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THE WHITE HOUSE
WASHINGTON

Russ

THIS IS ~~CONFIDENTIAL~~ - HAS TO
BE "PUT AWAY FOR THE NIGHT"!!!
!!!!!!!!!!!!!!!!!!!!

cb



May 12

THE WHITE HOUSE
WASHINGTON

closed

Jack --

FYI - we provided Culver's office today with a sanitized version of the DoD report on LCpl Darwin Judge. Bill Kendall hand delivered it to Culver's Office.

Is this for Russ

Russ



*m
yes*

THE WHITE HOUSE
WASHINGTON

Bill
Guvvey

WILL DO



~~CONFIDENTIAL~~



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

10 MAY 1975

Bruce Banke

MEMORANDUM FOR Mr. Warren L. Gully
Executive Assistant
Office of the Military Assistant
to the President

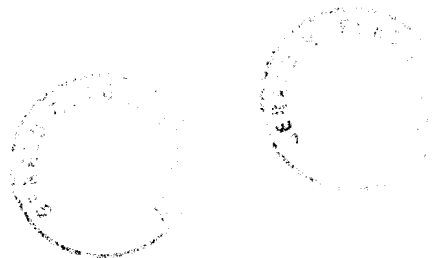
Subject: Removal of Remains of Two Marines from Saigon

In response to your request attached at Tab A is a narrative summary of the circumstances surrounding the failure to evacuate remains of Cpl Charles McMahon Jr., USMC and LCpl Darwin L. Judge, USMC from Saigon.

As you know the State Department has primary responsibility in this area since they have jurisdiction over the Marine Security Guard Detachments. The most recent message on their efforts to recover the remains is attached at Tab B.

Kenneth R. Bailey
Kenneth R. Bailey
Colonel, USA
Military Assistant

Attachments



Upon removal of attachments
this document becomes

~~CONFIDENTIAL~~

unclas

NARRATIVE SUMMARY

Cpl Charles MCMAHON and LCpl Darwin JUDGE were instantly killed by an artillery rocket at the Defense Attache Office compound at Tan Son Nhut in Saigon at 4 a.m. Tuesday, April 29, which would be Monday afternoon, 4 p.m. in Washington, D.C.

Within a few hours, Marine Officers were at the homes of the parents of the two slain Marines to notify them officially of the deaths.

Next day a priority radio message was dispatched, at the height of the evacuation, to our Embassy in Saigon requesting information on the whereabouts of the remains and details concerning the return of the bodies. We received a message indicating the remains were aboard the carrier, USS MIDWAY.

An inquiry to the USS MIDWAY about the plans for transshipping the bodies brought the response that the remains of the two Marines were not aboard. Contact was then made with Marine Brigadier General Richard CAREY, Commander of the Task Group that spearheaded the evacuation who was then on one of the evacuation naval vessels. General CAREY started an investigation to locate the bodies. Telephone calls were made to UTAPAO and SATTAHIP and all bases in Thailand; the replies were negative. In the ensuing days, in response to messages from Washington, D.C., searches were conducted aboard all the 7th Fleet ships in the area, and then expanded to the U.S. Bases at Subic and Clark in the Philippines, and Guam, the Marianas. All ships and land bases responded with negative replies. Inquiries, interviews and investigations continued over the weekend; attempts were made to communicate with personnel of the Defense Attache Office, Saigon, who by this time were dispersed.

On Tuesday, May 6, General CAREY reported from aboard his ship that thus far his inquiry had established only that the remains of the two Marines were received at the Seventh Day Adventist Hospital near Ton Son Nhut. The Marine Security Guard Detachment Commander, we were advised, had attempted before leaving Saigon to have the remains evacuated through appropriate Embassy channels. The Deputy Chief of Mission at the American Embassy, Saigon stated that the remains had left Saigon on one of the last USAF C130/C141 aircraft. He understood they were bound for Clark AFB, Philippines.

It was later determined that the bodies of the Marines were not aboard any of the fixed wing USAF planes that left Tan Son Nhut before the airport was closed to fixed wing aircraft.

General CAREY advised us that the remains were in all probability at the hospital and that he was requesting assistance from Ambassador Martin in recovering the remains through diplomatic initiatives.

On the evening of Tuesday, May 6, the MCMAHON and JUDGE families again were called upon by Marine Officers and were notified of the facts.

They were told:

"We are unable to confirm that the remains of your son were evacuated from South Vietnam. The last known location of the remains was the Seventh Day Adventist Hospital, Saigon, where they were sent for preparation for evacuation. Be assured we are doing our utmost to locate and recover your son's remains."

"It is requested that you do not disclose this information to other than the immediate family members for at least one day in order that our continuing efforts in this regard are not impeded."

After midnight the Office of Public Affairs, Department of Defense was confirming in response to inquiries from the press that the bodies of the two Marines were possibly still at the hospital in Saigon, and at the regular daily press briefing on Wednesday morning all known details were released to the press.

That same day, the Department of Defense was informed by the Department of State that the probable source of reports that the remains had been evacuated was a garbled telecon with the Seventh Day Adventist Hospital in Saigon at the height of the evacuation.





DEPARTMENT OF DEFENSE

JOINT CHIEFS OF STAFF

MESSAGE CENTER

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~~CONFIDENTIAL~~ T A L

52854
SECT 60 OF 11819

ACTION

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~~CONFIDENTIAL~~ PARIS 11819
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RUFHGV/USMISSION GENEVA 6556
RUMJMA/AMEMBASSY MANILA 2501
BT

EXDIS

E.O. 11652: YGDS-1
TAGS: AEMR, VS, FR
SUBJECT: RECOVERY OF REMAINS OF DEAD SAIGON MARINE
SECURITY GUARDS

REF: (A) STATE 107163 EXDIS (B) MANILA 5982 EXDIS

1. FMROFF APPROACHED QUAI ACTING DIRECTOR FOR ASIA
BOLLE MAY 9 CONCERNING RECOVERY OF REMAINS OF TWO
MARINE SECURITY GUARDS (REFTELS). BOLLE EXPRESSED
SYMPATHY WITH U.S. DESIRE, BUT SAID QUAI CONSIDERED THAT
IT WAS ENTIRELY TOO SOON TO ATTEMPT THE HUMANITARIAN
PROJECT THE USG REQUESTED. THE FRENCH AMBASSADOR WAS
BASICALLY UNABLE TO LEAVE HIS EMBASSY AND STILL HAD NO

PAGE 1

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DECLASSIFIED
E.O. 12356, Sec. 3.4.

MR 93-51, #12, State Nr. 9/10/93

By KSH, NARA, Date 10/29/93

~~CONFIDENTIAL~~

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DEPARTMENT OF DEFENSE

JOINT CHIEFS OF STAFF
MESSAGE CENTER

~~C O N F I D E N T I A L~~

52854

CONTACTS WITH THE "SAIGON AUTHORITIES". IT WOULD BE QUITE IMPOSSIBLE AT THIS TIME TO CHECK AT THE 7TH DAY ADVENTIST HOSPITAL. BOLLE COMMENTED THAT THE FRENCH EXPECT THE SITUATION TO BECOME MORE CLEAR VERY SHORTLY AND FRENCH EMBASSY SAIGON PERSONNEL WOULD BE ABLE TO CIRCULATE TO ASCERTAIN THE WHEREABOUTS OF THE REMAINS AND TO DETERMINE A MEANS FOR REPATRIATING THEM. BOLLE WAS AWARE THAT ICRC IS STILL REPRESENTED IN SAIGON, BUT MERILLON HAD NOT BEEN ABLE TO DETERMINE WHETHER IT HAD CONTACT WITH A COMMUNIST RED CROSS ORGANIZATION AND HENCE WAS ABLE TO FUNCTION.

2. COMMENT: AS IN THE CASE OF THE LIST OF AMERICANS IN SAIGON, THE GOF IS APPARENTLY VERY RELUCTANT TO BE DIRECTLY AND PUBLICLY INVOLVED IN MATTERS CONCERNING THE U.S. UNTIL IT IS ABLE TO REGULARIZE THE STATUS OF ITS REPRESENTATION IN SVN. PERHAPS ICRC COULD BE MORE EFFECTIVE AT THIS TIME.

RUSH
BT

#1819
ANNOTES
STAMP FXDIS EXCLUSIVE
NMCC FOR ODO
NUMBER COPIES
CAP JWM 401

SUBJECT: RECOVERY OF REMAINS OF DEAD SAIGON MARINE SECURITY GUARDS

REF: (A) STATE INFO EXIS (B) MANILA BOSS EXIS

1. APPROX APPROACHED DUAL ACTING DIRECTOR FOR ASIA ROLE MAY B CONCERNING RECOVERY OF REMAINS OF TWO MARINE SECURITY GUARDS (REF: (A)). BOLLE EXPRESSED SYMPATHY WITH U.S. DESIRE, BUT SAID DUAL CONSIDERED THAT IT WAS ENTIRELY TOO SOON TO ATTEMPT THE MUMUKTARIAN PROJECT THE US REQUESTED. THE FRENCH AMBASSADOR WAS BASICALLY UNABLE TO OBTAIN PERMISSION FROM THE FRENCH GOVERNMENT TO ATTEMPT THIS PROJECT.

PAGE 2

~~C O N F I D E N T I A L~~

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1915 MAY -9 PM 8 02

RECEIVED

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MR 95 27 # 12 21 04 11 01 04 11

by [illegible]

THE WHITE HOUSE
WASHINGTON

Parkinson -

- one of last Marines in from clow -
(has called Schlemmer)

- need info. re bodies

Marshalltown, Iowa -
- negotiations
recovery of body -Enormous report that bodies
were aboard carriers - many -
may not have been brought
out, etc. -Negotiating through the French -
Darwin _____

SEN. _____

Bud McFarlane -



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR: RUSS ROURKE
FROM: BUD MC FARLANE *RCM*
SUBJECT: The Last Two Marines
Killed in Vietnam

Attached is a report which in sum states that the remains of the last two Marines killed in Vietnam are still at the Seventh Day Adventist Hospital in Saigon. Apart from the obvious failure that this fact represents, I have asked our staff for a prompt recommendation on the actions that are now necessary to attempt to recover the remains. I will keep you posted.

Attachment





OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

8 May 1975

MEMORANDUM FOR Mr. Warren L. Gulley
Executive Assistant
Office of the Military Assistant
to the President
The White House

Pursuant to your request, attached is a Navy position on the failure to evacuate the remains of the last two Marines to lose their lives in Vietnam.

A handwritten signature in black ink, appearing to read "Ken".

Kenneth R. Bailey
Colonel, USA
Military Assistant

Attachment





DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

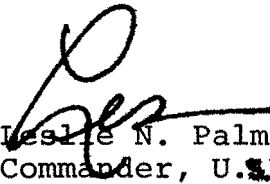
8 May 1975

MEMORANDUM FOR COLONEL K. R. BAILEY, USA
Military Assistant to the Special Assistant
to the Secretary and Deputy Secretary of
Defense

Subj: Navy Position on Evacuation of Marines

Kra: Pursuant to your request, attached is the response from the Marine Corps to the Secretary of the Navy regarding the failure to evacuate the remains of the last two Marines to lose their lives in Viet Nam.

The Secretary of the Navy is aware of this report and it is the official Navy position at this time.


Leslie N. Palmer
Commander, U.S. Navy
Administrative Aide to the
Secretary of the Navy

Attachment



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

IN REPLY REFER TO
PAI-JDM-gif
8 MAY 1975

MEMORANDUM FOR THE SECRETARY OF THE NAVY

Subj: Failure to remove the remains of two Marines from
Saigon

Ref: (a) Telcon Col VITALI to LtGen MCLAUGHLIN, Chief of
Staff, Headquarters, Marine Corps of 8 May 1975

1. Reference (a) requested a report of the circumstances surrounding the failure to evacuate the remains of Cpl Charles MCMAHON, Jr., USMC and LCpl Darwin L. JUDGE, USMC, from Saigon, formerly the Republic of Vietnam.
2. Enclosure (1) consists of a narrative chronology of events and statements from the time of death to the present, 8 May, 1975.
3. Enclosure (2) is a citation of message references in the possession of this Headquarters.

A handwritten signature in cursive script, reading "John N. McLaughlin", is positioned above the typed name.

JOHN N. MCLAUGHLIN
Lieutenant General, U.S. Marine Corps
Chief of Staff, Headquarters, U.S. Marine Corps

0400/29 Apr (Saigon)

Cpl McMahon and LCpl Judge killed by heavy artillery rocket impacting in the vicinity of the DAO compound Saigon

29 Apr 75

Personal casualty notification made to parents of SNM by Capt. Maloney, Inspector Instructor Boston (McMahon) and Capt. Arbelito, Inspector Instructor Des Moines (Judge). Initial information provided was that the remains would probably arrive for burial in 6 to 12 days.

30 Apr 75

A message was sent by Marine Security Guard Battalion in coordination with HQMC to CG 9th MAB requesting location/shipment of remains SNM

1 & 2 May

CTG 79.1 message stated that report suggests remains SNM are aboard USS Midway and requested remains be off-boarded and held army mortuary Bangkok.

2 May

USS Midway reported to CTG 79.1 that no remains were aboard

2 May

BrigGen Carey orders investigation concerning the evacuation of the remains of SNM.

Adj, FMFPac attempts to trace the location of the remains, placing telephone calls to BrigGen Carey, Army and Air Force Bases at UTAPAO and SATTAHIP Thailand. In turn military airlift command SATTAHIP called the USS Midway off the coast of Thailand, which again stated there were no remains aboard. Eventually all Thai bases were contacted with negative results.

ENCLOSURE (1)

- 3 May Throughout the 2d and 3rd of May searches were conducted of all 7th Fleet ships in the area and the search efforts were expanded to U.S. bases at Subic and Clark in the Philippines. All with negative results.
- 3 May BrigGen. Carey related to FMFPac that an Embassy Officer indicated the remains were believed to have been evacuated by one of the last C-141 or C-130 aircraft from Tan Son Nhut. Communication by Adj FMFPac with Hickam AFB indicated last C-130 departed Tan Son Nhut at 282010Z Apr 75, 25 minutes after the SNM were killed. C-130 was committed to evacuating the crew of a previous C-130 hit by rocket fire. Communications with 374th Tactical Airlift Wing Clark AFB, and the pilot of the last C-130 out of Tan Son Nhut confirmed the aircraft did not have remains aboard.
- 4 May Adjutant, FMFPac communicated with Marine Barracks Guam requesting inquiry of mortuary facilities concerning remains of SNM. Results negative.
- 5 May Inquiry, interviews and investigation continued. Attempts were made to communicate with Embassy DAO personnel. All efforts were negative in that either the individuals had no knowledge of the remains or could not be reached.
- 6 May CTG 79.1 reported the investigation completed with the following findings
- a) The remains were received at the Saigon Adventist Hospital.
 - b) Marine Security Guard Detachment Commander attempted to have the remains evacuated through the appropriate Embassy channels.

- c) Deputy Chief of Mission, American Embassy, stated the remains left Saigon on one of the last USAF C-130/C-141. Believed headed to Clark AFB.
- d) That the remains were not evacuated by C-130/C-141 aircraft.
- e) That the remains are in all probability still in Saigon.

BrigGen. Carey has requested assistance from Ambassador Martin in recovering the remains through Diplomatic channels. Ambassador Martin has indicated that he will initiate appropriate action to recover the remains.

The following statement was provided to McMahon and Judge families 062030 May 75:

"We are unable to confirm that the remains of your son were evacuated from South Vietnam. The last known location of the remains was the Seventh Day Adventist Hospital, Saigon, where they were sent for preparation for evacuation. Be assured we are doing our utmost to locate and recover your son's remains.

It is requested that you do not disclose this information to other than the immediate family members for at least one day in order that our continuing efforts in this regard are not impeded."

7 May, 1125

The Department of State informed the Department of Defense that erroneous telephone communications with the 7th Day Adventist Hospital, Saigon, were the probable source of reports that the remains had been evacuated.

CTG 79.1 010330 May75
MSGBn 301721 May75
CTG 79.1 020310 May75 (C)
CTG 79.1 010104 May75 (C)
CTG 79.1 000934 May75 (C)
USS Midway 020720 May75 (C)
CTG 79.1 040437 May75 (C)
CTG 79.1 060652 May75 (C)
SECSTATE 070340 May75 (C) EXDIS EXCLUSIVE EYES ONLY

ENCLOSURE (2)

ATIONAL SECURITY COUNCIL

May 7, 1975

TO: Phil Buchen
Jack Marsh *JM*
Max Friedersdorf
Paul Theis

May I have your comments/
concurrence as soon as possible.

Thanks.

Les Janka
x3116

Call Les Janka
5/8
12:40

DRAFT
May 7, 1975

MEMORANDUM FOR: THE PRESIDENT
FROM: HENRY A. KISSINGER
SUBJECT: Senator Abourezk's Letter Requesting
Nixon-Thieu Letters

Senator Abourezk has written you the letter at Tab B requesting copies of the 1972-73 correspondence between President Nixon and President Thieu. The Senator states that U. S. commitments to South Vietnam contained in these letters are relevant to hearings his Judiciary Subcommittee on Separation of Powers will be holding next week on executive agreements and commitments.

The Senator notes that two of the letters in question were made public by a South Vietnamese spokesman and states that the letters are essential to consideration of pending legislation requiring Congressional oversight of executive agreements.

The draft response to Senator Abourezk declines turning over the letters and reiterates the arguments you made to Senators Sparkman and Stennis regarding the essential need of confidentiality in diplomatic intercourse. The response also points out the policy and intentions contained in the letters were stated publicly, that the Administration has never invoked any assurances or commitments contained in the letters as a basis of Congressional action, and that, therefore, the



record of the Nixon-Thieu exchanges is not relevant to the Subcommittee's hearings.

RECOMMENDATION

That you sign the letter to Senator Abourezk at Tab A.

Philip Buchen, Jack Marsh, Max Friedersdorf and Paul Theis concur.



DRAFT
May 7, 1975

Dear Senator Abourezk:

Thank you for your letter of May 2 regarding the impending hearings of the Subcommittee on Separation of Powers which will examine executive agreements and commitments.

I will not be able to respond affirmatively to your request for copies of letters sent by President Nixon to President Thieu during 1972-73, which according to your letter contain U. S. commitments regarding American assistance to South Vietnam. A cardinal principle of diplomatic intercourse is the confidentiality of exchanges between heads of state. Despite the fact that two of the Nixon-Thieu letters have been made public, unilaterally, my responsibility to ensure the effective conduct of American diplomacy requires that the continued confidentiality of the exchanges not be breached in the interest of preserving this essential principle for all our diplomatic communications with other countries.

With specific reference, however, to your concern about commitments regarding assistance to South Vietnam, I remind you that President Nixon and members of his Administration stated publicly and repeatedly that the United States intended to continue its aid relationship with the Republic of Vietnam and react vigorously to massive



violations of the 1973 Paris Peace Agreement. The same policy and intentions were reflected in the diplomatic exchanges.

Any documents which could be construed as containing or constituting a government-to-government undertaking have been provided to the Congress. Furthermore, neither this Administration nor the previous one has ever invoked any private assurances or commitments contained in any letters as arguments for Congressional action. Requests for security assistance and opposition to the 1973 prohibition of the use of military force were always argued on the merits of openly-stated policy in the belief it was in our national interest to maintain the necessary conditions for the viability of the Peace Agreement. Our policy was determined by this view of our interests, not by commitments or assurances given in any private documents. I do not believe, therefore, that the record of the exchanges between President Nixon and President Thieu are relevant to the examination being undertaken by the Subcommittee.

Sincerely,



JAMES G. EASTLAND, MISS., CHAIRMAN
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PHILIP A. ART, MICH.
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HUGH SCOTT, PA.
STROM THURMOND, S.C.
CHARLES MCC. MATHIAS, JR., MD.
WILLIAM L. SCOTT, VA.

United States Senate

PETER M. STOCKETT
CHIEF COUNSEL AND STAFF DIRECTOR

COMMITTEE ON THE JUDICIARY
WASHINGTON, D.C. 20510

May 2, 1975

The Honorable Gerald R. Ford
The White House
Washington, D. C.

Dear Mr. President:

ME
For some time the Subcommittee on Separation of Powers has been examining executive-legislative relations in foreign affairs with special emphasis on executive agreements and commitments. The Subcommittee held extensive hearings on the subject in April and May of 1972. Despite congressional attempts to define the powers, duties and prerogatives of the two branches of the government in this area of foreign policy, the problem of executive agreements vis-a-vis the treaty power of the Senate has remained a matter of increasing concern.

Various legislative proposals are now pending which would prescribe a congressional role in the making of international agreements, other than treaties, that commit our national resources. The Subcommittee presently has before it two such bills requiring congressional oversight of these agreements. S. 632 introduced on February 7, 1975, by Senator Bentsen and S. 1251 introduced on March 20, 1975, by Senator Glenn. The separation of powers questions involved in such legislative proposals are vitally important; therefore, we have scheduled hearings on May 13, 14, and 15, 1975.

Obviously, the letters made public on April 30, 1975, in Washington by Nguyen Tien Hung, former Minister of Planning for South Vietnam, are of compelling relevance to these hearings and consideration of the above-referenced legislation.

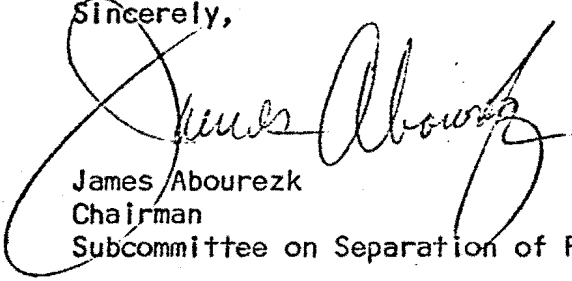
Accordingly, I respectfully request that you furnish to the Separation of Powers Subcommittee of the Senate Committee on the Judiciary, copies of the letters of November 14, 1972, and January 5, 17, and 20, 1973, sent by President Richard M. Nixon to President Nguyen Van Thieu, in which President Nixon makes commitments regarding American assistance to South Vietnam in the post-settlement period.



The Honorable Gerald R. Ford
May 2, 1975
Page Two

I also request that you send the Subcommittee copies of the letters of November 11 and December 20, 1972, from President Thieu to President Nixon regarding American assistance to South Vietnam in the post-settlement period. I also ask that you transmit to the Subcommittee copies of any other material or information related to this correspondence and its substance which is in your possession. Please let me hear from you regarding these requests by close of business on May 7, 1975. Your cooperation will be appreciated in view of the time constraints under which we are operating.

Sincerely,


James Abourezk
Chairman
Subcommittee on Separation of Powers



MAY 7, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

Two years have passed since the last American troops left Vietnam. Shortly after our withdrawal, draft inductions were terminated. We established an All-Volunteer Armed Force with the highest pay in history. For the first time, the Nation's youth could look to the military for jobs fully competitive with civilian job alternatives.

America is no longer at war. But peacetime military volunteers have remained fully eligible for all the wartime veteran benefits designed to reward those who entered service during the period of actual hostilities in Vietnam.

The time has now come to terminate wartime benefits which apply to the new peacetime volunteers. This is consistent with action taken by earlier Presidents in ending wartime veterans benefits after World War II and the Korean Conflict.

Today, therefore, I have issued a Proclamation terminating on May 7, 1975, the eligibility period for those Vietnam war benefits that the President is empowered by law to end. At the same time, I am submitting appropriate legislation to the Congress requesting the termination of the eligibility period for G.I. Bill education and training benefits -- an action that is solely the prerogative of the Congress.

These actions primarily concern future peacetime volunteers who are neither disabled nor die in service. I want to emphasize that the termination actions will in no manner impair the eligibility for full wartime benefits of the more than 7 million Vietnam-era veterans already discharged, or those presently serving in our Armed Forces.

more



Future veterans disabled in service will continue to receive Veterans Administration compensation and other service-connected benefits on an absolute par with present wartime benefits. Families of those who die in service will receive the same service-connected benefits available to families of veterans of wartime service.

The period between the cessation of hostilities and the termination of eligibility for wartime veterans' benefits has already extended longer in the case of Vietnam than for any prior war. For virtually all of our World War I military personnel, the benefit eligibility period ended with the November 11, 1918, Armistice. For World War II veterans, eligibility was terminated on most benefits December 31, 1946, some 16 months after the surrender of Japan. A Proclamation by President Eisenhower established a January 31, 1955, termination date for most of the Korean Conflict benefits. The Proclamation followed the signing of the Korean Armistice by 18 months.

I believe the actions I have taken today make an equitable distinction between those who serve in time of war and those who serve in time of peace. These actions also guard the Nation against unwarranted future expenditures and will result in cumulative savings of \$1.5 billion over the next five years after termination.

#

Office of the White House Press Secretary

THE WHITE HOUSE

FIXING TERMINAL DATE RESPECTING SERVICE IN THE
ARMED FORCES ENTITLING PERSONS TO CERTAIN
VETERANS BENEFITS

- - - - -

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

The Congress has provided that entitlement to certain veterans benefits be limited to persons serving in the Armed Forces during the period, beginning August 5, 1964, referred to as the Vietnam era. The President is authorized to determine the last day on which a person must have entered the active military, naval, or air service of the United States in order for such service to qualify as service during that period.

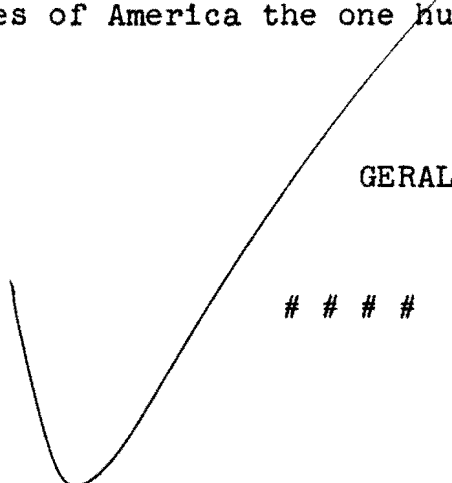
The signing of the cease-fire agreements and implementing protocols on January 27, 1973, between the United States of America and the Republic of Vietnam, on the one hand, and the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam on the other hand, has terminated active participation by the Armed Forces of the United States in the Vietnam conflict.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, by virtue of the authority vested in me by Section 101(29) of Title 38 of the United States Code, do hereby proclaim, for the purposes of said Section 101(29), that May 7, 1975, is designated as the last day of the "Vietnam era."

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of May in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred ninety-ninth.

GERALD R. FORD

#



6-10

14

JAMES O. EASTLAND, MISS., CHAIRMAN
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 QUENTIN N. BURDICK, N. DAK. CHARLES MCC. MATHIAS, JR., MD.
 ROBERT C. BYRD, W. VA. WILLIAM L. SCOTT, VA.
 JOHN V. TUNNEY, CALIF.
 JAMES ABOUREZK, S. DAK.

United States Senate

PETER M. STOCKETT
 CHIEF COUNSEL AND STAFF DIRECTOR

COMMITTEE ON THE JUDICIARY
 WASHINGTON, D.C. 20510

June 9, 1975

The Honorable Gerald R. Ford
 The White House
 Washington, D. C.

Dear Mr. President:

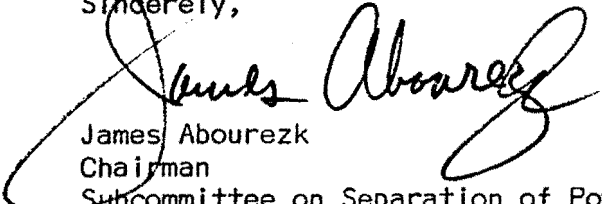
During the hearings on executive agreements held on May 13, by the Separation of Powers Subcommittee, retired Admiral Elmo Zumwalt, former Chief of Naval Operations, testified that it was "quite clear" to him that "verbal commitments had been made" to South Vietnam based on what he was told "in one meeting between the President, the Secretary of Defense and the members of the Joint Chiefs of Staff on the 30th of November 1972."

When I asked Admiral Zumwalt who had indicated that these were commitments to South Vietnam, he responded that "the best source, I suppose, Mr. Chairman, of that would be if you could get a hold of the tape." The Admiral added that it was his "recollection" that "it was implicit in a whole series of things that were said," but he was unable to recount with complete accuracy everything that was said at that meeting.

The conversations conducted at that meeting as they pertain to the making of secret commitments and to the making of international agreements obviously are crucial to this Subcommittee's study of executive agreements. Thus, we respectfully request that you make available to the Subcommittee any tapes or transcripts of tapes of, or any other material which in any way relates to, the meeting held on November 30, 1972.

Thank you for your help on this matter.

Sincerely,


 James Abourezk
 Chairman
 Subcommittee on Separation of Powers



JUN 12 1975

June 10, 1975

Dear Senator:

This will acknowledge receipt of your letter to the President of June 9 requesting that the Subcommittee on Separation of Powers be furnished with material relating to a meeting reportedly to have been held on November 30, 1972.

You may be assured your letter will be accorded early consideration.

With kind regards,

Sincerely,

William T. Kendall
Deputy Assistant
to the President

The Honorable James Abourezk
United States Senate
Washington, D. C. 20510

bcc: w/incoming to Philip Buchen for further action.
~~bcc: w/incoming to John Marsh - for your information.~~
bcc: w/incoming to Max Friedersdorf - for your information.
WTK:EF:VO:vo

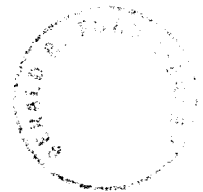




MONOGRAPH

**COMMUNIST INDOCHINA:
PROBLEMS, POLICIES AND SUPERPOWER INVOLVEMENT**

by
Joseph C. Kun



This monograph
presents individual research
in support of the continuing
World Power Assessment
project of Georgetown University's
Center for Strategic and International Studies.
It is for limited circulation and represents
only the views of the author.

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by
Joseph C. Kun

February 1976

FOREWORD

The dramatic rush of events in the Indochina peninsula since the spring of 1975 marked the end of more than a decade of deep American involvement in Vietnam, Laos and Cambodia. They did not, of course, end major power interest in that strategically important region. On the contrary, the removal of United States influence and drastic scaling down of its military strength in the area have meant that the Soviet Union, the People's Republic of China, and Japan have all moved to try to improve their ties with the new communist governments in Laos, Cambodia and both North and South Vietnam. This scramble for influence will affect the course of events throughout the Far East for years to come.

To analyze the initial developments in the region in this first year after the US withdrawal, we have asked Joseph C. Kun to report on the internal developments in each country and how these have affected regional ties as well as relationships with the major Asian powers and with the United States. Mr. Kun is well qualified in this field. He studied Asian affairs at the University of Budapest and at Harvard University. He has contributed to studies on Asia at MIT and Columbia University and has published many articles on Far Eastern political developments.

This monograph was edited for publication by Ms. Nancy Eddy of the CSIS staff.

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Ray S. Cline
Executive Director of Studies



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INTRODUCTION

"The wars of Indochina ended with two bangs and a whimper within a single month last spring." So the prestigious London weekly, The Economist, summed up what took place in Laos, Cambodia and South Vietnam in April-May 1975.¹ In retrospect, the communist victory in Indochina was inevitable. The Paris agreement, signed more than two years earlier, was never implemented by the communists, and violations of the ceasefire continued unabated throughout the entire period. After August 1974 when, under Congressional pressure, bombing missions ceased in Cambodia, the US was not in a position to offer its allies the kind of assistance required to sustain them any longer unless the North Vietnamese also ended their support for local communist forces.

No such prospect was forthcoming. In a final showdown, the communists overran Phnom Penh and Saigon on April 17 and 30 respectively. The door was now open to the implementation of sweeping political and economic measures aimed at changing the nature of the existing societies. A few weeks later, the coalition government that had been in office in Laos for some 13 months fell apart. By the end of 1975, all of Indochina was under the firm control of three communist regimes, whose leaders shared the heritage of the same Vietnam-dominated communist movement, the Indochinese Communist Party (ICP).

But the emergence of these regimes, accompanied by the decline of Western influence in the region, did not put an end to great power involvement in Indochina. Almost simultaneously with the withdrawal of the last American officials from South Vietnam and Cambodia, competition between China and the Soviet Union for spheres of influence sharpened. Apparently led by material considerations, the North Vietnamese leadership abandoned its earlier balanced stand in the Sino-Soviet conflict. Hanoi's endorsement of Soviet policies unpopular with the Chinese was rewarded by new, long-term agreements which in essence guarantee the implementation of the country's economic plans for the second half of this decade.

¹The Economist (London), July 12, 1975.

Communism in Indochina has many faces. In Cambodia, a new experiment is underway in which, under the slogan of "self-reliance," the population of the cities has been interned and mass, forced labor has been used to rebuild the country's economy. Rejecting all ties with the Soviet Union, the Red Khmer leaders rely on the political and economic support of the People's Republic of China (PRC).

In contrast, the new communist regime in Laos seems receptive to Soviet influences. However, the Pathet Lao leadership which abolished the country's 600-year-old monarchy and set up a Vietnamese-style People's Democratic Republic in December 1975, may find itself under increasing North Vietnamese domination in the months and years to come.

The third nation, South Vietnam, which was from the very beginning fully dependent on Hanoi, is now facing an uncertain future under North Vietnamese tutelage.

The establishment of communist governments throughout Indochina therefore did not result in friendship and tranquility for all. Instead, superpower involvement is once again on the rise, and the animosities arising from ethnic and political differences remain. With the impending completion of the unification process, Vietnam will become the most populous and, militarily, the strongest power in continental Southeast Asia.²

²Estimates vary on the actual size of the population of a united Vietnam. In recent speeches North Vietnamese Vice Premier Le Thanh Nghi and South Vietnamese President Nguyen Huu Tho, spoke of 43 and 45 million people respectively. At least one North Vietnamese publication claimed a population of "nearly 50 million people," an obvious exaggeration. However, with anything over 40 million people, the unified Vietnamese state would become the most populous country in continental Southeast Asia.

The dramatic developments that changed the internal political situation in the states of Indochina could not fail to affect the region's relations with the rest of the world. After outlining the recent domestic developments in each of the countries involved, this study will briefly examine the foreign policy patterns now evolving there. In spite of marked differences in orientation, the new regimes are expected to retain their existing relations with non-communist countries and seek new ones. In this context, the author sees opportunities for the United States in establishing diplomatic ties with Vietnam, which holds the key to the future of the entire Indochina region.

CHAPTER I
THE DOMESTIC SCENE

1. The Two Vietnams

After some months of hesitation, in the fall of 1975 the Vietnamese communists decided to speed up the unification of the two parts of the country. The process, consisting of several phases, is to be carried out over a six-month period and is scheduled to be completed at the end of April 1976.

The first two steps toward the merger of North and South Vietnam were the meeting of a Joint Political Consultative Conference for Reunification, held in Saigon (now Ho Chi Minh City) between 15-21 November 1975, and the ratification of the decisions reached by that conference in the second part of December.³ During talks between representatives of the two parts of Vietnam, it was decided to hold general elections throughout the entire country at the beginning of April in order to elect representatives for a joint all-Vietnam National Assembly. Since the schedule calls for the election of one deputy for every 100,000 people, the joint assembly is to be a sizable body of over 400 representatives.

The assembly, described as the supreme legislative organ of the united Vietnam, will meet on April 25. During the session it will set up a joint government and formulate a new communist-style constitution. Moreover the meeting will also settle such formalities as the location of the capital, the name of the new state (most probably a People's Democratic Republic of Vietnam), the joint flag and the national anthem. The end of the session will mark the birth of a new united Vietnamese state in Indochina on the last day of April. The date has been chosen to coincide with the first anniversary of the communist takeover of Saigon on April 30, 1975.

³In South Vietnam the ratification was carried out at a meeting of a South Vietnamese People's Representative Conference which met in Saigon on December 20. In the North, the same process was accomplished at a session of the National Assembly of the Democratic Republic of Vietnam (DRV) that met in Hanoi between 21-27 December.

Although all this would seem to be the natural outcome of the takeover, the convocation of the unification talks in November of 1975 came as a surprise to most observers in view of earlier statements by South Vietnamese communist officials predicting that unification might take up to five years. As recently as the summer of 1975, the foreign minister of the South Vietnamese Provisional Revolutionary Government (PRG) vaguely described unification as something to be decided upon "in the future" by the peoples of the two Vietnams.⁴ At that time, the North Vietnamese regime was still anxious to promote the separate international recognition for South Vietnam by having both halves of the country represented in the United Nations.

As the policy of rapid unification became accepted, that effort was completely abandoned. The events of the Joint Political Consultative Conference for Reunification last November showed that even the existence of the South Vietnamese National Liberation Front (NLF), a front organization that, under communist direction, played a leading role in the struggle for political control of the South, had become superfluous. Its forced merger with the Patriotic Front of North Vietnam, a meaningless united front organization composed of puppet parties and mass organizations, eliminated it as a symbol of a separate South Vietnamese struggle, one that some nationalist elements in the south may have cherished in the past.

There is a striking contradiction between the gradualistic approach with which the Vietnamese communists are presently proceeding toward the complete unification of the country, and statements issued before the convocation of the reunification conference in November. In articles hailing the opening of that conference, Vietnamese communist publications openly claimed that unification of the two halves of the country had long been completed in all but name.

⁴Interview with Mme. Nguyen Thi Binh, Foreign Minister of the PRG, Le Quotidien de Paris (Paris), July 22, 1975.

As one editorial appearing in the North Vietnamese military daily put it, the country "was already unified in various respects during the war years," a surprisingly candid admission of the fact that Hanoi never considered the frontiers of South Vietnam an obstacle to armed aggression.⁵ The key problem to be decided upon by the reunification conference, according to the same article, was the "state issue," or the formalization of what had in fact been achieved by military means.

An early deadline for the completion of the unification process was particularly important in view of Hanoi's intention to inaugurate its second Five Year Plan at the beginning of 1976.⁶ There remain of course striking differences in the political, economic and social structures of the two parts of the country. The official view on the politico-economic status of Vietnam, expressed in the usual communist terminology, is that following the takeover in the South, the Vietnamese revolution entered a new stage in which "the entire country engages in socialist revolution and socialist construction." Entry into the socialist stage requires, among other things, the planned development of the economy, including the nationalization of the private sector, a task that is to be carried out "in conformity with the realities existing in each zone of our country." The same scheme also calls for the planned development of cultural life and the building of "men of a new type" throughout the entire country.⁷

⁵"Realize National Reunification and Build a Powerful Country," Quan Doi Nhan Dan (Hanoi) editorial, November 10, 1975.

⁶Preparations for the second Five Year Plan (1976-1980) began following the ceasefire in 1973. For the intervening period, the DRV initiated a two year plan of reconstruction and rehabilitation that began in February 1974.

⁷"Final Communique of the Political Consultative Conference For Reunification," Vietnamese News Agency (VNA) in English, November 21, 1975.

In spite of the somewhat utopian plans of this kind, no one in Hanoi seems to believe that it will be an easy task to transform the South Vietnamese economy into something resembling a communist model. As a recent Radio Hanoi commentary put it, "Reforming the formerly dependent South Vietnamese economy and transforming it into an independent and sovereign socialist economy is an all-sided and hard struggle...."⁸ The Vietnamese apparently do not expect to carry out the transformation and rehabilitation of South Vietnam's economy without the help of the more industrialized communist states. The talks conducted by (North) Vietnamese Workers' Party (VWP) First Secretary Le Duan in Moscow and Eastern Europe late in 1975 appear to have included arrangements for economic assistance for both parts of Vietnam.⁹ The economic and trade agreements signed during his visits were to cover the entire second Five Year Plan. In some instances, North Vietnam's negotiating partners agreed to coordinate their economic plans with that of Hanoi for the corresponding five year period, a commitment that may prove quite costly in the long run.¹⁰

It may have been due to their having accepted the impending unification as a fait accompli that, during the first round of talks on the subject in November 1975, the leaders of the South Vietnamese NLF stopped pretending independence from Hanoi. Although the South Vietnamese delegation to the talks included a wide assortment of personalities in all walks of life, the key men in the 25-member group were such seasoned communist functionaries as Pham Hung, Tran Nam Trung and

⁸"Our People in the South are Determined to Build an Independent and Sovereign Socialist Economy," Radio Hanoi commentary, November 6, 1975.

⁹Le Duan visited six East European countries and the Soviet Union in October-November 1975. According to the joint communiques issued following the talks, the diplomatic representatives of the South Vietnamese PRG were among those participating on the Vietnamese side.

¹⁰Agreements on the coordination of national economic plans were reached with the Soviet Union and East Germany. Long-term loans were negotiated with Hungary, Bulgaria, Rumania, East Germany and the USSR. Curiously, no new loan commitments were made by Poland and Czechoslovakia during Le Duan's visit.

Vo Chi Cong, all members of the North Vietnamese party hierarchy.¹¹ It is not difficult to see how such a team could find a common language with the Hanoi delegation led by party ideologist Truong Chinh and other military and political functionaries of North Vietnam.

The party organization that was in full control of the NLF since its establishment fifteen years ago will not need to be formally united with its counterpart in the North. The South Vietnamese People's Revolutionary Party (PRP) that separated from the VWP in January 1972 has, for all practical purposes, remained an appendix of the latter. While throughout the war years the PRP avoided public contact with the North Vietnamese party and played down its role as a communist vanguard organization, in confidential party documents it admitted being separated from the VWP in appearance only.¹² As an article published in the Hungarian party daily Nepszabadsag last year correctly pointed out, "Vietnam always had only one Communist Party; northerners and southerners both united in the VWP."¹³ Whether formal merger of the two parts of the North Vietnamese party will be deemed necessary remains to be seen. At any rate, such a move would be an exercise devoid of any real meaning.

¹¹Pham Hung is a member of the VWP Politburo and secretary of the South Vietnam Committee of the VWP; Vo Chi Cong and Tran Nam Trung, respectively chairman and secretary general of the South Vietnam People's Revolutionary (communist) Party (PRP), are both members of the VWP Central Committee.

¹²A cadre document captured soon after the PRP's separation from the VWP declared that the declaration of the former was "a necessary strategy /designed/ to deceive the enemy." The new party, the document stated, "must maintain the outward appearance of a separation from the VWP so that the enemy cannot use it in his propaganda...." Quoted by Douglas Pike in Viet Cong: The Organization and Techniques of the National Liberation Front of South Vietnam (Cambridge, Mass.: MIT Press, 1966), p. 140.

¹³Nepszabadsag (Budapest), June 11, 1975.

2. Laos: Toward A "People's Democracy"

The momentum of communist victories in South Vietnam and Cambodia in April 1975 could not fail to shatter the Rightist, Neutralist and Pathet Lao coalition that emerged in Laos a year earlier. At the beginning of May, organized anti-Rightist demonstrations in Vientiane led to the resignation and flight of some cabinet members and generals. The gradualistic approach shown by the Pathet Lao during this initial period had, however, been interpreted by some foreign observers as an indication that the communist-dominated Lao Patriotic Front (NLHS) was still interested in retaining a coalition government. Some others saw it as a sign of division between moderate and hard-line elements within the Laotian communist movement. But, if there indeed was a division, it did not prevent the Pathet Lao from completing the takeover in everything but name by mid-summer.

The entry of the Pathet Lao forces into the principal centers of Laos, presumably to accelerate the "integration" of the two armies in early June, the purge of all non-communist elements from the police force in July, the emergence of a people's revolutionary administration in Vientiane in August, and the political reeducation and social "cleaning up campaigns" applied to all strata of the population were stages in the process that for all practical purposes eliminated the joint administration of the country.

The Pathet Lao-directed demonstrations demanding the end of the coalition government in late November were the first step toward the formal completion of that process. A National Congress that met in Vientiane in the first days of December decided, under communist guidance, formally to dissolve both the coalition government and the policy-making National Coalition Political Council. The country's six-century-old monarchy, abolished at the same time, was replaced by a Lao People's Democratic Republic. King Savang Vatthana, who had reigned only in name for the past sixteen years, was replaced by NLHS chief Prince Souphanouvong as president.¹⁴ Coalition Prime Minister Prince Souvanna Phouma

¹⁴In an attempt to retain at least the appearance of respect for the monarchy which has been extremely popular with the rural population, the regime appointed the former heir to the throne, Prince Savang Vatthana, to the titular post of "supreme counselor" to the President.

gave up his office to Kaysone Phomvihane who, as the leader of the Lao communist movement, became the first communist officially to head the government of what once used to be known as the Land of a Million Elephants.

In an "action program" presented to the congress by Premier Kaysone, the new regime outlined its policies for the current period.¹⁵ The program provides for the elimination of all elements allegedly hostile to the new Laotian political system, such as the comprador bourgeoisie and feudal landlords, and promises to gradually readjust the country's inherently weak economy through nationalization of the remaining private sector and the establishment of new material and technological bases "in accordance with the socialist system." The political and economic measures outlined in the program, coupled with a cultural indoctrination campaign which is to take effect immediately, are part of the overall effort to turn Laos into a full-fledged communist dictatorship.

The most important political event that accompanied the recent Laotian upheaval was the sudden change in the status of the Laotian communist movement in the fall of 1975. Since its formation in 1955, the communist party, known as the Lao People's Revolutionary Party (LPRP), had kept out of sight, leaving the NLHS as the representative of the political forces of "liberation." This practice, shared by the communist movements of South Vietnam and Cambodia, served to emphasize the national character of the popular fronts, while obscuring the leading role played within those fronts by the local communist movements.

¹⁵The National Congress of People's Representatives convened by the NLHS Central Committee on December 1, 1975, was an ad hoc body composed mainly of representatives of the newly formed provincial and local people's councils under the direction of the new communist leadership. The full text of the "action program," delivered by Kaysone on behalf of the new government, was carried by Radio Vientiane on December 4, 1975.

During the second part of 1975, the LPRP suddenly abandoned its earlier low posture and began to project an entirely new image. In articles and broadcasts issued during this period, the party was described as the originator and undisputed leader of the entire revolutionary process. In this respect it not only overshadowed the NLHS, but made the latter seem almost superfluous. As a recent Pathet Lao broadcast put it, "Facts show that the Lao People's Revolutionary Party has been the organizer and leader of all victories of the Lao revolution."¹⁶

The completion of the Pathet Lao takeover in December brought the entire Indochina region under the control of communist parties, sharing the common heritage of the Indochinese Communist Party. The stress placed in recent statements on the Lao People's Revolutionary Party's early ties with the ICP, a movement set up in 1930 by the Vietnamese communist leader Ho Chi Minh, suggest that the new Laotian regime will give a very high priority to its relationship with the Vietnamese party.¹⁷

Party ties alone, however, cannot satisfactorily explain the Laotian communists' affinity to Hanoi. During the past decades, North Vietnam sustained the Lao liberation movement by direct military presence on Laotian territory and by material and political assistance. No matter how much aid

¹⁶Pathet Lao news agency in English to Southeast Asia, October 27, 1975, outlining a Radio Pathet Lao commentary of October 25. Emphasis added.

¹⁷This emphasis on the importance of the Indochinese Communist Party as "the precursor of the LPRP" appears in almost all recent statements dealing with the communist party's role in the revolutionary struggle. As a Radio Pathet Lao commentary put it, "Due to its just cause and correct policy, the LPRP, continuing the work of the Indochinese Communist Party, has successfully organized and led the people of all nationalities and placed them under the Lao Patriotic Front...." Radio Pathet Lao, October 29, 1975. Emphasis added.

it may receive from other communist regimes, for its future economic development Laos will have to rely primarily on Hanoi. In a recent interview with the North Vietnamese news agency, LPRP Secretary General Kaysone Phomvihan placed strong emphasis on this requirement by pointing out that in building up its economy, Laos "now very much needs the assistance and cooperation of all fraternal and friendly countries, first of all Vietnam."¹⁸

In addition to the economic necessities, the educational and family ties that connect the new leaders of Laos with North Vietnam are likely to contribute to the special relationship between the two regimes.¹⁹ All this, plus the possible North Vietnamese reluctance to withdraw completely from Laotian territory should be sufficient to ensure the Pathet Lao leadership's loyalty to Hanoi.²⁰

¹⁸Kaysone's interview with a Vietnamese news agency correspondent, broadcast by Radio Pathet Lao on October 20, 1975. Emphasis added.

¹⁹Kaysone Phomvihan is half Vietnamese, while Prince Souphanouvong is married to a Vietnamese woman. The two, like many other Pathet Lao leaders, received their formal education in Hanoi in the 1930's. For biographic information on Kaysone and other leaders of the LPRP leadership see Arthur J. Dommen, Conflict in Laos: The Politics of Neutralization (New York: Praeger, 1964), pp. 72-83.

²⁰There is no reliable information on the number of North Vietnamese troops presently on Laotian territory. Estimates range from 36,000 to as low as 12,000 men. It is generally agreed that the North Vietnamese are still maintaining a sizable force in the Ho Chi Minh Trail area of southern Laos in addition to the troops in the territories firmly under Pathet Lao control.

3. Cambodia: A Unique Experiment

The new Cambodian regime, controlled by hard-line elements of the Red Khmer movement, have chosen a new, uncharted path toward a communist revolution. The "Cambodian road," the regime's uprooting of the urban population and its reliance on forced labor, is a new experiment on which most communist countries prefer to remain silent.

The state system introduced by the Cambodian regime at the end of 1975 is quite different from those being formed in Laos and the two parts of Vietnam. The difference begins with the name of the new Cambodian state. Instead of calling it a People's Republic, the regime chose "Democratic Cambodia" as the official name of the country. The new state constitution, adopted by a so-called Third National Congress in December 1975, set down the fundamental principles along which the country is to be governed.²¹

From that document, and from an explanatory report on the constitution delivered to that assembly by Vice Premier Khieu Samphan,²² there emerges the image of a unique totalitarian society in which the state takes full charge over all aspects of the life of the population without considering the wishes of any single individual. Collectivity covers not only ownership and the forms of production, but it extends to all aspects of the people's livelihood and work, barring the most elementary personal belongings of the individual. Collective ownership is universal. All main production facilities and the means of transportation have been declared collective property. Farming and rural production have also been collectivized. While there is no mention in the constitution of the role of the private sector in the basic services and commerce, it may be assumed that as far as such things still exist, they will be performed on a collective basis.

²¹The Third National Congress met in Phnom Penh on December 14, 1975. The full text of the constitution was carried by Radio Phnom Penh on January 5, 1976.

²²Khieu Samphan's report on the constitution is the single most comprehensive document on the political system now emerging in Cambodia. Although it was delivered at the Third National Congress in December 1975, the text of the report was released only at the beginning of this year. Radio Phnom Penh, January 5, 1976.

By forcing the urban population into the countryside and by shifting large masses of people from one end of the country to the other,²³ the regime is trying to fulfill major construction tasks in the countryside, particularly those connected with irrigation. The replacement of dikes with higher, more sturdy structures is an important part of the work performed by former urban residents in various parts of the country. The constitution promises full employment for all citizens, a principle that is being implemented by the utilization of forced labor on such projects. The "full equality of all citizens," as claimed by the constitution, is being achieved through the abolition of private property which, in the words of the government report, led to the disappearance of both "rich and poor classes" for the simple reason that "everybody works either in the fields or in the factories."

The constitution does not clarify the exact nature of the state system now being instituted in Cambodia. With the promulgation of that document, "Democratic Cambodia" became a republic. However, that term is not used in the constitution and in his report Khieu Samphan carefully avoided any reference to the abolition of the monarchy. However, the constitution provides for the establishment of a state presidium, comprised of a president and a first and second vice president. The presidium is described as a form of collective leadership set up with the purpose of avoiding mistaken decisions by any single individual: "A collective leadership is less prone to make errors."

²³Cambodian refugees reaching Thailand reported in January 1976 that toward the end of 1975 the Cambodian authorities initiated a new wave of migration that is believed to rival the forced evacuation of city residents from Phnom Penh in April 1975. According to the reports, peasants as well as many of those who had been forced to leave the capital are "being shifted principally into the more sparsely populated northwestern area of the country, primarily Battambang province." David A. Andelman in The New York Times, January 21, 1976.

The new system has yet to be implemented in practice. As of January 1976 the regime continued to rely on some of the institutions set up by Prince Norodom Sihanouk during his exile in Peking. Sihanouk himself was still being described as head of state, and decrees were being issued in the name of the Royal Government of National Union of Cambodia. It may be safe to assume, however, that the publication of the constitution signalled the beginning of a new phase in the country's recent turbulent history, and that the last vestiges of the monarchy will disappear in the near future.²⁴

At least in theory, supreme state power in Cambodia is to rest with an Assembly of People's Representatives, composed of 250 members of which over half come from the peasantry. The representatives to this body are to be elected through "direct and prompt general elections to be held throughout the country every five years."

The exact form of government administration to be set up in Phnom Penh is not specified in the constitution. Real power seems to be wielded by a very small group of individuals who led the Red Khmer armed forces to victory last April. The most influential member of this group is Khieu Samphan who, although a Vice Premier, clearly outranks all other members of the administration, including Premier Penn Nouth.²⁵ The few visible members of the Cambodian communist leadership besides Khieu Samphan are Ieng Sary, Vice

²⁴The role Sihanouk is to play in the new Cambodian regime is not clear. In spite of his two visits to Phnom Penh following the Red Khmer victory, the Prince remains something of an outsider to the regime. It is possible that he will be assigned to a honorary post, probably outside of Cambodia.

²⁵Penn Nouth, a close associate of Sihanouk, appears to have no real influence over government decisions. His retention as Premier may be a gesture toward the Prince who is still believed to enjoy great respect among the rural population.

Premier in charge of foreign relations, Son Sen, Vice Premier in charge of defense, and Hu Nim, Minister of Information and Propaganda. The same men are also believed to be the leading functionaries of the elusive Cambodian communist movement. The Cambodian People's Revolutionary Party (CPRP), which is thought to be the real force behind the Red Khmer movement, remains in the background; neither its leadership nor its organizational structure is known to the outside world. It is characteristic of the unique nature of the new constitution that it makes no reference to political parties, including the communist CPRP.

The new regime places great emphasis on Cambodia's national traditions and rejects foreign cultural influences, primarily those from the West. One important factor that appears to have played a part in the regime's abrupt uprooting of the urban population following the Red Khmer takeover of the capital was the Red Khmer leadership's anger over the "bourgeois" habits of the city dwellers. In his report Khieu Samphan mentions specifically the city population's lack of national character and their enjoyment of what he calls vestiges of corrupt and reactionary culture.²⁶ In an effort to promote national tradition, the regime introduced the policy of complete rejection of Western influence, including Western-style clothing. In Khieu Samphan's words, "we dress in line with our national mores, in accordance with the realities, and within the means of our people and our nation."

The regime's concern over the reconstruction of the economy, its rejection of foreign cultural influences and the striving toward a classless society, all reflect a kind of messianism that is frequently present at the early stages of

²⁶Parts of Khieu Samphan's report betray a surprisingly naive attitude toward foreign cultural influences: "Look at what [the former regime] did to their followers: the houses of Phnom Penh are full of unthinkable things. I do not know how to describe them. These homes have no national character at all...."

revolutionary movements, particularly in Asia. However, the history of world communism has shown that this kind of naive messianism tends to diminish rapidly soon after the new communist officialdom becomes entrenched in bureaucratic routine. It may be due to their awareness of such a possibility that the new Cambodian leaders are purposely trying to maintain revolutionary elan and avoid a slowdown in the pace of economic reconstruction. Similarly, the desire to eliminate the effect of foreign influences on the population may be a factor in the regime's unwillingness to relax its policies of labor exploitation and population shifts within the country.

CHAPTER II
SPHERES OF INFLUENCE

1. Vietnam: Which Way To Lean?

While the reunification of the two halves of the country will most directly benefit Hanoi, Moscow has apparently scored some important gains from recent developments in Indochina. VWP First Secretary Le Duan's trip to the Soviet Union and East Europe in the fall of 1975 revealed a shift in North Vietnamese policies, from the state of careful balance between Moscow and Peking to a perceptibly pro-Soviet stance. In the joint communiques signed during the visit, the North Vietnamese gave their approval to policies that the Chinese have openly criticized in recent years.

Hanoi's endorsement of such touchy issues as East-West detente, the results of the recent Conference on Security and Cooperation in Europe and the (pro-Soviet) Portuguese Communist Party's efforts to gain an upper hand in that country, were certain to antagonize the Chinese leadership. Moscow and its East European allies will have to repay North Vietnam for its endorsement of Soviet policies by supplying the united Vietnamese regime with expensive machinery to refurbish the heavy industrial base in the North and keep both North and South supplied with consumer goods that are in short supply in Vietnam.²⁷ For the Soviet Union,

²⁷An agreement signed in December 1975 on Soviet economic and technological aid to North Vietnam in the 1976-1980 period envisaged cooperation in such diverse areas as the construction of large power generating projects, chemical, machine-building and coal industries, projects for the production of building materials, for the food and light industries, as well as in geological prospecting, agriculture and other branches of the Vietnamese economy. Radio Moscow, December 18, 1975. Details on the agreement were given by Vitaly Morozov, First Vice Chairman of the USSR State Committee for Foreign Economic Relations in an interview with the Soviet news agency TASS on January 4, 1976.

the existence of a united Vietnam and the long-term prospect of a Vietnam-led federation of communist states evolving in Indochina represent both a guarantee against the rapid spread of Chinese influence in Southeast Asia and a promise of economic, political, and, possibly, military advantages in a region of considerable strategic importance.

On the other hand, the appearance south of the PRC's borders of a strong, Soviet-oriented Vietnam would be most unwelcome to the Chinese leadership. Although while in Peking in September 1975 Le Duan was received by Mao, Chinese disappointment with the Vietnamese leader could easily be detected from the failure of the two sides to publish a joint communique on the talks. Disagreements were also evident from Le Duan's abrupt departure from Peking and the lack of a return banquet for his Chinese hosts, which is most unusual during such visits. Hanoi's own reservations about China's anti-Soviet stance were clearly expressed by the Vietnamese news agency's unusual treatment of Chinese Vice Premier Teng Hsiao-ping's banquet speech made in Le Duan's honor: the VNA version of the speech missed Teng's remarks in which he warned against the superpowers (a pseudonym for the Soviet Union), as being the "biggest international exploiters and oppressors of today."

2. Laos: Friendship With Moscow

The bulk of economic assistance the Laotians will be receiving from communist countries other than North Vietnam is likely to come from the Soviet Union. Throughout the 1960s, Moscow contributed to the Pathet Lao and Neutralist war effort weapons and other aid material that reached Laos by road and, to a lesser extent by air, via North Vietnam. Soviet assistance was, however, greatly stepped up after the Pathet Lao regime established itself in Vientiane in mid-1975.²⁸

²⁸"The Lao people have received constant, unconditional and sincere material and moral support and assistance from the party, government and fraternal people of the USSR, particularly after... the seizure of administrative power throughout the country." Radio Pathet Lao, November 7, 1975. Emphasis added.

During the years prior to the communist victory, Moscow's dealings with the Lao liberation movement were conducted primarily through Soviet agencies outside the country, such as the Soviet embassy in Hanoi. The collapse of the three-sided coalition which, among other things, led to the reduction of the US diplomatic presence and the elimination of the giant US aid effort, resulted in the sudden influx of Soviet personnel in Laos. While estimates vary, Western journalists reporting out of Vientiane last fall detected a numerical increase of Soviet personnel in Laos from some 100 in June to 300-500.²⁹ These figures include embassy personnel, pilots and technical specialists of all kinds, operating both in the capital and in the countryside.

Prior to November 1975, most foreign supplies arrived via Thailand, due to landlocked Laos' continued dependence on the port of Bangkok and the Thai rail network for its import requirements.³⁰ The early completion of an all-weather road from Vientiane to the former liberated areas in the northeast that would tie up with the North Vietnamese road system, a project to which the regime reportedly is giving very high priority, should eventually eliminate the need to rely on Thailand for the transit of imported goods.

²⁹Fox Butterfield from Vientiane in The New York Times, October 21, 1975.

³⁰Until November 1975, Laos relied on the Thai rail network for the import of almost everything from rice to gasoline. But the recent differences with Thailand that led to the closure of the border between the two countries have made the Vientiane regime greatly dependent on North Vietnam for its imports. An emergency protocol signed between North Vietnam and Laos on December 3 specified that as of that date foreign aid contributions would be directed to Haiphong harbor and will be transported to Laos by air or road. The protocol stipulates that in 1976 the Vietnamese side will transport 60,000 tons of material and aid originating from third countries to Laos. The Vietnamese will also help Laos repair a number of highways thereby facilitating road communications between the two countries. Radio Vientiane, December 6, 1975.

For the Soviet Union, the emergence of a friendly communist regime in Laos has obvious advantages. Laos is a very poor country, possessing only a few light industrial enterprises. The cost of Soviet aid to Vientiane will therefore remain far below what the Soviet Union is spending on the economic reconstruction of the two Vietnams. On the other hand, the introduction of new aid projects will provide Moscow with excellent listening posts south of the Chinese border. The Laotian regime's alliance with North Vietnam should prevent China from exerting an influence on the Indochina region, with the possible exception of Cambodia. Meanwhile, the Soviet presence in Vientiane could bolster some of the forces within the Laotian communist movement who may hope to retain the country's independence from Hanoi.

Since the early 1960's, Chinese activity in Laos has taken three different forms. First, unlike the USSR, while maintaining diplomatic relations with the governments under Prince Souvanna Phouma, China has also maintained official representation at Prince Souphanouvong's NLHS headquarters in Phong Saly. The Chinese consulate in the latter was mainly concerned with the coordination of China's material and military aid and with travel arrangements for NLHS functionaries outside of Laos. Second, Chinese weapons, mainly the light variety, reached the NLHS area through the road connecting Phong Saly with the town of Meng La in Yunnan province.

The third and potentially most important form of Chinese activity concerned the construction of a complex and extensive road network that runs across the rugged terrain of northwest Laos in a northeast-southwest direction, reaching the Burmese and Thai borders at two separate points and the Mekong river at a third.

The road building project that the Chinese conducted for over 13 years employs an estimated 10,000 construction workers, presumably all members of the Chinese People's Liberation Army (PLA). The roads, and those working on them, have been protected by an undetermined number of PLA troops, including both infantry and anti-aircraft battalions.

The Pathet Lao takeover in Laos presupposes that the 1961 agreements on Chinese road building be reconsidered by the new Vientiane administration. For the time being, the Laotians appear to be willing to further utilize the Chinese project and have made a new arrangement for the construction of a new stretch of road in 1976.³¹ However, the regime must sooner or later limit the road builders' monopoly over much of the northwestern part of Laos. During the past 15 years, the Chinese crews enjoyed a form of extra-territoriality, due both to the remoteness of the area in which they operated and to the inability of the Royal Laotian armed forces to exert control over the road builders.

3. Cambodia: Closer To Peking

Although it relies on Chinese support, the Red Khmer in Cambodia have thus far shown no interest in openly taking sides in great power rivalries now shaping up in Indochina. Perhaps out of ideological considerations, Phnom Penh rejects any relationship with Moscow. While they accept Chinese assistance, there is nothing to indicate that the Cambodian leaders will allow their country to become the "Albania" of Southeast Asia.

The Soviet leadership's belated attempts to pacify Prince Sihanouk by breaking diplomatic relations with the Lon Nol government in March 1975 came at a time when Sihanouk himself was rapidly losing control over Cambodian developments. China, which gave shelter to the Prince following his ouster in March 1970 and later became the main weapons-supplier to the Red Khmer movement, remains the primary source of foreign economic assistance to Cambodia.

At the moment neither China nor the Soviet Union pose a direct threat to Cambodia's independence. However, perhaps as a result of their concern over being surrounded by North

³¹At the end of 1975, a new group of Chinese road builders arrived in Laos to begin work on the Nambak-Luang Prabang road in early 1976. Pathet Lao News Agency, December 30, 1975.

Vietnamese-dominated areas, the new Red Khmer leadership has formally declared its opposition to being drawn into alliances with outside forces. The Cambodian constitution, promulgated in January 1976, provides for a "neutral, non-aligned, sovereign and democratic state with territorial integrity." Moreover, in a separate article on Cambodia's foreign policy, the document specifically rejects the idea of allowing foreign military bases on Cambodian territory, and provides for "absolute struggle against all forms of outside interference in its internal affairs," be it through subversion, military aggression, or any other means.

The constitution's emphasis on independence, neutrality and nonalignment, may be due to earlier instances of Vietnamese aggression which left a strong mark on the memory of the Cambodian people. Since April 1975, a large segment of the Vietnamese community is believed to have left Cambodia for South Vietnam. However, due to the lack of exact delineation of sections of the border between Cambodia and Vietnam, it is impossible to determine whether Vietnamese troops are presently stationed within the territorial limits of the new Cambodian state.

4. The Growth Of Sino-Soviet Involvement

Predictions as to the long-term effect of the Sino-Soviet conflict on Indochina are almost impossible to make at this juncture. However, a variety of factors, such as North Vietnam's siding with Moscow on a number of political issues, Hanoi's disagreement with Peking on the meaning of "hegemonism," and the steady growth of Soviet economic assistance to the DRV have apparently driven the Vietnamese communists closer to the Soviet fold.

Peking's reaction to this development may be reflected in the intensification of Chinese diplomatic activity throughout Southeast Asia. The Chinese may try to increase their influence over the countries not yet committed to North Vietnam or the Soviet Union, such as Cambodia, Burma, Malaysia and Thailand. The recent Soviet gains in Laos and Vietnam are, however, bound to result in the further sharpening of the Sino-Soviet competition in Indochina. Hanoi's

extensive reliance on Soviet and East European economic aid for the new Five Year Plan period is likely to contribute to the deterioration of relations between North Vietnam and the PRC. Conflicting territorial claims, even if the territory involved is minuscule, can only add to what appears to be a potential clash between the two neighbors.³²

In view of the Laotian communists' close ties with the North Vietnamese leadership, the future of Laotian-Chinese relations seems greatly to depend on Hanoi's relationship with the PRC. Any rift between the Vietnamese and Peking would almost inevitably be reflected in Vientiane's attitude toward China. Closer to home, a potential source of conflict would be a Pathet Lao demand for the withdrawal of Chinese construction units from Laotian territory. Chances are that any attempt by the new Vientiane leadership to terminate earlier agreements with the PRC on the construction of roads in northwestern Laos would be angrily denounced by the Chinese as a "flagrant violation" of existing treaties.

³²Before the communist takeover in April 1975, the government of South Vietnam claimed ownership of both the Paracel Islands and the Spratlys. Shortly after taking possession of the South, Vietnamese communist units seized the Poulo Wai Island group, also claimed by Cambodia. Hanoi's interest in the offshore islands is evident from the Quan Doi Nhan Dan editorial, referred to in Footnote 5, which stated: "Today, our national unification is the firmest and of the highest degree; from Lang Son to Ca Mau and from the mainland to the offshore islands, our country is now actually unified." Emphasis added. The latest reiteration of the Chinese claim to the islands came in a Kwang-ming Jih-pao (Peking) article of mid-November in which the Chinese leadership strongly reasserted its view that the Spratlys were a part of China's "sacred territory." The article warned that the Spratlys, like Taiwan, would "certainly be returned to the motherland." For an interesting roundup of conflicting claims to the Spratlys, see Fox Butterfield in The New York Times, January 25, 1976.

CHAPTER III
INDOCHINA AND THE REST OF THE WORLD

1. Laos: How Much Status Quo?

The new Pathet Lao government's relations with the rest of the world will depend on its ability to retain a semblance of independence in its dealings with individual foreign states. The communists' willingness to retain diplomatic ties with the United States has been interpreted by some Western observers as an attempt to use the US as a counterweight to North Vietnamese, Soviet and Chinese influence in Laos. A more likely explanation is the new Laotian leaders' awareness of the economic problems confronting the country in the months and years to come.

Although all US aid effort has been terminated and AID officials left the country before the June 30, 1975, deadline set by the Pathet Lao, the new administration may hope that the United States could still be persuaded to contribute to the maintenance of former projects by supplying spare parts and technological and engineering know-how. Until last June, the US acted as the principal contributor to the five-nation Foreign Exchange Operation Fund (FEOF), a consortium set up to underwrite the kip, and thereby provide Laos with its only means to make purchases in non-communist markets.

Pathet Lao officials not familiar with the workings of the US government may feel that the willingness to retain an American diplomatic presence in Vientiane could lead to the reversal of Washington's decision to stop payments to the Fund.³³ For the time being, however, the retention of friendly relations with the remaining members of FEOF, Australia, England, France, and Japan, are becoming even more important. Unless new Western credits are forthcoming, the country's reliance on the communist world, and particularly on Vietnam, for the supply of economic necessities will become heavier.

³³The Pathet Lao authorities who ordered the closure of all AID facilities by the end of June, later complained about Washington's decision to cut off all economic assistance. American aid to Laos in FY 1975 amounted to some 30 million dollars. In July 1975, Congress prohibited any further aid to Indochina, including assistance given through international agencies.

Laos' relations with the rest of the world have on the whole remained unaltered in spite of the breakdown of the coalition government in mid-1975. The Pathet Lao charges against Thailand, which resulted in the sudden deterioration of Thai-Lao relations over a border incident last fall, appeared to be an exception. Since any long-term disruption in the relations between Bangkok and Vientiane would have serious economic consequences for Laos, some observers feel that it was the North Vietnamese regime that tried to turn the differences between the two countries to its own advantage. Any real or imaginary danger to the new Laotian state's independence would serve as an excuse to continue the deployment of North Vietnamese forces on Laotian territory indefinitely.

Having achieved a military victory with North Vietnamese help, the Laotian communists may now find that the country's political and economic independence may at least partially hinge on their ability to hold on to existing contacts with the non-communist world, and particularly with the nations of Southeast Asia. The more Laos' relations with its immediate neighbors is allowed to deteriorate, the more its reliance on Hanoi will increase. A long-term conflict with Thailand would further worsen the country's economic situation, thereby limiting the new regime's ability to retain its grasp over the conduct of domestic affairs.

2. Cambodia: The Limits Of Isolationism

Nine months after the Red Khmer took over Phnom Penh, the once bustling metropolis remains an empty shell. Following his brief visit to the capital in September 1975, Sihanouk estimated that some 100 thousand people were left in what once used to be a city of three million inhabitants.³⁴

³⁴In an interview with a Japanese newspaper, Sihanouk implied that the evacuation of the capital's three million residents was due to persistent food shortages. The Daily Yomiuri (Tokyo, English edition), October 21, 1975. According to most foreign estimates, the population of Phnom Penh never exceeded the 1.8 million mark.

Ironically, the Prince, whose dislike of radicalism is well-known, cited this unusual situation as the reason for the new Cambodian regime's lack of readiness to normalize relations with France. As Sihanouk put it, "We cannot receive large numbers of ambassadors at the same time; there is a shortage of water and electricity in Phnom Penh; there is not even a market...." The Prince also made it clear that he had little say in the matter: "The home leadership, which is following the world situation closely, will decide; it will give its judgment."³⁵

The "home leadership," meaning the Red Khmer leaders in Phnom Penh, has thus far shown little interest in establishing relations with the rest of the world. As of January 1976, there were only six diplomatic missions in the capital, although plans have reportedly been made to set up relations with Rumania, Yugoslavia and Algeria.³⁶ It is likely, however, that the gradual normalization of the domestic situation will allow for the inclusion of more "neutralist" countries in this category.

But the hard realities of the country's economic situation demand that Cambodia also deal with its neighbors in Southeast Asia. Vice Premier Ieng Sary's visit to Bangkok at the end of October was a breakthrough in this respect, although it did not lead to the establishment of embassies in the two capitals.³⁷ However, a second meeting

³⁵Le Monde (Paris), October 11, 1975.

³⁶Up to the beginning of February, the Pathet Lao had received new ambassadors from North Vietnam, North Korea, Albania, Cuba, and the PRG of South Vietnam. The Chinese ambassador, formerly accredited to Sihanouk, now resides in Phnom Penh.

³⁷As a result of Ieng Sary's visit to Thailand, the Red Khmer's first contact with the non-communist world, the two countries agreed on the immediate establishment of diplomatic relations. Prior to the establishment of embassies, an issue on which Sary remained very vague, liaison offices were set up in towns along the Thai-Cambodian border. According to Thai Foreign Minister Chatchai Chunhawan, these offices will deal with all kinds of contacts, including "political, immigration, trade and other matters."

between Ieng Sary and Thai Foreign Minister Chatchai Chunhawan, held in November revealed something about the new Cambodian leadership's independence from its communist neighbors. The talks happened to coincide with the sharp deterioration of Thai-Laotian relations and the incident that temporarily closed parts of the border between Laos and Thailand.³⁸ Thus the Laotian and North Vietnamese attacks on the Thai leadership had little effect on the independent-minded Red Khmer which prefers to put national interests above communist "internationalism," at least on the regional scale.³⁹

Soon after the establishment of the Lao People's Democratic Republic in December, the Laotian communists sent an official delegation to Phnom Penh in search of closer relations with the Red Khmer regime. In spite of the high level talks between the two sides, the final communique merely reiterated the principles of independence, sovereignty and territorial integrity. Although the communique included a pledge for the strengthening and developing of the relations between the two countries, no agreement was signed on specific topics such as trade or transportation, and no formal diplomatic relations were established.⁴⁰

³⁸The meeting, which took place on November 17, was, according to the official Cambodian statement, "extremely successful" and proceeded in an "atmosphere of friendship and understanding." Radio Phnom Penh, November 22, 1975.

³⁹Phnom Penh's relationship with Thailand was, however, briefly disrupted in December due to a minor border incident over the ownership of a loosely delineated strip of the frontier in Western Cambodia. Although the clash ended with the two sides agreeing on a ceasefire, the exact ownership of the territory involved remains unresolved.

⁴⁰The text of the joint Lao-Cambodian communique was carried by Radio Phnom Penh on December 19, 1975.

In the long run, the Cambodian communists may find it difficult to keep the North Vietnamese at a distance. The pointedly correct but cool reception given to the North Vietnamese ambassador upon his arrival in Phnom Penh in October 1975 may have been designed to demonstrate the regime's desire to treat Hanoi as an equal. However, the impending reunification of the two parts of Vietnam brings Cambodia in direct contact with the North Vietnamese. The lack of exact delineation of its border with South Vietnam and the suspected presence of some North Vietnamese troops on Cambodian territory could give rise to conflicts between the Chinese-oriented Cambodians and Soviet-oriented North Vietnamese. This would be all the more likely if relations between Hanoi and Peking were to further deteriorate in the future.

Cambodia's "neutralism" therefore may be a source of irritation to the Vietnamese leadership. The two regimes' relations could be further complicated by conflicting territorial claims that came to light as a result of the Vietnamese occupation of the Poulo Wai Islands in June 1975.⁴¹

3. Tokyo: A Stake In Indochina

By the end of 1975, the most important non-communist power to have established a presence in Vietnam was Japan. Tokyo's strong preoccupation with this region can be explained both by Japan's geographical closeness to the Indochina peninsula and by the extensive economic ties it already had with the rest of Southeast Asia. The Vietnam agreement of January 1973 that led to the military disengagement of the United States from Indochina was quite naturally seen by the Japanese as an opportunity to establish a presence in that region. In 1974, Japan and North Vietnam concluded an agreement on diplomatic relations, although the formal opening of embassies was postponed pending the outcome of

⁴¹On June 10, 1975, Vietnamese communist troops invaded the Poulo Wai Island group about 55 miles off the Cambodian coast. The ownership of the islands had been contested by the former non-communist governments of South Vietnam and Cambodia.

economic talks. Those talks resulted in an important agreement signed in Hanoi in October 1975. The Japanese make no secret of the fact that the agreement, a 8,500 billion yen (ca. \$30 million) grant-in-aid to the DRV, is in essence a form of reparation for damage caused to Vietnam during World War II.⁴² But Tokyo's willingness to agree to the Vietnamese demand that made the opening of embassies conditional on economic assistance reflects a lingering inferiority complex that the Japanese continue to exhibit in their dealings with the nations of Southeast Asia. In addition to this, there appears to be a concern that, if pushed too hard, the Japanese approaches to the countries of this region could be taken as a new attempt at the domination of Southeast Asia, if only in the economic sense.⁴³

In spite of this, the Japanese government seems to be convinced of the economic and political advantages that would result from the establishment of full diplomatic relations with the countries of Indochina and particularly with North Vietnam. Economically, it is hoped that the high initial investment will pay off at a later date in the form of North Vietnamese orders for heavy industrial equipment necessary for the speedy reconstruction of the country's industrial base.⁴⁴ Politically, the Japanese feel that Vietnam has been, and is likely to remain, the key power in the area, and its influence on its neighbors will be even stronger in the years to come. It is through its ties with Hanoi that Tokyo hopes to mend its relations with the rest of Indochina.⁴⁵

⁴²The Daily Yomiuri (English edition), October 11, 1975.

⁴³These factors in Japan's relationship with Southeast Asia were elaborated upon by Masataka Kosaka in Options for Japan's Foreign Policy (London: Institute for Strategic Studies, 1973, Adelphi Papers No. 97), pp. 22-27.

⁴⁴The first years of official contacts more or less encouraged this notion: Japanese-DRV trade in 1975 amounted to some 15 billion yen and appears to be growing.

⁴⁵Asahi Evening News (Tokyo, English edition), November 5, 1975.

Changes that have recently become apparent in North Vietnam's attitude toward China and the Soviet Union have somewhat altered the original Japanese view of the power relations in a postwar Indochina. Following the Vietnam agreement of 1973, the Japanese saw Southeast Asia as being no longer a focal point of the power struggle among the superpowers. They also evaluated the North Vietnamese communists' balanced stand between Peking and Moscow as a guarantee of Vietnam's continued independence from both communist powers.

In the light of the latest developments, the Japanese now begin to realize that the intensification of the Sino-Soviet competition in Indochina may complicate their own diplomatic activity in that region. They also believe that China's impatience with Japan over the latter's stand on the "hegemony" question, which remains the key issue blocking the Sino-Japanese treaty talks, may have something to do with the Soviet diplomatic and economic offensive in Indochina.⁴⁶

Nevertheless, relations are actively being sought not only with Hanoi but also with the rest of Indochina. Diplomatic contacts with Laos have been retained in spite of the gradual abolition of the coalition government since last May and the formal assumption of power by the Laotian communists at the end of 1975. The Japanese government has also extended recognition to the Red Khmer in Cambodia and the PRG in South Vietnam. The Japanese embassy in Saigon, which remained open following the communist takeover in April, has had little formal contact with the South Vietnamese authorities and its personnel has been reduced drastically. In spite of their

⁴⁶Yomiuri Shimbun (Tokyo), November 12, 1975. At the end of 1975 the Japanese government suddenly relaxed its earlier objections to the inclusion of a so-called "hegemony" clause in the long-pending peace treaty with China. It is impossible to determine what, if any, role Soviet involvement in Indochina had in that decision.

expressed interest in establishing a dialogue with the PRG, the Japanese must have come to the conclusion that sooner or later all dealings with the Vietnamese must be channeled directly through Hanoi.⁴⁷

4. Vietnam: What Role For The US?

Up to now, Hanoi's relationship with Japan has centered primarily on economic matters. The North Vietnamese are now interested in creating economic as well as political relationships with the major industrial powers of the West, including the United States. Some progress has already been made in that direction.⁴⁸ But as the date of unification approaches, Hanoi must embark on a bolder foreign policy course that involves establishing contacts with powers that were considered hostile during the years of confrontation.

Ever since North Vietnamese Premier Pham Van Dong re-opened the issue of normalizing relations with the US in June 1975,⁴⁹ the problem has been widely discussed by American political and journalistic circles. In their recent statements, the North Vietnamese leaders have made the establishment

⁴⁷The PRG seems to have no illusions about its role in Vietnam's foreign relations after reunification. Speaking about the post-reunification stage, a PRG diplomat revealed that the South Vietnamese Foreign Ministry will move to Hanoi. However, the same official saw a continuing role for Saigon in the handling of Vietnam's economic contacts with the non-communist world. Interview given by the director of the Press Department of the PRG Foreign Ministry to a Japanese newsman at the end of October. Nihon Keizai Shimbun (Tokyo), November 1, 1975.

⁴⁸As of 1975, the North Vietnamese maintained diplomatic relations with a number of industrialized countries such as Australia, France, Sweden, Switzerland and the United Kingdom.

⁴⁹In a speech before the DRV National Assembly on June 3, 1975, Dong's remarks on normalization of US-Hanoi contacts were the first instance in about a year and a half that a senior North Vietnamese official had directly addressed himself to the problem.

of diplomatic contacts with the US conditional on American reconstruction aid to North Vietnam, a demand that the Ford administration feels it cannot comply with in view of the changes that have taken place in the situation in Indochina since the signing of the Paris agreement three years ago.

In spite of this, however, last fall both the US and North Vietnam made some initial gestures that opened the way toward a dialogue between the two governments. The first such gesture was the DRV's releasing of nine Americans who had elected to stay in South Vietnam during the US evacuation in April 1975. Somewhat later Hanoi accepted some 1500 Vietnamese refugees who chose to return to their homeland. In return, the US allowed a Quaker organization, the American Friends Service Committee, to resume shipments of small quantities of relief supplies to Vietnam. In December, the DRV invited members of the House Select Committee on Missing Persons to discuss the fate of some 850 US military personnel listed as missing in action or held prisoner in Indochina, a move that appeared as a promising beginning toward the solution of a major outstanding issue between the two governments. Although the meetings held between the Select Committee and the North Vietnamese brought only moderate results,⁵⁰ both during those sessions, and in communications with some members of the US Congress, the North Vietnamese expressed interest in establishing diplomatic relations with the United States.⁵¹

⁵⁰On December 21, 1975 the North Vietnamese released the bodies of three American pilots killed in the Vietnam war. However, Hanoi still declines any knowledge of the fate of the rest of the US military personnel listed as missing or killed in Indochina during the war.

⁵¹In a letter to Senator Edward Kennedy, the North Vietnamese indicated the willingness to return the remains of two American marines killed in Saigon in the last days of the US withdrawal from South Vietnam. During a trip to Hanoi and Saigon in January 1976, Senator George McGovern concluded that the US should consider the problem of negotiation without undue haste.

However, the half-hearted approach Hanoi has thus far shown toward the issue of locating and returning the persons still missing in Indochina may be due to the Vietnamese communists' underestimation of the importance attached to that problem by the American public. It was perhaps to help the North Vietnamese leaders better to understand Washington's view on this matter that, in a speech delivered on December 7, President Ford confirmed the basic principles of US policy toward the newly established regimes of Indochina. "Our policies toward the new regimes of the peninsula," the President stated, "will be determined by their conduct toward us. We are prepared to reciprocate gestures of goodwill -- particularly the return of the remains of Americans killed or missing in action, or information about them."⁵²

What makes the President's words all the more relevant is that presently there is little public or congressional pressure on the administration calling for a speedy decision on the recognition of the Vietnamese regime. Whatever pressure there may be in that direction, it comes from US business circles in the Far East that are interested in the lifting of the US embargo against Cambodia and Vietnam.

On the other hand, in spite of the DRV's continued insistence on American reconstruction aid, the frequent calls for US recognition betray a certain degree of urgency. In view of North Vietnam's involvement in the Sino-Soviet conflict, Le Duan and other Vietnamese leaders may believe that American diplomatic presence in Vietnam could help alleviate existing pressures from China and the Soviet Union. In the long run, the North Vietnamese leadership will find it difficult to make US reconstruction aid a precondition to the establishment of relations. Some hardliners within the Vietnamese communist leadership may already be opposed to accepting money from the US on purely ideological grounds.

⁵²These principles were part of President Ford's "Pacific Doctrine," outlined in a speech delivered in Hawaii, upon his return from a visit to the People's Republic of China and other Asian countries in December 1975.

However, the North Vietnamese seem genuinely interested in buying "capitalist" goods and technology and, in certain areas, the purchase of US technology and know-how may be more attractive than that available at other free-world markets. Recent hints by Hanoi on the regime's willingness to renegotiate the contracts of US firms formerly engaged in offshore drilling along the South Vietnamese coast is the most important indication that economics may be the key to the future of US-Vietnamese relations.⁵³

Hanoi may also be counting on a possible change in Washington's attitude toward the present embargo on US business with Vietnam. The Vietnamese leaders may argue that under increasing pressure from American oil companies, the administration will soon stop blocking new legislative moves aimed at ending the embargo. The Vietnamese appear fully to understand that the embargo must be lifted before American companies can resume oil exploration off the coast of South Vietnam. However, they may not understand that legislative moves toward lifting the embargo may be dependent on Hanoi's willingness to locate and return the remains of Americans still missing in Indochina.

⁵³Such willingness was expressed to Western newsmen by the chief representative in Singapore of the North Vietnamese National Import-Export Corporation who stated that US oil companies must make new applications if they want to make a contribution to Vietnamese oil exploration. (Reuters from Singapore, November 25, 1975). During meetings between the North Vietnamese and members of the Select Committee on Missing Persons last December, the American participants received the impression that the Vietnamese were interested in a "mutually profitable" oil deal, once relations with the US had been normalized. The New York Times, December 8, 1975. For an up-to-date roundup on the role oil may be playing in future US-Vietnamese relations see Forbes, January 15, 1976, pp. 17-18.

Many people in the United States are aware of the potential advantages of having diplomatic ties with a country that is rapidly assuming a pivotal role in Indochina. But the establishment of relations with Hanoi is neither a matter of urgency, nor is it absolutely necessary for the US. In the words of a recent editorial on the subject, "they need us more than we need them."⁵⁴ On the basis of that tenet, the administration may want to proceed slowly in its efforts to establish formal ties with the Vietnamese. Without setting preconditions of its own, it should keep reminding Hanoi of the issue that concerns most Americans when it comes to US-Vietnamese contacts, the matter of the servicemen still unaccounted for in Indochina.

There is one additional factor that should be considered in this respect: the North Vietnamese leaders are not likely to be in a position formally to negotiate with the US on behalf of a united Vietnamese state prior to the date of unification which is now set for April 30, 1976. Therefore, the administration has a reasonable period of time at its disposal to evaluate the new atmosphere now shaping up in Indochina. With no reason to rush the matter, Washington has an edge over the Vietnamese, one that should be taken full advantage of.

⁵⁴The Washington Post, November 24, 1975.

3/20/76

NEWSFOREIGN POLICY

HAK Sounds A Note Of Caution: Secretary Kissinger said Friday that US "contingency plans" against Cuba are aimed at trying to caution the Soviet Union and the Castro government that further intervention in Africa could have "serious consequences."

Kissinger acknowledged that his warnings to Cuba had been a kind of psychological warfare against that country and the USSR Richard Valeriani (NBC) reported.

Kissinger told a Senate subcommittee (on NBC film): "I would ask everybody to keep in mind that we are dealing here with a situation in which we are attempting to discourage or deter Soviet and Cuban involvement before it has reached the stage where crisis decisions have to be taken."

Kissinger added (on ABC/CBS film): "There is no urgent situation at this moment that requires a crisis decision. We should not look at this immediate situation in terms of planning a military move in any time frame that is now immediately foreseeable. We are rather trying to call the attention of the USSR and of Cuba to the serious consequences of contemplated action."

Bernard Kalb (CBS) said Kissinger diffused the sense of urgency that seemed to be reflected in the disclosure of contingency plans and warnings to Cuba.

"The Secretary of State was edging his way along a precarious tightrope, reassuring Congress that no action is imminent or even in active planning, and that before any military move is taken Congress will be consulted. What would happen if Congress refused to give its consent to such a move? Nobody asked and Kissinger didn't volunteer an opinion," Ted Koppel (ABC) reported.
-- AP;UPI;Networks (3/26/76)

US Considering Talks With Hanoi: The State Department announced Friday that it has sent a message to the Communist government of North Vietnam, signalling an American willingness to hold official talks.

"As President Ford arrived in California, White House aides were concerned that Republican conservatives may not like the idea of negotiating with the North Vietnamese," John Cochran (NBC) reported.

Tom Jarriel (ABC) reported that the President "stopped short of saying exploratory talks were underway, but implied they are under consideration because a congressional delegation that visited Hanoi believes they would be useful."

Ford said (on ABC/NBC film): "That congressional committee