

25 August 1971

MEMORANDUM FOR THE DIRECTOR

SUBJECT: The South Vietnamese Political Situation

I. THE CURRENT SITUATION

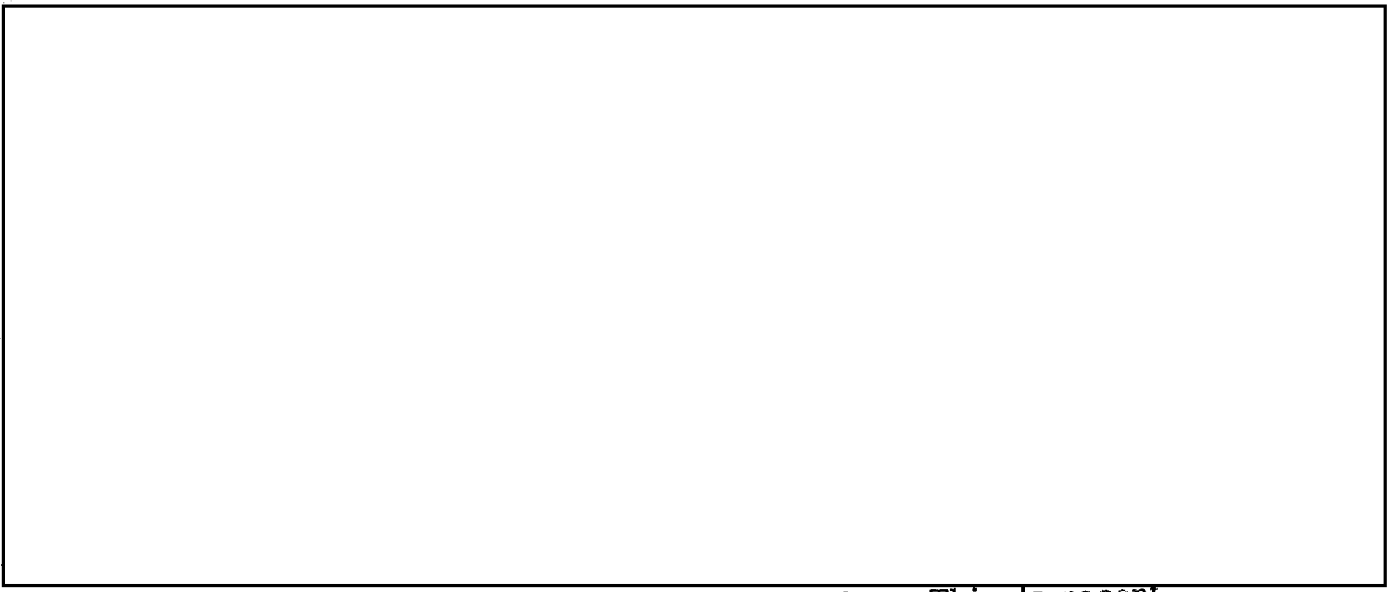
1. In recent days, South Vietnam's political leaders, especially President Thieu, have given a graphic display of what has been a pronounced national trait: a penchant for shooting ones' self in the foot (politically speaking) at the worst possible time. Until recently Thieu held all the high cards and had a golden chance to play them in a way that would have greatly solidified his position and that of his government, both domestically and internationally, in a manner most advantageous to overall allied interests in the Vietnam struggle and very much to the detriment of the Communists' interests. With his own growth in political acumen and skill, his careful attention to cultivating key constituencies (rural leadership, the military, the civil service and the latter two's families and dependents), his enjoyment of the advantages of incumbency (including control of the governmental machinery) coupled to a keen appreciation of how best to exploit them, known U.S. support, a generally favorable military and economic situation, and a solid four-year record of accomplishment on which to run, Thieu could have handily beaten any rivals or combination of rivals in a completely open and honest election. By doing so, he could have rendered virtually unarguable his own and his government's claim to constitutional legitimacy and put his critics and opponents -- Communist and non-Communist, Vietnamese and foreign -- in a very awkward spot. Instead, he has blown it, and put himself in an untenable position. If he backs down, he will lose face, and possibly power. If he persists in his present course of action, he may find his country ungovernable; and will certainly afford his and his government's critics ample reason to argue plausibly (whether or not correctly) that he represents nothing but himself plus whatever bayonets he can personally command and that he has little valid claim on anyone's support.

1- Elections
 1- Hac Thieu
 1- Memo to [unclear] from DC

cc: C/ [unclear]

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There is no easy way to extract Vietnam's major political figures, including Thieu, from the corners into which they have painted themselves. This memorandum does nonetheless attempt to examine various directions in which the course of South Vietnamese politics might move -- or, perhaps, be moved.



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3. All of the above factors have helped shape Thieu's recent actions, and will influence his future behavior. He has climbed the slippery pole of Vietnamese politics to the top, likes it there and wants to stay. He is a nationalist patriot wedded to his concept of his people's destiny, but in his mind, national interests and his interests are intertwined ideas. He has also convinced himself (and many others) that he is far and away the one best qualified to lead South Vietnam in its present struggle. He regards both Minh and Ky as dangerous threats to the national interest, both of whom have proved themselves incompetent to govern: Minh (to Thieu) is lazy, soft-headed and stupid, easy prey to unscrupulous or self-seeking advisors; Ky is vain, unstable, childish and incapable of persisting in any serious course of action. Neither, to him, can guide the country half so well as he.

4. Constitutional democracy is an alien graft on the Vietnamese body politic. Partly because of their awareness of U.S. interests and their need for U.S. support, the Vietnamese have not outwardly rejected this foreign concept, but they have certainly adapted it to fit the realities

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of their own political traditions. In their culture, there is no tradition or precedent whatsoever for the peaceful surrender of power to a rival. Nor is there much historical sanction for our notion of fair play in the sense of gratuitously giving a known rival a chance to best you (behavior that in the Vietnamese tradition is patently stupid). Thieu is very much steeped in Vietnamese tradition. He does not have nor has he ever had any intention of turning his office over to Ky, Minh or anyone else save (perhaps) a hand-picked successor at the end of his career. His view of the whole electoral process is shaped by this perspective. It is useful, hence attractive, to him primarily as a device for extending his tenure and reinforcing his authority.

5. For four years Thieu has been rankled by his status as a "minority" president. He has long intended, and worked, not only to win the 1971 election but to do so in a way that would erase this stain. As with everything he does, in pursuit of this objective he has wanted to leave nothing to chance. He misread the position taken by the U.S. and its Ambassador early this year, construed manifestations of support as a blank check, and decided he could play his hand the way he wanted to play it without getting any serious static from the U.S. so long as he was careful, tactful and played his cards one at a time. He took legitimate procedures to freeze out vote-absorbing frivolous candidates and transmuted them into the 40/00 bill designed to freeze out Ky. This left him precisely where he wanted to be: head to head against Minh with no others capable of beclouding the result. He knew he could beat Minh handsomely if Minh stayed the course. It is hard to gauge whether Thieu privately expected Minh to do so. He probably did not really care, believing (as a Vietnamese) that either defeat or withdrawal would engender a loss of face sufficient to erase Minh as a rival. He also clearly felt that if Minh withdrew, the 1971 election could be transmuted into a "referendum" that would equally well serve the purpose of confirming his role. (Here he may have had in mind the 1955 referendum by which Diem confirmed and legitimized his already accomplished deposition of Bao Dai.) When Minh did in fact withdraw, Thieu was probably surprised by the intensity of the U.S. reaction. He decided he had misestimated the American mood and slightly overplayed his hand, so he gear-changed smoothly and presto -- the full Supreme Court validated Ky.

6. Neither Ky nor Minh, however, likes to play a stacked deck, each realizes that he has no chance (under current circumstances) of beating Thieu in a two-man race, and neither wants to be simply a vehicle

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for enhancing Thieu's prestige and claims to constitutional legitimacy. Also, both Minh and Ky have personal scores to settle with Thieu and neither is averse to seeing him publicly put in the most awkward possible spot. Ky may not be strong on sustained endeavor but he has great capacity for rising to a specific occasion and in the past 48 hours he has played a virtuoso performance -- winning sympathy and support in Vietnamese eyes, making Thieu look foolish, and leaving Thieu holding the bag of a no-contest race.

II. WAYS IN WHICH THE CURRENT SITUATION COULD DEVELOP

7. At this writing, the political scene in South Vietnam is (to put it mildly) confused. So many complex objective and emotional factors are at work that no one -- including Thieu, Ky, Minh and other key players in the game -- can now confidently predict how the situation will evolve, and some of these key players have probably not decided what they themselves are going to do. From an analytic standpoint, however, there are at least five different general directions in which events could begin to move, or in which properly placed persons might try to move them.

A. Adhering to Present Policies

8. Thieu can, of course, simply stick with the hand he is now playing. He can argue (correctly) that the timing of the presidential election is dictated by sections (3) and (4) of the Constitution's Article 52, that the current election law is a valid statute properly passed by the National Assembly and upheld by the Supreme Court, that Minh withdrew his candidacy of his own volition, that Ky is lawfully on the ballot and will legally remain a candidate, that how hard Ky chooses to campaign is his personal affair, and hence that holding the election on schedule in its present form is a procedure dictated by the law of the land. If the election is so held, Thieu will of course win. He may then choose to portray the election as a referendum-type approval of his stewardship. In any event, if this tack is taken, Thieu will argue that he has a lawful mandate to rule as President for four more years. This is certainly the course of action Thieu would find most congenial and all indications suggest this is the course he currently intends to pursue.

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9. Thieu unquestionably recognizes that pursuing this course will produce grumbling in Vietnam and distress in the U.S. Government. But Thieu has always been very stubborn and clinically cool. At several critical junctures in his political career, Thieu has won his point by the simple expedient of refusing to budge (e.g., in the summer of 1967 when he was vying with Ky for the top spot on the military's presidential ticket and in November 1968). During such crises, Thieu simply let his critics or opponents fulminate while he plugged methodically ahead without swerving one millimeter from his chosen line of action, believing -- correctly so far -- that he had more patience than any who wanted him to act differently. In the current imbroglio, Thieu will certainly fine-tune his antennae, but at the moment he probably believes himself well enough in control of the government machinery to stifle disaffection or block any challenge before it becomes serious. He is also probably convinced that despite grumbling in the Saigon coffee houses, his continued rule will be sufficiently beneficial and well enough clothed in technical legitimacy to be generally accepted by the bulk of South Vietnam's people. On the U.S. question, Thieu undoubtedly believes he is the one whom the U.S. considers best qualified to be President and probably considers this "fact" his ace in the hole. Furthermore, Thieu is very prone to the ethnocentrism prevalent among his countrymen. He almost certainly believes (privately) that an acceptable solution to the Vietnam struggle is politically essential to the U.S. Government, hence in the final analysis the U.S. will have to support the GVN which -- in his eyes -- means him. He will therefore be strongly inclined to discount the ultimate credibility of any U.S. pressure or threats to curtail aid to South Vietnam and hence inclined to tune out any U.S. complaints about his present course of action.

10. If Thieu holds to his present course, the international consequences, especially in the United States, are easily predictable. Critics of the war and the GVN will have a field day and, indeed, their chorus is already rising. Hanoi's propagandists and North Vietnam's supporters in other countries will have a propaganda windfall they will waste no time in exploiting. The probable net impact of this course of action in South Vietnam is much harder to assess. Thieu's domestic critics are often articulate but this does not necessarily make them representative. Also, the accessibility of his Saigon critics, many of whom speak English or French, to journalists and diplomats facilitates even unconscious distortion of press, television or official reporting. Vietnamese sentiment is always difficult for foreigners to gauge, particularly

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foreigners consciously or unconsciously prone to apply western concepts to their analysis of Vietnamese politics. For example, there is no Vietnamese historical precedent whatsoever for transferring or losing power at the national level by an electoral contest. For that matter, national elections with a near universal franchise are strictly a post-1954 import. None to date -- from Diem's 1955 referendum to the military ticket's 1967 presidential victory -- has ever done anything but confirm power positions that already existed.

11. Many Vietnamese -- though not ones that journalists or diplomats are most likely to talk to -- will think Thieu very clever. He has outmaneuvered and rendered impotent all his domestic rivals and, in the process, end-played the Americans as well. In so doing, he has already won the real struggle and, by demonstrating his superior political skill, demonstrated the validity of his claim to primacy. What is an election supposed to be anyway but the formal ratification of a victory already won, the ritual investiture of one who has successfully gained the throne? Vietnamese who think pragmatically or traditionally in this fashion, and many do, will not be unduly disturbed if Thieu wins a fore-ordained victory on 3 October. Nor would they necessarily be troubled if Thieu's slate were the only one on the ballot.

12. But times and attitudes are changing in Vietnam and views such as those just described are far from universal. Furthermore, though Vietnamese are generally pragmatic, they also have a keen sense of what is usually described as justice but is probably better termed as "fitness." Among most Vietnamese, a high official who leaves office without wealth is regarded as stupid, one who fails to take proper care of his family and friends is morally suspect, but one who was too rapacious or blatant is held in contempt. Though many of his compatriots will understand Thieu's actions to date and perhaps even admire him for them, Thieu is right on the borderline of going too far. Domestically Thieu has three real dangers: One is acting in a way that Vietnamese (not Americans) regard as overplaying his hand. The second is showing weakness or vulnerability. The third is that of handing those who oppose or dislike him for various reasons a single issue around which their opposition can coalesce. These dangers are all compounded by Thieu's increasing isolation and reliance on a small circle of Palace favorites strongly inclined to tell him what they know he wants to hear. Thus his antennae may be dulled just when he needs them most.

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13. The current Vietnamese political climate will be materially affected by the 29 August Lower House elections. Both their outcome and their manner will have an impact. If pro-Thieu candidates win a solid but not an intrinsically suspicious majority, Thieu's hand will be strengthened. If his supporters take what is regarded as a drubbing, Thieu's opponents will be much emboldened. Whatever the actual declared outcome, if the events of 29 August produce any widespread belief (much more important in this context than facts) that there was blatant and/or pervasive fraud, pressure and vote-rigging, the political climate will sour perceptibly.

14. In sum, acknowledging the fallibility of foreign analysis performed from the wrong side of the Pacific, Thieu is probably not in real domestic political trouble -- yet. Depending on the skill with which he plays his hand (and his luck), he may be able to pursue his currently favored course without damaging his domestic political position -- unless the international repercussions, especially in the U.S., prove so severe that they have domestic impact within Vietnam, e.g., by obviously improving Communist prospects or calling into serious question Thieu's ability to obtain continued U.S. support. It would be foolish to be apocalyptic at this moment, but it would be equally foolish to ignore the clouds clearly gathering on the Vietnamese political horizon and the clearly rising chance of severe turbulence.

15. Thieu's present course of action also risks producing another type of consequence, much less dramatic or obvious than immediate manifestations of overt unrest, but over time at least equally corrosive and prejudicial to South Vietnam's ability to cope with Communist pressure. In South Vietnam, the concept of nationhood -- as opposed to simple ethnic pride -- is of quite recent origin. Concomitantly, notions of national interests to which, in times of stress, personal pique or ambition ought to be subordinated are tender plants with shallow roots. Here, the Constitution, elections for both Assembly houses, and the 1967 Presidential elections have played a valuable, catalytic role. In non-Communist circles, relatively few of Thieu's opponents really question the legitimacy of the present GVN's claim to be the rightful custodian of the national interest. But if Thieu "steals" the 1971 election by eliminating even the possibility of meaningful challenge, his non-Communist critics and opponents will find it increasingly easy to rationalize devious or even subversive activity on the grounds that Thieu has forfeited any claim to a rightful mandate.

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Hence, if Thieu forges unswervingly ahead to win an effectively uncontested election he may be able to install himself in office for another term with what looks at the time like no more than surface political grumbling. A slight scraping bump, however, was all that the Titanic's passengers and crew actually felt when it hit the fatal iceberg.

B. The Article 56 Gambit

16. From this side of the Pacific, the legally simplest and theoretically most tidy way out of the current South Vietnamese situation would involve exploiting the provisions of the Constitution's Article 56, with Thieu and Ky resigning their offices and the presidency temporarily passing to the President of the Senate, Nguyen Van Huyen, for not more than three months. During this time Huyen would be enjoined (by the Constitution) to organize new elections for President and Vice President. A new election law could thus be written and the candidate lists re-opened. This is a nice theory, but the chances of Thieu's acquiescing in such a scenario are virtually nil. To take this tack would involve a grave -- and for Thieu almost certainly unacceptable -- loss of face, doubly so since this is a procedure Ky has publicly recommended. Hence, to Thieu it would look as if he were giving ground to Ky.

17. Quite apart from important questions of personal face, Thieu and his senior colleagues, including key figures in the military establishment, would have serious, legitimate substantive reservations about this procedure. Whatever be its other theoretical advantages, this scenario would create an uncertain interregnum of three months duration with the powers of the Presidency at least legally vested in a colorless politician with no backing in the Army or civil service. Thieu and the senior echelons of the military establishment would be convinced and could most plausibly contend that this would be a virtual guarantee of disaster, particularly since this period of inexperienced, uncertain authority at the GVN's center would clearly coincide with a period of severe Communist military, political and diplomatic pressure.

18. Thieu has already voiced to some of his key subordinates his strongly negative reaction to the Article 56 gambit. In fact he has described it as "illegal." It is not (quite the contrary); but Thieu knows -- as do his opponents -- that if he backs down to the extent of giving up

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power, even "temporarily," he may never regain it. He also knows that if he surrenders even titular authority to an interim President, much that has been accomplished under his leadership may swiftly begin to unravel. Given Thieu's attitude, however attractive the Article 56 gambit may appear on paper in the U.S., it is a practical non-starter in South Vietnam unless it is preceded by Thieu's loss of effective control over the whole situation.

C. Re-Opening the Lists With Thieu Remaining in Power

19. From the standpoint of international reaction, particularly reaction within the United States, the principal requirement is obtaining the appearance of a reasonably open and genuinely contested election that offers the voters of South Vietnam a valid choice, or at least a meaningful way of registering their opinions. In this problem there are two givens: (a) The clock cannot be turned back, hence the chance Thieu had last spring to improve his international image as well as consolidate his internal authority has been thrown away by events of recent weeks. (b) Thieu will never give up the reins of power if he can possibly avoid doing so.

20. Within this restricted framework there are several options, none of them simple and certainly none sure to work. What we are talking about is, if it can be structured, a situation in which when South Vietnam's voters go to the polls they can express a reasonably unfettered preference for Thieu, Ky or -- if possible -- Minh. These are the only candidates who count. There are no other dark horses in the pasture who remotely class as serious contenders for power.

21. The simplest (not necessarily easiest) way to achieve this result would be to get Ky and Minh to agree to make a serious campaign. Despite the corner into which it has painted itself (probably in response to Thieu's clear wishes), the Supreme Court should be agile enough to devise a superficially plausible way to put Minh back in the legal running if directed to do so. Thieu would certainly make no move in this direction, however, unless he had advance private assurances from both Ky and Minh that both were willing to play the game. It is at best debatable whether Ky or Minh, let alone both, would be willing to go along in their present mood and given the limbs onto whose further extremities both have publicly climbed.

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22. Given Vietnamese psychology, Thieu would probably stand a better chance of improving his image and at least his international position by calling Minh and Ky's bluff. This would involve a re-deal of the cards, i. e., a new election law, a fresh start to the campaign and Thieu's publicly expressed willingness to stand against anyone man enough to oppose him. The only avenue that this writer sees as even conceivably leading to such a result involves exploiting (and, to be frank, twisting) the Constitution's Article 65.* Its drafters patently never intended this Article to encompass extending the President's term, but that is not necessarily an insuperable obstacle. In light of the objectives such procedures would clearly be intended to further plus the fact that any moves in this direction require the concurrence of two-thirds of the whole National Assembly, a move along this line would be more likely to dampen than to intensify the charges that Thieu was acting dictatorially even though his current term of office would be extended somewhat beyond its present 31 October limit.

23. Actually it is pointless for American officials to play at being Vietnamese politicians or lawyers. From the U.S. standpoint, the challenge lies in convincing the GVN, especially Thieu, and probably Ky and Minh as well that (a) there is a problem and (b) it must be solved. If the Vietnamese can ever be brought to grasp these points, they will be much better than we at devising a workable solution.

D. A Coup

24. Whenever South Vietnam's political waters get ruffled, coup rumors inevitably start circulating. They are beginning to circulate now. The longer the situation remains unsettled and/or the more unstable it becomes, the greater will be the circulation of coup talk. At the moment, a serious coup attempt is quite unlikely. Thieu's present control over the military establishment and the police and security services is almost certainly good enough (and the services themselves sufficiently adept) to minimize the risk of any real coup plot's getting off the ground. This situation could change if the level of disaffection mounts appreciably.

*Article 65: In a state of war, and when elections cannot be held, the President, with the approval of two-thirds of the total membership of the National Assembly, shall extend the terms of office of certain elected bodies and appoint some province chiefs.

the current contretemps evolves into a full blown crisis, or Thieu shows public signs of vulnerability by backing down too hastily or running scared. For the nonce, however, circulating coup rumors are in all likelihood nothing but reflections of the kind of speculative gossip that politically conscious Vietnamese enjoy so much.

E. An Assassination

25. Though a serious coup plot (for now) is unlikely, an assassination attempt is an entirely different matter. Tempers are already running high, and the volatile Vietnamese have a long tradition of settling political disagreements by violence. Many individuals and groups wish Thieu ill and some will inevitably wonder whether Vietnam might not be better off if he were removed from the scene. Those opposed to Thieu of course include the Communist Party, which would stand to gain a great deal from the turmoil and uncertainty that would inevitably follow Thieu's demise at the present time. At least some of those who might like to see Thieu out of the way, including the Communists, might also like to see others blamed for any such act. For example, if the Communists were to mount an assassination attempt, they might not wish to take credit for it but, instead, might prefer to spread the notion that the deed had been the work of disgruntled supporters of Minh or Ky. Given the Vietnamese psyche, an infinite number of changes can be rung on this theme.

26. Thieu is well protected, is certainly aware of the physical risks to his person, and does have a quite efficient police and security service. On the other hand, an assassination is never that difficult to attempt, particularly in a country at war and especially when the intended target is anxious to move around, show himself, and go through the motions of campaigning for office. We are certainly not predicting that Thieu will be assassinated. Such an event, almost by definition, is inherently unpredictable. Given the climate and circumstances, however, it is more than likely that someone or some group -- Communist or non-Communist -- will give serious thought to mounting an assassination attempt between now and the October elections.

27. If Thieu were to be assassinated -- or otherwise put out of commission by natural or non-natural causes -- between now and 31 October, Article 56 of the Constitution would come into play. Ky would

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become Acting President for three months charged with organizing a presidential election within that time. The situation would be a trifle murky, however, since the Constitution makes no provision for the President's removal from office (for any reason) within three months of the expiration of his term, i. e., 31 October. Hence, there is a conflict, since it could be argued that a Vice President who becomes Acting President loses his authority when the original President's term expires. This is a problem that would have to be swiftly resolved if the assassination (or, more generally, removal) contingency occurred. Despite its inherent "non-predictability," this contingency is now a very real one which could arise at any moment and for which the U. S. would be well advised to be prepared.

28. The above remarks are keyed to an assassination or some other event that removes Thieu physically from the political scene. No legal issues would be raised, but assassination attempts targetted against Ky or Minh should also not be discounted. The Communists particularly would derive great benefit if they could arrange Ky or Minh's death in a manner that pointed the finger of suspicion at Thieu, a development sure to exacerbate an already tense situation.

III. THE U.S. ROLE

29. It is out of bounds for us in the Agency to offer comments on our own government's policy. The U. S. Government's dilemma, however, is not hard to discern. Minh, Ky and Thieu have all had their innings as head of the GVN. Thieu's performance has been so far superior to either of the other two (particularly considering all Minh had going for him in November 1963) that it is hard to deny that he is clearly the one best fitted to be President. He knows this full well. What is more to the point, he knows we know it. The problem is, however, that his current course of action -- whether or not he gets away with it in South Vietnam -- may generate difficulties abroad, particularly within the U. S., that far transcend any abstract judgment of relative competence.

30. As noted earlier, Americans should not try to devise Vietnamese solutions. If we want to do anything, we should concentrate our efforts on convincing Thieu (and other key players in the Vietnamese political arena) that there really is a serious problem here involved (not just heartburn) and that it must be solved. Threats will not work on

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Thieu, partly because he will not believe them. The only thing that might work -- and there is no guarantee that it will -- is what could be termed the "intelligence" approach as opposed to the hortatory or arm-twisting approach. This would entail focussing on themes already sounded by Ambassador Bunker and making roughly the following pitch: We have worked together for a long time in a common struggle. In this struggle, both of our countries have made great sacrifices. We are not trying to interfere in your internal affairs, nor would we presume to lecture you on Vietnamese psychology or politics. But as you know Vietnam better than we, we know America better than you. In our government and political system, the Executive Branch can go only so far without the support of Congress for in the final analysis, Congress is the source of the funds and resources without which Executive Branch policies cannot be implemented. The Vietnam war is misunderstood in the U.S. and increasingly unpopular. Congress naturally reflects this mood. If you persist in this course of action, there is a real risk that Congress will take steps that will make it legally impossible to give your government and people our continued support. This is not any kind of threat but simply a fact of U.S. political reality you must understand and for Vietnam's sake you cannot ignore. Such an approach, in this writer's opinion, is the only one that has any genuine chance in penetrating Thieu's thinking enough to influence his behavior in a constructive fashion.

31. The only other concrete suggestion we have to offer is that contingency plans should be quietly drawn while time permits reflection for what the U.S. would want done if Thieu (and, for that matter, Minh or Ky) were to be assassinated. Events would move swiftly in a super-heated atmosphere after such a development and there would be no time for consideration after the fact. No such contingency thoughts, however, should be broached to any Vietnamese. In the present climate, they would be certain to be misread as a signal of U.S. desire.


George A. Carver, Jr.

Special Assistant for Vietnamese Affairs

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