

U.S. DEPARTMENT OF STATE INTERNAL USE ONLY
DIRECTOR OF INTELLIGENCE AND RESEARCH

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To : The Acting Secretary
Through: S/S
From : INR - George C. Denney, Jr. *h.c.d.l*
Subject: Hanoi Regime Moves Against "Counterrevolutionaries"

On March 21 the North Vietnamese regime published a decree on "the punishment of counterrevolutionary crimes." This decree, adopted on October 30, 1967, by the DRV National Assembly and promulgated by President Ho Chi Minh on November 10, 1967, listed fifteen "counterrevolutionary" crimes and prescribed a variety of punishments for them ranging from several years' imprisonment to death. The four-month delay between the promulgation and the publication of the decree is unexplained, but may be related to Hanoi's expectations of greater US military effort.

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"Counterrevolutionary" Crimes Listed. The "counterrevolutionary" crimes listed in the decree cover a wide range of activities harmful to NVN state security and to the war effort. They include such crimes as "treason to the fatherland"; "plotting to overthrow the people's democratic power"; "armed rebellion"; "banditry for counterrevolutionary purposes"; "defecting to the enemy"; "sabotage"; "intruding into the territory of the DRV"; "agitation to disturb public security"; "attacking detention camps"; "harboring counterrevolutionary elements"; and conspiring to do any of the above as well as other listed acts. The decree also emphasized that state organs were to exercise leniency toward those who were forced to act, who chose not to carry out their plots, who regretted their actions, and/or who cooperated with the state security apparatus.

The Party journal Nhan Dan on March 21 accompanied publication of the

decree with an editorial calling for greater popular vigilance against "counter-

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revolutionary" elements and arguing that defense of security had to become the "regular" work of every state organ and every citizen.

Nhan Dan Lists "Counterrevolutionaries." According to Nhan Dan, the "counterrevolutionaries" comprise "the stubborn elements in the former exploiting classes: landlords and capitalists, the reactionary elements profiting by religion, the former puppet administration, army elements not wanting to transform themselves, and other reactionary and sabotaging elements." It stated that those "counterrevolutionaries" are "only a small force" but added that "their scheme is too perfidious, and their activity is quite dangerous." It called for harsh punishment but also urged "clemency and punishment associated with reformatory education" and stated that the regime will not "misjudge the innocent."

Types of "Counterrevolutionary" Acts. Nhan Dan stated that the "counterrevolutionaries...plot to intensify activity attempting to obstruct the socialist construction work, weaken our national defense force, and prevent the Northern people's support for the liberation war waged by Southern compatriots." According to AFP, the Vice Chairman of the People's Supreme Court complained that: "The counterrevolutionaries have tried to stop the peasants from joining the cooperatives and from participating in mass organizations. In addition, they have tried to prohibit children from attending the state schools and have tried to stop citizens from fulfilling their military service." These criticisms suggest that Hanoi is concerned about persistent resistance to the increasing communization of life in North Vietnam, in addition to being concerned about the economy, the war effort, and the infiltration effort.

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Internal Problems May Be Greater Than Evident. Publication of the decree, with Ho Chi Minh as the promulgator, suggests that the regime's internal problems may be greater than has been evident so far. We do not believe that the situation has come to any point approaching active opposition to the regime, but there may be passive resistance in the form of reluctance to work as hard as the regime wishes, and of a general failure to cooperate as enthusiastically as desired with the regime's economic and military policies. There may also be a general malaise developing, combined with a widespread tendency to evade induction. Recent reports by repatriates leaving North Vietnam indicate that living conditions and morale have declined appreciably in the last two years, particularly in the countryside which has been bombed much more heavily than the big cities. But the reports do not reveal any evidence of concerted action against the regime, though they indicate considerable strain between the people and corrupt Party cadre.* Nor do we anticipate such action, unless the Party splits or conditions worsen radically.

Decree May Be Related to Bombing. The regime may have published the report at this time because it may expect an increase in US bombings as the weather improves over the next few months. It is noteworthy that the decree was originally promulgated in November 1967 after several months of particularly intense attacks against the North. At that time there were other indications of Hanoi

* See RM REA-11, "Spanish Repatriates Report on Living Conditions and Morale in North Vietnam, March 8, 1968, and RM REA-12, "Spanish Repatriates Report on Effects of Bombing in North Vietnam," March 16, 1968. (SECRET/NO FOREIGN DISSEM/CONTROLLED DISSEM)

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concern about public security. The regime publicized several arrests of purported "spies" in August of that year, and the September issue of the Party ideological journal Hoc Tap carried two articles about the security problems allegedly caused by US/South Vietnamese activities. We also received a report of greater security measures being instituted in the northern provinces in October and November 1967. Hanoi's concern appears to have abated after that, perhaps because the pace of the bombing slackened somewhat, but it may be mounting again at this time. A March 29 broadcast stressing the need to maintain security and order in the face of alleged increases in US psychological warfare and espionage activities suggest that this is the case.

May Also Be Related to Southern Effort and Post-Tet Letdown. It is also possible that publication of the decree reflects regime assessment of developments in South Vietnam. The regime may anticipate the need to send many more troops to the South and may believe that it must further tighten Northern security conditions in order to be able both to immunize its population from war-weariness and Allied blandishments and to ensure popular cooperation with a smaller armed force in place. It may also be concerned about morale problems in the North because of an emotional let-down following the high excitement and expectations aroused by the Tet offensive.

Decree Has Preemptive Character. For these reasons, we believe the decree is intended not so much to combat current problems as to forestall possible future problems. For the time being, despite morale problems and the severe dislocations caused by the war effort and by US bombings, conditions in the North do not appear to have deteriorated to the point where one can speak of significant

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popular resistance to regime policies. But conceivably the regime may be worried that this situation could worsen sharply if air attacks intensify while Hanoi has to send more troops to the South, and the population comes to the conclusion that the war could still last a long time.

We also believe that the decree is not intended primarily to combat the major crimes it lists (such as plotting a government overthrow or armed rebellion) but to combat the host of other problems (such as desertion, black marketeering, and other acts harmful to the economy) which could blossom if conditions worsen further. The regime may hope that it can combat those lesser acts more effectively by tying them to major crimes and to the machinations of foreign powers.

Decree Aims at Consolidation and Reiteration. The decree appears to aim more at consolidating and dramatizing the body of North Vietnamese rules on "counterrevolutionary" crimes than at creating new regulations. Though the regime has not precisely listed its categories of "counterrevolutionary" crimes in recent years, most of the acts mentioned in the new decree would certainly have been punishable before the decree was passed. Thus, the decree serves more as a reminder and a warning to the population of the regime's readiness to act than as a new criminal code.

Army Problems Seem Unlikely. A reference to "army units not wanting to transform themselves" might be interpreted to suggest that the regime is concerned about military loyalty and support. We would, however, be inclined to view such speculation with caution, since the reference occurs in a listing of "counterrevolutionary" elements dating back to pre-1954. Since we doubt

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that there are many such older army elements left after fourteen years of tight Communist rule, we believe that the reference in question probably is intended to create scapegoats rather than to express any new concern over lack of military loyalty and discipline.

POW or East European Connections Also Seem Unlikely. By the same token, we are not inclined to tie publication of the new decree to any new Hanoi threat against captured US pilots or the import of liberal influences. Such an interpretation is possible in the case of the pilots, since a summary of the decree was broadcast in English, whereas past Hanoi broadcasts on security matters have all been in Vietnamese. The decree specifically cites "intruding into the territory of the DRV" as a crime. However, Hanoi could use or create other laws or decrees if it wished to act against the pilots at this time.

A connection with current events in Eastern Europe is also difficult to establish. Hanoi is probably concerned about liberalizing trends in Eastern Europe, since it has sent a number of students and trainees to the Warsaw Pact countries. It may still be concerned about a possible connection between the de-Stalinization epoch and the resultant Hungarian uprising in 1956 and its own Nghe An uprising in November of that year. But the new decree was promulgated in November 1967, before the outbreak of the current ferment in Eastern Europe, and the weight of the evidence remains in favor of relating the decree primarily towards internal North Vietnamese problems.

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