devastated community throughout the nation.

As in the cities, so in Viet Nam, there has been from the outset of the involvement almost universal agreement that a rational solution in Viet Nam is not attainable by force alone. Nevertheless, the reliance on force has grown, escalation by escalation, until now there are few, if any rational military steps left to take within Viet Nam. What was still a primitive war among Vietnamese a few years ago has grown by successive and mutual increases in the application of force to the point where it has become a devastating war, fought with a great range of modern weapons. It has become a war, moreover, which now
finds the United States in the foreground, and our Vietnamese
and other allies in the background, against North Vietnamese and
the Viet Cong in the foreground opposite and with China and
Russia in the background opposite.

As late as May 1965, there were still only 45,000
U. S. troops in Viet Nam. A year and a half later, however, the
number was 400,000. Today it stands at over 450,000 and the
commitment is expected to grow to approximately 525,000 in mid-
1968. These figures do not begin to take into account the tens
of thousands of men in units of the 7th Fleet in Vietnamese waters
nor the back-up forces in Okinawa and elsewhere, nor the heavy
bomber squadrons flying out of Guam and Thailand.

The input of more than half a million American
soldiers into the Vietnamese conflict does not mean that the
end of the war is in sight. The end is not even in sight insofar
as the demand for more men and more resources is concerned.
There is talk of the need for one or two more divisions of troops.
There is talk of sending Americans into the delta of the Mekong
River south of Saigon, which is the Viet Cong stronghold and has heretofore been the responsibility of the South Vietnamese Army. There is pressure to enlarge and intensify the bombing of North Viet Nam even though U.S. planes have already flown to within 30 seconds of the Chinese border on bombing missions.

I do not know how much of the potential for an enlarged involvement in Viet Nam will materialize except that on the basis of experience to date, the only reasonable conclusion is that escalation will beget escalation. I do know that there is no reason to assume that additional air action will achieve what air action was supposed to have achieved months ago but has not achieved; that is, a cut off of supplies and men moving south and the bringing of Hanoi to the peace table.

I do know that when the great build-up of U.S. forces began in mid-1965, the regular South Vietnamese army was suffering eight combat deaths for every American killed in action. In 1966, that ratio had dropped to two South Vietnamese for each American. This year, American combat deaths are on a one-for-one
basis with the South Vietnamese forces and the total of U. S. dead and wounded in the Viet Nam conflict now approaches 100,000.

The costs of the war, too, have risen with the expanded involvement. About this time last year, with 235,000 American troops stationed in Viet Nam, the annual cost was estimated at $13 billion, or slightly more than $1 billion a month. At year's end, the annual rate of expenditure for Viet Nam was at an estimated $21 billion or nearly $2 billion a month. Today, it is generally calculated that monthly costs are at least $2.5 billion.

I do not know where a solution for Viet Nam may lie or of what it might consist. I can only say that I know where it does not appear to lie and of what it does not seem to consist. In my judgment, peace does not lie in ever additional inputs of U. S. forces or in ever expanding bombing forays.

This is not a new view for me. I have felt that such was the case when there were less than 50,000 Americans in Viet Nam. I say it now when there are close to 500,000.
a mission to Viet Nam in the company of several Senate colleagues, almost two years ago, we reported that the question which confronts this nation in Viet Nam "...is not one of applying increased U. S. pressure to a defined military situation but rather of pressing against a military situation which is, in effect, open ended."

Despite the new current of rumors in Washington and elsewhere that the enemy is "on the ropes," or that we are "over the hump," I can see no reason to discard the premise that the war in Viet Nam is open-ended--that the logical sequence of greater U. S. involvement is still greater involvement, and so on, until the monster of war runs amuck over the entire Southeast Asian mainland, if not throughout the world. Behind the guerrilla war in South Viet Nam, there are still the largely unengaged forces of North Viet Nam's commander Vo Nguyen Giap. And beyond North Viet Nam, if we need to be reminded, there is China.

Therefore, I share with the President and many others the view that the dilemma of Viet Nam, in
end, will yield to negotiations. To date, all efforts to initiate negotiations, however, have been in vain. Over the months many alternative approaches have been suggested. I have had occasion, for example, to urge neutralization of all of Southeast Asia and a cease-fire and standfast in Viet Nam. All-Asian negotiations and direct U. S.-Chinese meetings have been proposed. I have advocated that a defensive barrier be built across Viet Nam just south of the demilitarized zone and extended across Laos to Thailand as an alternative to an extension of the war in Asia in consequence of ever-expanding aerial bombardment. In connection, therewith, I have joined Senator Cooper of Kentucky and others in advocating a contraction of bombing to the routes of infiltration in the vicinity of the 17th parallel.

Finally, it has been suggested time and again that the United Nations Security Council might at least initiate a consideration of the question of Viet Nam. The Council has not
only failed to act, it has failed even to acknowledge, in an official sense, the existence of the Vietnamese conflict as a threat to the peace. A future reader of official U. N. papers for this trying period in world history would scarcely be aware that a major war had occurred in Southeast Asia. That would be the case unless he read the personal papers of the Secretary General. U Thant has sought to act on his own initiative in his diplomatic capacity to end the war. However, the provisions of the Charter involving the peace-keeping functions which bind the member-nations have not been engaged.

Let me make clear that the U. N. should not be expected to produce miracles of solution with respect to Viet Nam, inasmuch as all the other avenues, which have been tried, have so far come to dead ends. The world organization, however, does have a mandate regarding the preservation of peace. The members of the Security Council, including the United States, do have a compelling responsibility under the United Nations Charter.
 Article I contains a treaty obligation which requires the organization to "take effective collective measures for the prevention and removal of threats to the peace...."

With all due respect, it does not take a lawyer to interpret this solemn commitment and the responsibility which it places on the United States and all other members of the Security Council.

The vehicle for bringing the question of Viet Nam before the Council is already present in the form of a U. S. resolution which was introduced at the beginning of the year. It has not yet been called up in the Council for reasons which are far from clear. Yet the procedural question of calling up is subject to vote and it is veto-proof under the precedents. Moreover, the precedents are there which would allow involved parties that are not members of the U. N. to participate in the consideration and that, too, on the basis of precedent is not vetoable. In sum, Peking can be included; Hanoi and Saigon can be included; and so too, for that matter if the Council so decides, can the National Liberation Front or any other pertinent
nation or group. You may recall that Peking did appear before the Council some years ago in connection with the Korean question. You may recall, too, that in the original Palestine dispute in 1948, two non-governmental groups—the Jewish agency for Palestine and the Arab Higher Committee—were invited by the Council to present their case and the former did appear.

In recent weeks twenty-seven Senators, including Senators Symington and Long have joined in urging that the United States government insist that its resolution on Viet Nam be laid before the U.N. Security Council and, that if necessary, a vote be had—win or lose—on the question of taking up. In our judgment, it is long past the time for the member states and all others involved in Viet Nam to stand up and be counted. At this late hour, we need to know and the world needs to know who is prepared and who is not prepared to move to bring the military struggle to a close without delay and, thereafter, to seek a resolution of the issues of Viet Nam by peaceful processes.
The long night of violence in Viet Nam will know no dawn until the world community can end the diplomatic inertia which has characterized its reaction to Viet Nam. Until the war is brought to an end, moreover, the hope of removing the roots of disorder in our cities may well remain beyond our reach.