

ETS-HK-ADU131

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1971 AUG 20 17 07

~~TOP SECRET SENSITIVE~~ 301440Z AUG 71 VIA CAS CHANNELS
FROM: AMBASSADOR BUNKZNOIGQIGON 0818 IMMEDIATE
TO: THE WHITE HOUSE, EXCLUSIVELY EYES ONLY FOR HENRY A. KISSINGER
REF: WHS 1089

SUBJECT: MEETING WITH PRESIDENT THIEU, AUGUST 30: ELECTIONS

1. I MET WITH THIEU TODAY AND BROUGHT UP PRESIDENT'S SUGGESTION OF PROMISING A NEW ELECTION WITHIN NINE MONTHS OF A PEACE SETTLEMENT, ALONG WITH REFERENDUM ANNOUNCEMENT. THIEU REACTED FAVORABLY TO THE IDEA BUT HE SUGGESTED A MODIFICATION IN THAT HE MIGHT SAY THAT HIS AMBITION WAS NOT TO BE PRESIDENT, BUT TO RESTORE PEACE TO THE COUNTRY AND THAT IT WAS HIS AMBITION THAT THIS COULD BE ACHIEVED BEFORE HIS TERM EXPIRED. WHEN A SETTLEMENT WAS REACHED, HE WOULD RESIGN AND CALL FOR NEW ELECTIONS.

2. THIEU HAD SPENT THE DAY CONFERRING WITH MEMBERS OF HIS CABINET CONCERNING POSSIBLE SOLUTIONS OF THE ELECTORAL PROBLEM. THIEU SAID THAT THE SITUATION HAD BEEN ALTERED BY KY'S SECOND STATEMENT AMPLIFYING HIS FIRST STATEMENT SAYING THAT HE WOULD NOT PARTICIPATE IN THE CAMPAIGN BY ADDING THAT HE WOULD NOT TAKE PART IN THE ELECTION. THIS EFFECTIVELY BLOCKED ACTION BY THE CENTRAL ELECTION CAMPAIGN COMMITTEE. THIEU, THEREFORE, HAD WRITTEN LAST SATURDAY TO THE SUPREME COURT ASKING ITS LEGAL OPINION AS TO THE COURSE THE GOVERNMENT WAS EMPOWERED TO TAKE. HE BELIEVES THE COURT WILL REPLY THAT THE ELECTION WILL HAVE TO PROCEED WITH ONE CANDIDATE. THIEU OBSERVED THAT WHILE THIS IS PROBABLY A CORRECT INTERPRETATION OF THE LAW, IT DOES NOT RESPOND TO THE POLITICAL SITUATION.

3. AS A RESULT OF HIS DAY-LONG DISCUSSION WITH MEMBERS OF THE CABINET DEALING WITH POLITICAL ASPECT OF THE PROBLEMS HE HAS CONCLUDED THERE ARE THREE ALTERNATIVES:

A) CONVENE THE NATIONAL ASSEMBLY, REQUEST, URGENTLY, QUICK ACTION WHICH WOULD PROVIDE FOR A GREATER NUMBER OF CANDIDATES BY RESTRICTING ENDORSEMENTS TO NOT MORE THAN 40 ASSEMBLY OR 100 COUNCILMEN FOR EACH CANDIDATE, AND WHICH WOULD PRESCRIBE A NEW AND TELESCOPED SCHEDULE FOR STEPS ENUMERATED IN THE PRESENT LAW.

B) POSTPONE THE ELECTION TO ALLOW NORMAL TIME FOR ITS ORGANIZATION. THIS WOULD REQUIRE AMENDMENT OF THE CONSTITUTION, WHICH REQUIRES A TWO-THIRDS VOTE OF THE ASSEMBLY. THE CONSTITUTIONAL AMENDMENT COULD PROVIDE FOR AN EXTENSION OF THE PRESENT GOVERNMENT OR PERMIT SENATOR HUYEN, AS PRESIDENT OF THE SENATE, TO TAKE OVER.

C) CONVERSION OF THE ELECTION TO A REFERENDUM.

REFERENDUM

MORI C05142788

ON-FILE NSC RELEASE INSTRUCTIONS APPLY

DOS Review Completed

4. THIEU WENT ON TO SAY THAT EACH OF THE ALTERNATIVES POSES PROBLEMS. IN THE CASE OF A) ACTION WILL HAVE TO BE TAKEN BY THE PRESENT ASSEMBLY. IT MAY BE DIFFICULT TO CONVENE THE MEMBERS NOW THAT THEIR TERM IS EXPIRING AND THE TIME IN WHICH THEY CAN ACT WILL HAVE TO BE LIMITED. IT WOULD BE NECESSARY TO PROMULGATE THE REVISED SCHEDULE BY SEPTEMBER 10, WITH THE ELECTION TO TAKE PLACE OCT. 3.

5. ALTERNATIVE B) WILL ALSO REQUIRE ACTION BY THE PRESENT ASSEMBLY AND IT WILL BE DIFFICULT TO GET TWO-THIRDS VOTE REQUIRED FOR AMENDMENT OF THE CONSTITUTION. THE OPPOSITION MIGHT TRY TO DELAY ACTION SO THAT SENATOR HUYEN WOULD TAKE OVER AND ORGANIZE THE ELECTIONS. THIEU SAID THERE WAS GENERAL CONSENSUS THAT THIS WOULD LEAD TO A SITUATION IN WHICH THE COUNTRY HAD NO PRESIDENT FOR THREE MONTHS AND COULD RESULT IN A PERIOD OF DANGEROUS INSTABILITY.

6. REGARDING THE THIRD ALTERNATIVE, A REFERENDUM, THIEU EXPRESSED THE OPINION THAT NEITHER MINH NOR KY WOULD TAKE PART IN THE REFERENDUM. I POINTED OUT THEY WOULD NOT, OF COURSE, BE CANDIDATES, BUT THAT THEY WOULD BE FREE TO CAMPAIGN FOR A VOTE OF NO CONFIDENCE AND WOULD BE GIVEN FACILITIES TO DO SO. THIEU SPECULATED THAT WHETHER OR NOT THEY CAMPAIGNED ACTIVELY, HE MIGHT SAY THAT IF HE DOES NOT RECEIVE 50 PERCENT OF THE VOTES, HE WOULD WITHDRAW. HE COULD ALSO SAY THAT HE HOPED FOR A PEACEFUL SETTLEMENT OF THE WAR DURING HIS NEXT TERM OF OFFICE AND WOULD WORK TOWARD THAT END. IF HE WERE SUCCESSFUL IN THIS, HE WOULD UNDERTAKE TO RESIGN TO INDICATE THAT HIS AMBITION WAS NOT TO BE PRESIDENT, BUT A SETTLEMENT OF THE WAR AND PEACE.

7. THIEU THEN SAID THAT HE HOPED TO BE ABLE TO SPEAK TO THE PEOPLE ON THE EVENING OF SEPTEMBER 1 AND WAS CONSIDERING WHAT HE MIGHT SAY THEN.

(A) REPORT THE COURSE EVENTS HAVE TAKEN TO DATE, SAY THAT HE INTENDED TO STICK TO CONSTITUTIONAL PROCEDURES AND THAT THE FOLLOWING DAY HE WOULD CONSULT WITH THE NATIONAL ASSEMBLY TO SEE HOW THE ELECTIONS COULD BE ORGANIZED AND WOULD REPORT AGAIN TO THE PEOPLE; OR

(B) OUTLINE CLEARLY THE COURSE HE PLANNED TO FOLLOW. IF HE DECIDED ON AMENDMENT OF LAW AND TELESCOPING THE ELECTORAL SCHEDULE, HE WOULD RECALL THE NATIONAL ASSEMBLY IMMEDIATELY. IF HE DECIDED ON A REFERENDUM, HE WOULD OUTLINE HIS TERMS.

8. THIEU SAID HE WOULD BE GIVING THESE ALTERNATIVES CONSIDERATION TOMORROW AND CONSULTING FURTHER WITH MEMBERS OF HIS CABINET. HE WOULD WANT TO CONSULT WITH ME AGAIN AND WOULD WELCOME ANY FURTHER SUGGESTIONS WE MIGHT HAVE.

9. I AM REPEATING THIS MESSAGE IN SUBSTANCE TO THE SECRETARY
[REDACTED] WITH EXCEPTION OF PARAGRAPH 1.

10. WARM REGARDS.

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