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# Việt-Nam: What Kind of Peace?

Documents and Analysis of the  
1973 Paris Agreement on Việt-Nam



Indochina Resource Center

## INDOCHINA RESOURCE CENTER

The Indochina Resource Center is a private, non-profit educational organization established in July, 1971 to help meet the crucial need for informing the American people about the war, as well as the cultural, socio-economic and historical realities of Vietnam, Laos and Cambodia. This information, often otherwise unavailable, is made readily accessible to journalists, students, congressional staffs and concerned citizens around the country. The Center publishes a newsletter, the Indochina Chronicle, which can be subscribed to for a minimum of \$5.00 per year. Center members also publish books and articles, regularly speak at community meetings and academic seminars, and try to respond promptly to all letters and phone calls requesting factual data on Indochina.

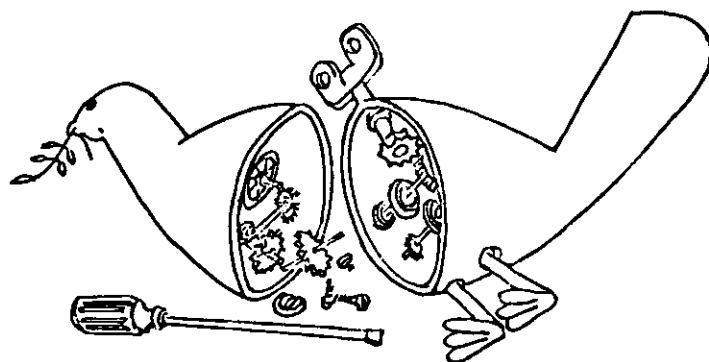
## COVER PICTURE:

January 29, 1973, two days after the Agreement was signed in Paris, a North Vietnamese captain (center) stood with a Saigon soldier (left) and an NLF soldier (right), after having visited the graves of their ancestors in Cai Lay district in the Mekong Delta southwest of Saigon. A true symbol of national reconciliation and concord. (UPI)

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A HANDBOOK PREPARED BY THE INDOCHINA RESOURCE CENTER  
FEBRUARY 1973



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# Preface

Many people have written or phoned us pointing out the need for an immediate yet reliable description and analysis of the Paris Agreement on Vietnam, signed January 27, 1973. We have produced this handbook in a scant three weeks, beginning with a careful reading of the Agreement (English and Vietnamese language texts), intense discussions, writing, typing, mock-up, photography and printing. Fortunately, we had been studying the situation previously, some of us for over a decade, and had done a similar presentation on the October 20, 1972 draft agreement, appearing as Indochina Chronicle No. 21. Nevertheless, as a result of time pressures there are bound to be occasional inaccuracies or inconsistencies of thought, style and presentation. For this we ask your tolerance, and encourage you to send us your comments and criticisms, since we fully intend to provide periodic updates and may publish a revised edition once the Agreement has been in force for 4-6 months.

This has been a collective effort: of the Indochina Resource Center staff in Washington; of associates around the country and overseas; and of the ever-industrious Glad Day Press in Ithaca, New York. We think the Paris Agreement is the most important thing to have happened regarding Indochina since the Geneva Accords of 1954, perhaps even the August Revolution of 1945. We hope we have conveyed this urgent significance to you, the reader.

Washington, D.C.  
February 15, 1973

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Tet, 1973: The Year of the Water Buffalo

# Introduction

The Vietnamese are neither more nor less superstitious than other people. Without necessarily relying on priests or soothsayers, many of them observed a while ago that the modern history of Vietnam was somehow coming to epic climaxes at specific intervals of nine years. In 1936 the French "Popular Front" government loosened restrictions in the colonies to the degree that Vietnamese anticolonialists were able to get out of jail, to organize a mass base, and to begin preparing people politically for protracted struggle. Nine years later, that planning and proselytizing bore spectacular results in the 1945 August Revolution -- the first time that millions of Vietnamese mobilized themselves to effectively destroy foreign imperial rule and eliminate feudal customs and ways of thinking. Then came 1954, a combination of military triumph at Dienbienphu and partial diplomatic success at Geneva. In 1963, again after nine years, President Ngô Đình Diệm, America's neo-colonial replacement for French control, was violently overthrown due to a combination of NLF pressure in the countryside, sharp urban unrest, and U.S. desire to install a more submissive military junta.

By solar calendar reckoning, history has not stayed true to pattern this time, although it would have if the Nixon Administration had stuck to its written and verbal promises to sign the October 20, 1972 draft agreement. Nevertheless, all Vietnamese continue to keep count too by means of the lunar calendar, and it happens that the Paris Agreement on Ending the War and Restoring Peace in Vietnam was signed six days before the end of the Year of the Rat. In other words, still barely within the nine year rubric.\*

Perhaps there is a message here, quite apart from numerology. Firstly, that every major event in Vietnam has owed much more to what the Vietnamese were seeing, thinking and doing than what Frenchmen or Americans considered essential, real and valid. If General Westmoreland had known more about the lunar calendar, he might have taken Tết, 1968 more seriously. (Whether that would have helped him in the long run is another question.) And secondly, that perhaps this recent nine-year sequence, 1963-

\*There is an added twist to this sequence occasionally pointed out by Vietnamese devotees: the last two digits of each of these numbers also add up to nine, i.e., 1936, 1945; 1954, 1963, 1972.



1972, has been the most difficult and agonizing of all for the Vietnamese, so that whoever guides numerologic destinies could be forgiven for withholding the climactic fruits to the very end. Up against B-52s, nuclear aircraft carriers, automated battlefields, computerized I.D. cards, Madison Avenue propaganda techniques, and endless financial largesse for collaborators -- in short, the "Greatest Power on Earth -- the Vietnamese have had to struggle very, very hard, devising new techniques of their own, and resolving every day to somehow outlast the arrogant American warmakers.

That they have succeeded is the basic message of this book. The 1973 Paris Agreement is a victory for the Vietnamese, south and north, communist and non-communist, old and young, male and female. Except for the generals and merchants whose lives were purchased by the American dollar, the Vietnamese people today overflow with hope and anticipation. If the Agreement is adhered to by all parties there must indeed be peace in Vietnam, as distinct from the present unsteady armistice.

President Nguyễn Văn Thiệu, however, even while reluctantly sending his foreign minister to Paris to sign the Agreement, has said for all the world to hear that he intends to ignore certain essential provisions. President Richard Nixon has stated that he continues to recognize Saigon as the "sole legitimate government" of



A child, evacuated from Hanoi to escape American bombs, makes some temporary friends. Is his home safe enough to return to permanently?

South Vietnam, quite apart from what his secretary of state has put his hand to in Paris. Both Thiệu and Nixon, moreover, have already taken unilateral actions serving to undermine trust in their future compliance, including post-cease-fire attacks, restrictions on freedom of movement, large-scale replacement of U.S. military personnel by American "civilians" fulfilling the same tasks, and continued military intervention in Cambodia and Laos.

Thiệu may have already decided that he has to break the Agreement in order to survive. Whether Nixon will back him up in this, while spreading a smokescreen of newspeak accusations against the other side, is the crucial lingering question. One thing is certain: the DRV and PRG like the Agreement, since it fulfills the fundamental objectives they have been pressing all along. They are trying to publicize its every article and protocol to each of Vietnam's 35 million people. Then, if Thiệu, with Nixon's support, departs from the Agreement they will be on stronger ground than ever for continuing the struggle against foreign intervention. In short, while they refuse to take an idealistic, messianic view of their diplomatic achievements, they do believe that the Agreement is a momentous and historically progressive step. They will defend that step, and they will not be alone.

The study we have prepared on the 1973 Paris Agreement on Vietnam is composed of five chapters and three appendixes. Chapter 1 attempts to compare key provisions of the 1954 Geneva Accords with those of the 1973 Paris Agreement, as well as giving some historical explanation for the changes. In Chapter 2 we explain the true significance of Article One of the Agreement, which recognizes the "independence, sovereignty, unity, and territorial integrity of Vietnam." A detailed exposition of cease-fire and political arrangements is provided in Chapter 3, along with a discussion of how Thiệu and the U.S. have already moved to place these arrangements in jeopardy. Chapter 4 relates the Agreement to Cambodia and Laos. By way of analytical conclusion, Chapter 5 draws a balance sheet on the chances for real peace, or continued warfare in Vietnam. Finally, for those readers with a serious interest in educating themselves on further aspects of the diplomatic situation, we have in the Appendixes reprinted: the full text of the 1973 Paris Agreement, with protocols; the full text of the 1954 Geneva Accords, with joint and unilateral declarations; the October 20, 1972 summary of the draft agreement; and a total of seven serious diplomatic proposals advanced by various parties to the dispute since 1969.

# 1. From Geneva to Paris:

a military and diplomatic history



## THE IMPORTANCE OF GENEVA

On January 27, 1973, the United States Government assumed certain obligations and accepted certain conditions in signing the Paris Agreement on Ending the War and Restoring Peace in Vietnam. It is an important document, for it resolves many of the issues which have prolonged the fighting in Vietnam for so many years.

Since the text of the Agreement has been released, however, most American commentary has been extremely short sighted in its analysis of the Paris Agreement. Against the background of the Paris Agreement stands an historical continuity, reaching back to the days when the Vietnamese struggle was directed against French colonialism. In this regard, one of the first documents which set forth and attempted to resolve the issues was the Geneva Accord of 1954. Following the failure of the Geneva experiment, however, proposals were submitted by both sides to clarify their own positions in regard to the cardinal issues.

In order to gain a sense of the full meaning of the January, 1973 Paris Agreement, a series of documents has been selected which highlights the

various positions of the United States, the Democratic Republic of Viet Nam and of the Provisional Revolutionary Government/National Liberation Front of South Vietnam. A textual comparison of the Geneva Accords with the present Paris settlement, as well as intervening proposals, can provide the reader with a richer, more complete understanding of the historic importance of the 1973 Agreement.

## THE ISSUES WHICH HAVE DIVIDED AMERICANS AND VIETNAMESE

There are a series of issues which have for at least two decades divided the American Government from the Vietnamese. Most important has been the lack of American commitment to peace in Indochina. In 1954, the United States flatly refused to become a party to the Geneva Agreement or be bound by its restrictions. Hence, the peace of Geneva could not be maintained when the principal parties did not honor obligations that had been carefully and exhaustively negotiated.

Secondly, the Vietnamese of 1954 and of 1973 have asked that a political settlement be included in any military armistice which is signed. Since the basis for the war has been

the question of authority and power in Vietnam -- the issue of who rules -- any lasting peace settlement must contain a political arrangement in which those questions can be resolved. The Geneva settlement failed to provide it; it remained up to 1973 a major issue to be resolved.

Third, there was the issue of the withdrawal of "foreign" armies from Vietnam. Geneva allowed for "regroupment" or mutual troop withdrawal of Viet Minh and French Union forces, coupled with a temporary partition of the country at the 17th parallel. In later years, as the United States attempted to transform this partition into a permanent political or territorial boundary, U.S. demands for withdrawal of North Vietnamese who were aiding the NLF forces in the South took on greater intensity. The U.S. concept of mutual troop withdrawal attempted to redefine Vietnam as two nations, while the Vietnamese of the DRV and PRG maintained that the forces from the North had every right to remain in the South to help liberate their American-occupied country. The mutual withdrawal scheme of Geneva was a mistake. The 1973 Agreement has moved on to different arrangements.

A fourth area of dispute concerned how to supervise what had been settled upon. The United States pressed for the introduction of a massive new foreign control force, heavily armed and free to inspect and police the Vietnamese citizenry. To the DRV and PRG, such an operation only substituted one occupation force for another, this time with diplomatic immunity. Certain members of the international force might also serve as intelligence gatherers for the enemy, as happened during the post-Geneva period. It remained a significant issue dividing the two sides.

Finally, the question of Cambodia and Laos as part of an overall settlement has been an issue of dispute for many years. Over the years the American positions have changed here, as we shall see.

#### GENEVA COMMITMENTS AND NONCOMMITMENTS

A comparison of the Geneva Accord of 1954 with the Paris Agreement of 1973 seems to reveal major changes in U.S. policy on Indochina since the fall of Dien Bien Phu. A preliminary review of both documents suggests that the United States Government decided in 1973 to accept what it was unwilling to accept during the Geneva Conference of 1954.

As the Conference was about to convene in Geneva in April, 1954, the United States Government advanced a position of total dissociation and noncooperation with any negotiated settlement with the Viet Minh. The Pentagon Papers note in this regard that, on the eve of the Conference, "In a background briefing for newsmen at Geneva, [Secretary of State] Dulles gave the first offi-

cial indication for public consumption that the United States would dissociate itself from any settlement rather than be a party to unacceptable terms." (Beacon ed., Vol. I, p. 117)

The "unacceptable terms" referred to the French proposal for a solution to the war which included "a separation of the civil war in Vietnam from the Communist aggressions in Cambodia and Laos; a cease-fire, supervised by a well-staffed international authority (but not the UN) and followed by political discussions leading to free elections; the regrouping of regular forces of the belligerents into defined zones ... upon signature of a cease-fire agreement; the disarming of all irregular forces (i.e. the Viet Minh guerrillas); and a guarantee of the agreements by 'the States participating in the Geneva Conference.'" (Ibid.)

This proposal, much stronger for France than the agreement ratified by the United States some twenty years later, was strongly criticized by the Dulles-Eisenhower administration and ultimately rejected in the strongest possible language as a "sellout" of U.S. interests.

On May 8, 1954 the National Security Council set forth American policy on the Geneva Conference:

The United States will not associate itself with any proposal from any source directed toward a cease-fire.... In the meantime, as a means of strengthening the hands of the French and the Associated States during the course of such negotiations, the United States will continue its program of aid and its efforts to organize and promptly activate a Southeast Asian regional grouping for the purpose of preventing further expansion of Communist power in Southeast Asia. (Ibid., p. 118)

The Geneva Accord and the Final Declaration of July 21, 1954, which went unsigned, provided for complete withdrawal of French Union forces from Vietnam, for the neutralization of Cambodia and Laos, for the recognition of the Democratic Republic of Vietnam, and for reunification of northern and southern zones through free and democratic nationwide elections supervised by an international commission.

One of the first weaknesses of Geneva, which would only be resolved in the Paris Agreement some twenty years later, was that of all the principal parties involved in the conflict in 1954, only France and the DRV committed themselves to the settlement. And of those two parties, only the DRV appears to have been willing to assume full liabilities and responsibilities for what they had signed. The United States, and its client regime of Bao Dai, refused to become a party to the settlement. Privately, publicly and on the battlefield both repudiated the principles outlined in the accord.

In this regard, the 1973 Paris Agreement is significant and represents a major departure from the previous U.S. policy: it is the first time in U.S.-Vietnamese relations that the United States has become a party to, and been willing to accept, principles and conditions that heretofore it was unwilling to countenance under the outline of the Geneva Accord.

How did the situation change between Geneva and Paris? What forced a change in U.S. policy on Indochina? Before a settlement could be arrived at in Paris, the scene had to shift from the tree-lined avenues of Geneva to the rice paddy battlefields of Vietnam.

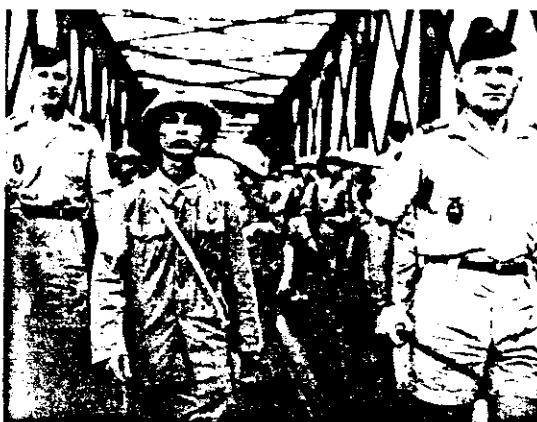
### A MILITARY PERSPECTIVE

The liberation struggle began again in 1959 and 1960 as nine parts political and one part military. The new National Front for the Liberation of South Vietnam scored stunning successes throughout 1961 and 1962 armed only with ancient French bolt-action rifles, American carbines bought off the Saigon black market, and mortars made out of truck exhaust pipes.

Seeing Ngo Dinh Diem in danger of collapse, the Kennedy Administration shipped in tons of new automatic weapons, 105 mm howitzers and attack aircraft. Kennedy also sent in the first large combat units: U.S. Marine and U.S. Army helicopter squadrons, to ferry ARVN over an increasingly hostile landscape. While helicopters gave Saigon a short-term military advantage by way of mobility, fire-power and attempted surprise, the long-term political implications were disastrous. Removed from the dirt roads and footpaths of rural Vietnam, swooping down grandly from the sky, ARVN had less and less inclination to comprehend local conditions or popular grievances.

In 1964, the ARVN generals who had murdered Diem (with CIA encouragement) were losing the war too, despite all their sophisticated new weaponry and air power. Whole companies, even battalions, were defecting to the NLF, thus beefing up the liberation forces with U.S. machine guns, 81 mm mortars and recoilless rifles. In response, as is now well known, President Johnson found pretext to bomb North Vietnam, obtained the Tonkin Gulf Resolution from Congress, and began to introduce American combat and air units in ever larger numbers. Only at this point did Hanoi respond with modest shipments of Soviet, Czech and Chinese weapons to the South and begin to develop the logistical network that became known as the Ho Chi Minh Trail. Nevertheless, the conflict remained seven parts political and three parts military, with the emphasis on mass struggle against the new foreign invaders.

1966 and early 1967 was perhaps the grimmest time of all for the liberation forces. Worst of all were the B-52s, forcing people to dig ever deeper into the earth for temporary safety. Then came the American "search and destroy" missions, designed to annihilate regular NLF units and force millions of rural Vietnamese into refugee camps and urban slums. Nevertheless, men and women who found ways to survive the B-52 raids, and to evade the American barbarians as they burned down villages and ripped up ancestral graves, knew that defeat could be avoided and eventual victory accomplished. Once members of the resistance had satisfied themselves through practical action that the greatest military power in the world was not invincible, it became a question of seeking out American weaknesses and exacerbating them.



Viet Minh troops marching triumphantly into Hanoi, 1954

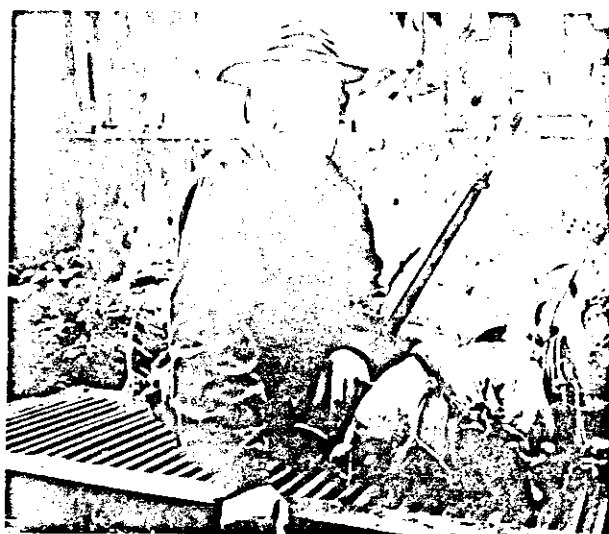
While American aircraft and ground units were sowing death and destruction in the countryside, ARVN and the local Saigon militia were vegetating, ignoring events around them in favor of personal pleasure and aggrandizement. Liberation army units filtered past the overconfident Americans, linked up with squads and platoons of guerrillas near the towns, cities and refugee camps -- without being informed on by Saigon militiamen or local bureaucrats -- and launched the massive 1968 Tet Offensive. It was the turning point of the war, causing millions of uncommitted Vietnamese to perceive that the U.S.-Saigon axis was very vulnerable, causing the supremely secure Gen. William Westmoreland to lose his job, and causing Lyndon Johnson to step down and open negotiations with the DRV and NLF in Paris.

However, the physical losses to the liberation forces in 1968 were considerable, particularly to local guerrilla units that had exposed themselves to subsequent retaliation and execution by frustrated U.S. and Saigon forces trying to

regain the initiative. Bombing policy became more indiscriminate than ever. Whole districts of South Vietnam were completely depopulated, under the rubric of "forced urbanization," and surviving NLF cadre had to choose whether to temporarily join main force units in the jungle or enter the camps and slums with the stunned villagers. The Thieu regime, with U.S. encouragement and support, expanded its apparatus of police repression manyfold, and started to extend it into the countryside in a classic "ink spot" strategy. This strategy of "pacification," first developed by the French colonial forces in the late 19th century, was meant to permanently cow the Vietnamese citizenry, to convince them that the slightest sign of resistance would be met with jail sentences, torture, or outright elimination.

Nevertheless, the Nixon Administration in 1969 and 1970 was slowly withdrawing its ground combat divisions, under the pressure of continued heavy casualties and increasing alienation at home. The liberation forces could afford to concentrate on strengthening their main force units and sustaining the "deep" NLF political apparatus wherever people were gathered, including the Saigon army and civil administration.

It was precisely for this reason that President Nixon tried to capitalize on the overthrow of Prince Sihanouk and ordered a massive U.S.-Saigon offensive into Cambodia, hoping to wipe out main force units, destroy their supply bases, and permanently deny the area to them by positioning ARVN and Lon Nol units everywhere. But the liberation forces had anticipated his maneuver, retreating westward. An outraged U.S. public induced Nixon to withdraw from Cambodia before more than a fraction of the supply caches could be discovered. Finally, neither ARVN nor Lon Nol was able to hold much territory in the face of later Khmer and Vietnamese counteroffensives.



Liberation fighter in Hue during Tet, 1968

Up against these realities, the last major U.S.-Saigon military initiative was the early 1971 offensive into southern Laos. The objectives were identical to the Cambodian incursion the previous year, but this time there were not enough U.S. combat units around to do much more than wave goodbye to the ARVN forces and give them some air and helicopter support. The outcome was disastrous. The ARVN failed to wipe out main force units, destroy bases and draw a cordon across southern Laos as they intended. Instead, they found themselves under heavy tank and 135mm artillery fire for the first time in the history of the war, and were forced to retreat in panic and disorder across the border, leaving their casualties and most of their own tanks, artillery and trucks. The war had now become seven parts military, three parts political and it was not looking good for the American clients

The beginning of the end came on March 31, 1972, when scores of huge, long-range liberation army cannon opened up on ARVN fortifications clustered across northern Quang Tri Province. Like the Americans who had trained them, ARVN preferred to pack its bunkers tightly together, thus to avoid small unit infiltration and to give maximum leeway to blanket bombing and artillery fire around the perimeter. In this new situation, however, the tactic proved fatal, since the opposing cannon had been positioned in wide radii ten or fifteen miles away and were thus able to pour thousands of rounds of highly accurate fire into each fortification, collapsing bunkers, eliminating radio communications, and paving the way for quick tank and infantry assaults. The entire ARVN Third Division fell apart immediately, with one regiment surrendering intact to the liberation forces.

The second blow fell a week later, as liberation divisions opened an entirely new front in Binh Long Province, 50 miles north of Saigon. Included were at least 100 tanks and scores of heavy antiaircraft guns, that had been slipped down the Ho Chi Minh Trail unnoticed by the U.S. Air Force with all its vaunted sensor devices. The ARVN Fifth Division quickly fell back and was surrounded at An Loc. It held on, but in the process suffered casualties of nearly 100 percent. President Thieu ordered the ARVN Twenty-first Division up from the Mekong Delta to relieve An Loc, but it ignominiously failed to advance more than a few miles up Route 13, and lost half its men anyway. Meanwhile, the Mekong Delta had been shorn of regular ARVN units, allowing liberation army forces to move freely against militia, police and Phoenix personnel -- many of whom simply fled or surrendered.

The third major attack -- in Kontum Province, in the sparsely populated central highlands -- was the one that U.S. intelligence officers had often predicted, and saw become a reality on April 24, 1972. Again using long-range artil-

lery to maximum effect, followed by tank assaults, the liberation forces overran the headquarters of the Twenty-second ARVN Division at Tan Canh. ARVN colonels and captains commanding subordinate units jumped into jeeps and fled back to Kontum city, followed by thousands of demoralized soldiers. Thieu flew in his last reserves. This meant that subsequent liberation army attacks to the east, in Binh Dinh Province, went essentially uncontested. In Hoai An district, for example, the district chief paused only long enough to load up his refrigerator, then departed the scene entirely. Disgusted militiamen simply surrendered or piled up their rifles and faded away.

"Vietnamization" was in a shambles. Four ARVN divisions had been practically eliminated, and several others seriously depleted. Thieu ordered his police to dragoon teen-age students and Buddhist monks off the streets, to plug the gaps. This however, hardly met the problem. American advisors had spent ten frustrating years training, equipping, "motivating," and giving practical experience to the 100,000 or so ARVN troops who actually did almost all of the large-scale combat (as distinct from the other one million drafted mainly as a form of surveillance and social control). Now, piled on top of the losses in Laos the previous year, these "elite" soldiers were half gone, and their places were being filled by raw, frightened recruits.

Equally important was the collapse of rural "pacification," brought on by the fact that Thieu had been forced to concentrate his remaining regular divisions around Saigon, Da-Nang and Hue. PRG cadre moved openly and eagerly through hundreds of villages that had only dared retain covert cells since the heavy repressions following Tet, 1968. By late summer, 1972, even American officials in Saigon were admitting that the Pacification Program was destroyed, and that it would take several years to try to paste it back together again.

Faced with this unsettling sequence of events, President Nixon retaliated by assembling an unprecedented armada of U.S. planes and ships, ordering them to bomb and shell anything that moved throughout both zones of Vietnam. This strategy did indeed prevent the imminent collapse of the Thieu regime, but it could not give Thieu back his smashed divisions or resuscitate pacification. In short, American air and sea power would have to be employed indefinitely in tremendous quantities, at great cost, and at considerable jeopardy to other international strategic commitments, to simply keep the situation from getting worse, much less improving.

It was in this perspective that the DRV, with the involvement and consent of the PRG, advanced its new Nine-Point diplomatic initiative in early October, 1972. The U.S. accepted the basic formula in part because the only other

alternative was unending combat involvement and dissension at home. While there may be those in the U.S. Air Force, and a few in the White House, who actually believe that U.S. bombing "forced Hanoi to concede," those analysts in the State Department, U.S. Army and CIA who have actually followed events for the past ten years or more are of a much different opinion, whether they like the outcome or not. Just as they sense why Hanoi opened a "diplomatic offensive" in October, to follow the military Spring Offensive, they understand why President Thieu and his followers are so afraid of the final outcome as expressed in the January, 1973 Paris Agreement.

#### THE POLITICAL PROVISIONS

Nearly twenty years ago, a thin, frail-looking man sat before the international giants in Geneva and spoke in a soft but determined manner about his country and people's future. When he finished, he had just presented to his audience an ambitious program for settlement of the eight-year-old war in Indochina.

The man who spoke before this august body was the then Vice Minister for Foreign Affairs for the Democratic Republic of Vietnam, and later to become its Premier, Pham Van Dong. The memorable date was May 10, 1954, three days after the French military fortress at Dien Bien Phu had surrendered to the Viet Nam People's Army.

The heart of the Pham Van Dong proposal lay in its final point. According to the DRV, any military ceasefire was to take place only "upon implementation of all other [political] measures."

When the Geneva books were closed, however, the most basic question of the entire war lay unresolved. Despite Vietnamese efforts to obtain a political settlement for all of Vietnam, they were induced to accept only a partial solution, with an independent Vietnam north of the 17th parallel and a client regime remaining to rule in the southern zone.



Pham Van Dong, DRV delegation head at Geneva. Next to him is Chou En-lai of China and Andrei Gromyko of the Soviet Union.

Reunification of both zones was to take place in July, 1956 by means of free and democratically organized general elections supervised by an international commission. Article 14 of the Geneva Accord contained the only direct reference to a political solution: "Pending the general elections which will bring about the unification of Viet Nam, the conduct of civil administration in each shall be in the hands of the party whose forces are to be regrouped there in virtue of the present agreement."

Paragraph seven of the Final Declaration of Geneva, which remained unsigned, made only passing reference to elections as a political solution. "For the settlement of political problems," the Final Declaration read, "general elections shall be held in July, 1956."

Although the attempt to include a political settlement along with a military armistice in 1954 proved a failure, it was not a mistake which the Vietnamese would again repeat. The Ten-Point Program of the National Liberation Front of South Vietnam in 1960 cited as its first objective "to form a national Democratic Coalition Administration." The NLF statement of March 22, 1965 expressed the same aspiration. In May of 1969, the Ten Points of the National Liberation Front highlighted their political solution to the conflict. Article Four of their proposal asserted that:

the people of South Viet Nam settle their own affairs without foreign interference. They decide themselves the political regime of South Viet Nam through free and democratic general elections. Through free and democratic general elections, a Constituent Assembly will be set up, a Constitution worked out, and a coalition Government of South Viet Nam installed, reflecting national concord and broad union of all strata.

The September, 1970 Eight-Point Program of the newly-formed Provisional Revolutionary Government of the Republic of South Vietnam expressed the same general political formula for a solution to the question of authority in South Vietnam.

The clearest and most specific political scenario for South Vietnam, however, was expressed in the July, 1971 Seven-Point Peace Proposal of the PRG, initiated by the PRG's Foreign Minister, Mme. Nguyen Thi Binh, at the Paris Conference on Vietnam.

According to the PRG-envisioned scenario, the U.S.-installed group of Nguyen Van Thieu was to leave office. The PRG would then "enter into talks" with the remaining Saigon administration in order to settle how they might "form a broad three-segmented government of national concord." This caretaker administration, according to the PRG proposal, would function only "for the

period between the restoration of peace and the holding of general elections."

In addition, the Seven Points said that the new transitional body would seek to:

- "- prohibit all acts of terror, reprisal and discrimination against persons having collaborated with one or the other party;

- "- implement the provisions of the Agreement;

- "- agree on measures to be taken to ensure the holding of genuinely free, democratic and fair general elections in South Viet Nam;

- "- organize general elections in South Viet Nam."

As we will later see, the Paris Agreement embodies many of these same details.

#### THE THIEU OUSTER DEMAND

Much commentary has centered around the demand that Nguyen Van Thieu and his group step down before a satisfactory political solution could be achieved. Yet there has been only anemic discussion as to why the PRG should have decided upon this particular formula for a settlement.

Some, such as Nguyen Tien Hung, a native-born Vietnamese from Thanh Hoa, North Vietnam, who left in the 1950s to live in South Vietnam and who is now an associate professor of economics at Howard University, have the following explanation for the Thieu ouster demand:

The lack of Communist concessions [in the Paris October, 1972 draft agreement] includes the question of the fate of South Vietnamese President Thieu. In its original 1969 proposal, the [NLF] side did not demand Thieu's ouster. This demand was made only later, as American forces began withdrawing from South Vietnam. Hanoi was employing the bargaining tactic of raising its price two or three times above what it was really prepared to settle for, a practice as common in Vietnam as elsewhere. (Wash. Post, November 19, 1972)

Yet the Thieu-ouster demand seems to have been directed more toward the people of South Vietnam than toward the diplomats in Washington. When the Seven-Point Proposal was first advanced in the summer of 1971, it came at a period when the one-man presidential election of October, 1971 was only months away. As newspaper and eyewitness accounts have by now amply recorded, whole sectors of the South Vietnamese population had begun to mobilize against the Thieu regime. The acceptability of the Thieu regime was progressively declining as a result of the disastrous Laotian invasion of the previous spring, the ac-

celerated pacification program which was removing hundreds of thousands of Vietnamese from their ancestral homesites, and the repressive political process decreed by the U.S.-installed President. It seems as if it was the explicit purpose of the PRG Seven Points to further burden the Thieu regime by pressuring him to leave and to isolate his regime by exposing him as the final obstacle to peace in Vietnam.

By the summer of 1972, however, the situation had changed. The pacification program had been rendered impotent in many areas of South Vietnam in the aftermath of the Spring Offensive. The elite of Thieu's army lay in shambles. The PRG held whole districts and provinces -- free to roam even during the day, subject only to artful concealment from American aircraft. Concentration camp-styled refugee compounds in many towns were dismantled by small-unit NLF cadre. The political base of the Thieu regime narrowed even more as the National Assembly was bypassed and martial law decreed.

Most importantly, however, it was evident following the Spring Offensive that the final obstacle to peace in Vietnam was no longer the Thieu regime. There is evidence that the PRG and DRV, after evaluating the overall situation, came to the conclusion that Thieu could neither reverse the deteriorating political situation in Saigon nor stem the rising militancy of the people to seek peace and end his regime. As Premier Pham Van Dong told *Newsweek* Senior Editor Arnaud de Borchgrave in an interview in Hanoi in October of 1972, "Thieu has been overtaken by events. And events are now following their course."

#### THE PARIS AGREEMENT

A preliminary review of the Paris Agreement in this light reveals some rather interesting conclusions. The NLF Ten-Point Program of 1969 has remained completely intact within the Agreement; and the wording of the Paris Agreement is almost

verbatim from the PRG Seven Points, or from selected sections of the Geneva Accord. As Dr. Hung says ruefully in his November 19, 1972 article, "the Communist side has not only made almost no compromises in their original demands, but as the [October 20 draft] agreement now stands, they may have scored important gains... All of the NLF's original 10 points are contained in the current Hanoi-Washington draft pact, either explicitly or implicitly."

An examination of the final Paris Agreement reveals that on matters of political substance, Articles 9, 10 and 11 are in fact from the actual text of the PRG Seven-Point Proposal of July, 1971 on the question of the South Vietnamese right to self-determination. Article 12 of the Paris Agreement describes much of the process outlined in the Ten Points of 1969 and the Seven Points of 1971: "the two South Vietnamese parties shall hold consultations ... to set up a National Council of Reconciliation and Concord of three equal setments."

Although the words "coalition government" do not appear in the text of the Paris Agreement, it is important to note that the responsibilities and composition of the National Council are not very different from those described in the NLF and PRG proposals. In fact, the PRG and NLF proposals have always included a period before any coalition government is established as a transitional period in which the two South Vietnamese sides will first "enter into talks" about the organizing of elections. The step-by-step process for formation of a coalition government remains very much alive within the sequential outline of the Paris Agreement. The functions of the National Council, as addressed in the Paris Agreement, are as follows:

- "- implement the Agreement;

- "- prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the



Le Duc Tho, Special Envoy for the Democratic Republic of Viet Nam, left, and Henry A. Kissinger for the United States, right, initialing the 1973 Paris Agreement on Viet Nam.

other;

"- ensurance of democratic liberties;

"- decide the procedures and modalities of these general elections;

"-organize the free and democratic general elections...[including] such local elections as the two South Vietnamese parties agree upon."

This is not to argue that the National Council is a coalition government. It is only to say that the National Council's composition and role during the transitional period from war to elections correspond to the duties and representation of the caretaker institution outlined in the PRG and NLF proposals of the past. While Henry Kissinger may not discern or care about the subtleties of Vietnamese domestic politics, such continuity will become increasingly significant as the cease-fire proceeds. As Le Duc Tho said in his press conference on January 25, 1973:

In the end, we reached an agreement not to use the term "structure of power" or "administrative structure" but to call it directly the National Council of Reconciliation and National Concord, for the importance of the body lies in its way of proceeding in its work.

The Paris Agreement in its written form has overcome many of the weaknesses of its predecessor, the Geneva Accords. In Geneva, the political issues were practically ignored. At Paris the political provisions comprise a substantial part of the agreement, and turn out to be specific and very detailed.

In this regard, the Paris Agreement is a significant departure from the Geneva experiment of twenty years ago. It has codified, with American signature, a political formula which Washington was unwilling to accept eighteen years ago. For the Vietnamese, it represents an important diplomatic achievement upon which they can be expected to build further political successes.

## PARTITION/MUTUAL WITHDRAWAL OF FORCES - THE MILITARY PROVISIONS

The Paris Agreement also represents a major departure from the Geneva Accords of 1954 in its military provisions.

Certain of the military provisions of the Geneva Agreement were decidedly unfavorable to Vietnamese interests in 1954. For example, mutual withdrawal of military forces forced the membership of the Viet Nam People's Army and the Viet Minh political apparatus to choose between traveling north or remaining quietly in the South, where most of the Viet Minh guerrilla force was summarily annihilated soon afterward by the Diem regime. The United States repeatedly attempted after 1954 to make the case that the military demarcation line at the 17th parallel -- described by the Geneva Accords as "provisional and should not in any way be interpreted as a political or territorial boundary" -- was in fact a permanent political border. Major statements by President Nixon during his first administration placed significant emphasis on the concept of mutual troop withdrawal, along much the same lines as described in the Geneva experiment. The implication of the mutual withdrawal demand was that the two Vietnamese zones were in fact separate countries and that the assistance which the NLF received from their allies to the north was therefore illegal and tantamount to invasion. In a press conference of October 8, 1970, following his famous October national address, Nixon said, "We made this proposal because we want to cover every base we could. That is why we offered the cease-fire, a total cease-fire. That is why we offered a total withdrawal of all our forces, something we never offered before, if we had mutual withdrawal on the other side."

Later NLF and PRG proposals sought to clarify who was "legal" in South Vietnam and who was "illegal." The DRV Four Points of 1965 and the NLF Ten Points of 1969 demanded that "the U.S. Government must withdraw from South Viet Nam U.S. troops, military personnel and weapons of all kinds, dismantle all U.S. bases there." In regards to the DRV, their proposal also insisted



The DMZ: Now accepted by Washington as "provisional and not a political or territorial boundary" as stated in the 1973 Paris Agreement on Viet Nam.

that "in accordance with the Geneva Agreements, the U.S. Government must stop its acts of war against North Viet Nam and completely cease all encroachment on the territory and sovereignty of the DRV."

The PRG Seven-Point Proposal reiterated both points from the DRV and NLF proposals and added that the withdrawal of U.S. forces from the South would coincide with the release of American prisoners of war. In none of the proposals was the concept of mutual troop withdrawal even considered; to do so would have been to repudiate the very basis upon which the war of liberation of the South has been fought.

Final American willingness to withdraw unilaterally was thus a major victory for the Vietnamese. Unlike the Geneva Agreement of 1954, the Paris settlement allows all the liberation forces to remain in place in the South, to govern and administer large territories, and to act as a source of political pressure upon the Saigon administration to force it to honor its commitment to the treaty. As Article Three of the Paris Agreement states, "As soon as the cease-fire goes into effect ... the two armed forces of the South Vietnamese parties shall remain in place." Articles Five and Six, regarding withdrawal of U.S. forces and dismantling of U.S. bases, clearly resemble the earlier DRV and NLF versions and not any American proposals.

In this last regard, it is interesting to note that there is no reference to "rotation," a catchphrase of the Geneva Accords which allowed French military personnel to linger in the southern zone. Article Five of the Paris Agreement explicitly stipulates that there will be a "total withdrawal ... of troops, military advisers, ... military personnel, including technical military personnel and military personnel associated with the pacification program [and] advisers ... to all paramilitary organizations and the police force." Finally, the speed of the American withdrawal stands in marked contrast with the near-year-long timetable for the withdrawal of French Union forces in 1954. The 60-day schedule for withdrawal conforms much more to previous PRG suggestions, rather than to the U.S. recommendation of six months.

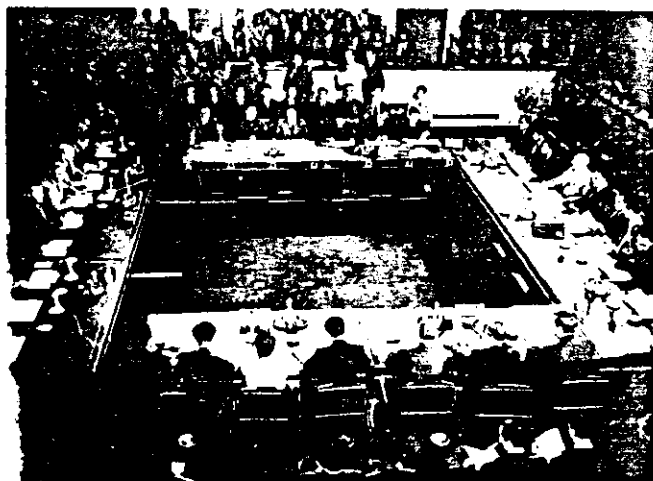
In many substantive respects, therefore, the Paris Agreement's military provisions mark a radical change from the Geneva Agreement and reflect a significant concession from previous public and private U.S. positions on withdrawal.



## GENEVA AND PARIS: ARE INTERNATIONAL CONFERENCES THE PATH TO PEACE?

On Tuesday, July 20, 1954, a little before five o'clock in the afternoon, five persons sat in Geneva around a large table with a map of South-east Asia upon it. Four of the men, Anthony Eden of the United Kingdom, Pierre Mendes-France, the Premier of France, Vyacheslav Molotov of the Soviet Union and Chou En-lai of China surrounded the fifth -- a man named Pham Van Dong, who was at the time Vice Minister of Foreign Affairs for the Democratic Republic of Vietnam. The topic of discussion was the issue of temporary partition of Vietnam and the question of where the line of partition between the northern and southern zones was to lie.

In this setting the four international giants huddled around Pham Van Dong, each pursuing its own foreign policy interests at the price of a gradually shrinking DRV. Phillippe Devillers and Jean Lacouture, in their book End of a War, paint a particularly grotesque picture: "Sitting in chairs casually scattered around the table, amid a decor better suited to a village wedding, Eden, Mendes-France, Molotov and Chou surrounded Pham Van Dong. Perspiring, anguished, looking almost hunted, Dong was bending over a map of Indochina -- mile by mile, Communist Vietnam was shrinking northward."



A plenary session of the Geneva Conference of 1954

In retrospect, even Chou En-lai recognized the shortcomings of the Geneva Conference. In an informal interview with a group of American scholars in the summer of 1971, Chou expressed misgivings about the diplomatic capability that both China and the Democratic Republic of Vietnam possessed at Geneva. Said Chou, "At that time we Chinese, and at that time, also our Vietnamese friends, lacked experience in international subjects. And later the Premier added,

"You can criticize me for this. I myself, as one of the delegates on the Chinese side at that meeting at that conference, accept your criticism."

Since 1954, the U.S. has more than once tried to insist that great powers again sit around a table and pressure the Vietnamese. The U.S. has also demanded that any settlement be on the scale of an Indochina-wide settlement, including the nations of Laos and Cambodia as an overall package.

On two occasions, President Nixon placed American hopes for an Indochina-wide peace settlement within the formula of a so-called "Indochina Peace Conference." His important October 7, 1970 television address put considerable stress on this prescription; it appeared as late as April of 1971 when he repeated in a nationwide address, "I am sure most of you will recall that on October 7 of last year in a national TV broadcast, I proposed an immediate cease-fire throughout Indochina, the immediate release of all prisoners of war in the Indochina area, [and] an all-Indochina peace conference...."

Again the Vietnamese resisted, offering a counterproposal to make peace not through the halls of Moscow or Peking, but to negotiate in direct talks in Paris with both Vietnamese and American delegations on equal footing, face to face -- an unprecedented diplomatic achievement if it could be attained. They further argued that the situation in Laos and Cambodia, which was by then weighing heavily against the American-supported regimes in Phnom Penh and Vientiane, were highly complex affairs each deserving a separate and distinct solution.

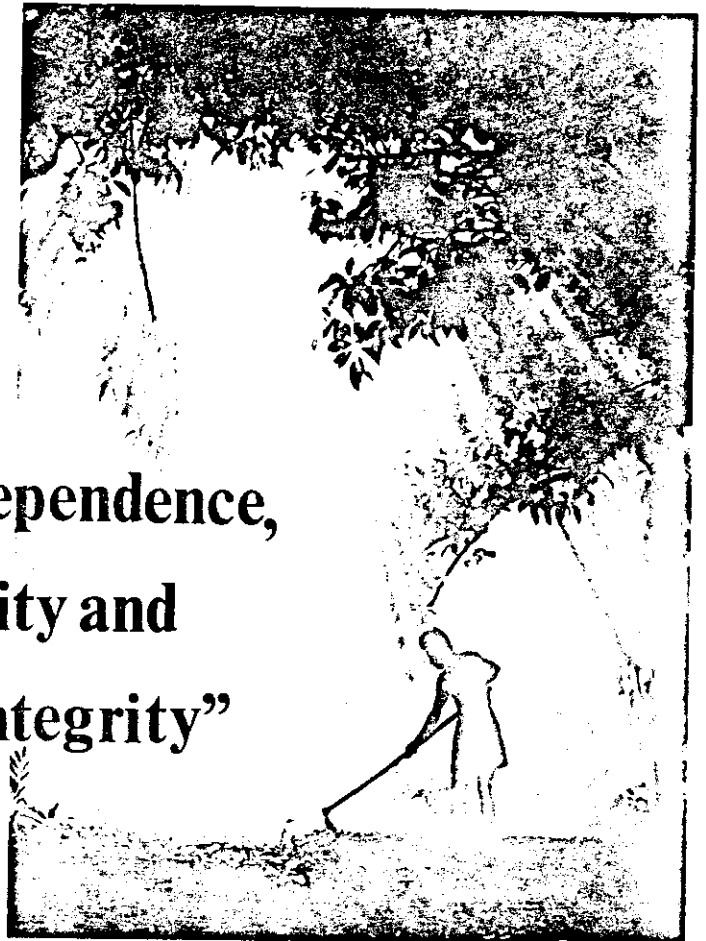
On both counts, the Vietnamese of the PRG and DRV appear to have succeeded. The settlement for Vietnam was finally negotiated directly between Special Envoy Le Duc Tho of the DRV and Presidential advisor Henry A. Kissinger in Paris, without the currents of big powers bargaining over the small chips of Vietnam. Furthermore, the Agreement hammered out in Paris, unlike the Geneva settlement which included all of Indochina, limited itself to a settlement only for Vietnam. If lasting political and

military solutions to the Laotian and Cambodian struggles are to be found, they will be forged by different negotiators, at another time and place.

In 1954, the Vietnamese, lacking experience, fell prey to the currents of international diplomacy; in 1973, speaking as equals before the Americans, they negotiated with their own conditions and in their own interests.



## 2. Vietnam's "Independence, Sovereignty, Unity and Territorial Integrity"



The Vietnamese have had to fight for their independence constantly. Unlike the United States, which threw off British colonial rule in the eighteenth century and then turned confidently inward towards the frontier, Vietnam has been invaded by foreigners every time it let down its guard the slightest bit. Whereas we tend to glorify expansionist frontier figures like Johnny Appleseed and Davy Crockett, Vietnamese children have long been brought up on epic folktales about men and women who organized national resistance to the Chinese, Mongols, French, Japanese -- and now the Americans. Americans have long been proud of marching out and quelling less populous peoples; the Vietnamese have been happy to simply defend themselves against giants who would enslave them.

The real secret of Vietnamese determination when going up against American B-52s, tanks and mechanized artillery has not been ideological fanaticism, drug addiction or outright fear, as various government apologists would have us believe, but a pure, shining vision of "Doc Lap!" -- of Independence for their children or grandchildren, if not perhaps for themselves.

In September, 1945 Ho Chi Minh declared Vietnam to be independent of French rule, using some of Thomas Jefferson's words from the U.S. Declaration of Independence. In March, 1946 the French government grudgingly recognized this independence, but then moved unilaterally to separate south Vietnam from the rest of the country and thus precipitate open warfare. Eight years la-

ter, at Geneva, after more than a million people had lost their lives, the French were forced to concede Vietnam its "independence and sovereignty, unity and territorial integrity. The United States, in a unilateral declaration of the 1954 Geneva Conference, accepted Vietnam's independence and sovereignty, but purposefully avoided reference to its unity and territorial integrity. We wanted to support a separate government in the South.

In Article 1 of the 1973 Paris Agreement, after millions more people had died violently, the United States finally put itself in the company of the other Geneva Agreement participants and pledged to respect the entire formula. This may seem like a small thing to American readers, a mere diplomatic quibble, but to the Vietnamese it is the essence of what the war has been all about. They know that the "anticommunists," Ngo Dinh Diem, Duong Van Minh, Nguyen Khanh, Nguyen Cao Kay and Nguyen Van Thieu, have all been creatures, to one degree or another, of the American hierarchy of military "advisers," AID officials and CIA operatives. Thus, once again, as in 1946 and 1954, it has only been the "communists" who have been able through protracted armed struggle to gain further grudging diplomatic recognition of Vietnam's "independence, sovereignty, unity and territorial integrity" from a foreign antagonist.

## Several Key Issues:

### GENEVA ACCORDS OF 1954

### NLF TEN POINTS OF MAY, 1969

#### ON THE UNITY OF VIETNAM:

"The Conference declares that, so far as Viet Nam is concerned, the settlement of political problems effected on the basis of respect for the principles of independence, unity and territorial integrity...."

"The U.S. must respect the Vietnamese people's fundamental national rights, i.e., independence, sovereignty, unity and territorial integrity, as recognized by the 1954 Geneva Agreements."

#### ON THE DEMILITARIZED ZONE:

"The Conference recognizes ... that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary." No military or civilian traffic permitted through the DMZ; it is considered a "non-porous" line of demarcation.

"The military demarcation line between the two zones at the 17th parallel, as provided for by the 1954 Geneva Agreements, is only of a provisional character and does not constitute in any way a political or territorial boundary."

Sad to say, however, the issue is not entirely settled. To avoid giving the impression of having "sold out" the Thieu regime, President Nixon and Henry Kissinger continued throughout the negotiations to fish for some additional language that would soften the impact of Article 1. Thieu himself, throughout November and December, 1972, crowed loudly about the need for the DRV to recognize Saigon's sovereignty over South Vietnam, to pledge total withdrawal of North Vietnamese forces, and to accept the 17th parallel as an international political frontier.

To have done any of these things would have nullified Article 1 and represented a serious defeat for both the DRV and PRG. They resisted Kissinger's sorties along these lines, even to the point of enduring B-52 terror bombings of North Vietnamese cities, and in the end managed to come out on top. On the sovereignty issue, the most Kissinger could get was three references in the final Agreement (Articles 14, 18 (e), 20) concerning international "respect for the sovereignty of South Vietnam" pending its peaceful reunification with the North. But since the Agreement also refers consistently to "two South Vietnamese parties," both of whom signed officially on January 27 as established governments, it is clear that Thieu did not get any wording identifying him as the sole legitimate repository of this temporary "sovereignty."

In short, there remain two rival claimants in the South, the PRG and Saigon, and foreign ministries around the world will have to decide which one to recognize, even while perhaps dealing with both.

It is for this reason that President Nixon, even before signatures were on paper, stated that the "United States will continue to recognize the Government of the Republic of Vietnam as the sole legitimate government of South Vietnam." For exactly the same reason DRV and PRG members of the Four-Party Joint Military Commission, arriving at Tan Son Nhut airport a few days after signature, refused to fill out any Saigon forms or do anything that would indicate recognition of Saigon as the sole government in the South. The same policy was followed by arriving Polish and Hungarian members of the ICCS.

Concerning North Vietnamese troops in the South, there were leaks from the Pentagon in November that the U.S. was insisting on written or verbal DRV commitments to concentrate in specific zones, and to withdraw thirty or forty thousand men from I Corps across the 17th Parallel. Somewhere along the way, apparently, these ideas too had to be dropped. Kissinger made no hint of them in his January 24 news conference, instead developing a convoluted

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U.S. EIGHT POINTS OF MAY, 1969

No mention of the Vietnamese people's fundamental rights, except that "all parties would agree to observe the Geneva Accords of 1954 regarding Vietnam and Cambodia."

No mention of the DMZ; past U.S. policy has been to regard the military demarcation line as a territorial and political boundary.

PARIS AGREEMENT OF 1973

"The United States and all other countries respect the independence, sovereignty, unity and territorial integrity of Vietnam as recognized by the Geneva Agreements on Vietnam."

Pending reunification: "The military demarcation line between the two zones at the 17th parallel is only provisional and not a political or territorial boundary, as provided for in paragraph 6 of the Final Declaration of the 1954 Geneva Conference." Prohibition of military traffic only implied; the Agreement only states that "North and South Vietnam shall respect" the DMZ. Civilian traffic permitted, eroding the DMZ to a "porous" demarcation line.

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case about how the 145,000 North Vietnamese alleged to be in the South would have difficulty supplying and replacing themselves.

At the height of the terror bombing in December there was also some speculation that Le Duc Tho would compromise to the degree that a formula for phased demobilization of armed forces was spelled out, thus in effect agreeing silently to North Vietnamese withdrawals at various points during the cease-fire period. In the end, however, the Agreement provided only for future discussions between the two South Vietnamese parties on the general subject of demobilization (Article 13). No commitments and no timetable. Thus the North Vietnamese troops remain, primarily as a powerful and practical hedge against Saigon's inclinations to refuel the overt military confrontation, but also as a symbol, in Vietnamese eyes at least, of fundamental unity in the ongoing struggle against foreign intervention.

The question of how to define the 17th parallel probably occupied Le Duc Tho and Henry Kissinger in the last series of discussions more than the "sovereignty" and North Vietnamese withdrawal issues combined. Oddly enough, the October 20 draft agreement appears to have made no mention of the 17th parallel at all, an obvious coup for the DRV. However, when Kissin-

ger finally provided Thieu with a copy of the draft, he is said to have reacted furiously (Flora Lewis, NYT, Jan. 25, 1973).

In response, North Vietnam was willing to add some wording from the 1954 Geneva Agreements, wherein the 17th parallel was defined as a temporary military demarcation not in any way to be interpreted as constituting a political or territorial boundary. However, since Mr. Tho was intimately aware of longstanding American assertions to the contrary -- from Eisenhower to Kennedy, right through Johnson and Nixon -- he would have felt the need here to probe U.S. intentions very carefully. In this light, it is worth pointing out that the New York Times on November 30, 1972 reported "well-placed Administration sources" in Washington as saying that Hanoi had agreed to reaffirm the demilitarized zone. But then, with total disregard for historical or juridical reality, these same American officials stated that the effect of this [alleged] concession was to "re-establish by law two separate Vietnams...." Whether Mr. Kissinger ever phrased it to Mr. Tho this way, the damage was done. On December 4, Hanoi apparently hardened its position and advanced a number of alternatives of its own.

After the U.S. bombing of heavily populated areas of the Red River delta in December, Kissinger re-

turned to Paris to resume talks with Le Duc Tho on January 8. By all indications Mr. Tho stuck to the Geneva wording on the 17th parallel, while Kissinger tried to browbeat him into accepting Saigon control of the southern half of the demilitarized zone, lost early in the 1972 Spring Offensive.

The end result, contained in Article 15 (a), was a distinct victory for the Vietnamese, specifying a military demarcation line that "is only provisional and not a political or territorial boundary, as provided for in paragraph 6 of the Final Declaration of the 1954 Geneva Conference." Attempting to soften the significance of the U.S. concession, Kissinger in his January 24 press conference made much of the one and one-half ICCS teams that would patrol the 17th parallel. He neglected to mention that this came to a total of 12 men, for a line 45 miles long.

In fact there is an added wrinkle, perhaps not perceived by the Americans. Article 15 (c) states that:

North and South Vietnam shall promptly start negotiations with a view to re-establishing normal relations in various fields. Among the questions to be negotiated are the modalities of civilian movement across the provisional military demarcation line.

Since it does not say which government in South Vietnam will take part in these negotiations, and

since the PRG now controls the entire area just south of the demilitarized zone, it is entirely legitimate for them to negotiate full-scale "civilian movement" back and forth across the 17th parallel. They will be able quickly to initiate regular North-South postal service, exchanges of educational and technical personnel, and economic transfers.

In summary, the 1973 Paris Agreement goes a long way towards fulfilling the aspirations of all Vietnamese for true independence, sovereignty, unity and territorial integrity of their country. The U.S. has been forced to accept the Geneva formula, whereas previously it stood aside and then proceeded to sabotage it. South Vietnam has two functioning governments for the moment, but this is far better than 1954, when Bao Dai and Ngo Dinh Diem were allowed to practically annihilate Viet-Minh adherents and sympathizers anywhere below the 17th parallel. If Thieu attempts the same thing this time, he will find the PRG well organized and prepared to fight. And, unlike Geneva, there is no specification in the Paris Agreement for regroupment of liberation forces into zones or back across the 17th parallel.

Finally, if Thieu refuses to carry on serious political consultations with the PRG, as provided for in Article 12, the PRG will be within its rights to begin separate negotiations with the DRV leading to eventual reunification (Article 15).

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\* Fireworks Light Up Hanoi for a 'Victory Tet' \*  
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HANOI, North Vietnam, Feb. 3 (Agence France-Presse)—Some 200,000 Vietnamese gathered in Hanoi last night to see a holiday fireworks display. For two full hours, the "victory Tet" celebration of the Lunar New Year was marked by thousands of multicolored rockets, their glare reflected in Lake Hoan Kien, near the city's center.

The atmosphere was in contrast with Hanoi during the recent United States bombings, when the city was mostly deserted. Last night the aerial explosions drew the largest crowds since 1945 independence displays.

At 2 o'clock this morning,

as the rattle of firecrackers and the boom of cherry bombs continued to salute the arrival of the Year of the Ox, young and old thronged the boulevards.

The late-night strollers ranged from silver-haired women to toddlers who did not shrink at the incessant blasts, lovers holding hands and young girls parading arm in arm, smiling under their newly done hairdos.

Many foreign residents had never seen such a fireworks show — a skyful of shooting stars, silvery dragons, showers of red, green and blue sparks, and cascades of fiery lights in the night.

The crowds made no attempt to conceal their delight, cheering with upturned faces at each new blast and cascade of light.

The people crowded around stages at intersections. Military and traditional bands played music that was broadcast through loudspeakers, which previously served for air raid warnings.

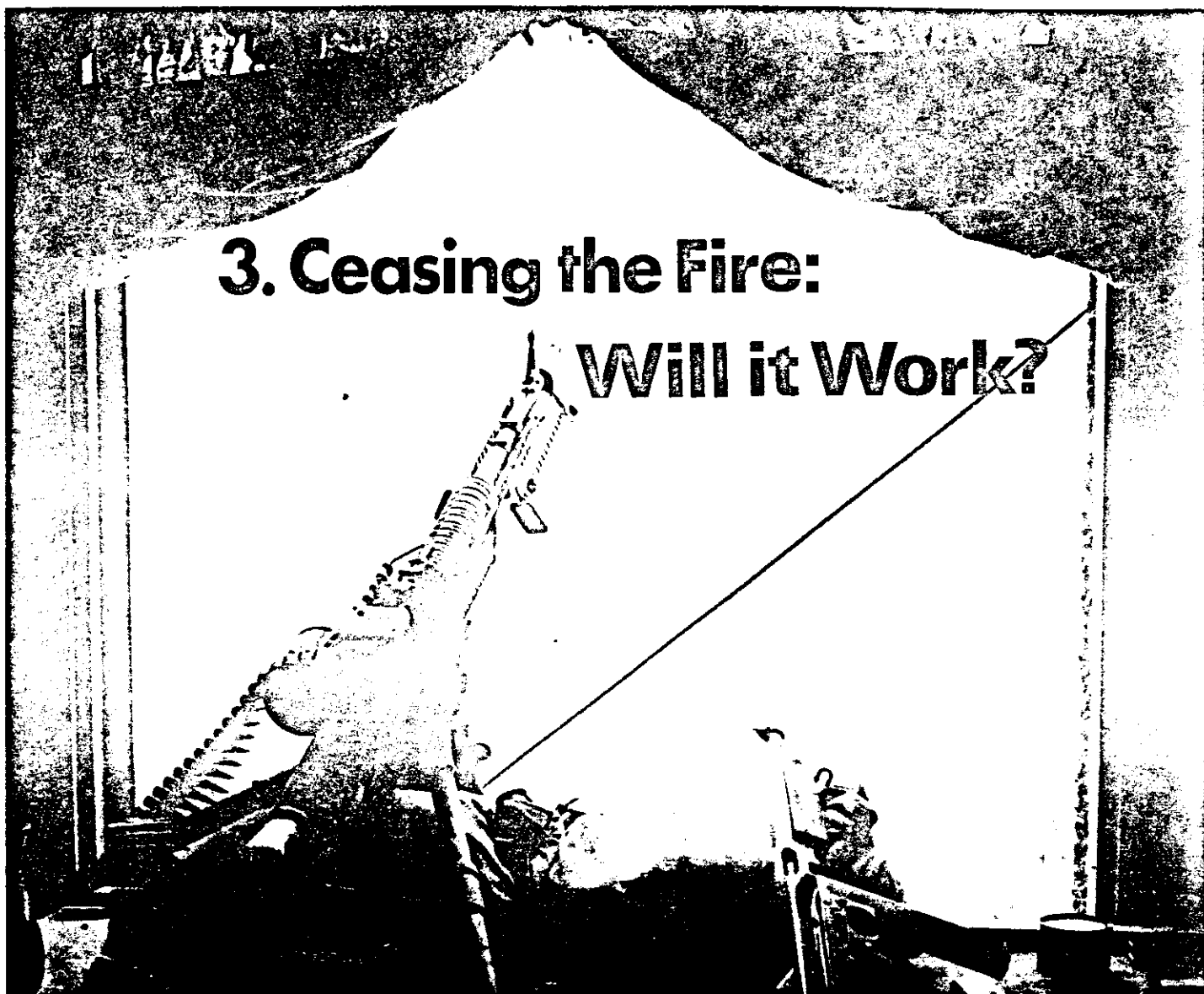
Hundreds pressed across the little bridge leading to the pagoda built on the islet in Lake Hoan Kien. Old women in ceremonial silk costume and young children filed by to pay homage to their ancestors in the incense-perfumed temple of Buddha.

In another part of the city, the streets were strung with chains of colored lights and throngs of children jostled for a ride on the wooden horses and tigers of a carousel.

Meanwhile, many foreign residents saw out the Year of the Rat at a ball organized by the Vietnam Tourism Association. Diplomats waltzed with their partners to old and new Western tunes played by an orchestra of accordions, trumpets and guitars.

Heavy clouds of smoke wafted over the capital, but the explosives seemed to smell different now.

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### 3. Ceasing the Fire: Will it Work?

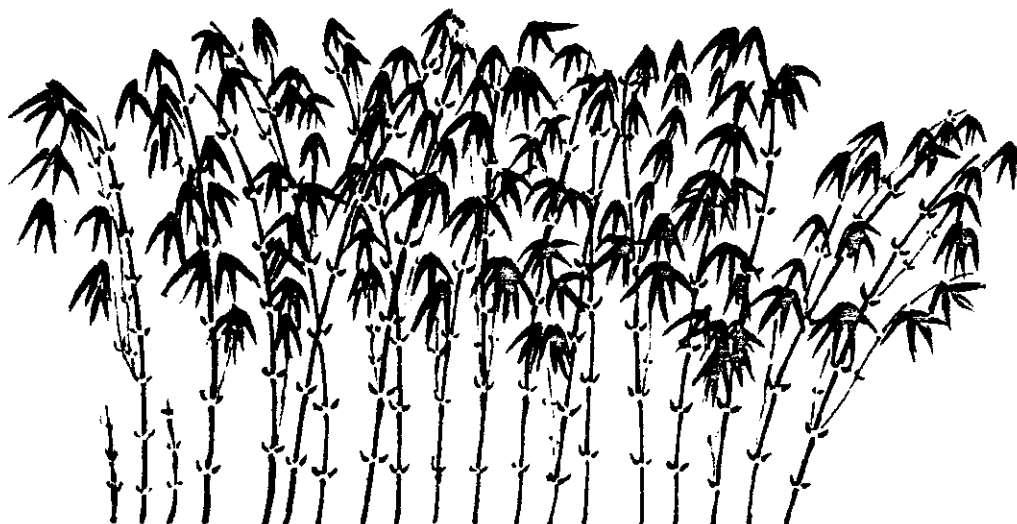
## What Should Happen When? A Cease-fire Calendar

	<u>TOPIC</u>	<u>REFERENCE</u>	<u>DATE SUPPOSED TO OCCUR</u>
A.	<u>24 Hours after Signing of Agreements</u>		
1.	General cease-fire:		
	- U.S. ceases all military action against DRV.	Ag. 2*	1/27/73
	- U.S. begins procedures to clear mines from DRV harbors and waterways.	Ag. 2	1/27/73
	- U.S. and other "allied forces" remain in place.	Ag. 3a	1/27/73
	- Saigon and NLF armies remain in place.	Ag. 3b	1/27/73
	- All acts of force or reprisal prohibited	Ag. 3c	1/27/73

\* Abbreviations: Ag.: Agreement on Ending the War and Restoring Peace in Vietnam; C-F Prot.: Protocol Concerning the Cease-fire in South Vietnam and the Joint Military Commissions; Pris. Prot.: Protocol Concerning the Return of Vietnamese Civilian Personnel; ICCS Prot.: Protocol Concerning the International Commission of Control and Supervision. Numbers and small letters indicate the Articles and sub-sections of respective documents.

<u>TOPIC</u>	<u>REFERENCE</u>	<u>DATE SUPPOSED TO OCCUR</u>
2. All parties exchange complete lists of captured military personnel and foreign civilians.	Ag. 8a Pris. Prot. 3*	1/27/73
3. Four-Party Joint Military Commission (JMC) formed and begins enforcement activities:	Ag. 16a-d	1/27/73
- Each party designates 59 persons for JMC in Saigon.	C-F Prot. 11a*	1/27/73
4. Saigon and PRG designate representatives to Two-Party Joint Military Commission.	Ag. 17a	1/27/73
5. International Commission for Control and Supervision (ICCS) to be established:	Ag. 18a	1/27/73
- ICCS to agree on location and operation of teams.	Ag. 18b	1/27/73
- DRV, U.S., PRG and GVN to agree on organization, means of activity and expenditures of ICCS.	Ag. 18h	1/27/73
6. Both JMCs to agree on corridors allowing military transport through each other's territory.	C-F Prot. 3b	1/27/73
7. Local commanders of opposing forces to meet and solve problems of supply and medical care.	C-F Prot. 4	1/27/73
B. <u>"Immediately after" Signing of Agreements</u>		
- Saigon and PRG hold consultations and establish National Council of three equal segments. (Later form councils at lower administrative levels.	Ag. 12a	
C. <u>"Promptly" after Signing of Agreements</u>		
- Negotiations between South and North Vietnam on civilian movement across the 17th parallel.	Ag. 15c	
D. <u>48 Hours after Signing of Agreements</u>		
1. Seven regional teams of Four-Party JMC begin operation.	C-F Prot. 15	1/29/73
2. Regional ICCS teams and ICCS prison surveillance teams in place and operational.	ICCS Prot. 15b	1/29/73
E. <u>Five Days after Signing of Agreements</u>		
1. All four parties publish and distribute text of the Prisoner Protocol to all prisoners held by that party, including Vietnamese civilian political prisoners.	C-F Prot. 13	2/1/73
2. U.S. informs the Four-Party JMC of plans for timing of troop withdrawals.	C-F Prot. 8b	2/1/73
F. <u>Fifteen Days after Signing of Agreements</u>		
1. Saigon and PRG exchange lists of Vietnamese civilian personnel captured and their places of detention.	Pris. Prot. 7b	2/11/73
2. Four parties to designate two or more Red Cross societies to visit all places where captured military personnel and foreign civilians are held.	Pris. Prot. 9a	2/11/73

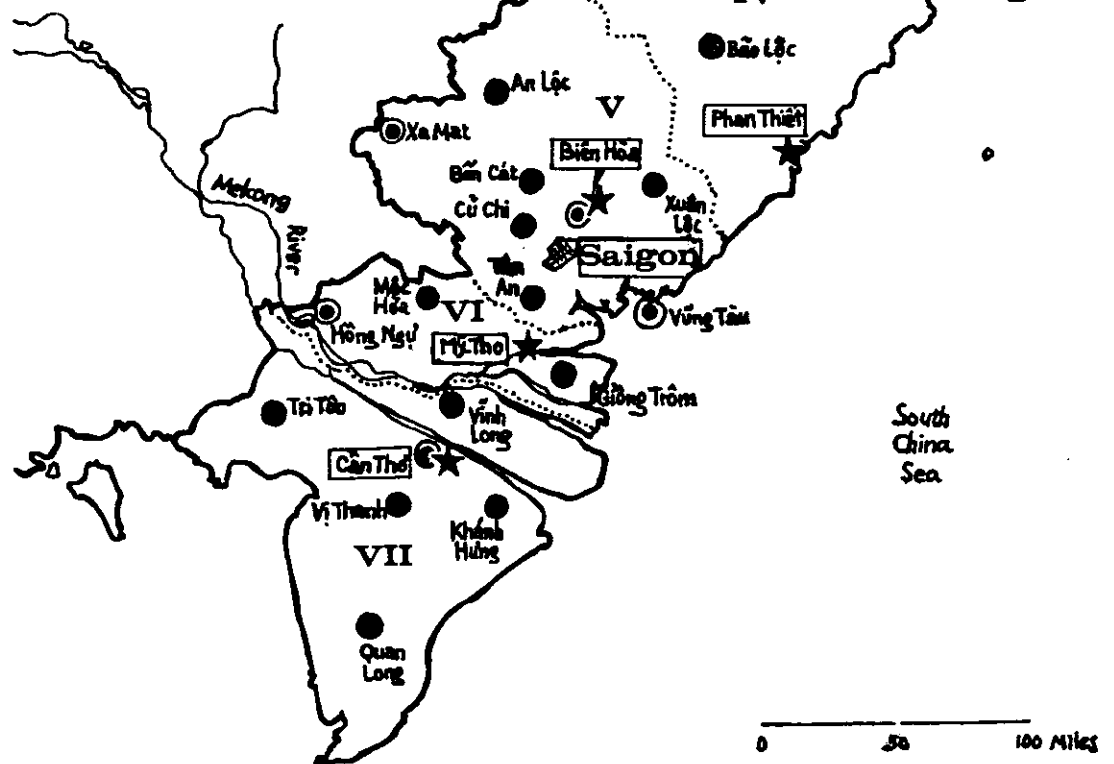
<u>TOPIC</u>	<u>REFERENCE</u>	<u>DATE SUPPOSED TO OCCUR</u>
3. PRG and Saigon designate two or more National Red Cross societies to visit all places where Vietnamese civilian political prisoners are held.	Pris. Prot. 9b	2/11/73
4. Removal of all mine fields and obstacles so as not to hamper movement and work of population.	C-F Prot. 5a	2/11/73
5. Saigon and PRG agree to points of entry for war material.	C-F Prot. 7a	2/11/73
6. Local JMCs begin operation in 26 new locations.	C-F Prot. 15	2/11/73
<u>G. Thirty Days after Signing of Agreements</u>		
1. International Conference (12-party) convenes to discuss Vietnam and Indochina.	Ag. 19	2/26/73
2. DRV, U.S., PRG, and GVN each provides an initial amount of 4,500,000 French francs (U.S. \$900,000) to finance operations of ICCS.	ICCS Prot. 14c	2/26/73
3. All ICCS teams operational and in place.	ICCS Prot. 15c	2/26/73
<u>H. Sixty Days after Signing of Agreements</u>		
1. Total withdrawal of all U.S. and "allied" military troops and advisors, including all advisors to paramilitary and police.	Ag. 5	3/28/73
2. All U.S. and "allied" bases dismantled or destroyed.	Ag. 6	3/28/73
3. Return of all captured military personnel and foreign civilians, including NLF prisoners.	Ag. 8a	3/28/73
4. Four-Party JMC terminates its role.	Ag. 16c	3/28/73
<u>I. Ninety Days after Signing of Agreements</u>		
1. Saigon and PRG do utmost to resolve question of political prisoners.	Ag. 8c	4/27/73
2. PRG and Saigon attempt to sign agreement on internal affairs of South Vietnam.	Ag. 12a	4/27/73



# NORTH V.N. INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

	Number of Teams	Total Members
Saigon Headquarters		108
Regional teams	7	140
Saigon-Gia Dinh teams	3	24
Sub-regional teams:	26	208
Point of entry teams:		
-specified locations	10	80
-Gio Linh and Vung Tau	2	24
-others	7	56
Prison surveillance teams	7	56
Support personnel		464
		1,160

- ★ Headquarters of Regional Teams
- Local Teams
- ⊙ ICCS Entry-Control Units



# Tools to Implement the Agreement

## NATIONAL COUNCIL

According to the Paris Agreement, Saigon and the PRG are to "hold discussions" immediately after the cease-fire to form a National Council of National Reconciliation and Concord. The Council is charged with "promoting the two South Vietnamese parties' implementation of this Agreement, achievement of national reconciliation and concord and ensurance of democratic liberties." The Council will organize free and democratic elections in order to form a new government. The institutions for which the general elections are to be held will be agreed upon through consultation between the two South Vietnamese parties."

The National Council will have three equal segments, will operate on the principle of unanimity, and will form similar councils "at lower levels." There is no mention of who will comprise the three equal segments, but it would seem that there could be no other division than Saigon, the PRG, and neutralists to be chosen by both Saigon and the PRG. Since both Saigon and the PRG will choose neutralists whom they expect will support them in any discussion or vote, it remains problematical whether there will be more than two positions represented.

Although the unanimity principle under which the Council must operate might seem to some to emasculate the Council, Le Duc Tho commented in his press conference on January 25 that "the unanimity principle is indispensable so as not to allow one party to eliminate or bring pressure to bear on another party; therefore, the principle does not at all weaken the power of this council. On the contrary, this principle responds to the very nature of the council." In other words, Mr. Tho perceives that a modicum of shared outlooks and intentions, and a willingness to settle differences peacefully, must be developed among the parties before the concept of voting, of majority and minority positions, has any meaning whatsoever. This approach comes out more clearly in the Vietnamese language text of the Agreement, where the term "unanimity" can also be translated as "of one mind," or "consensus" (nhât tri).

## INTERNATIONAL COMMISSION OF CONTROL AND SUPERVISION

At full strength, the ICCS will be composed of 1,160 members coming in equal numbers from

Hungary, Canada, Poland and Indonesia. ICCS members will be stationed in 62 regional and sub-regional teams throughout South Vietnam in addition to a Saigon headquarters staff and a number of support personnel. Their jobs will be to supervise the cease-fire, to see that U.S. and "allied" military forces remain in place pending total withdrawal of these troops and the dismantlement of all their military bases by March 28, 1973. The ICCS teams will oversee the prohibition of all acts of force, terrorism or reprisals by both South Vietnamese parties. If there are violations of these aspects of the agreement, the ICCS will report them to the four parties, the DRV, U.S., PRG, and GVN.

After the DRV and U.S. representatives withdraw from their role on the Joint Military Commission in South Vietnam, the ICCS, in addition to its general function of supervising the cease-fire, will have the further responsibility of prohibiting the introduction or reintroduction of troops into South Vietnam. (Technically, this stipulation, Article 7 of the Agreement, would prohibit any troops of the Saigon army who have left or who will leave Vietnam for training in the U.S. or elsewhere from re-entering South Vietnam.)

ICCS teams stationed around the perimeter of South Vietnam and at major airfields will have responsibility for monitoring the amount and type of military supplies which "the two South Vietnamese parties" are permitted to replace on an item-for-item basis if any supplies are damaged, destroyed or worn out. (Inasmuch as the United States in the three months preceeding the cease-fire rushed thousands of tons of military equipment, over 350 new aircraft, and dumped much of the residual U.S. military hardware already in South Vietnam into Saigon hands, there is little chance that this stipulation will in any way serve as an effective check on the amount of military supplies available to the Thieu regime. There will be difficulty, however, if the U.S. later tries to exchange old, obsolete weaponry for newer, more modern versions -- as the Pentagon has hinted it intends to do.) Each of the South Vietnamese parties may choose three points of entry for such resupply in addition to those places in which the ICCS has stationed permanent teams. Those six additional points will be manned by ICCS teams also.

Additionally, the ICCS will oversee the release

of civilian political prisoners held in the South. (There is no provision for any ICCS teams to be stationed in the DRV although ICCS Protocol Article 5a would seem to permit ICCS surveillance of the release of prisoners from North Vietnam.) They will also be expected to supervise the general elections stipulated in the Agreement and the demobilization of portions of the armies in South Vietnam. If there are perceived violations of the Agreement, either the PRG or the Saigon government may report such to the ICCS, after which a supervisory team will be dispatched to investigate the alleged violation. Furthermore, the ICCS may initiate investigations at any point where the International Commission has "other adequate grounds for considering that there has been a violation. ..."

Official reports of the ICCS must have the unanimous agreement of representatives of all four members of the Commission, although each of the four members may submit individual reports which will not be considered reports of the Commission.

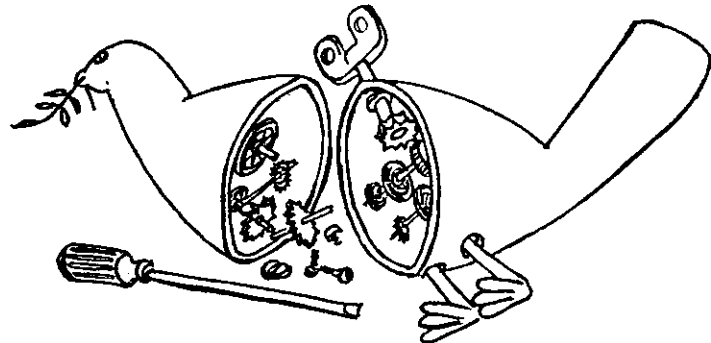
In substance the ICCS is reminiscent of the International Control Commission (ICC) established in 1954 to supervise the terms of the Geneva Accords on Vietnam. Like its predecessor, the ICCS will have power only to observe and report, and not to militarily enforce the Agreement. Even before the teams were sent to Vietnam the participating parties were well aware of this function. Canadian Foreign Minister Mitchell W. Sharp stressed in a parliamentary speech that the Canadians would be unarmed (with the possible exception of service revolvers for self-defense) and would serve merely as observers. "We will not be there to keep the peace ourselves. That is for the parties to the cease-fire. What we can do is observe how the parties are fulfilling their obligations under the cease-fire, and report on this." (NYTimes, Jan. 26, 1973)

#### JOINT MILITARY COMMISSIONS

The Joint Military Commissions (JMC) promise to eclipse the ICCS in providing a forum for hammering away at the crucial issues of the unfolding political and military situation in South Vietnam. For the 60 days immediately following the signing of the Agreement, the JMC will be composed of four parties, the PRG, GVN, DRV, and the U.S. After 60 days, providing all U.S. and "allied" troops are withdrawn and all military and foreign civilian prisoners are released, the DRV and U.S. representatives to the JMC will terminate their role. Simultaneous with the Four-Party JMC, the Agreement calls for the creation of a Two-Party Joint Military Commission of Saigon and PRG representatives which will supercede the four-party group after 60 days.

With the exception of two areas -- the accounting for persons "missing in action" (uniquely a JMC functioning) and monitoring the future general elections in South Vietnam (an ICCS responsibility not shared with the JMC) -- the Joint Military Commissions are concerned with generally the same problems as the ICCS. However, the job of the JMCs is defined in more detail, and it will be the JMCs which, for example, will provide for transportation corridors and policing the use of roadways and access to markets. It is to the four parties (and later two parties) of the Joint Military Commissions that the ICCS is expected to report its findings. Furthermore, the ICCS will to a large extent be dependent on the JMCs for their means of transport and their mode of operation. A concrete example of this dependence occurred in the first days of the ICCS's presence in Saigon, while the Saigon government was obstructing the JMCs from convening. Michel Gauvin, head of Canada's ICCS delegation, was asked what the ICCS could do if "God forbid," fighting broke out across the street. "Nothing," he replied wearily. (NYTimes, Jan. 30, 1973)

Even as the ICCS needs agreement from all four members in order to make a report official, the Military Commissions also work on the basis of unanimity. This guarantees that the will be precious few decisions made by the JMCs. The important stuff of the Military Commissions, however, will be in the political reverberations they create throughout South Vietnam. The goal of the PRG in the coming months will be to loosen up the political atmosphere, especially in the cities where Thieu presently has had to concentrate his military and police powers. By establishing a Joint Military Commission in the seven major cities and in 26 lesser cities where Thieu's repressive machinery is greatest, the PRG will be fashioning out liberated islands right in the heart of their foe. Such visible PRG presence can be expected to embolden anti-Thieu persons to speak and organize against the Saigon regime.



# What if the Agreement is Kept?

Should the four signatories to the Paris Agreement really follow its provisions scrupulously, and should the implementing and enforcement bodies discussed above carry out their responsibilities properly, the following would be the expected scenario of events to take place in South Vietnam. Already there have been illegal clashes that call into question this word picture. Nevertheless, it is worth imagining, as a prelude to discussing untidy reality.

## THE DAY OF PEACE

On January 28, 1973, at 8:00 a.m. (Vietnam time) silence suddenly descends over the country of Vietnam. The last bombs have fallen. No more shells will leave the muzzles of 105 mm howitzers. The M-16s are dismantled and laid aside, for all acts of force or reprisal have ceased and there is no more need for any weapons in Vietnam. Within the day, representatives from the Provisional Revolutionary Government (PRG), the United States, and the Saigon government all gather together around a table in Saigon to discuss how to guarantee the peace in Vietnam. Delegates from the PRG and Saigon governments caucus and establish a National Council of three equal segments, laying the groundwork for elections in the future.

In the countryside, long time foes bury animosities and usher in an age of reconciliation and even limited cooperation. Local military commanders of the National Liberation Front (NLF) and the Saigon army meet in district towns and villages all over South Vietnam to discuss problems of supply and medical care as called for in the Agreement. The Saigon-appointed military chiefs in each district town suddenly find themselves sharing power in their area with the PRG chief of district, who emerges from clandestine headquarters in the town and publicly flies the flag of the yellow star on a field of red and blue. Shortly PRG flags appear here and there in the district town and in the surrounding villages and hamlets. An old man is no longer afraid to reveal that his three sons all fought with the NLF against the foreign Americans and the U.S.-supported troops in Saigon, because he knows that now the Agreement prohibits any further acts of force or reprisal.

Shortly, the seven million refugees, who in years previous had been bombed from their country hamlets, begin to move back to their native

homes in the countryside. The emotional pull back to the countryside is too great for these farmers to resist. They have craved these many years to put the plow blade to the soil once again and to attempt to find and repair the long-neglected graves of their ancestors. They are grateful that the negotiators in Paris have remembered to provide, within fifteen days after signing of the Agreement, for the removal of all mine fields and obstacles, so as not to hamper the population's movement and work.

As they move with their meager possessions toward their homes, they openly encounter NLF cadre along the roadways; occasionally parents who had been in refugee camps for eight years meet a son or a daughter who fought with the NLF and managed to survive the years of fierce fighting.

Many of the 550,000 men who had been drafted into the Regional and Popular Forces of the Saigon army, but who never were enthusiastic about fighting against their compatriots and fellow family members staying behind in the countryside, now begin to desert the army and move back into the countryside to farm, or into nearby cities to compete for nearly non-existent job opportunities.

## FOES MEET

By this time also, teams of the Joint Military Commission, with equal representatives from the Saigon government and the PRG are meeting in Saigon and in 33 regional and local centers throughout South Vietnam, increasing the political exchange between the PRG and Saigon authorities. The National Council for National Reconciliation and Concord is established, and plans are being made for future elections in South Vietnam.

Within a short time, civilian traffic begins to move across the 17th parallel. Families separated for two decades -- some members in the North, some in the South -- are reunited, and whatever plausibility Thieu's anti-Communist propaganda ever had diminishes in the euphoria of familial reunion. Restored postal service, commerce, and cultural exchange between the North and South further cement the union of Vietnamese on both sides of the 17th parallel.

In short, the military conflict of the preceding years has now moved into the political arena. President Thieu is finding himself increasingly isolated because his previous power base, which was founded on military force and the direct support of the United States, is eroding under the new rules of the contest which prohibit the use of that force or the reintroduction of U.S. military or air power.

## THE DAY OF RECONCILIATION

By the end of March one has to comb the streets of Saigon and Da Nang to find any Americans. Apparently the United States kept its pledge not to "continue its military involvement or intervene in the internal affairs of South Vietnam." The absence of any Americans on the scene impresses the Saigon government officials that they had best make their accommodations with "the other side." Saigon senators quickly set about to make amends with that long-ignored second cousin or brother-in-law who had been fighting with "the Front" these many years. The senators quickly admit to their PRG relatives that a coalition government including the PRG is really the only feasible solution for the political problems of South Vietnam.

The political climate relaxes with the emergence and visibility of increasing numbers of PRG cadre who had previously been underground. Several hundred thousand families begin pressuring for the release of their sons and daughters who are being held in Thieu's political prisons all over the country. By the end of April, Saigon and the PRG have done their utmost in resolving the political prisoner issue as called for in the Agreement and most of the detainees have been released. The freedom of these prisoners held for years in Thieu's jails becomes a major

political factor as the prisoners tell stories of brutal treatment and their extreme hatred of the Thieu regime.



# What if the Agreement is Broken?

The preceeding discussion is a scenario of what would likely occur in South Vietnam in the coming months if the terms of the Paris Agreement were faithfully followed by all concerned parties. However, the question of the political future of South Vietnam -- the question over which the war was fought -- is approached seriously in the Agreement, but not completely resolved. The Agreement will hold over the long term only if all parties accept the underlying premise, which is to work out remaining difficulties in a spirit of reconciliation and non-violent competition.

## CHARGES AND COUNTER-CHARGES

If the Agreement breaks down, who will bear responsibility?

Each of the four signatories to the Paris Agreement has verbalized a pledge to stick to the terms of the treaty. However, there is suspicion on all sides. When there are violations of the Agreement, each side will accuse the other of picking the fight. It is doubtful, furthermore, that the International Commission of Control and Supervision will be of help in deciphering the "guilty" party, because each of the ICCS parties has political alignments with one of the antagonists. (Canada, for example, is the largest external arms supplier to the U.S. arsenal, via the U.S.-Canada Defense Sharing Agreement of 1959. Its heavy pro-U.S. bias on the 1954 ICC, moreover, means that it will have to demonstrate through actions that it has changed its ways.)

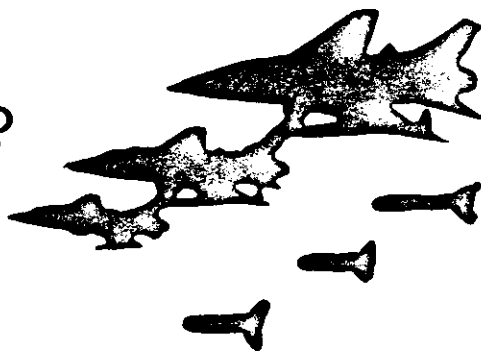
Given the unreliability of the charges and counter-charges of participating and observing parties, the most dependable alternative is to analyze the developing political-military situation in South Vietnam and assess in whose interest it will be to keep the Agreement and in whose interest to have them break down.

## WHERE STRENGTH LIES

Under the pre-truce situation, the Saigon regime had the unlimited military hardware with which to fortify enclaves in most of the cities of South Vietnam. The NLF's strength lay not in massive amounts of munitions, but in their representation of the more fundamental and long-run interests of the Vietnamese people, i.e., independence from foreign control and self-determination for the people of Vietnam. This politi-

cal affinity of the people with the goals of the NLF was the foundation for the military strength of the liberation forces. Because Thieu's strength lay not in popular loyalty but in the tools of military force, it was inevitable that his stronghold would be in the cities, where he could marshal enough police and army personnel to suppress most overt anti-Saigon government activity, maintain control over refugee camps, and surround the urban perimeter with a wall of fire and steel.

The countryside, meanwhile, was the domain of strength for the revolutionary forces since they had the popular support of Vietnamese farmers and since Saigon's forces could not spread out over the countryside for fear of becoming too dispersed and hence decimated.



The strategy of the U.S. and Saigon government, then, was two-fold: 1) tighten the noose of control in the cities through propaganda, police and army forces, and 2) induce the people in the countryside to move into the cities under Saigon government control. The former goal led to a throttling of the press, manipulated elections and the incarceration of several hundred thousand political prisoners. The latter task was tackled by massive bombing of the countryside to force the people into the cities. Against those farming families tenacious enough to stay in the countryside, sleeping under ground during the day, and doing their work (agricultural and guerrilla) at night, the U.S. and Saigon army forces made constant forays into the countryside. They tried to force what people remained to board American helicopters and be flown into "refugee camps" close to the cities, where they were put through Saigon police screening and intense barrages of Saigon propaganda. Any remaining structures or people left in the countryside were then targeted for total annihilation.

#### INTO THE CITIES - OUT TO THE COUNTRYSIDE

If the Saigon government and the U.S. permit the terms of the Paris Agreement to be carried out, then two significant movements can be expected:

1) A visible PRG presence will move into the cities. The presence of PRG personnel on the Joint Military Commissions in 33 of the major population centers can be expected to loosen the political climate considerably and make it more difficult for the Thieu regime to discredit the viability of the PRG as it has tried to do in the past. One aspect of this movement will be to make it relatively safer for anti-Thieu forces among students, veterans, women's groups, and religious groups to come out in the open in spite of Thieu's repressive edicts and reinstitute their political activity. Furthermore, a C.I.A. report of 1970 indicated that by that time more than 30,000 NLF partisans or actual cadres had actually taken jobs within the Saigon government (NYTimes, Oct. 19, 1970). The coming months will provide the climate for these persons to gradually "open the doors from the inside."

2) While the revolutionary forces are increasing their legitimacy within the cities, masses of refugees will simultaneously be moving out to the countryside. If any preoccupation has characterized the majority of the 6-8,000,000 refugees in South Vietnam, it has been the overwhelming desire to return to their native homes in the countryside, where they remember, if not always days of plenitude, at least days of satisfaction, as opposed to their time of confinement, inactivity and shortage of food in the refugee concentration areas. In spite of Thieu's edicts forbidding refugees from returning to their homes, the terms of the Paris

Agreement strictly forbid any restriction on the movement of the civilian population. Within fifteen days of the signing of the truce all mine fields and other obstacles to free civilian movement are supposed to have been removed. The effect of such an exodus of refugees from the



"The existing government [in Saigon] is oriented towards the exploitation of the rural and lower class populations. It is, in fact, a continuation of the French.

"GVN [Saigon government] has demonstrated that it cannot establish stability, let alone achieve a popular base among the people.

"The social revolution underway in South Vietnam is primarily identified with the National Liberation Front."

--John Paul Vann, senior U.S. pacification advisor, from an internal paper circulated within the U.S. military in 1965, published in the Congressional Record, Oct. 11, 1972, pp. S17483-17491.

cities back to their native homes will be to increase the number of persons in PRG-dominated areas, since the PRG holds the larger part of the rural regions.

Hence, the terms of the Paris Agreement on Vietnam augur well for increased political communication between the general population and representatives of the PRG. It should be reiterated that PRG cadre and other solidly anti-Thieu forces have lived even in the cities throughout the course of the war; furthermore, many of the PRG cadres who have lived in the countryside are close to the cities.

#### THIEU'S SINGLE OPTION

The serious hitch, then in the whole scenario outlined in the previous section is that such developments are dependent upon the sincerity of the Saigon government in living up to the terms of the Agreement.

President Thieu seems to have realized all along that his strength is in the military and that in a straight political contest between his regime in Saigon and the PRG, he will be in serious jeopardy. He knows that the revolutionary cadre of the PRG have always been more effective in

political mobilization than the Saigon government, because while the revolutionary parties receive material aid from outside Vietnam, they accept no foreign troops or advisors and hence are seen as fighting in the tradition of Vietnamese independence and self-determination. The Saigon regime, while having the preponderance of military technology, has been seen as illegitimate because of its utter dependence on the United States for survival. Because the PRG has always been able to thrive in the political arena, they have a vested interest in seeing that the Paris Agreement is kept and that military reprisals and acts of force do not recur. The Saigon government, which has never been able to muster popular political allegiance, on the other hand, stands to gain if the truce breaks down and the fighting flares up again.

Already, Thieu has indicated his lack of respect for the treaty. He announced to his elite police cadre on January 25 that, "We cannot rely too much on international treaties," (Wash. Post, Jan. 26, 1973) thereby seeming to lay the groundwork for manipulating the struggle back to the military battlefield.

It will especially be in Thieu's interest to be able to flaunt the prospect of direct U.S. military reintervention. (Nixon and Kissinger have not discounted this possibility, on the grounds that the "North Vietnamese" would take advantage of it. Actually, for the U.S. to keep this possibility open has the real effect of allowing Thieu to continue his unconciliatory line and even precipitate direct U.S. reintervention.) Thieu's prospects for political survival are enhanced if he can continue to provoke cease-fire violations (always blaming them on "the other side," of course), thereby inducing Washington to maintain, and possibly use, the U.S. bombers in Thailand and on the Seventh Fleet off the coast of Vietnam.

"Only the Viet Cong [the NLF] had any real support and influence on a broad base in the countryside."

--The Pentagon Papers, Gravel Edition (Beacon Press), Vol. II, p. 204, in a discussion of the situation that preceded Ngo Dinh Diem's downfall.

## Who is the P.R.G.?

Signing the Paris Agreement across the table from the Saigon government representative was Mme. Nguyen Thi Binh, Foreign Minister of the Provisional Revolutionary Government of the Republic of South Vietnam. Many Americans were acquainted with the name of Madame Binh, but more often than not she was labeled by the press merely as the spokeswoman for the "Viet Cong." The Viet Cong in turn were typified as a band of scattered if determined rebels, who operated in the jungles of South Vietnam. What has often not been made clear in the press is the fact that opposing the Saigon government is another governmental structure in South Vietnam, the Provisional Revolutionary Government (PRG), which has a well-developed administrative structure from the national level down to the districts and villages, a program for the future development of South Vietnam, and enjoys the support of significant numbers of the South Vietnamese people.

After the Tet Offensive in 1968, members of the National Liberation Front and the Vietnam Alliance of National, Democratic and Peace Forces, composed of lawyers, teachers, and other professional people, decided jointly to form the PRG. Not long after its official formation in mid-1969, the PRG declared that "Revolutionary People's Committees have been established in 1,290 villages, 146 districts, 37 provinces, and 5 cities in South Vietnam." (South Vietnam in Struggle, July 15, 1969).

The Provisional Revolutionary Government recognizes the complexity of the present political situation in South Vietnam, which is why it has called for the formation of a coalition government of members of the Saigon government, of neutralist parties, and of the PRG itself.

In its founding "Program of Action" in 1969 the PRG stated that its first task was the following:

to force the U.S. Government to withdraw completely and unconditionally from South Vietnam the U.S. troops and those of foreign countries belonging to the U.S. camp with a view to bringing the war to an early end, restoring peace and enforcing the fundamental national rights of the Vietnamese people -- independence, sovereignty, unity and territorial integrity -- as recognized by the 1954 Geneva Agreements on Vietnam.

(Vietnam Studies, No. 23, p. 408)

The Provisional Revolutionary Government believes that the Paris Agreement is an important step toward that primary goal.

# The Treaty and Thiệu

"If the Communists dare put a foot in our zones, we will kill them."

--Nguyen Van Thieu, Le Monde, Jan. 27, 1973

## THIEU BANS PRG POLITICAL ACTIVITY

Even before the treaty was signed, Thieu had issued orders to his army and police forces which in effect forbade any kind of political activity by the PRG. These orders, and many of the laws, edicts and even the constitution of the Saigon government, forbid the very kind of political contest spelled out by the Paris Agreement.

Only days before the public announcement of the cease-fire, Thieu reiterated his long-standing ban on any pro-Communist or neutralist activity. In spite of the fact that the new agreement guarantees freedom of speech, meeting and organization, Thieu's laws forbid such acts as distributing "Communist" leaflets, displaying the PRG flag, or organizing public meetings or demonstrations in favor of any political force other than Thieu. Anyone found organizing villagers to return to their native villages, in short, anyone found informing refugees of their rights under the Paris Agreement to "freedom of movement" or "freedom of residence," will be shot, according to Saigon newspapers quoting official Saigon sources (Wash. Post, Jan. 23, 1973). Refugees who attempt to return to their villages will be arrested. And although the treaty guarantees freedom of the press, strict Saigon government censors will continue to white out areas of newspapers that will be considered "dangerous to the national security."

Editions of newspapers will be confiscated, severely fined or closed down for similar violations of Saigon laws. Writers will be arrested if they write articles or books that are viewed as a challenge to Thieu's manner of governing. As a most recent example, on January 19 four Catholic priests were sentenced in Saigon to five years in prison and were fined VN\$300,000 each for publishing a paper entitled "Justice in the World," which they had presented at a recent Southeast Asian Bishops' Conference.

## THIEU'S REPRESSION

During the five and a half years that Thieu has been president of the Saigon government, he and his police forces have relied on widespread and often indiscriminate political arrests to maintain the survival of his regime. Mass arrests followed the Tet Offensive of 1968 and the Cambodian invasion of 1970. Students and others were arrested by the thousands in the weeks that

preceded Thieu's one-man election in October, 1971. In the wake of the Spring Offensive of 1972 thousands more were arrested. Under South Vietnamese law, persons can be detained without benefit of trial or lawyer for a period of up to two years, which can be renewed at two year intervals.

As news of the cease-fire approached, in particular in the period after the announcement of the draft agreement in October, the number of arrests increased sharply. Hoang Duc Nha, Thieu's nephew and closest advisor, announced on November 8, 1972 that the Thieu government had arrested or killed 50,000 "Communist civilian and military cadre" since October 31, 1972 (CBS News, November 9, 1972).

## THIEU'S POLITICAL PRISONERS

As Hanoi and the PRG pressed for the release of these political prisoners through the months of November and December, they charged that Thieu had a "security plan" to assassinate the political detainees as well as suppress democratic freedoms in case of a signing of a cease-fire agreement.

The charges of Hanoi and the PRG were soon given corroboration by reports that appeared in the Western press. Two Frenchmen who had just been released from Thieu's Chi Hoa prison near Saigon returned to Paris and were quoted by Agence France Presse on January 2, 1973 as saying that "South Vietnamese authorities were reclassifying political prisoners as common prisoners to avoid releasing them when a cease-fire comes into force." Reports smuggled out of Saigon's prisons and published by Dispatch News Service reported that many political prisoners were being shifted to other prisons in an effort to hide them, and that in some cases prison authorities were inciting the common-law prisoners "to provoke, sometimes kill political prisoners." George MacArthur of the Los Angeles Times reported on January 1 that U.S. official sources confirmed to him that "Thieu has ordered the arrest and 'neutralization' of thousands of people in the event that cease-fire negotiations with Hanoi are successful.... The term 'neutralization' can mean anything from covert execution to a brief period in detention." And the Washington Post reported on January 18 that "President Thieu has given his province chiefs wide latitude to make political arrests after the coming cease-fire and has also empowered them to 'shoot troublemakers' on the spot." In addition, the Post reported, "Those arrested are to be charged with common crimes instead of political ones," so that the prisoners will not fall into the category of political prisoner, whose release is provided for in the Agreement. To handle the new arrests Thieu has reportedly embarked on a crash program to increase his police force from its present level of 122,000 to 300,000 (Le

Monde, Sept. 8, 1972).

The Paris Agreement calls for the release of "Vietnamese civilian personnel captured and detained in South Vietnam" and admonishes Saigon and the PRG merely "to do their utmost to resolve this question within ninety days after the cease-fire comes into effect." This weak wording of the text of the Agreement hardly ensures that the prisoners will all be freed in the suggested time framework.

Thieu has made it no secret that he plans to avoid the release of all the political prisoners. To Thieu the prisoners are a political threat which he can best handle by keeping them in jail. Thieu claims to hold only two political prisoners, although the PRG asserts that he holds 300,000 in his jails.

Nhan Dan [the North Vietnamese Communist Party newspaper] demanded Tuesday that "the campaign of white terror organized by the Americans and their South Vietnamese associates" must be ended. The newspaper declared that a list of "thousands of persons considered dangerous had been established [by the Saigon government] in order to suppress" the prisoners.... The PRG, in its declaration, which we published in our December 5 editions, specified that in the province of Hau Nghia, a list of persons to "assassinate immediately before the cease-fire" includes about 40 percent of the detained [prisoners].

--Le Monde, Dec. 6, 1972

Hau Nghia Province-- "... Cease-fire or no cease-fire, this is a [Saigon] Government district, and I will show that the national laws are still in force," said the district chief, Maj. Le Xuan Son, at his headquarters in Cu Chi.

"We have a list of people who are Communist suspects or suspected Communist sympathizers, and if they start causing trouble after a cease-fire, they will be arrested," he continued. "We have plans for that. If the Communists show up in the village, we will neutralize them. If they resist arrest they will be killed."

What if his Communist counterpart shows up, smiles, shakes hands and offers to let bygones be bygones? "I am the district chief here," Major Son replied. "There can only be one district chief."

... His plans for a cease-fire are matched in every hamlet, village and district in the country.

--New York Times, Jan. 30, 1973



Klaus Albrechtson

On February 5, the Thieu government reported that it had released 10,000 to 20,000 political prisoners, adding further confusion to the earlier Saigon claim to hold only two. The Saigon report added further that "those freed had been designated 'New Life Cadres,' meaning that while in captivity they renounced the Communist cause and pledged to support the Saigon government." (NYTimes, Feb. 6, 1973) Those released, therefore, are considered to represent no threat to Thieu.

The Agreement is explicit in protecting prisoners "against all violence to life and person, in particular against murder in any form, mutilation, torture and cruel treatment, and outrages against personal dignity." But torture has been common in Thieu's prisons and interrogation centers, and has continued in spite of the international furor that arose following revelation of the "tiger cages" in 1970.

In spite of his recalcitrance, Thieu will be faced with pressures to release the political prisoners. The Two-Party Joint Military Commissions provided for in the Agreement are charged with arranging for these prisoners' release. The commissions are to exchange lists of the civilian detainees within fifteen days of the cease-fire and are physically to observe return of the prisoners. Two or more "national Red Cross societies" shall be designated, if Saigon and the PRG can agree, to visit the political prisoners and "contribute to improving the living conditions of the captured and detained." There will be seven teams, or a total of 56 members, of the ICCS who will visit each place of detention and release of the political prisoners, if Saigon and the PRG can agree on arrangements for these visits.

In obtaining the release of the political prisoners, world opinion will play an important role. Already, Amnesty International and other groups have launched campaigns for the prisoners' release. Furthermore, as the cease-fire goes from weeks into months, families with sons, daughters, fathers, nephews and nieces in jail will try again and again to obtain their release.

In all likelihood, the PRG will appoint to the third component of the National Council neutralists who are now in jail. If Saigon refuses to release these prisoners it will hold up the functioning of the National Council and draw international attention to the whole political prisoner issue. On the other hand, if Thieu complies and releases these jailed neutralists, they will be powerful spokespersons in the highly visible arena of the National Council to press for the release of the other prisoners.

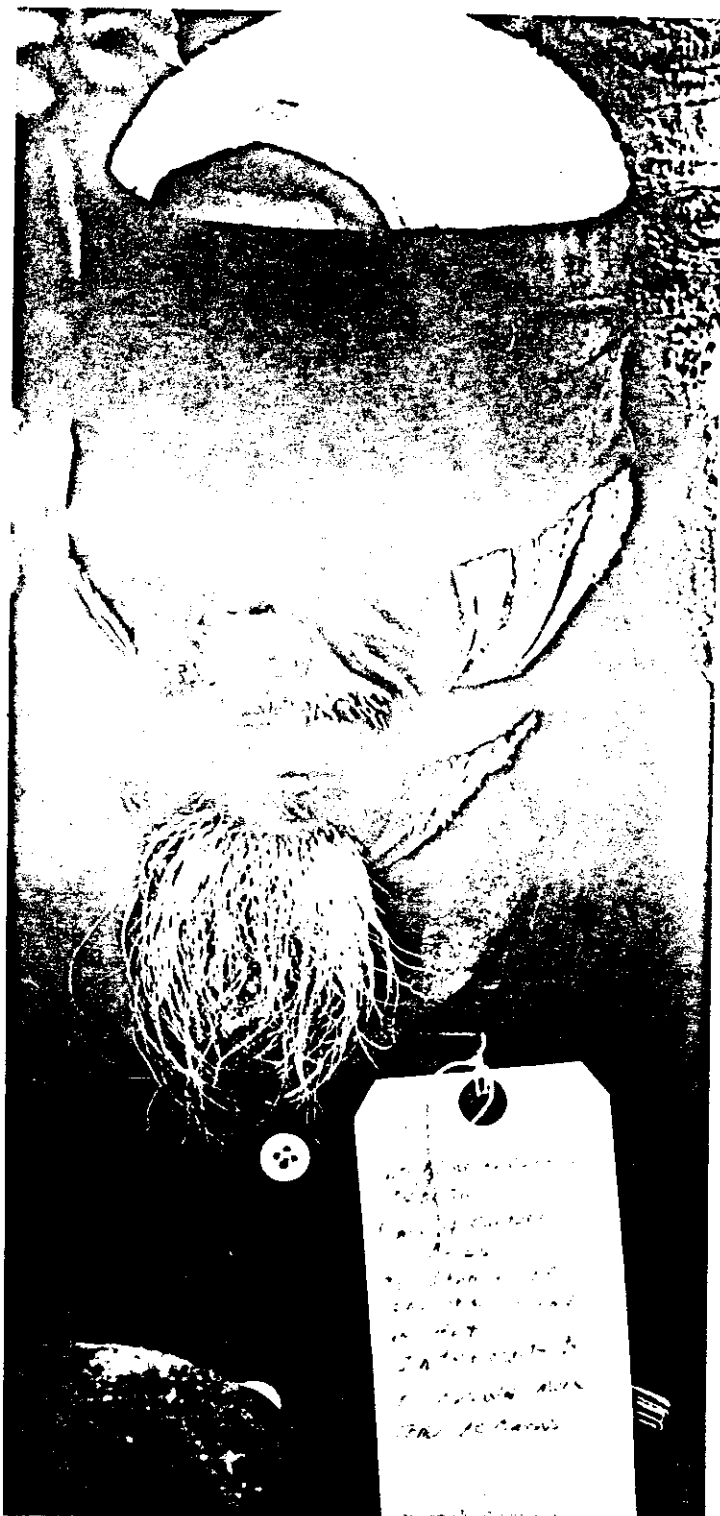
The neutralists, once successfully appointed to the Council, can be an important element in making the Council work. If they organize among themselves, they may be able to act as a buffer and mediator between Saigon and the PRG, and will be a strong force in stimulating the reconciliation and concord that is the very purpose of the National Council.

#### THIEU'S POLITICAL WEAKNESS

In preparation for the political struggle, Thieu has taken other drastic measures which he hopes will strengthen him in the post cease-fire period. But these measures are only more intense applications of measures that have failed in the past and, more importantly, reveal the nervous desperation of a regime all too conscious of its basic weakness.

Following soon on the decree made last August that abolished all hamlet and village elections, Thieu is now planning to place his own military officers in control of all hamlets and villages (Wash. Post, Nov. 18, 1972). The army would thus be in charge of every level of the Saigon government outside of Saigon itself, where former generals, like Thieu, are in charge. To the Saigon government, the only people they feel they can trust in the face of a challenge from the PRG, are their army officers.

If villagers' support for the Saigon government was weak when they elected their own officials, their support can hardly be expected to be more enthusiastic when they are under the surveillance of a totally unfamiliar army officer. Successive Saigon regimes have always been plagued by the problems that arise when government officers try to win support in an area where they are unfamiliar with the local dialect and customs and are easily branded as outsiders by the local villagers. The elitist and urban ways of the army officers are unlikely to sit well with the villagers, either.



One of the political prisoners -- this one has been detained by an American.

By contrast, the army and political cadre of the PRG are mostly farmers themselves. They usually operate near the region of their origin where they are familiar with the countryside, the local dialect and other local cultural idiosyncracies. In many of the "Saigon-controlled" vil-

lages of South Vietnam the farmers and even some of the hamlet chiefs have associations with the PRG. Such a situation is no doubt what prompted Thieu to begin putting his own officers at the head of every hamlet. But these officers are unlikely to reverse this arrangement which has been going on for years. ARVN officers will see their loyalty to the central command above them much more than to the people in the hamlet. Popular alienation against these Saigon-appointed officers will only lead to further village cooperation with the PRG.

### ELECTIONS

General elections are provided for in the Agreement. But the offices and bodies for which the voting will take place and the date of the elections are not specified. These matters and other "procedures and modalities" are the responsibility of the three-part National Council.

Saigon and the PRG are unlikely to agree on these procedures and modalities, and the prospect of elections seems distant indeed. Saigon may offer to hold elections, but only within the framework of the present Saigon constitution under which the National Liberation Front functioning as a political party, and not the PRG functioning as a rival government, could participate in an election for the office of president. The PRG, on the other hand, noting the legendary unfairness of Saigon-organized elections in the past, will likely wish to hold elections for a new constitutional assembly which would write an entirely new constitution.

### THIEU'S "DEMOCRATIC" PARTY

The strongest sign that Thieu expects elections to take place is his defensiveness in the face of that possibility. Thieu has formed his own political party, the Democratic Party, which he hopes will out-politic the PRG in any pre-election situation in the months ahead. Almost all army officers and civil servants right down to the hamlet level have been given the choice of joining the party or risking losing their jobs. Some officials report that they were "ordered" to join the party (NYTimes, Nov. 18, 1972). The party claims nearly 200,000 registered members already (Wash. Star-News, Dec. 17, 1972).

To assure that its strength would not be weakened by the existence of other parties -- there were twenty-four last year in Saigon -- Thieu issued an edict on December 27, that effectively eliminates all political parties but his own. By the new edict any party that wishes to continue to exist must establish branches in every city and in at least a quarter of the villages

in half of South Vietnam's 44 provinces. In addition, a party must win 20 percent of the total national vote cast for either house of the legislature and 25 percent of the presidential vote if that party wishes to put forth a presidential candidate. Thieu's new party is nothing more than an extension of his government. Like that government, it is coercive, urban and elitist. Saigon Deputy Tran Van Tuyen, leader of the opposition yet staunchly anti-communist, commented that Thieu's new political moves "will drive the people underground and into the Communist side" (NYTimes, Dec. 29, 1972). In another interview he commented, "The majority of the people are looking for peace, and Thieu is the main obstacle to peace. Most people are looking for his departure" (Christian Science Monitor, Nov. 17, 1972).

To be sure, the PRG is in contact with those who are left out of Thieu's increasingly isolated political apparatus. And it won't be the first time the people joined the PRG because they saw no other acceptable political route.

### THIEU'S INFORMATION CONTROL

In the months that follow, press coverage of Vietnam in the United States will decrease. With a smaller and less visible U.S. involvement, newspapers will judge the events in Vietnam to be of less interest to Americans. And the Thieu regime will be likely to refuse entrance visas to foreign correspondents if the turn of events worsens from their point of view, or if they have something to hide from the eyes of the rest of the world. Already, according to Le Monde (Nov. 16, 1972), "correspondents can only obtain visas that must be renewed each month (three months for bureau chiefs); some journalists have already been limited to renewing their visa every two weeks or even more often." And on January 29 when the first North Vietnamese and PRG delegations arrived in Saigon to take their places on the Joint Military Commissions, six U.S. reporters were arrested by Saigon police while covering the delegations' arrival. The PRG, on the other hand, will open up its areas and welcome foreign correspondents. They will want to demythologize themselves, to show that they enjoy popular allegiance, control territory, and have a viable government in operation.

Thieu will want to control information disseminated to people in South Vietnam as well. He will suppress any mention of the PRG in order to deny any legitimacy to that government. But the people of South Vietnam will still be able to keep abreast of events by listening to the PRG radio and the Vietnamese-language broadcasts of such foreign stations as the BBC. In an ironic twist, many of the Sony transistor radios provided through previous American commodity import programs will serve to evade restrictions set forth by an American-imposed regime.

# From Vietnamization to Civilianization: Covert Warfare

"The United States will not continue its military involvement or intervene in the internal affairs of South Vietnam." Thus reads Article Four of the Agreement on Ending the War and Restoring Peace in Vietnam.

Furthermore, Article Five provides specifically that "Advisors from the above-mentioned countries [United States and "allied" countries] to all paramilitary organizations and the police force will also be withdrawn within the same period of time [sixty days after signing the Agreement]." There also will be permitted no military advisors or military technicians "associated with the pacification program, armaments, munitions, and war material."

Even before the ink of the signatures on the Agreement has dried there is disturbing evidence that the United States plans to stretch or violate clandestinely the above provisions.

Ever since the signing of the Agreement looked imminent, the United States has been laying plans to continue its advisory force to the Saigon government -- only now by putting civilian clothes on U.S. advisors. On November 27, 1972, the New York Times reported that as U.S. military personnel were packing their bags to go home, secret plans were underway to retain a major contingent of civilian advisors even after a cease-fire would be enacted.

About 10,000 American civilian advisors and technicians, most of them under Defense Department contract, will stay on in South Vietnam after a cease-fire, according to well-informed sources. These civilians will do everything from running the South Vietnamese military's personnel and logistics computers to teaching the Vietnamese Air Force how to fly and maintain newly provided planes and repairing the complex military communications network left behind by the United States Army.

Now that the Agreement has been signed, the shrouds have been lifted from this U.S. intention to "civilianize" the Vietnam War. The claims of former DOD chief Melvin Laird about the success of Vietnamization notwithstanding, it is clear that the Saigon army and police forces are incapable of operating and maintaining all the sophisticated electronic gear and computers which the U.S. left behind in Vietnam.

One example of this continuing dependence on American advisory assistance arose when the U.S.

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Classified ad in the Washington Post, Sunday, February 11, 1973

decided to equip the Vietnamese Air Force with huge C-130 turbo-prop transport planes just before signing the Agreement (which forbids introduction of new planes into Vietnam). The problem was soon clear: no Vietnamese knew how to fly or maintain C-130s. To solve this problem, Aviation Week and Space Technology (Jan. 29, 1973) reports, American civilians will now do the training job. "These include retired military personnel transitioning VNAF [Vietnamese Air Force] pilots onto recently-received Lockheed C-130 turbo-prop transports. Others are working with the VNAF in establishing an expanded pilot and technical training center." (emphasis added)

Lear Siegler, Inc., a major U.S. corporation with a Defense Department contract, ran a large "help wanted" advertisement in the Washington Post (Feb. 4, 1973) announcing "Local Interviews, Immediate Openings in Vietnam for Aircraft Maintenance Personnel."

In addition to such "civilian" personnel assigned to keep the Saigon Air Force, Army and police forces operating, there will be a force of about 1,000 U.S. Agency for International Development (USAID) personnel to oversee the pacification program at each provincial center. The Washington Post (Jan. 8, 1973) says that most AID officials see their role after a cease-fire as that of assisting economic development. But it further reports that "Americans will continue, however, to be active with the South Vietnamese police. As of today there are 160 'public safety advisors' here, and there are no plans for a sizable cutback." There are no indications that the United States intends to discourage Thieu from his flagrant use of the police forces to repress any anti-Saigon activity. Budget projections of AID for fiscal year 1973 propose the building of 223 more facilities in the prison and detention system of South Vietnam. USAID also projects that by 1975 it can finance the creation of 11.5 million personal information dossiers of South Vietnamese citizens (USAID Project Budget Submission, FY1974, Vietnam, June, 1972, p. 333).

Even though most Americans (and Vietnamese) like to think that the United States has finally terminated its role in "this country's longest war," it is almost certain that American personnel will remain in South Vietnam even after the 60-day withdrawal period in the following capacities:

1) "Civilian" technicians for maintenance and training of Vietnamese Air Force -- up to 10,000 in number (NYTimes, Nov. 27, 1972).

2) "Civilian" advisors under USAID to the Saigon bureaucracy at all levels, including economic advisors to oversee "reconstruction."

3) "Civilian" advisors to "public safety" (police) programs (Wash. Post, Jan. 8, 1973).

4) Foreign Service Officers under the State Department to serve presumably as an independent surveillance to "monitor the cease-fire" -- at least 100 in number (NYTimes, Dec. 8, 1972).

5) CIA's Air America, which in Laos has customarily used "active duty personnel who merely shed their uniforms for the duty" (Aerospace Daily, Nov. 6, 1972).

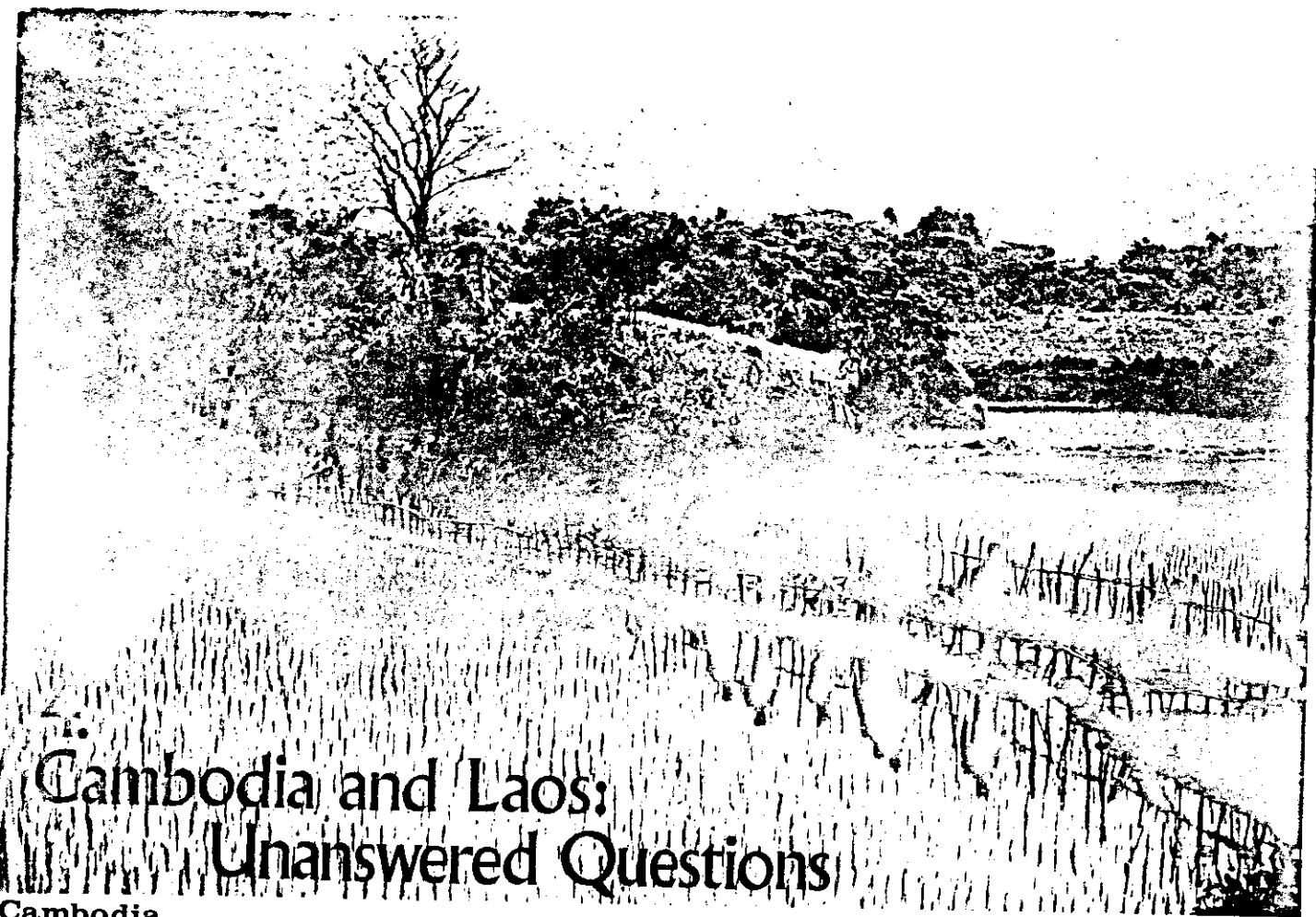
6) "Armaments technicians" to assist the Saigon Army and Air Force ("help wanted" ad for U.S. civilians in Saigon Post, Nov. 7, 1972).

7) Military teams of "green berets" to move in the jungle with the official mission of searching for American personnel "missing in action" (Newsweek, Jan. 15, 1973).

8) U.S. Marines stationed at the U.S. Embassy and the three proposed U.S. consulates to be established (NYTimes, Jan. 27, 1973).

Over the coming months, as the extensive, continuing presence of U.S. personnel and U.S. economic and military assistance to Thieu is revealed in the press, the Nixon Administration will argue that this enormous American presence is "legal," according to the letter of the Paris Agreement. What this giant American hang-over in South Vietnam really means, however, is that the United States is still committed to manipulate that country's political future, even though the Agreement pledges the U.S. not "to intervene in the internal affairs of South Vietnam."





## Cambodia and Laos: Unanswered Questions

### Cambodia

Ten years ago, comedian Jackie Mason used to do a routine about a non-existent country that the State Department invented. Even though there was no such country, the U.S. gave its creation huge sums of foreign aid. The country Mason used for his routine was Cambodia. He used Cambodia, he says, because at that time few people in the U.S. knew anything at all about Cambodia, except that it was receiving U.S. aid. Time has a way of changing things. By the mid-1960s, the Southeast Asian war was raging again; neutralist Cambodia had turned down U.S. aid and had suspended diplomatic relations with the U.S. Then, early in 1970, Prince Norodom Sihanouk was ousted and less than two months later Cambodia became a household word when U.S. and South Vietnamese forces invaded full tilt, plunging the Khmers into the war Sihanouk had skillfully avoided for more than 15 years. Almost three years later, the wheel has come nearly full circle: Again the U.S. is pouring large sums of money into Cambodia while the U.S. taxpayer, who votes the bill, knows little or nothing about the costly holocaust in Cambodia that his tax dollar underwrites.

The Vietnam war brought war to Cambodia, but the Vietnam peace may not bring peace to Cambodia. For this reason it may be useful to review the background -- and the unanswered questions -- concerning the war in Cambodia.

### WHO CONTROLS WHAT?

Western observers in Phnom Penh -- from wire services to weekly newsmagazines and reporters for major U.S. newspapers -- agree that the Lon Nol regime is in serious trouble and that the liberation forces fighting against Lon Nol control much of the countryside and all but the major population centers. (For English-language reports on Cambodia see "Selected Publications on Cambodia," *Indochina Chronicle*, Nov. 8, 1972.) "To land in the Khmer Republic is to arrive in an isolated enclave," Philippe Pons reported in *Le Monde* December 13, 1972. "The liberation forces control all the regions west of the Mekong and a large part of those in the east -- which means about 85 percent of the country." According to Pons, "The most striking feature of the military situation is the constant shrinking of the territory controlled by Marshal Lon Nol's troops," who now hold only the area circumscribed by a circle with a radius of about 40 miles around Phnom Penh.

Although the estimate that liberation forces control 85 percent of Cambodia is subject to dispute, nobody seems to take seriously the Lon Nol regime's counter-claim to all but one-third of Cambodia's territory and all but one million people (*Khmer Republic*, Dec., 1972, p. 69). There are no official U.S. estimates, but a



Cambodia's Prince Sihanouk and Prince Souphanouvong of the Pathet Lao at the Summit Conference of the Indochinese Peoples held somewhere in the Laos-Vietnam-China border area, April 24-25, 1970.

well-placed U.S. source says that Lon Nol controls "less than 50 percent" of Cambodia's territory and "more than 50 percent of Cambodia's population." Can he be more precise? "Not really. It depends on what you mean by control. Moreover, because of the dislocation caused by the war, we don't really know how many people are living in a given region." For example, estimates on Phnom Penh's war-swollen population (which has at least doubled since the war began in 1970) range from 1.2 to 2.0 million people. Thus the capital city accounts for roughly 20 or 30 percent of Cambodia's total population of 7 million, depending on the estimate of its current population.

#### U.S. AIR POWER: HOW MUCH BOMBING? WHERE? WHY?

The U.S. response to the deteriorating situation in Phnom Penh has been to pour in more aid and more air power. The particulars of U.S. operations in Cambodia are obscured by restrictions on the flow of information imposed by both the U.S. and the Lon Nol regimes. The extent and effects of U.S. B-52 and fighter-bomber operations in Cambodia, for example, are classified information. In the case of Vietnam, the Defense Department customarily gives the number of U.S. air strikes, as well as the principal targets; the number of B-52 missions, as well as the locations, is usually indicated. But for Cambodia, the daily communiques on Southeast Asia include only this terse statement:

CAMBODIA: Yesterday, U.S. aircraft continued operations against enemy forces and their lines of supply and communications.

Or, if B-52 missions were flown against Cambodia on the preceding day, the statement reads:

CAMBODIA: Yesterday, U.S. aircraft, including B-52s, continued operations against enemy forces and their lines of supply and communications.

The grim, uninformative message, available to reporters at the Pentagon, is the same, day in, day out. According to these terse notations, U.S. air operations are conducted daily against "enemy forces and their lines of supply and communications" in Cambodia. B-52 missions were flown against Cambodia on 31 out of 45 days between November 1 and December 15, 1972. No B-52 raids were reported for Cambodia during the late-December blitz against the Hanoi-Haiphong area, but the big bombers returned to the Cambodia theatre January 10. The number of B-52 missions, targets and bomb damage reports, as usual, was classified.

The Defense Department says details of the air war in Cambodia (and Laos, where the same policy applies) are withheld in order "to prevent the enemy from discerning trends, tactics and capabilities which could endanger American crewmen flying those Laos and Cambodia missions where air defenses are stronger." One well-placed legislative staffer characterizes this rationale as an "absurd pretext" for keeping the facts of the U.S. air war against Cambodia from the American people. Since no bomb damage assessment information is provided, there is no way to verify reports such as the one carried by John Chancellor (NBC-TV nightly news, Oct. 9, 1972) that 88 civilians were killed by mistake when B-52s levelled a group of hamlets in a northeast Cambodia bombing error.

## U.S. AID: HOW MUCH?

The massive U.S. shipment of weapons, ammunition, aircraft, vehicles and supplies to South Vietnam prior to the anticipated truce last fall was mirrored by a similar build-up in Cambodia. Again the details are not on the public record. The State Department says it has no figures on the aid program it administers. The aid ceiling request for fiscal year 1973 included \$225 million in military aid and \$75 million in economic aid, but since the aid bill was never acted on, Cambodian funds are presently coming out of a \$500 million continuing resolution for the Southeast Asian theatre. How much of that is going to Cambodia? A State Department spokesman says no estimates are available.

According to an Associated Press report, when 14 light observation aircraft and 20 propeller-driven bombers were airlifted into Phnom Penh's Pochentong Airport last November, the airport was closed to newsmen (NYTimes, Nov. 12, 1972). Unlike the news restrictions on bombing, there might have been a good tactical reason for keeping this information quiet, at least temporarily. Liberation force sappers attacked the airport, destroying most of Cambodia's air force, early in 1971 and have wrought similar havoc in subsequent attacks. In October, 1972, 300 commandoes ripped into downtown Phnom Penh, where they blew up a major bridge and destroyed ten armored personnel carriers. Apparently, then, even within the shrinking circle controlled by the Lon Nol regime, things are none too secure, despite the U.S. efforts to protect the shaky regime.

## THE LIBERATION FORCES: WHO ARE THEY?

The liberation forces fight under the banner of the Royal Government of National Union of Cambodia (known as GRUNC -- the name is taken from the Union's French acronym); Grunc's military organization is the United National Front of Cambodia (FUNC). Headed by Prince Sihanouk in Peking, GRUNC/FUNC includes former dissidents of the Cambodian communist (Khmer Rouge) movement, who have been joined by pro-Sihanouk and anti-Lon Nol Cambodians of various persuasions. Although the Lon Nol regime consistently blames the war on what it calls the "North Vietnamese and Viet Cong policy of aggression," Pons of Le Monde reported that much of the fighting against Lon Nol is being done not by NLF/NVA (Vietnamese) forces, but by anti-Lon Nol Cambodians. For example, the French reporter visited a Buddhist monastery which, according to his account, appeared to have been attacked by liberation forces after Lon Nol's soldiers took refuge there. "The attackers were mostly Khmers; there were very few Vietnamese," Pons was told by the surviving monks. And at Oudong, a town of 10,000 on Route 5 (the "rice road" to Battambang Province) which the liberation forces besieged for two weeks and then abandoned without resist-

ance, Pons learned that the attackers were also Cambodian: "They were only Khmers with their red turbans," he was told.

As recently as mid-October, 1972, when "GRUNC" was mentioned to a spokesman for the Lon Nol regime in Washington, the reply came politely but firmly that "there is no such thing as FUNC in our country. There are forces of the North Vietnamese and Viet Cong, and maybe some few Cambodians who have been involved by force." But now, even the Lon Nol regime tacitly acknowledges the growing strength of the GRUNC forces. Recently, official briefings have begun referring to "Red Khmers," as well as NLF/NVA forces fighting against the Lon Nol regime. "It has been only two weeks that official briefings have mentioned the 'Red Khmers,'" Pons noted in December. "Until then, one could only talk of 'Viet Cong and North Vietnamese aggressors.'" At the time of Sihanouk's ouster, the Khmer Rouge forces in the maquis (countryside) totaled 3,000. In the past two and one-half years, according to most estimates, the liberation force has grown to 50,000. According to a GRUNC publication, the Cambodian liberation forces' political program includes land reform, intensive agitation and the establishment of producers' and consumers' cooperatives. As in other resistance movements, the fighting forces live among the people. (Ieng Sary, Cambodia 1972, GRUNC, pp. 5-8, and Indochina Chronicle, July 1, 1972).

## WHAT'S THE SITUATION IN PHNOM PENH?

Since the 1970 coup, Lon Nol has disbanded the National Assembly, declared martial law, created and then scrapped a constituent body drafting a new constitution, submitted for referendum his own version of a constitution for the new republic, and staged a series of national elections. These elections sidelined Lon Nol's chief opposition and affirmed the power of the partially paralyzed Marshal and his younger brother Lon Non (recently promoted to Brigadier General and appointed Minister for Liberation and General Mobilization), who heads the Socio-Republican Party, which was virtually unopposed in the National Assembly and Senate elections (See "Selected Publications," Indochina Chronicle, Nov. 8, 1972). Pointing out that newspapers with opposing viewpoints have been closed down by the government and that the voting was conducted under military supervision and surveillance, Cambodia scholar Laura Summers characterized the constitutional referendum as "a mockery of free democratic expression." (Current History, Dec., 1972, p. 259-62)

By all accounts, corruption is a major problem for the Lon Nol regime. Perhaps the most salient manifestation is the money and equipment dispensed to military commanders for non-existent soldiers. In December, Lon Nol's Minister of Information Keam Reth disclosed that the government has "at times" paid salaries for as many as



GRUNC officials, left to right: Nuon Chea, Vice Pres. of the High Military Command and Chief of Army Political Direction; Khieu Thirith, Vice Min. of National Education and Youth; Khieu Ponnary, Vice Pres. of the FUNK Comm. for the Capital and Pres. of the Assoc. of Democratic Women.

100,000 of the phantom troops. Schanberg reported in the New York Times (Dec. 28, 1972) that:

The Government said that it had sometimes met payrolls of 300,000 troops even though it has now found that the actual number of men in the army is about 200,000. These "phantom" troops -- a creation of false payrolls submitted by unit commanders -- represents the most widespread form of corruption in Cambodia and have become the focus of bitter popular complaint.

Earlier, Schanberg reported from Phnom Penh that sons of generals drive Alfa Romeos and government officials sell automatic rifles and uniforms to wealthy merchants (who in turn sell them to both sides), while hundreds of thousands of Cambodian refugees, uprooted by the fighting and living in empty railroad cars and shanties on the outskirts of Phnom Penh, often cannot afford to buy rice (NYTimes, Nov. 30, 1972).

The highways leading to the capital city have been interdicted by liberation forces, Pons writes, and with the roads to the rice-producing areas cut, prices have soared and the Mekong River has become "the major food supplier for the

capital, the umbilical cord linking the city with Saigon." Early in January, the liberation forces captured key emplacements on the Mekong, closing the river temporarily to the shipment of vital supplies destined for the beleaguered city (NYTimes, Jan. 14-15, 1973). The apparent aim of the liberation forces' campaign is to interdict the lines of supply to Phnom Penh, and this campaign has met with some success. Since August, when Route 5 to Battambang was first cut, grain prices in Phnom Penh have skyrocketed, causing rioting and looting in Phnom Penh. Although the State Department immediately shipped in large quantities of rice in September, a spokesman says that rice from the current harvest, as well as previously-stored rice, is now coming into Phnom Penh over Route 5. Pons reported, however, that "nearly everyone in Phnom Penh eats American rice" (NYTimes, Sept. 9, 1972).

#### U.S. SUPPORT FOR LON NOL: BOON OR BOONDOGGLE?

If the details of the war in Cambodia are obfuscated by security restrictions, double-talk and official misinformation, the over-all picture is clear. Nixon's support of the Lon Nol regime is not, as he has proclaimed it, a shining example of the success of his foreign policy. Rather, the Cambodian involvement has been a cruel and costly boondoggle. U.S. taxpayers are now paying an estimated million dollars a day in an effort to save from collapse still another regime whose sole value (if any) to the U.S. is its avowed anti-Communism. The invasion of April, 1970 and U.S. support to Lon Nol has not denied the Cambodian base areas to the communists. The NVA/NLF operations northwest of Saigon, for example, are staged from the same Cambodian base areas that were invaded by the U.S. expeditionary forces in 1970. The only apparent change in the border situation is that the areas where the NVA/NLF formerly operated are now administered by their GRUNC allies (The Nation, Nov. 27, 1972, pp. 521-524).

#### FOR CAMBODIA, IS PEACE AT HAND?

What are the prospects for peace in Cambodia? Although the Lon Nol regime hopes wistfully that the negotiated settlement in Vietnam will relieve its problems, it is unlikely that peace in Vietnam can be extended to Cambodia. Unlike Laos and Vietnam, where the opposing factions have dealings with one another, in the case of Cambodia there is at present no such framework for negotiations. The Lon Nol regime blames the war not on Cambodian liberation forces but on "North Vietnam and Viet Cong aggression," while GRUNC denies altogether the legitimacy of the 1970 coup and the Lon Nol regime.

Sihanouk has vowed to fight on. For him and his government in exile, to negotiate with Lon Nol would be only to grant Lon Nol unprecedented legitimacy. "As far as Cambodia is concerned, I incarnate legitimacy," Sihanouk remarked shortly

after the Paris Agreement was signed. "Lon Nol is only a traitor. We cannot accept a solution identical to that found for South Vietnam."

Yet, recognizing that U.S. support is the only foundation of the Lon Nol regime, Sihanouk has offered to negotiate with the Americans. The war will not end "unless President Nixon abandons Lon Nol," Sihanouk stressed at a press conference in Peking on January 28.

The Paris Agreement, moreover, provides little cause for Sihanouk to join any negotiations with Lon Nol. The Agreement calls for the withdrawal of all foreign troops and munitions and provides that Cambodia's internal affairs be settled by Cambodians. Even with the loss of their North Vietnamese support (always of debated significance), the FUNC forces surely feel that without the tremendous obstacle of U.S. air power and without continuing U.S. military support to the Phnom Penh regime, it will only be a matter of time before they are able to topple the Lon Nol regime. Were it not for the certainty of massive destruction from U.S. air power, the Cambodian liberation forces would probably have taken Phnom Penh long ago.

But it does not seem likely that the U.S. will suspend its military aid or its crucial air support to the Lon Nol regime. Although Article 20, section (b) of the Paris Agreement specifically states that "foreign countries shall put an end to all military activities in Cambodia and Laos," U.S. State Department officials have pointed to section (a) of the same article, which calls on all parties to the Paris Agreement to respect the 1954 Geneva Agreements on Cambodia. The Geneva formula does permit Cambodians to receive foreign military aid "for the purpose of the effective defense of their territory." It is through this loophole that the U.S. will try to push the "continued support" that Vice President Agnew pledged to Phnom Penh on February 1. And there has been speculation that the U.S. has assured Lon Nol of continued air support in case of any North Vietnamese offensive action (NYTimes, Feb. 6, 1973).

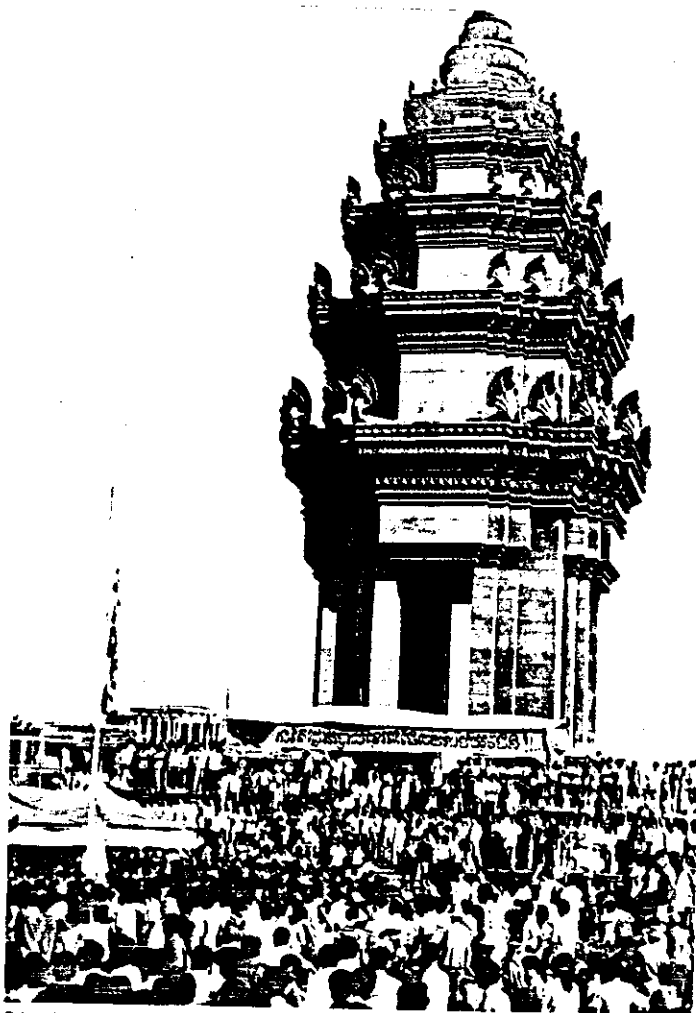
Cambodia is swinging in the wake of South Vietnam," a Cambodian lamented to Schanberg this fall. "If South Vietnam goes to paradise, we will go halfway. If South Vietnam goes to hell, we will get there first." At the present time Cambodia's chances of going even halfway don't look very good. The U.S. is footing the bill for this trip, but the cost to Cambodia is even higher: Cambodia pays its portion of the ticket in human lives and the destruction of this formerly tranquil country.

## Laos

Unlike the two other Indochinese nations, Laos has been party to two Geneva Agreements within the last nineteen years. Although both agreements, one in 1954 and the other in 1962, provided for a cease-fire and neutrality in Laos, that country has been the scene of civil war and some of the most intensive bombing the world has ever known.

Soon after the 1962 agreement was signed, the US charged that the North Vietnamese had never withdrawn their troops from Laos as stipulated by the treaty. Taking this as justification for their own violation of the 1962 treaty, the US sent in military advisers, CIA operatives, an aid program and Air America, an airline that was to develop a notoriety for opium smuggling and covert paramilitary operations.

When the US Congress in 1969 finally discovered the true extent of US involvement it was called the "secret war". CIA agents were posing as officers of the "humanitarian" US Agency for International Development. The US had set up secret outposts on the mountaintops of northeast Laos to guide American bombers on their way to North Vietnam. And when the pro-US Royal Laotian Government army seemed uninterested in fighting their own civil war against the Pathet Lao, the US recruited its own "Armee Clandestine" among the minority and Lao Theung peoples



Students demonstrating in Phnom Penh, April 27, 1972 to protest the shooting by Lon Nol's police of several students.

of the Laotian highlands. Later, thousands of Thai "irregulars" were sent from Bangkok to bolster the eroding military strength of the Vientiane-based Royal Laotian Government.

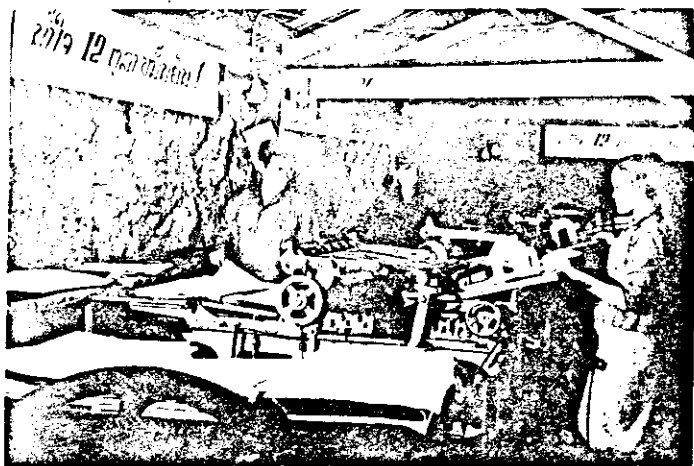
In 1968 when President Johnson stopped the bombing over North Vietnam, he was quick to shift the idle planes to Laos. The bombing was carried out not only over the Ho Chi Minh trail--but over the Plain of Jars as well, where a society that had learned to live underground, in 1969 was forced to flee the plain entirely, leaving countless dead behind.

In 1971 US helicopters ferried South Vietnamese soldiers into the Laotian panhandle for a daring test of "Vietnamization". Only a few weeks later the same helicopters ferried the ARVN out--battered, bloodied and clinging desperately to the helicopter skids.

US Special Forces continued secret intelligence-gathering and assassination missions into Laos until the end of 1971 (St Louis Post-Dispatch, 6 Nov. '72). But in late 1971 the Pathet Lao broke the military stalemate and, in their annual dry season offensive, took the strategic Plain of Jars in a mere 36 hours. The CIA abandoned its now-threatened logistics base at Long Cheng and retreated to Vang Vieng.

The balance had swung. The Pathet Lao now controlled much more territory than it had in 1962. From this new position of military strength, and with the news that a cease-fire agreement was imminent in Vietnam, the Pathet Lao dropped its insistence that the US stop all its bombing over Laos as a pre-condition to beginning negotiations with the RLG's Prime Minister Souvanna Phouma.

On October 17, 1972, representatives from the Souvanna Phouma government and the Pathet Lao met together in Vientiane to talk peace. Souvanna conceded that he would accept as a basis for negotiation the 5 points of the Pathet Lao that had first been presented in March, 1970.



An underground printing press in Pathet Lao area.



Women learning to read and write for the first time in areas recently under the administration of the Pathet Lao.

And the Pathet Lao insisted that there could be no separation between a military and a political settlement to the conflict.

There are certain of the five points which presented no problems. The first point called for a halt to U.S. bombing and withdrawal of the U.S. and its Thai mercenaries. The Paris Agreement seemed to satisfy these demands. The second point, that Laos should be neutralized in accordance with the 1962 Geneva Accords, also presented no obstacle.

The third point called for general elections to elect a coalition "democratic government of national union." Here the two sides disagreed. Souvanna and the Americans felt that Souvanna's government was already a suitable coalition government which the Pathet Lao would be welcome to join. The Pathet Lao, on the other hand, claimed that Souvanna's government, set up by the 1962 Accords, was overthrown in 1964. Furthermore, they claimed Souvanna was no longer a neutralist and that the old '62 rightists in his coalition, largely members of the military and the rich, were unacceptable in a new coalition.

The fourth point called for an interim coalition government to be in power between the cease-fire and the elections. Here again, there was disagreement about the composition of a coalition.

The fifth point called for the reunification of Laos and called upon Americans to return refugees to their original homelands. The principle of reunification was sufficiently vague not to cause any serious disagreement, but the question of moving the refugees "to their places of origin" meant removing them from Vientiane's control and returning them largely to areas controlled by the Pathet Lao.

The meetings begun in October dragged through November and December making little progress -- reflecting the stalemate of the Vietnam talks in Paris -- as Vientiane's military position was steadily deteriorating.

On December 12 the Pathet Lao released a new "Project of Agreement" clarifying their five points and stipulating for the first time that all foreign troops must leave the country after a cease-fire, not merely the "U.S. and its puppet troops." By including this provision which required that North Vietnamese troops leave as well, the Pathet Lao satisfied a demand of Souvanna Phouma and put itself in line with what the North Vietnamese had already agreed to in the then-public October 20 draft agreement. But the new Pathet Lao "Project" did little to get the talks off dead center.

The signing of the January Paris Agreement on Vietnam pledged the U.S. to halt its bombing of Laos. The U.S. and the North Vietnamese furthermore promised to withdraw their troops. But Henry Kissinger, in his January 24 press conference, was quick to add that the conflict in Laos "could not be formally settled in an agreement which is not signed by the parties of that conflict." However generous Kissinger wanted to appear to the principle of self-determination, the real meaning of his words was that the U.S. was going to continue its bombing until an agreement was reached in Laos.

But the bombing, which continued under the personal direction of the U.S. Ambassador, McMurtrie Godley, and at a pace kept secret by the Pentagon, threatened the conclusion of that agreement. The Pathet Lao reported that "continued heavy bombing could have the effect of creating 'further misunderstanding' between the two sides" (Wash. Post, Feb. 2, 1973). And the bombing was felt to be crucial to prevent the collapse of Souvanna's government, which Nixon and Souvanna knew only too well. "If we lose our U.S. air support, we lose everything," commented a Vientiane colonel. (Wash. Post, Feb. 2, 1973)

But as the discussions moved into February, the Vientiane government felt stronger pressure to conclude an agreement. They were losing more and more ground on several military fronts and the U.S., through the separate visits of Assistant Secretary of State William Sullivan and Henry Kissinger and the continuing efforts of Ambassador Godley, let the Vientiane government know that they were eager for a settlement.

The rightists in Souvanna Phouma's government, angry and desperate at the pressure they felt from the U.S., reportedly met together to plan for a coup. But without the U.S. support they had enjoyed in their earlier successful coups in '58 and '60, they realized that such action at this time would be in vain.



An ARVN soldier retreats from Laos, 1971.

"Highly reliable diplomatic sources" reported (Wash. Post, Feb. 20, 1973) that the U.S. set February 25, the day before the International Guarantee Conference began in Paris, as the last day the U.S. would carry out any bombing in support of the Vientiane government. Feeling their position rapidly deteriorating, Souvanna Phouma initialed a cease-fire agreement with the Pathet Lao on February 20th, and the two parties signed it formally the next day.

The mood among the Pathet Lao was jubilant. The mood among members of the Royal Laotian Government was one of gloom. The New York Times described the Vientiane government as regarding the new agreement as "close to general capitulation to the Pathet Lao."

The Pathet Lao had good reason to view the agreement as a tremendous diplomatic victory. A cease-fire was to go into effect immediately, putting an end to the massive American bombing which had served as the crucial foundation of

Vientiane's military strength. And within 30 days a new National Provisional Coalition Government made up of equal numbers of representatives from the Vientiane government and the Pathet Lao will replace the Royal Laotian Government in Vientiane. Also within 30 days, but following the establishment of the new coalition government, a tripartite National Political Coalition Council will be established, made up of equal numbers of Pathet Lao and Vientiane government members and a third group defined by the agreement as "intellectuals who advocate peace, independence, neutrality and democracy whose number will be determined by the two sides." Both the Coalition government and the Coalition Council will administer the internal affairs and foreign relations of Laos. The Council will organize free elections for a national assembly and permanent national coalition government. There are two guarantees in the agreement that the formation of this new coalition government will receive the backing of the United States and thus become more than a solution agreed to on paper.

Firstly, foreign troops need not be withdrawn from Laos until "at the latest" 60 days after the National Provisional Coalition Government and the National Political Coalition Council have been established. To the U.S., the withdrawal of what they estimate to be 65,000 North Vietnamese troops from Laos is of the highest priority. In U.S. eyes it is vital to the stability of the Saigon regime to cut off the Laotian supply routes known as the Ho Chi Minh Trail that are operated by the North Vietnamese.

Secondly, according to Article 5 of the Laos agreement, prisoners of war, including U.S. prisoners of war, need not be returned until "at the latest" 60 days after the National Political Coalition Council is established. In addition, an accounting of the missing in action will not begin until the "repatriation of captured personnel" has been completed.

With the possibility that the North Vietnamese and the Pathet Lao can make these two important events conditional on the formation of the coalition government and council, it is sure that the U.S. will lend its full support to the establishment of these bodies.

This new coalition which gives the Pathet Lao equal representation with the Vientiane government represents a substantial gain for the liberation forces over the 1962 coalition, in which the Pathet Lao enjoyed only a one-third representation. And by making simultaneous both the withdrawal of foreign troops -- especially the all-important North Vietnamese troops -- and the establishment of the coalition government bodies, the Pathet Lao has successfully achieved its demand that there be no separation between a military and a political settlement to the conflict.

The agreement specifically names the United States and Thailand as foreign countries present

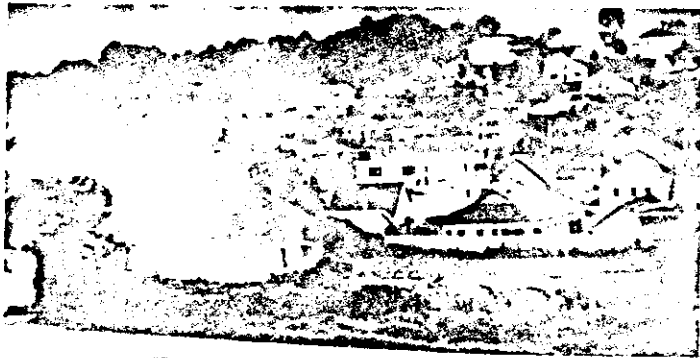
in Laos and calls upon them to "strictly respect and implement this agreement." By not naming the North Vietnamese, the agreement clearly places the responsibility for foreign aggression on the U.S. and Thailand. In addition, the Royal Laotian Government is not even called by its formal name but is ranked only as the "Vientiane Government side" in the agreement.

Article 4 of the agreement calls for the withdrawal of all foreign "military personnel and regular and irregular forces." This clause points directly to U.S. advisors and the Thai irregulars as well as to the North Vietnamese. Article 4 also calls for the "dissolution of all military and paramilitary organizations of foreign countries" and the disbanding of "the special forces organized, armed, trained and commanded by foreign countries." This clause is a direct reference to the CIA's secret army of Meo and other minority tribesmen and the CIA's airline Air America, which has served a vital paramilitary function in supplying the Meo army.

Articles 1 and 3 guarantee freedom of movement between the zones of the two Laotian parties, and Article 10 specifies that refugees "must be assisted to freely return to their domiciles to earn their living in accordance with their desires." If this movement occurs, many Laotians and members of the ethnic minorities will be moving back into areas administered by the Pathet Lao.

A very important provision in Article 8 designates the National Provisional Coalition Government as the body that will accept and distribute "all aid materials from all countries aiding Laos." Thus, if the agreement is adhered to, all U.S. economic and military aid will have to be channeled through the new coalition government. Under the scrutiny of a government that is half controlled by the Pathet Lao, it is less likely that U.S. funds will fund the Meo army or finance other irregular military units in Laos.

If there is a weakness to the agreement, it is that the U.S. is not a party to it. Although the U.S. is required to stop its bombing and withdraw its military and paramilitary forces, the agreement was signed only by representatives of the Pathet Lao and the Royal Laotian Government. If history has a way of repeating itself, there remains the possibility that the U.S. will reintroduce advisors and resume bombing. For the time being, however, the prospect of a North Vietnamese withdrawal and the return of U.S. POWs will be pressures to deter the U.S. from violating this third and most recent Laotian cease-fire agreement.



In Paris in May, 1972 a member of the Indochina Resource Center was chatting with a North Vietnamese diplomat. The subject of Henry Kissinger came up. The American mentioned the various times Mr. Kissinger had invited academic colleagues to his basement office in the White House and, among other things, assured them that all the United States wanted now was a graceful exit and a decent interval before the "Communists took over South Vietnam."

With a wry smile, the diplomat from Hanoi replied, "Yes, we've heard things from Mr. Kissinger bearing that implication too. In response, we have always assured him that trying to humiliate the U.S. giant is really the least of our concerns. We have also said that it is not in the interests of the Vietnamese people, Communist and non-Communist alike, to attempt socialism rapidly in South Vietnam. And we have even expressed our willingness to agree on procedures or mechanisms that would rule this out, and thus put American minds at ease. The only concrete U.S. reply has been to bomb us more violently, so that we have come to treat Mr. Kissinger's scholarly arguments with great skepticism."

The bombing has now stopped for the moment, in Vietnam if not yet in Laos and Cambodia. President Nixon has declared success in achieving "peace with honor." No general "Communist takeover" will occur in South Vietnam for the near future since the Paris Agreement clearly provides for the existence of two governments and two armies south of the 17th parallel, at least until political discussions and internationally supervised elections provide new solutions. Soon there will be an International Guarantee Conference to conceivably relieve the U.S. of its self-imposed responsibility for "safeguarding" the cease-fire.

Nevertheless, the DRV diplomat who was so skeptical in May, 1972 may be forgiven if he continues to question seriously whether or not the Nixon Administration has set a course for ultimate disengagement. To begin with, there is the continuing heavy U.S. bombing in Laos and Cambodia, the thousands of American-supplied Thai mercenaries fighting in Laos, and the tons of U.S. armaments, munitions and war material coming into Vientiane and Phnom Penh every day -- all prohibited by Article 20 of the Paris Agreement. There is the rapid conversion of uniformed U.S. military personnel into "civilian" advisors, technicians, and covert operators, a process known as "sheepdipping" in the intelligence trade. Several hundred U.S. Foreign Service officers are apparently being ordered back to Vietnam as a "unilateral inspection force," an ominous indication that the Administration intends to try to build a case against the DRV and PRG even if Canada, Poland and Indonesia do not.

## 5. CONCLUSION

### What Kind of Peace?

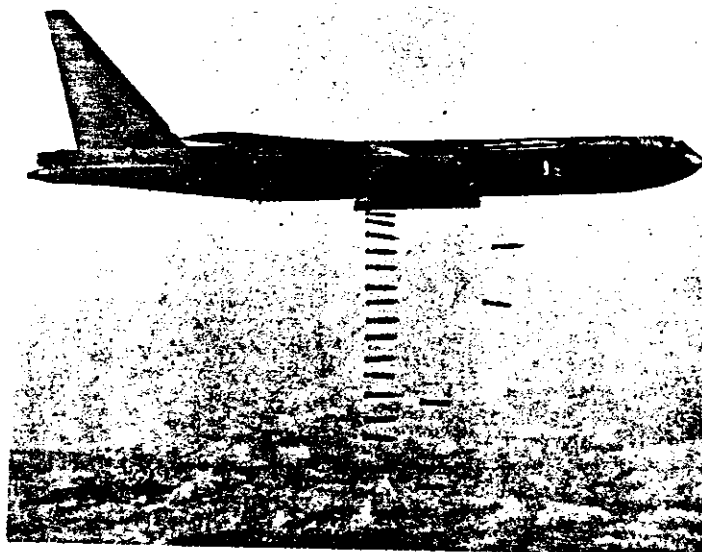
If these concrete actions are not enough, there are a disturbing number of statements by top Administration leaders pointing to indefinite involvement, beginning with President Nixon's assertion on January 23 that the U.S. still recognizes Saigon as the "sole legitimate government of South Vietnam," even though there is nothing in the Agreement to support this claim. Vice President Agnew used exactly the same wording on his arrival at Saigon airport, January 31, and hardened the line further by specifically denying that the U.S. recognized the right of any "foreign troops" -- i.e., DRV forces -- to remain in South Vietnam longer than sixty days. Finally, there has been a whole range of Administration spokesmen pointing to the U.S. air armada in Thailand and offshore, and threatening its massive re-employment in the event of "flagrant" or "blatant" violations by the other side.

No one in authority has bothered to speculate about what the U.S. would do if President Thieu committed "flagrant" violations, or if both sides were thought to be responsible. One is reminded here of Henry Kissinger's reasoning in a February 1 interview with CBS reporter Marvin Kalb, when he argued that both Hanoi and Saigon were obstructing the progress of negotiations in early December, 1972, and thus that it had become necessary to carpet bomb the former and send Gen. Haig to talk to the latter! With such an Orwellian approach to justice, one can understand why Thieu has felt no reservations so far about ordering his police to arrest or shoot citizens engaged in many forms of the political and personal activities specifically approved in Article 11 of the Agreement.

It is here we get to the heart of the problem. Nobody is naive enough to expect President Nixon to punish Thieu if he violates the Agreement. But what if Thieu's violations are serious enough and systematic enough as to begin threatening the de facto existence of the PRG? After all, Thieu has said he "will never accept two governments in South Vietnam" (radio speech, January 24, 1973). And, he may think that he has enough troops, enough weaponry, and enough U.S. backing to move against the PRG once the American POWs have all been returned.

Such a scenario is one of the main reasons why the DRV and PRG never wavered in their refusal to withdraw a single North Vietnamese main force division from the South. They have no intention of repeating the 1954-1959 episode, wherein Ngo Dinh Diem with U.S. support practically annihilated unarmed Viet-Minh adherents permitted to remain in the South by the terms of the Geneva Agreement. Rather than be chased down like dogs again, the liberation forces will fight back strenuously. This time they have the means to do it, not only because of the North Vietnamese troops, but also because they are far better organized in 1973 than in 1954, with a function-

ing government, sophisticated communications system, and extensive experience in political struggle.



#### NIXON'S SINO-SOVIET GAMBIT

President Nixon and Henry Kissinger have undoubtedly thought about this situation, and have made tentative plans what to do. First of all, they seem to believe there is a good chance that either the Soviet Union or China, or both, will exercise "restraint" on the DRV and PRG, even to the point of inducing them to accept Thieu's machinations indefinitely. Melvin Laird, outgoing Secretary of Defense, spelled it out in the most overt terms when he stated that Moscow's wish for expanded trade with the U.S. "is the strongest weapon that we have in our hands. It is much stronger than air power or anything else." He voiced "guarded optimism" about working out a deal that would limit Soviet arms shipments to North Vietnam. (NYT, January 20, 1973)

Is there any reality to this? Yes and no. The Soviet Union and China have not been as supportive as the DRV and PRG would have liked, particularly since mid-1971. The Vietnamese have not hesitated to criticize their "socialist comrades," publicly and privately, and they have been backed up by Cuba, North Korea and numerous communist and non-communist friends in the West. Gradually improving relations between Washington and both Moscow and Peking probably contributed to the DRV's and PRG's decision to launch the massive 1972 Spring Offensive, and to follow this up with the October "diplomatic offensive" -- in other words striking effectively, in both fighting and talking, before international rapprochement tended to limit their range of strategic options.

On the other hand, none of this is to say that either the Soviet Union or China have "sold out"

the Vietnamese revolution. From the very moment Nixon entered the White House in 1969, he tried every carrot and stick he could think of to have Moscow and Peking put the screws on the Vietnamese. He hoped they would drop or reduce their logistical support to Vietnam, press the Vietnamese to negotiate on American terms, or agree to reconvene the Geneva Conference that would more or less impose a great power settlement on the Vietnamese. Indeed, if Nixon really ever had a "secret plan" for peace, as he hinted in 1968, it was to get the Russians and Chinese to do against the Vietnamese what the U.S. had been unable to do in many years of violent intervention.

It didn't work. Whenever the DRV and PRG requested more logistical support, it was provided, even overcoming such delicate problems as shipping hundreds of trainloads of Soviet supplies across Chinese territory while both continued to spill verbal vitriol on each other for counterrevolutionary tendencies. Neither Moscow nor Peking ever made any public statement supporting the basic American negotiating position, and it seems that their private role was more in the nature of a passive letter-drop than any active mediation. Indeed, for either nation to have played into the hands of the Americans on the Vietnam issue would have given powerful ammunition to the other in their constant propaganda war over who is playing the more positive role in the ultimate demise of imperialism. The Vietnamese understood this well, and were able to use it for short-term advantage, while always encouraging longer-term reconciliation between the two socialist giants.

Finally, regarding a new Geneva Conference on Vietnam, the Vietnamese had learned their lesson well in 1954. They would not again be put in the position of sacrificing on the international table what they clearly had not lost on the ground at home. Better to patiently negotiate in bilateral fashion with the enemy and pin down an agreement with him, rather than subject Vietnamese interests to all the complex currents and countercurrents of great power summit diplomacy. In actuality, both Peking and Moscow suggested their acceptance of a reconvening of the Geneva Conference, but were politely but firmly contradicted by Hanoi. In such a situation, neither pushed the idea very far. The final Paris Agreement was a product of the bilateral approach, and it was specified in Article 19 that the 12-power international conference would follow within thirty days, to "acknowledge the signed agreements."

Since the signing of the Agreement, both the Soviet Union and China have given great attention to the "Vietnamese victory." They treated Le Duc Tho and Nguyen Duy Trinh like conquering heroes, reaffirming support to the Vietnamese and warning the U.S. and Saigon against procrastination in implementing all provisions. "Only thus can that which is written on paper

be turned into a reality," stated Chou En-lai at a top-level banquet for the Vietnamese leaders (NYT, February 2, 1973). Both Peking and Moscow are acutely aware that the Vietnamese struggle has become a popular symbol of revolutionary purity and sacrifice, not only among their own peoples but throughout the world. To really "sell out" the Vietnamese for American wheat shipments or raw cotton sales would permanently damage their image of themselves and the image many in the world have of them.

#### THE POST-WAR RECONSTRUCTION PLUM

Another important form of leverage which President Nixon and Dr. Kissinger seem to believe they have over the DRV and PRG is the American ability to give or withhold funds for postwar reconstruction. Administration officials appear convinced that offers of large scale aid will serve as a tantalizing "carrot" for the Vietnamese, to complement the "stick" that will be retained in Thailand and the South China Sea in the form of combat-ready aircraft. In short, if the Vietnamese salivate in proper Pavlovian fashion, as American leaders have been trying to get them to do for more than a decade, they will find the U.S. grandly beneficent along the lines of "traditional policy," the term used in Article 21 of the Agreement. One cannot help wondering what "traditional policy" is being referred to here: the Marshall Plan; the "Reconstruction" after the American Civil War; or the government's century-long denigration of the American Indians?

The Nixon Administration has again completely misjudged the Vietnamese if it thinks indefinite acceptance of the repressive Thieu regime can be bought with postwar dollars. One is reminded here of Lyndon Johnson's multibillion dollar offers of earlier years, and his sad comment to Bill Moyers after Ho Chi Minh turned him down repeatedly: "I don't understand it. George Meany would've grabbed at a deal like that."

For North Vietnam and the PRG, American involvement in postwar reconstruction is really synonymous with reparations. The moral question of who is to blame for all the horrible damage and death caused by U.S. aircraft, ships and artillery is irrevocably linked in their minds with assertions about who should help put things back together again. As Le Duc Tho stated in his January 24, 1973 press conference, "The United States cannot avoid responsibility for contributing to the healing of the war wounds after so many years of war." In short, while the Vietnamese saw no point in trying to get the U.S. formally to accept the term "reparations" in the Agreement, that is what it is being called internally. There will be no patience for any U.S. attempts to trade off postwar assistance for political concessions in the South

## COVERT WARFARE

If one discards Sino-Soviet pressure and postwar reconstruction as really effective policy tools for Nixon to employ against the Vietnamese, what does that leave? Two things, it would seem: Covert Warfare and the threat of renewed American Bombing. Regarding covert warfare, there are undoubtedly many high-ranking officials in the CIA and Pentagon who look back fondly on the Laos experience after 1962, and read the 1973 Paris Agreement as an excellent opportunity for attempting the same thing. Already they have gained permission to convert thousands of U.S. military personnel into "civilians," inserting them in every necessary Saigon bureau and field location. The Agreement also contains adequate loopholes for slipping in untold quantities of American war supplies under the guise of economic aid and replacement of weapons, munitions and equipment. It seems likely, too, that Air America or its equivalent can continue operating as a cover for massive CIA operations.

But Vietnam in 1973 is not Laos in 1962, and there must be some in the Administration who sense this. First of all, the Vietnamese have been through this experience of "special warfare" already, during the Kennedy era, and have demonstrated that they know how to defeat it. Secondly, events throughout South Vietnam will have a much higher degree of political and social content than was the case in Laos, and American operatives have never demonstrated much capacity for understanding, much less manipulating, such complex situations. Finally, there are said to be many in the Pentagon who are unwilling to recommit officers and enlisted men -- even indirectly -- to a struggle that has already besmirched their reputation considerably. They may even get effective support from the U.S. Congress, intent on reasserting its own constitutional prerogatives.

Thus, full-scale employment of covert warfare remains a distinct possibility, but not a certainty. And even if Nixon does give it high priority, the likelihood of it sustaining Thieu in power indefinitely must be rated as highly problematical.

## BOMBING AS THE LAST LEVER

All of which brings us back to possible resumption of U.S. bombing. Will the Nixon Administration, at some point a year or two from now, be bombing to "keep the peace" in Indochina? An answer to that question cannot be found by textual analysis of the Paris Agreement. It relates more to the psychology of Richard Nixon and the forces at work on him -- a subject as perversely fascinating to Americans these days as Emperor Nero's mentality must have been to the Romans.

It seems clear that President Nixon's single remaining political objective in the Indochina War is to avoid looking "soft" and vulnerable, among either the great powers or his own people. He may be willing to extract the U.S. from Indochina militarily, but he wants the world to judge that as a sign of strength, not of weakness.

With this in mind, an ideal or optimum conclusion to the war for Nixon is another "Korean" solution" -- a sharp, open-ended partitioning of Vietnamese territory and a significant contingent of U.S. civilian and quasi-military personnel remaining on the scene to serve as hostages against any resumption of large-scale hostilities. Certain policy advisors have probably argued that anything less than this will be viewed as a serious defeat for the United States.

On the other hand, a minimum acceptable conclusion to the war for Nixon would be to arrange guarantees, both local and international, whereby President Nguyen Van Thieu could remain in power in Saigon for at least another year or two, by which time successes in U.S. dealings with the Soviet Union, China, Japan and Western Europe would make events in Indochina strictly peripheral and incidental. In short, the "decent interval" objective propounded by Mr. Kissinger at various times in the past.

The Paris Agreement, on the face of it at least, would seem to favor the "decent interval" conception. As we have described here, it provides for an in-place cease-fire, international supervision, total withdrawal of U.S. armed forces, POW exchanges, and discussions between the Provisional Revolutionary Government and Saigon to determine the ultimate political modalities in South Vietnam. The unity of Vietnam is recognized and northern forces are allowed to remain in the South, subject only to future negotiations among the Vietnamese themselves. Implicitly, the Thieu regime is regarded as legitimate, but so too is the PRG, hence the assumption that each will have to work out its relationship to the other in a non-warlike manner following the cease-fire. Given the depth of the problems involved, this will surely take a year or longer to accomplish. An international conference is also specified, wherein the great powers will officially sanction the agreement and try to insure against gross violations.

The main difficulty, however, seems to be that President Nixon, as self-conscious head of the most powerful nation in the world, doesn't want to leave anything to chance. Up until the last weeks of negotiations he continued to angle for a final agreement that ruled out the possibility of the Thieu regime collapsing from within, much less being pushed by the PRG and North Vietnam. Since neither the PRG nor Hanoi could guarantee this, even if they had wanted to, Nixon moved

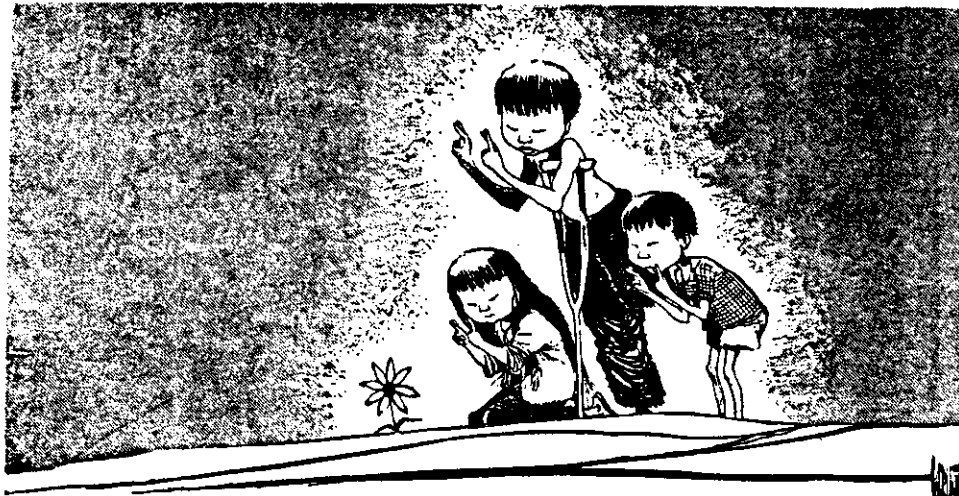
over the months to ship hundreds of new aircraft to Saigon and send in tons of new equipment to beef up Thieu's already police and prison system. Mr. Thieu undoubtedly fostered this tendency in Nixon by indicating that he could not, or would not, survive the "decent interval" that he feared stood as an unwritten principle behind the emerging Paris Agreement. And his cause found powerful support among those in the Nixon entourage who still had a "Korean solution," not a "decent interval" in mind.

By taking these unilateral steps, however, Nixon has caused Hanoi and the PRG quite naturally to suspect again that the American objective is not any "decent interval," but rather the permanent imposition of the Thieu regime on South Vietnam and the indefinite separation of North and South. As a result they will be watching subsequent Administrative actions very carefully, not only in Indochina but here in the U.S. For example, the tone of President Nixon's January 31 press conference (his first since the November, 1972 election) showed no grounds for optimism. Appearing very self-conscious, he crowed mightily about his handling of the entire Indochina question and attacked those who had dared to question his judgment. He also categorically ruled out amnesty for deserters and draft evaders. As James Reston implied sourly, Nixon was turning Abraham Lincoln on his head, projecting "malice toward some and charity only for his supporters." (NYT, February 2, 1973) Hardly a President in search of reconciliation, forgetfulness and forgiveness on the war.

Charles Yost, former U.S. Ambassador to the U.N., put the lingering domestic issue in a nutshell when he stated, "The only way to get out of Vietnam is to get out both physically and psychologically" (Wash. Post, December 20, 1972). As long as we are under the illusion that we deserve a special role there, we will be up to our necks in trouble.

Meanwhile, President Nixon has not even removed his hand from the struggle for political power in South Vietnam. Nor has he begun to encourage the psychological healing at home that is an essential component of the "decent interval" concept. If nothing changes, therefore, we must wonder seriously if the President's "peace with honor" has any other ending than peace with bombs. It is worth pondering, and preparing against.

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Wright in the Miami News