

for WWR 56
Suspense
Presidential file

Saturday, August 12, 1967
6:15 p.m.

MEMORANDUM FOR THE PRESIDENT

Mr. President:

Attached is a copy of the "sanitized"
version of Ambassador Bunker's cable.

I will see that copies get to some key
members of the journalistic fraternity, as you
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William J. Jorden

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MEMORANDUM

SUBJECT: Elections in Viet-Nam

Claims of unfairness and fraud have been levelled against the electoral campaign now underway in Viet-Nam. Commenting on these claims, Ambassador Bunker in Saigon notes the following:

These charges stem principally:

from rumors, misquotes, acceptance of opposition candidates' statements (which even in the United States would be designed to serve their own interests), and news stories based on rumor, not hard facts; and

from a tendency to gauge the fairness of the elections against a standard of perfection, which does not prevail even in the United States, and which cannot reasonably be expected anywhere, particularly in a nation at war and without democratic experience and traditions.

The Government of Viet-Nam has done the following to insure free and fair elections:

1. Press censorship has been lifted and freedom of expression is clearly being carried out.
2. General Vien, Defense Minister and Commander in Chief of Vietnamese Armed Forces, publicly stated that the Armed Forces would not have a candidate, would stay out of the elections, and that members of the Armed Forces would not electioneer and would vote as individuals. In addition he sent a written directive to Armed Forces Commanders, clearly stating rules governing participation by military personnel in election activity.
3. General Thang, Minister of Revolutionary Development (RD), at a graduation exercise at the Vung Tau school, ordered that no RD workers would engage in the political campaign and said each should vote as an individual.
4. Generals Thieu and Ky called province and district leaders into town and told them they should not pressure the people to vote for any particular candidate. They were not to engage in politics. The election law provides for stiff penalties for civil servants who engage in election fraud and these penalties have been publicized.

5. General Loan was relieved as Chief of Military Security, although he still remains as Chief of National Police. He has been told to stay out of election campaign, and he appears to be doing so.

6. All candidates have been given money by the Government for their campaigns pursuant to the election law. The Government is printing their posters and leaflets free of charge.

7. All Presidential candidates are being furnished transportation by the Government, a benefit not required by the law.

8. All candidates are being given free time on government radio and television.

9. Invitations have been extended by the Vietnamese Government for observers to come for the elections to the United Nations, Governments having relations with the GVN, several parliamentary organizations, and the international press.

10. A variety of safeguards are provided in the electoral law such as poll watchers and elaborate provisions for monitoring the elections by the National Assembly.

The main complaints about a threat to free elections have been:

1. General Ky's supposed statement that he would pull a coup if civilian candidates win.

General Ky has publicly and categorically denied that he made this statement, claims he was misquoted, says he will support a newly elected government.

2. The Dong Ha (or Quang Tri) incident.

A plane carrying some of the candidates flew to Quang Tri where they were to address the voters. A strong crosswind convinced the pilot that a landing would be dangerous. He went to the nearest field (at Dong Ha) about 9 miles away. No one was present to meet the candidates. A convoy sent from Quang Tri arrived 15 minutes after they had left for Da Nang. There is no evidence of a

premeditation on the part of the Government. The incident was a combination of bad weather, poor planning, execution and judgment by some local officials, combined with impatience and suspicion on the part of the candidates.

It should be noted that:

(a) Arrangements for the campaign are a responsibility of the election campaign committee, which is composed of representative selected by the candidates themselves;

(b) The election law requires only that the election campaign committee "organize talks between electors and their candidates" but does not specify providing particular facilities;

(c) In this case the local authorities had lunch ready for the candidates, rounded up a crowd to hear them, and made arrangements apart from transportation, none of which was required by the law, and all of which in the United States and elsewhere would be handled by each candidate's own campaign organization as his own responsibility; and

(d) Generals Thieu and Ky have indicated their desire to do anything within reason to see that the campaign arrangements are more smoothly made in the future.

3. Rejection of Big Minh and Au Truong Thanh as Presidential candidates.

Regardless of how others might have decided the question:

(a) The action was taken by the elected assembly, not Thieu or Ky;

(b) The basis for elimination of both candidates was violation of legal requirements, whether we think the requirements were properly interpreted or not;

(c) Minh and Thanh were not "singled out," as several other candidates were also eliminated;

(d) French citizenship, which caused the elimination of General Minh's vice presidential candidate (and therefore the full ticket), was the basis for elimination of another presidential candidate (Tran Van Thoan); and

(e) Eleven candidates remained in the race, giving the people a wide choice. In the United States, candidates are also sometimes eliminated for various legal reasons such as age, residence requirements, conviction of felony, holding of other office, etc., varying from state to state. There is also a "peace candidate" now, Mr. Dzu, so the voters are not denied this choice by elimination of Thanh. Indeed, most of the candidates have expressed their support for a peaceful settlement and have talked of negotiations, bombing pauses, etc.

4. General Loan's appearance in the balcony of the General Assembly at the time of the vote on the Thieu-Ky slate.

This might have been considered as pressure by some of the delegates, and may have influenced their votes. But there is no evidence that Loan used any threats; the public has a right to appear in the balcony, just as in the United States, where it frequently uses this right to attempt to exert silent (or even sometimes vocal) pressure; and Loan has not engaged openly in political activities since that time so far as is known.

5. Rumors that the Armed Forces had formed a Council that would "run the government" no matter who is elected.

The formation of any such Council with such intent has been categorically denied by Thieu and Ky. Of course, the Constitution itself provides for a military Council to advise the government on military matters.

6. Failure of Thieu and Ky to resign their positions to run for office.

Some of the candidates (Huong, for example) admit they are not required to do this by law, but that elections would not be "fair" unless they did because they have, as incumbents, as "unfair" advantage. Admittedly all incumbents have a natural advantage, but:

(a) They do not give this up in the United States or elsewhere;

(b) The President and the Vice President of the United States do not resign to run for re-election, and

(c) Resignation might be interpreted as a failure to live up to their responsibilities and, even if manageable in this case, could be a bad precedent for later times when the interim was not so manageable.

7. Claims of surveillance and pressure by police and activities of province and district chiefs.

The significant thing about these claims is that:

(a) they are greatly reduced from the claims existing before the Thieu-Ky merger, and

(b) complaining candidates have generally been unable or unwilling to cite specific instances, and

(c) on a recent boat trip in Sadec Province, Ky, when confronted with this charge by reporters, stopped at the nearest village, asked if anyone knew him (which no one did), asked who they were going to vote for (they had not decided) and asked if anyone had pressured them to vote for any particular candidates, and they said "no." There probably will be some involvement by public officials, regardless of direction or lack of direction from the top. There is evidence that some officials will at least quietly support opposition candidates. But public officials become involved in election campaigns in the United States. And in the absence of intimidation, some involvement on the side of the "ins" would generally be considered one of the accepted advantages of incumbency.

U. S. officials, in talking with Vietnamese leaders and officials, have continually stressed the absolute importance of free and fair elections. They will continue to do so. Meantime, it should be borne in mind that:

1. The standard for free and fair elections should be reasonable and not more rigid than in the United States or other older countries. If ballots are fairly cast and counted, and intimidation is not used, the elections can be considered free.

2. In a country such as Viet-Nam, one cannot expect great administrative efficiency, particularly on something so new as elections. We should not ascribe every mistake to malice, rather than to inefficiency -- its more probable cause.

3. An important development -- generally ignored -- is the diffusion of power between the executive and a new legislative branch, which under the Constitution will have even greater power than the US Congress. The present Constituent Assembly has shown independence. The large number of citizens running for the Senate (480) shows the confidence of many people that the Legislative Branch will be important.

57

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WASHINGTON

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