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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

30 September 1972

MEMORANDUM FOR: Dr. Henry A. Kissinger
Assistant to the President
for National Security Affairs

SUBJECT : Response to 28 September Questions

1. Attached is a note covering the two hypothetical questions on which you asked me to comment during our conversation in your office on the evening of Thursday, 28 September.

2. Since I had to spend the bulk of Friday, 29 September, finishing the draft needed by General Haig prior to his departure, in order to meet your 30 September deadline it was necessary to enlist the assistance of two of my associates, both subordinates on my personal staff who therefore work directly for me (and no one else). Both of these gentlemen are thoroughly professional officers in whose discretion I have complete confidence. Both have served in Vietnam, one (recently returned) for nine years, during which he personally

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[Redacted]

I know of no American -- official, journalist or anything else -- with a wider circle of close personal contacts across virtually the whole range of the Vietnamese political spectrum. His input to this exercise was therefore of particular value.

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3. You may be interested to know that the three of us who worked on this exercise all independently came to essentially similar conclusions. The attached note consequently reflects our joint views.

CLASSIFIED BY 014522
EXEMPT FROM GENERAL DECLASSIFICATION
SCHEDULE OF E. O. 11652, EXEMPTION CATEGORY:
§ 22(1), (2), (3) or (4) (check one or more)
AUTOMATICALLY DECLASSIFIED ON
Impossible to Determine
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[Redacted]

Special Assistant for Vietnamese Affairs

Attachment

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30 September 1972

MEMORANDUM

SUBJECT: Responses to Questions

I. What Can We Offer to Hanoi in the Negotiations, Without Incurring a Serious Risk of the Whole GVN Structure's Coming Apart?

1. The key demand of the Communists, as reflected in their public statements and the record of the official negotiations, is that the present government of South Vietnam -- the GVN -- be removed and replaced by a three-element provisional coalition government (which the Communists term a "government of national concord"). South Vietnamese President Thieu is to be excluded from this coalition. For the reasons cited below in our response to Question II, we believe it is not possible for the U.S. to compromise on the matter of Thieu's retention without running a serious risk that the whole GVN structure will thereby come unglued. It might be possible, however, to offer a compromise on the question of coalition government itself, in order to make clear the lengths to which the U.S. is willing to go in order to achieve a negotiated settlement, end the war, and obtain the return of the POWs.

2. Such a compromise would be a major change in the U.S. position, but the risk of unraveling the GVN would not be too serious if we accepted in principle the concept of a coalition government, while insisting that each side had the right to appoint its own members in such a government. As a matter of fact, this might be a useful gambit if it were coordinated in advance with President Thieu and agreed to by him. This gambit could be profitably exploited as a device to highlight a key point the Communists have deliberately obscured and, oddly enough, none of the journalists or non-official

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commentators on the negotiating scene have picked up. The point in question is the fact that in their tripartite coalition demand, the Communists are insisting on a veto over the composition of two thirds of the troika -- the GVN and "neutralist" elements -- while simultaneously asserting an unrestricted right to name whomever they please as their representatives. This is a patently outrageous element of the Communists' position, on which the attention of public focus might cause the Communists considerable embarrassment.

3. If this tack is taken, we could then further insist that there are in actuality only two Vietnamese sides in the war, that the coalition should therefore be composed only of these two elements, and that there should be no "third force" or neutralist element in the government (although we could easily agree to neutrality as a guiding principle of the provisional coalition). Since the GVN at present controls most of the territory and population of South Vietnam, we would have to say that some formula must be worked out to determine the weights of the two parties in the coalition government. The members of the cabinet of the new government, in turn, would elect their own provisional president.

4. It is most unlikely that any such proposal would be accepted by North Vietnam or the PRG. Any coalition government which gave a majority of positions or seats or cabinet posts to the GVN presumably would wind up with President Thieu at its head. On the other hand, any coalition government which split the pie equally between the two sides, or had a third element which itself was split equally, would be impossible for the GVN to accept. A coalition proposal put forward by the U.S. and the GVN would, however, allow the U.S. to give the impression of movement in its negotiating position, even though the proposal itself might be recognized as impossible for the other side to accept. The impression of forthcoming flexibility on the U.S./GVN side that making such a proposal would convey, however, would probably prove to be that proposal's only practical merit.

5. Other proposals, which do not address the organization of the government in Saigon, appear at present to have no chance of acceptance by the Communists. The implicit ceding of certain areas of South Vietnam to the Communists under the guise of a cease fire, for instance, has always been rejected by Hanoi on the ground that such measures leave the political

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question of the GVN's future untouched. The explicit ceding of territory to the DRV -- e.g., Quang Tri and Thua Thien -- would be psychologically disastrous for the GVN: To South Vietnamese eyes it would look more like a beginning than an end. Furthermore, Thieu's commitment not to surrender any territory is so unequivocal that his position would inevitably be undermined.

6. From South Vietnam's point of view, however, the implicit ceding of territory in a cease-fire arrangement might be acceptable. The GVN might be willing to propose a modus vivendi accepting Communist administration of certain areas where North Vietnamese military influence now predominates. The GVN would not retreat from a public position of claiming titular sovereignty over all of South Vietnam, but it would be understood that the Communists could name village -- and in a few cases district -- chiefs in the concerned areas and that the NVA and Communist local forces would be responsible for law and order. A beefed-up ICC or other international organization could be proposed to assure the safety of Viet Cong traveling in GVN zones and vice-versa. The Communists might be offered an "administrative center" in some place they already held (e.g., Loc Ninh), but it would not be considered as a capital nor would the PRG be recognized as a government. The "Communist" areas might be described (in the negotiations and even possibly in public) as something like the autonomous zones of Communist countries, including North Vietnam, except that the autonomy would be much more real. Such a proposal might be a useful ploy as a probing device, but one should not be sanguine about its chances of acceptance.

7. There seems to be no hope -- as there has been none in the past -- for a settlement limited to the bilateral issues between North Vietnam and the U.S. Hanoi still gives absolutely no sign that it will agree to a solution of such issues as U.S. withdrawal, the end of U.S. bombing, and the return of POWs unless the future of the Saigon government is resolved at the same time. Unless there is information on this subject which is not available to us, we see no way at this time in which new proposals -- or even proposals which are new only in appearance -- can be made on the strictly military issues between Washington and Hanoi.

8. The essential fact is that the Communists do not appear willing, at least as yet, to accept a minority position in a future South Vietnamese government. They still hope that they can negotiate, fight or exploit our prisoners to lever their way into a position of control in South Vietnam. Only when they are convinced that this cannot happen are they likely to negotiate seriously on terms significantly different from those they are presently offering. We cannot, at this point, tell when that day will come.

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II. Could Thieu Be Induced to Resign, Without Incurring a Serious Risk of the Whole GVN Structure's Coming Apart?

9. The short answer to this question is no -- if we are talking about a permanent resignation under circumstances which made it clear that President Thieu would not have an opportunity to regain a dominant position in South Vietnamese political life.

10. The U.S. certainly holds the power to remove Thieu or force his resignation and could probably bring this about in fairly short order merely by stating publicly that the U.S. no longer desired to have Thieu as president, or by stating the same thing privately to Thieu and half a dozen other South Vietnamese political and military leaders. At that point, Thieu would lose the support of other key South Vietnamese military and political leaders, and his departure from the scene would only be a matter of time. With Thieu having been removed in such a fashion, however, it would almost certainly be impossible to prevent the rest of South Vietnam's governmental structure from falling apart.

11. The unraveling of the political structure would not occur because there was no other individual capable of running the GVN as well as Thieu. It would occur because all politically conscious South Vietnamese would be certain that Thieu's resignation had come about as a result of U.S. pressure, and, more importantly, as a prelude to a negotiated settlement with North Vietnam and the Viet Cong. Even if the U.S. made a major effort to assure a successor government in Saigon that it would continue to receive American support, the unraveling process could not be prevented. Given their innate paranoia and penchant for conspiracy theories, Vietnamese in all levels of the GVN political and military structure would believe that the U.S. had made a critical concession in the negotiations -- and one which undoubtedly portended other concessions. Many political and military leaders of the GVN, provincial officials, and members of the administrative bureaucracy at all levels would revise their conceptions of the future and adjust their own actions accordingly. It is not too much to say that the cohesiveness and effectiveness of the GVN military and political apparatus would be almost instantaneously and drastically downgraded. As South Vietnamese governmental and military programs became less effective, the remnants of the Viet Cong apparatus inside the country would find new life and hope -- and also would receive much new support from South Vietnamese citizens seeking their own accommodation with the future and hence casting appropriate anchors to windward.

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12. A further point needs to be made. Regardless of Thieu's popularity or lack thereof among Saigon politicians, and regardless of his dictatorial tendencies, at this writing Thieu is universally seen by the South Vietnamese as the symbol as well as the central point of real power in the present government. To some extent he is a symbol because on occasion he has stood up to the Americans and told them no. If he were removed under U.S. pressure, any successor would likely be regarded in South Vietnam as wholly an American stooge, put in office temporarily to negotiate a settlement with the Communists -- a figleaf to cover U.S. surrender. Most South Vietnamese probably want to see the war ended, but during the negotiating process they would not be inclined to give much support to an interim government seen as set up by the Americans for the primary purpose of bringing the war to a quick end so they can get out and get their handful of prisoners back. This view would be widespread and would further accelerate the erosion of that interim government's effectiveness. Carrying the process one step further, as the interim government's ability to rule deteriorated, its bargaining power in any direct negotiations with Hanoi or the PRG would also become progressively more limited.

13. Essentially, given the assumption that we are unwilling to see the whole GVN structure come unglued, we see no alternative at present to continuing to resist Communist demands for Thieu's permanent removal. It is perhaps unfortunate that Thieu has become a symbol of such importance -- probably to the North Vietnamese as well as to the South Vietnamese -- but there is no way to get around his symbolic role in the midst of a negotiating situation. Things could conceivably be different if a time were to come when no negotiations were in progress, if hostilities in South Vietnam had fallen to a low level for a considerable period, and if the GVN was clearly holding its own and progressively improving its military position inside South Vietnam without U.S. combat (air, naval or ground) support. At that point, Thieu might possibly be removed with only limited danger to stability in South Vietnam, and a new government installed with which North Vietnam, at a later date, might be willing to negotiate political questions directly. Such a chain of speculation, based on so many "ifs" and "mights," may be largely useless for our present purposes, but it brings into even clearer focus the difficulties of changing the South Vietnamese government in the midst of negotiations and at a time when most of North Vietnam's field army is deployed in the south.

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14. Over the longer term, and under the assumptions outlined in the paragraph above, it is possible that some compromise on Thieu could be offered. In such circumstances, (i.e., when hostilities had returned to a reduced level and when the GVN was clearly in control of the military situation inside South Vietnam), it might be possible to induce Thieu to make a Shermansque statement, stressing his support of the constitution which bars him from seeking a third term, hence from running in the next Presidential election, which is now scheduled for the late summer of 1975. To make such a statement a little more convincing, the U.S. could formally "take note" of Thieu's intention; perhaps the ICC (or its successor) could do the same. Off the record the U.S. could make it known to both Saigon and Hanoi that military and even economic aid would be cut off should Thieu try to renege or pull a Marcos gambit. To make these offers more attractive and face-saving, it might be possible to persuade Thieu to commit himself to step down one year in advance, i.e., in the summer of 1974. He could easily justify this gesture on the grounds that by then he will have achieved his principal objective, peace.

15. If Hanoi accepted this approach -- final realization of which, it must be recognized, is two years in the future -- the Communists would probably insist on a parliamentary election for a constituent assembly, rather than a presidential election. (It is just possible that Hanoi might also accept the idea of Lower House elections advanced by one year to coincide with Thieu's early retirement and a new presidential election.) Elections in which the Communists participated for either a constituent assembly or a new Lower House would be far more risky for the non-Communists of South Vietnam than would a presidential election. In the latter, the non-Communists would find it easier to rally around one or at the most two candidates, whereas in the former their votes would be badly split among the many weak non-Communist parties. Even a Lower House or constituent assembly election, however, could be made less dangerous if appropriate steps were taken by the GVN between now and 1974. Specifically, a new electoral law requiring majorities rather than pluralities for election and encouraging alliances among nationalist candidates could mitigate the risks substantially.

16. The hazards involved in a resignation by Thieu in 1974 would be greatly reduced if by then a widely respected and capable replacement could be clearly discerned. (This is equally so whether the next President is elected directly or indirectly by a constituent assembly or a new South Vietnamese

National Assembly.) One important reason why in 1971 it seemed necessary to swallow the "one man election" was that the alternatives to Thieu inspired so little confidence. By mid-1974, however, someone such as General Ngo Quang Truong (the present MR 1 commander) might look not merely palatable but even like a considerable improvement over Thieu. The word "might" has to be underlined, for we know little about Truong's politics, and his ability to administer at a national level is untested. But he constitutes a good concrete example of the point at issue since he is considered a very capable general, has (so far) the kind of battle record that has led generals to high elective office in many countries (including ours), enjoys a rare reputation for integrity, and at this time is very highly regarded by such diverse elements of the political spectrum as An Quang Buddhists, neo-Can Lao Catholics, leftist intellectuals, rightist politicians and, above all, the Army. No doubt political exposure would rub off some of this popularity; nevertheless it is useful to know that a viable alternative to Thieu -- in some respects preferable to Thieu, in others an insufficiently known quantity -- could be available in 1974.

17. Final note and return to the present: Regardless of the above long range possibilities, at the present time the only area in which one can realistically seek some room for maneuver on the issue of Thieu's status lies in an extension or broadening of the existing Allied offer that Thieu will resign one month before new presidential elections. Thieu could probably be convinced, albeit with difficulty, to extend the one-month period to two months, three months, or possibly longer. (A major element in Thieu's calculations, however, would be the belief that Hanoi would almost certainly reject such a proposal.) At the same time, Thieu would insist that he himself be able to run in any new elections. In private, Thieu would also almost certainly insist that the terms and mechanics of his resignation not hobble him to the point of erasing his ability to exert predominant even if indirect control over the GVN's organization of the election machinery.