

D. C. 1300

~~SECRET~~

D IV
1

IV. NEGOTIATIONS

Methodological Note.

The Bureau's role in this aspect of the Vietnam struggle was smaller in comparison to its part in the three previous major areas. Much of the information crucial for timely analysis lay in reports on the current diplomacy of the US in its negotiations with Hanoi either directly or through third parties, and the vast body of these reports was held to a highly restricted circle of officials that in almost every instance did not include the senior officers of the Bureau. Even after the termination of a particular effort, knowledge was often withheld, made known on a limited basis, or restricted to the Bureau Director and to the Office Director of REA. Of course, the Bureau did scrutinize most closely whatever information was available about Hanoi's position on negotiations, frequently at the request of senior officials in the Department, and it produced a considerable quantity of papers both informational and analytical. It was most often operating in the blind, so to speak, since it lacked knowledge of crucial aspects of Hanoi's position that were well known to the officials to whom it was reporting. At times, when the Bureau did either immediately or after the fact get access to principal sources, as it did on the South Vietnamese view of the "our side your side" formula, it evolved an interpretation that differed somewhat from the views of some policy-makers about the position of Saigon or Hanoi on a certain point, or about their likely reaction to an American position. However, given the gaps in the Bureau's knowledge and the fact that it

~~SECRET~~

frequently had to analyze the actual record, to the extent the material was made available at all, essentially from hindsight, it seems unwise to incorporate these occasional and specialized evaluations into the body of this critique. For the most part then, what follows is an appraisal of the Bureau's day-to-day work on the subject of negotiations and its handling of the material that was normally accessible, with full awareness that these restrictions entailed sharp limitations.

General Assessment. The Bureau was able to perform a most useful function in dissecting the convoluted and at times seemingly contradictory North Vietnamese orientation toward negotiations, primarily from 1964 onward. Over a five-year period it produced a series of sensitive and on the whole very perceptive papers that not only clearly identified the components in Hanoi's essential position but also provided timely analysis as to how they were interrelated. This overall effort as well as the Bureau's interpretation of the North's attitude on certain specific issues, like US reconnaissance and a cease-fire, proved to have considerable operational value.

Among the fundamentals of Hanoi's position which the Bureau detailed with remarkable consistency were these points: that the North was adhering firmly to fairly extreme objectives; that Hanoi was insisting it had sole monopoly of moral right in the war; that there were ambiguities in its negotiating position; and that it was in considerable measure uncertain regarding the US position. The last two points led INR repeatedly to hold that it was useful for the US to probe despite the enemy's hard line.

INR was very much aware that the North was deeply committed to victory and that it had considerable assets in the field, but the Bureau also developed a realistic understanding of the limitations on the options open to Hanoi, of the political and diplomatic pressures operating on it, and of the military difficulties it faced. The Bureau estimated that Hanoi itself was at times uncertain what tactical course to follow and that negotiating efforts could therefore achieve some results, even if these were relatively limited and, further, subject to repeated attempts by the North Vietnamese to reverse the effects of concessions or turn them to advantage. This mixed picture, pointing up both the potential value of negotiations and the danger and severe difficulties that beset what had to be a protracted effort, compared favorably with other interpretations that took too optimistic a view of the allied military position, or conversely held that the enemy considered himself to be in a nigh-on-invincible position and so considered most of his gambits as "nothing new" or as maximal negotiating points.

The Bureau did make errors in judgment. For example, in 1964-65 it probably overestimated the enemy's interest in negotiations. At times, it inadequately linked Hanoi's strategies on the battlefield and in negotiations. In addition, it miscalculated on some specific points, like Hanoi's willingness late in 1968 to have the GVN appear at the bargaining table. However, for the most part, the Bureau presented a well-balanced appraisal of the enemy's general position and the attitude he was likely to take on the long series of specific issues that arose as negotiations evolved.

The Tough Hanoi Position . . . As indicated in the discussion of Hanoi's adamant stand against yielding to US military pressure during the middle of the decade, INR from the beginning rightly stressed the North's hard line on negotiations as well as its unwillingness for a long period of time to trade off any political concessions for a relaxation in American military pressure. Thus INR judged that the seeming Communist interest during 1962-63 in neutralizing the South was not a serious one and Hanoi dropped it in 1964. However, the Bureau estimated that Hanoi might push the scheme in its quest for a full take-over, treating it as a way-station that would enable the US to give way gracefully. The idea related, INR argued, to significant differences between China and North Vietnam, in that Hanoi was not seeking to humiliate the US and was not opposed to negotiations, but kept its eye on a fixed objective which it desired to attain with the least possible amount of difficulty. Although both desired a Communist victory in the South, the more pragmatic quality of the North Vietnamese approach was to have considerable significance, once circumstances arose that made some compromise appear desirable to all but the most doctrinaire advocates of a Maoist position.

Nonetheless, INR saw during 1964-66 that Hanoi was so committed to complete victory on its own terms and so certain of prevailing that it was not anxious for negotiations and would certainly not make significant concessions for them. Moreover, as INR often noted, optimistic as Hanoi was about the future, it did not yet feel sufficiently strong to gain anything in talks. Hence, the Bureau estimated in 1965-66 that, after the

~~SECRET~~
~~CLASSIFIED~~

D IV

bombing started, Hanoi would not negotiate to prolong a pause if to do so required it to make political concessions or deal on the basis of reciprocity; INR so reported in May 1965 and January 1966, after studying Hanoi's behavior during two bombing pauses. The Bureau felt that the North was most anxious to avoid the appearance of capitulating, and that it also had to consider the serious effect on Viet Cong morale of any conciliatory steps it might take under pressure. Its lofty moral stand against reciprocity, its suspicion of US intentions, and its belief in its own capacity to survive attacks and win a better settlement were all attitudes which the Bureau discerned, and which Hanoi's behavior verified during this period. Well into 1966, the Bureau correctly understood that Hanoi would not move toward an agreement in line with US terms but would pursue its own tough diplomatic course.

. . . Combined with Some Flexibility? Yet right along with this major emphasis on Hanoi's fixed determination, INR sounded a secondary theme that reflected a degree of vagueness in Hanoi, possibly auguring some flexibility there. Thus in its analyses of 1965-66, the Bureau found Hanoi's line tough, to be sure, but also somewhat vague, as though the North Vietnamese wished to keep the door open to limited concessions that might get the US to accept their more basic terms, and so inferentially allowing room for maneuver. The Bureau stressed this possibility during these years even though in its broader ramifications the theme, at times, ran counter to the major line of toughness.

~~SECRET~~
~~CLASSIFIED~~

In 1964 the Bureau made several references to the possibility that the Communists had real interest in a conference, perhaps because it overemphasized the willingness of Peking and Hanoi to apply to Vietnam the experience of the Laos conference, and because INR figured that this tactic offered Hanoi a cheap method of forestalling US plans of bombing. It is fair to say that this view was prevalent throughout the US government, generally associated with the premise that this course would be disastrous for the allied cause and with the conclusion that it would therefore presumably be favored by Hanoi. INR concurred with the Intelligence Community in an appraisal of May 1964 that bombing would bring a conference but later rejected the position in October before the Rolling Thunder program actually began. Moreover, the Bureau pointed out on several occasions before the escalation that hints of interest in talks may have been designed to ward off bombing at practically no cost. Even after the bombing began in February 1965, INR felt that the Communists, while they would not negotiate from what looked like weakness, would be more interested in talking once they redressed the military balance. In considerable measure INR qualified these observations, noting in 1964-65 that while the Communists--including the Chinese--might agree to a conference they would not make substantive concessions, either to get one under way or during the meeting.

Later in 1965, the Bureau argued that a bombing pause that was unannounced and did not contain demands for reciprocal behavior might

get a response after a while. The long pause of December 1965-January 1966 did not test INR's thesis that Hanoi might respond, because it differed from INR's model by calling for the unacceptable reciprocity.

Tracking Hanoi's two paths of toughness and flexibility occasionally led the Bureau into odd judgments. It is difficult to see how INR could have been persuasive when it argued in mid-1965 that Hanoi would be more receptive to counterproposals as the bombing intensified but did not reach its full extent, or that Hanoi had not yet made up its mind on negotiations at the end of the long pause of January 1966 and should therefore be approached with further clarifying probes. As the Bureau itself noted shortly thereafter, the Ho letter of January 28, 1966, was a defensive justification for Hanoi's failure to respond to what had already been an extensive US overture.

The Tactics of Negotiation. For the longer run, the Bureau was on a sound track when it interpreted North Vietnamese demonstrations of substantive vagueness or indications of procedural adjustments to mean that important changes in Hanoi's position could come to pass. If these changes were far slower to materialize than the Bureau anticipated, they did occur in 1967 -- though as the most limited steps possible and at a maddeningly slow pace. INR had recognized Hanoi's Four Points of April 1965 for what they were -- a statement of position that was extreme but nevertheless the beginning of a negotiatory process. Throughout the following two and a half years it analyzed in detail all North Vietnamese public statements on the Four Points, concentrating on certain variables: what flexibility was there in the Four Points, how fully and on what schedule did Hanoi demand that the US recognize the Points, what role did Hanoi intend for the NLF. The Bureau carefully

reported all shades of change that it discerned, but it was cautious not to over-react to shifts in detail--stressing that the change in Hanoi's stand shown on the record up to 1967 was slight indeed.

Yet INR never lost sight of the prospect for change and accurately reported the first major shift when it occurred in January 1967, when Hanoi set as a condition for talks that the US halt bombing rather than that it accept the Four Points. Up till then, Hanoi had insisted on an unconditional halt of bombing and some form of prior US recognition of the Four Points, with INR observing that Hanoi had left room for compromise on this latter demand. Thus, when Hanoi reversed its public position at the start of 1967, the Bureau perceived a major shift and clarification in the Salisbury-Dong interview and the Trinh statement. INR further stressed the distinction between "contacts," for which Hanoi demanded the halt in bombing, and "negotiations" during which it would demand acceptance of the Four Points as the basis for a settlement. This gruel may have been thin but it had some substance.

Although the Bureau recognized that the enemy's position remained on dead center for almost the rest of 1967, it argued, as it had in 1965 and 1966, that the situation could be improved by continuous US probing. Although the environment that then prevailed in Hanoi seemed hostile, this judgment turned out to be accurate. For one thing, the Bureau felt that this approach would enable Washington repeatedly to test the atmosphere and clarify a variety of specifics on which Hanoi had been ambiguous. It also put the enemy under some diplomatic pressure, a factor that became increasingly

important over the years. Further, these moves could clarify the US position for Hanoi and prevent the misunderstandings which could easily flourish without constant contact. Finally, the US would reveal itself to be a serious negotiator which was reasonable according to its own lights, and at the same time not allow the enemy--through an unfortunate combination of excessive suspicion and optimism--to interpret American silence after a particular North Vietnamese diplomatic gambit as indicating that the US considered that verbal gesture to be an adequate response by the North. For example, when Trinh made his famous substitution in December 1967 of "would" for "could" in discussing the prospects for talks if the bombing were halted, the Bureau urged that the US present Hanoi with a set of queries in order to demonstrate that this clarification was hardly enough to merit another Tet pause.

The Military-Diplomatic Linkage. A short time before the much-for-little gambit in late December 1967, INR estimated that Hanoi believed it needed a military spectacular, on the model of Dien Bien Phu, before it would move forward. On this and other occasions, therefore, INR saw in Hanoi's desire to keep its diplomatic options open not only a sign that there might be movement on negotiation but also possibly the precursor of vigorous military activity. Still the Bureau did not anticipate the Tet offensive that followed by one month the second Trinh clarification.

Although INR recognized that Hanoi closely linked the military and diplomatic fields in its immediate tactics, as well as for the long haul, the Bureau did not always follow through fully in appraising the effect of specific military events on the next phase of negotiations. It did not,

for example, grapple with the question of what Hanoi would do if it did not win the clear military triumph in January 1968 that it achieved in 1954. Later, during negotiations, INR stressed the close and reinforcing ties of Hanoi's efforts in combat and diplomacy, which aimed to keep up the pressure for a favorable settlement without so raising the level that retaliation would ensue. While this basic interpretation proved essentially valid, the Bureau did not adequately consider what would happen if this approach failed to achieve results, whether completely or soon enough. Consequently INR did not consider whether by renewing escalation Hanoi might not have gained rich dividends in US public reaction at acceptable military costs. Conversely it did not anticipate or explain what actually did happen--an actual withdrawal, without replacement, of many of the NVA regular units in the South, and without any tradeoff that would bring political benefits from this de-escalatory act.

The North's Negotiating Position 1967-68. On the whole, the pros and cons that affected Hanoi's attitude toward negotiations were well described by the Bureau, and its observation that the North was afflicted by uncertainty and conflicting views in making up its mind on the correct line to follow was probably accurate. INR clearly depicted the North's maximum position in 1967; it was willing to open contacts in return for a halt in bombing, and would then require the US to discuss the South's political future--and perhaps deal with the NLF--before contacts would develop into negotiations. The Bureau also noted the elements that were inducing Hanoi to stand firm--its powerful assets in place and intact in the South, its secure control in

1001
SECRET

the North, its belief in ultimate success, its deep distrust of conferences and of the US, and finally persistent Chinese pressure. On the other hand, INR perceived, and credited more than did others, the important factors that were inducing Hanoi to give some ground--an improving political situation in the South, continued turmoil in China, the harmful effects of the bombing, and the frightful cumulative losses in manpower in the South. The Bureau also discussed a possible Hanoi worry that if US pressure for concessions on preliminary points should succeed early in the protracted negotiations, and a momentum for settlement were to be generated by excessive Communist flexibility, Hanoi might find itself compelled to make compromises it desired to avoid. Hence INR concluded early in 1968 that Hanoi would be pressed to move forward and would make some concessions, but that these compromises would be as limited as possible and would take place in a context of extensive negotiation and continued protracted war. In this basic "middle" view, INR proved correct.

INR also had a fairly respectable--though by no means perfect--record in estimating on what specific points the Communists would give ground during 1968 and where they would be unyielding. Having long judged that the enemy was opposed to reciprocity, the Bureau detected shifts in this position once talks got under way and correctly predicted that there would be some give on this most difficult matter. In May the Bureau asserted that the enemy would not give ground on the DMZ, at least as long as the issue was couched in terms of restoring the zone's original status; INR reasoned that the zone was too important logistically and that to resurrect

SECRET

its old status would be too great a step back from the thrust toward reunification. Later, however, INR noted that Hanoi showed some willingness to defuse the DMZ militarily, but only in part and not to the extent of restoring its original status. Another area in which INR accurately judged that Hanoi would be willing to give ground was its accepting of some restraint--again only partial--on its military operations in the South. As matters developed, this restraint extended specifically to major attacks on Southern cities. The Bureau continually warned that, no matter what agreement was reached, Hanoi would continue impact attacks on selected lesser urban areas along with intensified small-scale attacks on military outposts, recurrently and persistently, in order to frustrate its enemy and reveal his impotence. Finally, INR held steadfastly to its position that US aerial reconnaissance over the North would not, in the last analysis, prove a stumbling block to an agreement to enter into full negotiations in return for a total halt in bombing.

The Bureau also accurately judged that Hanoi would be unwilling to restrict its freedom to infiltrate, an issue that the US had for years sought to use as a basis for reciprocal de-escalation. INR consistently looked upon this issue as so sweeping and vital that Hanoi could not yield on it--either to halt troop movements or even to accept a ceiling on their rate of transit. On a second major issue, INR consistently asserted for several years that the North was totally opposed to a cease-fire. The Bureau felt that Hanoi considered its capacity to exert military pressure to be its trump card--one that it would not yield until it had attained a satisfactory

~~SECRET~~

- 13 -

political settlement or suffered extensive setbacks in the field. Neither prospect was visible in 1968, and the likelihood that a cease-fire would become a live issue in the near future seemed to INR very dim indeed. In this view it differed from Embassy Saigon during the late fall of 1968, when the Embassy held that the enemy would press for an early cease-fire, and even make concessions as need be, including withdrawal of his own troops, if by these actions he could get an early withdrawal of troops by the US. The Bureau, on the other hand, continued to think that Hanoi would adhere to its traditional negotiating style--that it would lead with maximum demands and give ground most gradually and in the smallest possible increments, negotiate carefully and slowly, and combine diplomacy with protracted warfare against the US, using whatever combat mix it thought most feasible and advantageous.

On one significant point, whether Hanoi would be willing to accept Saigon at the bargaining table, the Bureau was off the mark, primarily because it considered this element to be most crucial in the North's political position. INR had long held that Hanoi would do its utmost to demean Saigon. While it had carefully reported that North Vietnam had never explicitly demanded the exclusion of the GVN in its statements on this subject over the years, the exclusion of Saigon seemed essential to its fundamental aim of denigrating the GVN and compelling the US to set up a more amenable "peace" or "coalition" government to negotiate with the North. Hanoi's preferred position, INR felt, was to get the full halt in bombing before it discussed the representation of the South at the table, and then

~~SECRET~~

to seek to induce the US to deal with the NLF and to reduce the role of Saigon as much as possible. As matters developed, Hanoi did accept the US demand that Saigon be present at the start of formal talks as part of the price for the full halt in bombing. INR then doubted, incorrectly, that Hanoi would accept a GVN representative at Paris immediately. However, the Bureau did accurately predict that, if Hanoi did do so, it would nevertheless work incessantly to reduce the status of the GVN at the talks, and this judgment was borne out in the following year.

The Roles of China and Russia. When a degree of movement, though glacial, appeared in the US-North Vietnamese negotiations, the question of China's attitude attracted considerable attention. The Bureau had held that consideration of Peking's interest was a negative factor of some weight in Hanoi's calculus, but that, however important, it was not a compelling one, and that in the end Hanoi would make its own decision. Events proved INR correct in its judgment that the Chinese might apply diplomatic pressure to head off negotiations but would go no further. The Bureau took the position that China would even accept the cessation of hostilities on compromise terms, treating it as an unavoidable pause in the struggle and hoping to see the conflict resumed as soon as possible.

INR did note some special Chinese concern for the Viet Cong and considered the possibility that Peking might try to find and support Southern party dissidents who would sustain the struggle; but the Bureau did not believe that the Southerners had that degree of autonomy or that Peking would go so far as to cross Hanoi on so important an issue. That the Chinese were

anxious for North Vietnam to adhere to the line of protracted war there was no doubt.

The Bureau was also consistent in its low estimate of Soviet capabilities to affect the course of negotiations and in this estimate it proved correct until 1968. INR judged that efforts in 1966 of East European countries to sponsor negotiations reflected their fear that Soviet control would tighten as the war escalated. In the Bureau's opinion, the Russians did not consider that an escalation would jeopardize Asian interests of the USSR, and it judged that Moscow had no compelling need to foster negotiations. Nonetheless, Moscow might anticipate some benefit from negotiations if it should demonstrate that it could do more for Vietnam than could China, by getting the US to make concessions on Hanoi's terms. This interpretation may well have been true in 1966 and 1967, when the Soviets were willing to transmit messages for the US but refrained from putting any pressure on Hanoi to negotiate. In INR's view, they had no authority from the North Vietnamese to put forth concessions that they vaguely hinted at during this period.

In 1968, however, the Russians played a major role as a go-between in expediting the arduous negotiations that finally brought a full halt to the bombing. It is difficult to judge how much influence they exerted, but they evidently at least make an effort to persuade the North to move the business along. The Bureau can probably be faulted on two points. First, it did not adequately gauge the extent to which American bombing of a fellow Communist state so embarrassed the Russians that they were willing to

exert themselves once there was indication of movement on both sides. Second, INR may have underestimated how willing Moscow may have been to urge Hanoi to make real, if very limited, concessions to get the bombing stopped. In fact, the North Vietnamese may have felt that Moscow was responsible for the concessions that were made, since they themselves carefully avoided giving explicit assurances to the Americans that they would honor any terms. The Bureau may, therefore, have missed a pivotal and subtle role played by the USSR; on the other hand, once they had achieved the one major Soviet interest of getting the bombing stopped, the Russians seem to have reverted to their attitude of previous years, much as INR described it.