

BUILDING A POLITICAL BASE FOR GOVERNMENT IN VIETNAM

Prefatory Note:

This private paper was drafted in mid-June, 1964, and has been partially revised as of 9 July, 64. Since writing was begun, the GVN has announced its intentions concerning many of the actions recommended herein, and has even moved toward implementation in some instances. The paper is believed still valid however; and any similarity between actions here recommended and those taken by the GVN must be ascribed to mutual understanding of problems and solutions.

D R A F T

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This draft "thinkpiece" seeks to explore briefly the situation and the requirements, ^{and} to suggest possible acceptable ways of effectively coping with them.

No government of Vietnam can long exist without the support of a substantial portion, an effective majority, of the relatively few politically aware (i.e. government conscious) non-Communist Vietnamese. Equally, a government capable of the actions needed today cannot be administered on a purely political basis, with all its important actions dependent on prior discussion and agreement among politicians or elected representatives. How may these seemingly opposing requirements best be met, to provide for effective action now, and a smooth, relatively early transition from the present dictatorship to stable representative government with a legal basis?

A quick historical review may be helpful. President Diem initially established a facade, and admittedly little more than a facade, of representative government. For many reasons, including the regime's paternalism, which in practice was too often autocracy; the limited role allowed to oppositionists; the overt and covert Communist efforts; and, perhaps most of all, the lack of politicalization of the vast majority of Vietnamese, this facade lost, rather than gained, substance. After the 1 November revolution, the new regime began an almost systematic destruction, psychologically, of this facade (despite the initial retention of Vice-President Tho). It continued with renewed vigor after the February reorganization, so that now the general attitude prevails that the Diem regime built nothing useful for government. Today there is no pretense of self-government, above the hamlet level, and little enough there, although political party leaders do occupy ministerial

positions by appointment, and make little effort to conceal their belief that they should have more authority. Disillusionment, a desire for effective government, and a host of often conflicting, not too workable, schemes seem the order of the day.

The strategic hamlet program, perhaps to some extent against the will of the Ngo regime, developed as a potentially major factor for indoctrinating and involving the peasants in self-government. Had it been effectively pursued, in another few years - perhaps 5 - most officials of government from hamlet to capital, could have been meaningfully elected, directly or indirectly, and the practices and problems of self-government became rather generally understood and accepted. The strategic hamlet program has left many political after-effects, all presently liabilities. Self-government and government benefits for the governed were promised, indeed, proclaimed, as necessary attributes of good government. To the extent that these were realized, they were assets to ^{The} a government which ^{initiated} ~~continues~~ them, as they will be assets to a government which extends them to more and more of the population. They are major liabilities to a government which does not.

To meet the felt need for some public voice on matters of government, a Council of Notables was established after the November 1 Revolution. Powerless in itself, and virtually unnoticed by 99% of the population, it nevertheless provided a valuable safety-valve for the politically-conscious, and showed promise of being a useful adjunct to government. Its dissolution leaves no means of political expression except the press, and the customary semi-conspiratorial political pressures on members of government.

Today the situation is further complicated by statements of intent to hold elections, and to establish a "constituent assembly";

comments to ad hoc meetings of politicians convened by General Khan, etc. None of these seem to be pursuant to any well-thought out, workable plan, but they are important, for they are reactions to recognized dissatisfaction, and are to some extent commitments which can affect the credibility of government. Limited information available here does not permit their accurate appreciation, but they must be carefully considered as prior commitments, as well as for the worth of their contents, before any final actions are taken.

Finally, in assessing the situation, consideration must be given the existing "political parties" and the other more or less cohesive groups which might be mobilized, or function, as political party bases.

Historically, there have been in post WWII times four significant so-called political parties. (This excludes the Communist party, which is believed not importantly linked to any of the others.) Of those four, the NRM, the official party of the Ngo regime, was little more than a nominal collective of governmental officials with small significance then, and none now. The Can Lao, the "secret" political party of that regime, is the target of great public odium - more, perhaps, than even the Communist party - and has no immediate or acknowledged public future. Riddled as it was with enemies, it seems to have little potential even as a conspiracy, except in a few localities or situations. Ultimately many of its members may be expected to appear as the nucleus of a new and really significant group, probably a political party, possibly putschists with some chance of success.

This leaves the two (or three) old parties, the VNQDD and the Dai Viet, North and South, which may emerge as separate groups. All are essentially elite groups, (with small geographical pockets of popular support) rather political societies with conspiratorial aspects than working political

parties as these are understood in the West. Their leaders have little experience in popular election practices, or, too often, in any constructive public actions. Despite this, they include many of the most capable and dedicated men for public affairs in the country, and may well serve as bases for the development of popular, working political parties. Probably among them all they could count on no more than 2 or 3 hundred thousand voters (of a possible 4-5 million) in a free election. (Although not relevant at this point in the discussion, it should be noted that so many Dai Viet are included in the present administration that it is often called the ruling party today, and and taxed with responsibility for the deficiencies of the government.)

There are other groups which have obvious political party potential and offer a seemingly attractive means of building segments of a political base, but in fact constitute a major threat to political stability of the country if so employed. They include the major "sects", the Cao Dai and Hoa Hao (who have marked internal factional tendencies), the Catholics, the Buddhists, and the ethnic Khmer. (Conceivably, the refugees from the North might be formed into a separate "interest group" but their present high degree of adherence to the old parties and/or Catholicism, as well as the high order of their integration seem to militate against the likelihood of this.) The energies and cohesion of these groups should be harnessed and exploited in the national interest (e.g. against the Viet Cong), but they should not be encouraged to compete in any way which could increase their cohesion, or set them at odds with other non-Communist groups or elements. Delicate, understanding handling of this problem is essential, or worse tragedies than any non-VC ones of the last 18 years are a real danger.

To sum up: Vietnam, vitally engaged in fighting a major domestic politico-military insurgency, is today governed by a dictatorship, with only self-assumed de jure status, which represents a rather reluctant consensus of military and political leaders. The active head of this government wants, and is committed to, the transfer of government authority to a legally constituted administration for which there is presently neither good precedent nor basis.

A small minority of the population, most of whose who are politically conscious, including nearly all of the pitifully few civilian leaders of the country, want such a transfer of government, may have the power to force it, but have no workable, generally accepted, machinery. The vast majority are aware vaguely, but with little comprehension of its implications, of self-government, and keenly desire an improvement in present conditions. Perhaps a hundred thousand have a vested interest in preserving (or improving) their own positions in the civilian bureaucracy, and another 30,000, with substantial control over 200,000 more, have similar interest in the military structure.

Virtually all leaders, and most of their aware followers, realize the threat which the Communist insurgency poses, believe that another change in government by violence probably would mean national disaster, and wish to cooperate in building a strong free nation, at least as far as their own ideas and interests will permit. Undeniably, there may be some leaders who would risk national disaster to put their own cliques in power, believing that only thus can the national and/or their own interest be well served.

Finally, there is a strong culture tendency toward leadership by the elite, the "notables", without formal election; and strong tendencies among these leaders to believe that the people must be "controlled", (which, if done with reasonable consideration

for customary forms, seems more acceptable to the people than a Westerner would expect.) Concurrently, there is ingrained doubt and distrust of the motives and honesty of virtually every man in public life.

The actions which must be taken if a sound political base is to be established seem to fall into four general categories:

A. Statement of the political principles, beliefs, and objectives of the present administration; reinforced by statements of intended actions which, when accomplished, will give the basic declaration credibility.

B. Actions to develop popular support for government by demonstrating its value and effectiveness (and, conversely, demonstrating the ineffectiveness and worthlessness of the VC "shadow government".)

C. Actions to develop effective useful political institutions of a non-governmental nature (political parties) and those of semi-governmental nature (advisory or consultative councils, etc.).

D. Actions to establish the form, organic law, method of membership selection of a permanent government; and the selection and inauguration of the administration which will govern by it.

Actions in the first three of these categories are urgently needed. Action in the fourth has been promised, and should be set in train, with a realistic date announced, contingent upon accomplishments. All four have many implications, and perhaps nearly as many non-political as political aspects. The following paragraphs discuss required actions under the categorical headings which seem most applicable.

A. Declaration of principles; and of intended implementing actions:

Basically this should be a solemn declaration of the political intentions of the present administration; i.e., while seeking to defend the people of the nation from Communist aggression to prepare and to turn over

full authority to, a representative national government which, responsive to the will of the majority while protecting the individual rights of all, will assist the people to achieve their just aspirations. To be more than platitudinous it must be accompanied by a statement of principles, policies, programs and specific intended actions to achieve this goal, including, inter alia:

1) The principal that the rights and aspirations of the individual can be guaranteed only when the Viet Cong and any other imperialist threats are eliminated, hence effective action to this end must be a principal consideration of government and people alike.

2) Proclamation of a code of ethics for government representatives, military and civilian (which might well be called a Declaration of Freedom) which will be observed, under penalty of Draconian punishment.

3) Announcement of the creation, and of the functions, of a national semi-governmental consultative body (Assembly of Notables); and of intention to create, as rapidly as possible, provincial equivalent bodies.

4) Statement of determination to foster meaningful political parties cutting across regional, religious, and ethnic lines; and of the urgency with which the drafting of a political party code is regarded.

5) Re-emphasize the purposes of, and the importance placed on the General Office for People's Suggestions and Complaints (complaint and action office) and the Chieu-Hoi (Viet-Cong surrender) programs.

6) Reiterate support of the rejuvenated strategic hamlet program, emphasizing the importance of voluntary participation and real accomplishment.

7) Proclaim freedom of religion, and the creation of an effective Committee on Religious Freedom.

8) State the urgent requirement for a press and public utterance code, which the Assembly of Notables will make a priority topic of consideration.

Because of its urgency, it appears appropriate to outline here some basic requirements of such a code.

a. The press and its personnel must accept the responsibilities of public service.

b. Falsification or distortion of facts is an ^aassult on the people. Pending approval of a code, it will be subject to the same penalties as assault on a person.

c. Statements in the Assembly, and similar bodies are privileged; their publication must be governed by the same rules as other news.

d. Provision for open review of punishments for violation of the press code by a body which includes press representatives.

9) The principle that no individual, administration or government of Vietnam can be considered to have discharged its duties well if it has not exerted maximum efforts to secure the blessings of freedom and the rule of law for all Vietnamese.

B. Develop popular support for government:

These are, basically, actions which are the proper role of government under the conditions existing in Vietnam. It is in this area that most overt US assistance should appear. Maximum intimate unashamed Vietnamese-US collaboration is essential; with members of each side discussing freely with

their opposite numbers their problems and their actions, seeking a real interchange of ideas and maximum employment of the resources of each to achieve the common goal. It must always be borne in mind that the effectiveness with which the legitimate functions of government are performed will determine the extent to which government merits and receives the support of the governed, which in turn determines the effectiveness of the counter-insurgency effort and the viability of the free nation. Actions required to develop popular support for government may be divided into four classes:

1) Military action, to defend and assist the people, primarily by action against the enemy - the Viet Cong. This actually encompasses a broad spectrum of activities, ranging from relentless pursuit and aggressive combat of active VC, through establishment of good discipline and morale in the armed forces, to troop good behavior and action directly helpful ~~to~~ to all civilians. It can scarcely be emphasized too strongly that sine qua none of victory are armed forces effective against enemy combat forces and accepted by the people as their friends and protectors. (It must always be borne in mind, too, that troop morale and effectiveness to a considerable extent reflect civilian attitudes toward the soldiers, and toward the enemy.)

2) Civilian action, the reformation of civilian administration, to make it efficient, honest and responsive to the needs of the nation and its people. This means major changes in attitudes and action, far more than changes in organization. The Declaration of Freedom will serve as a guide to attitudes and behavior; unremitting command emphasis and action to reward good, and to punish bad, public servants is requisite to good performance.

The Complaints & Action Office can be of major assistance here, in fact it is difficult to see how the needed reforms can be timely achieved without

such a special agency backed personally by the leader of the government, which:

a. Received complaints from all sources, especially private citizens about improper action (or inaction) of government officials, military and civilian;

b. Protects the sources;

c. Promptly investigates, or causes investigation of, the charges; and

d. Causes, or takes on behalf of the leader of government, appropriate remedial action.

Especially at the beginning there must be swift, sure action to eliminate individuals who are roadblocks to effective action, are corrupt, abusive, or indolent.

3) Socio-economic action, to promote positively the social and economic welfare of the people. The reformed, rejuvenated strategic hamlet program (as one of its major functions) should be the principal, but not the sole vehicle for these activities which embrace everything from hamlet schools to improved crop production. A comparable program is needed to reach the urban population; especially in the Saigon-Cholon area.

4) Public information activities, to inform the people of the intentions and accomplishments of their government and its allies. The two aspects which require most stress are credibility and dissemination. Credibility of course can be achieved only if the observed actions of government personnel, military and civilian, conform to the claims of government. Plans already approved should provide for at least enough radio dissemination; but much wider dissemination of suitable printed matter is required. To a large extent this need may be met by troop (including para-military) distribution of publications

ostensibly directed at them. There is real need also for improved input, more information, better presented. The US presence is probably the single topic most urgently requiring more informative action while the principles and purposes of government (so long and poorly presented in the past) is probably the area most in need of improvement. *in presentations*

C. Actions to develop political institutions:

These are the most delicate and most controversial of all. Whatever action is taken will certainly evoke many protests from politically and apolitically inclined sources. Careful piloting is needed between the Scylla of a monolithic state party, and the Charybdean whirlpool of innumerable little political parties which prevent action and disgust those who would act - and action is the prime requirement in Vietnam today. These dangers must be faced, and acceptable, effective political institutions created, or the Communist political institution will surely fill the existing vacuum.

Two types of political institutions, semi-governmental and non-governmental, clearly require early action. To these must be added a third, governmental or quasi-governmental representative institutions at the rice-roots - hamlet and village - level. These are essential in countering any Communist insurgency, and especially critical in Vietnam today because of the impetus, and the publicity, already given such institutions by government and anti-government (Communist) forces alike.

1) Semi-governmental political institutions, especially at national, but also at provincial, level are urgently needed to harness the energies and enthusiasms of those who sincerely wish to help; to provide a safety-valve for the "salon-de-The" intellectuals; and above all, to demonstrate that the present administration, far from being a tyranny which desires to perpetuate itself, is really sincere in its professed desire to respond to the will of the people as well as to military requirements.

The first step, clearly, is the creation of a new civilian national assembly, which might well be called Assembly of Notables. Its initial membership obviously must be appointed, with efforts to insure that no existing political party approaches a majority; but it should also be permitted to increase its membership, up to a total of perhaps 100, by vote of the members. The charter of this Assembly should clearly specify its privileges and roles. The privileges should include:

- a. Immunity for statements made before it.
- b. Right of all citizens to petition to be heard by the Assembly.
- c. Right of the Assembly to issue public statements upon majority vote, such statements, and the publishers thereof to be immune from sanctions.
- d. Right of members to prompt trial before the Assembly, with appeal privileges for defendant only, for any alleged offenses committed while a member.

The roles should include:

- a. Public debate of matters of public concern.
- b. Drafting and proposing for approval by the Chief of State, as requested, ordinances governing matters of vital national concern.

Of immediate priority; drafting:

- (1) a press code;
- (2) a political party code.
- c. Assisting the administration in establishing provincial and local semi-, quasi-, or official, governmental political institutions. These would include provincial and perhaps some district Assemblies.

d. Monitoring adherence of press and political parties to their respective codes; non-partisan assistance to parties in developing political support at hamlet and village level.

e. Recommending actions to the administration, including, specifically, the suppression of news organs which violate the code, the recognition, dissolution, or suppression of political parties, and disciplinary action against governmental officials.

f. The formation of non-partisan commissions, responsible to the Assembly, to assist in accomplishing its missions in the provinces, and in other matters. Among such duties might well be included survey of areas to determine their readiness for elections, and perhaps actual supervision of hamlet, village, and even higher elections.

Given such an Assembly, well-chosen, intelligently guided and properly supported, the creation of other political institutions should go forward at a rate commensurate with the need. Requests for action, such as the drafting of ordinances, should include guidance on matters to be considered, or even required to be included. Such guidance should always stress the paramountcy of service to the nation in public matters. It might well at times include the establishment of priorities, or of reasonable deadlines, for accomplishment.

2) The establishment and strengthening of representative self-government institutions at the hamlet and village level is next in urgency. The original strategic hamlet program provided for the election and functioning of hamlet administrative committees. In some places these worked well, and developed real interest, and belief, in self-government. Few are now functioning, and insufficient stress seems to be given to hamlet self-government.

This should be reversed. The Communist tactic of securing local nominal leaders with whom to deal is sound. It is recognized that in many hamlets meaningful elections will at first be impossible. Accordingly election practices should, within limits, be elastic, but the clear goal should be the election of accepted, responsible leaders for fixed terms. However, any suspicion of an effort to create secret pro-government cells for governing or "controlling" the hamlet must be avoided like the plague. The Mobile Action Cadre should be restricted to working as advisors to hamlet officials, not used as officials themselves.

The reasons for immediate emphasis on local self-government are both tactical and strategic. Tactically, the practice can, at the all-important local level, give the lie to Communist charges of dictatorship, while at the same time increasing the credibility of government statements, and giving higher authority someone to hold responsible. Strategically, it is an educational process, building a base for meaningful national elections, by giving the "nha que" an understanding of the privileges, responsibilities, and practices of self-government. In so doing, and this is the most important near-term aspect, it helps to give him a vested interest in, and commits him to support of, the government of free Vietnam.

Several specific actions are necessary. First, the policy of encouraging hamlet self-government to the maximum extent consistent with urgent national necessity and compliance with law must be adopted and widely publicized, with full command emphasis in all governmental channels.

Second, a code for hamlet self-governance must be formulated, adopted, publicized, and enforced. It should include provision for secret elections, or for public elections where secret elections do not result in a majority of

eligible voters voting for eligible candidates, (all available eligible voters should be required to pass through the polling booth); removal of officials for demonstrated malfeasance (or non-feasance) either by higher authority or on petition of the voters; and a clear definition of the authority and responsibilities of hamlet officials. There must also be provision for the hamlet to raise money for hamlet activities. This might perhaps best be accomplished by allocating to it a fixed percentage of the national taxes collected from hamlet residents; for the duration of the emergency it might well include provision for special small levies after secret referendum.

Third, the national and lower assemblies of notables should be encouraged and supported in assisting in hamlet and village elections. This assistance would include non-partisan (or multi-partisan) teams to explain election practices, and to supervise elections; might include hearing election protests, or protests against either the retention or the removal of elected officials; and should always emphasize the individual's privileges and his responsibilities.

D. Development of non-governmental political institutions, political parties, was discussed at some length above. Many solutions are possible, ranging from the abolition or non-recognition of all parties, to acceptance of any group of two or more individuals who care to call themselves a political party. Probably the best would be to recognize the inevitability of political parties, and seek to establish meaningful yet acceptable standards and limitations. The standards, being ethical and philosophical, should change but little; the limitations probably should change as the form of government, indeed the very government structure, evolves.

The Assembly of Notables should initially formulate a code for political parties, with guidance from the administration. This guidance might well include:

1) Political parties shall express concepts of national welfare and the means of promoting it; not the personal interests of individuals, or special interest groups. Accordingly no party shall claim to represent, or be primarily composed of, members of any religious group, region, occupation or status.

2) Political parties are public associations of individuals sharing common beliefs on the promotion of the national welfare. Membership rolls must be open to public inspection. No secret rosters may be kept, no individuals may be claimed as members, or claim membership, unless their names appear on the public rolls of the party. There should be no inhibition on party membership by government officials, but membership in a political party must be publicly announced.

3) Political parties might be considered to fall into four categories:

a. Recognized parties - those which have acceptable principles, substantial membership, visible organization, and comply with the code. They will receive formal representation on appointed bodies, such as the Assembly of Notables, and appear on the ballot. After national elections have been held, continuance in recognized status may be made contingent upon receiving a specified proportion of the votes.

b. Unrecognized parties - those having acceptable principles and evidencing substantial compliance with the code, but having insufficient members or organization to be recognized. (see also para 4, this section.) May be represented on appointed bodies, especially at provincial level. May not appear on ballots, but members may run as independents.

c. Disallowed parties - those with unacceptable principles or guilty of repeated infractions of the code. Members may not hold public office. Distribution of literature or dissemination of propaganda prohibited. Adherence by private individuals not an offense.

d. Illegal associations - those seeking overthrow of the government, either by force or subversion, e.g. Communist Party, Gaullists, etc. After proclamation of status, new or continued membership becomes an offense against the state - former membership within last 3 years must be publicly admitted and denounced.

4) Recognized political parties probably should be limited to four; there seems certainly a requirement for at least three. Initially, recognition should be effected by the Assembly of Notables. After national elections, recognition might well be determined by the Congress, or the equivalent body. Assignment to other classifications could be determined by agreement or executive order.

The foregoing are merely suggestions. Many other rules for political parties might be formulated; certainly considerable amplification and explanation of purposes would be required. The suggested number of parties - four - is a compromise. Two (or even one) might be ideal; certainly eight or ten would be easier to form; four, however, would seem to provide room for present leaders to organize, and room for new ones as well, provided they will organize and work openly, clearly the key requirements in political development in Vietnam. (See, for example, the statement of Vu Van Mao, reported in the 15 June Saigon Post, that if a code for political parties is to be imposed: "we all will go underground and work for the overthrow of government. No law forbids us to operate secretly.")

Much educational effort is clearly needed if legitimate political activity is to replace conspiracy, and honest, meaningful elections are to substitute for palace intrigues and coup's d'-etat.

E. Prepare for, formulate, select, and inaugurate a permanent form of government:

This, naturally, is foremost in the minds of many, Vietnamese and Americans alike. Others, Vietnamese and Americans (probably including the majority of Americans personally involved in Vietnam) feel strongly that the most important thing is to win the war, and put off political matters as long as possible. There is much to be said for both points of view; indeed the war cannot be won without establishment of stable government supported by the people ---neither can it be won without major emphasis on governmental accomplishment, which is impossible if there is much political bickering.

Clearly it would be desirable to avoid formulation of a new government and inauguration of a new administration until many of the requirements discussed above have been met. To some extent this may be possible, if the urgent need for effective, popular, representative government is continually stressed, in word and deed, by those in power. This will require skillful, determined action, with a progressive relinquishment of authority in routine matters to elected representatives of the people. Increasingly, "higher authority" must limit itself to ensuring that the rules are enforced, and that the public weal is aggressively sought.

The political exigencies indicate that a realistic, but hedgeable, date for at least some major attribute of a new government, preferably the installation of a new administration, complete with organic law and institutions, must be set. This should be tied to an attractive, yet possible, sequence of

events, and recognition of problems to be overcome. Possibly there might be two such sets of requirements, initially, merging naturally as national and local levels achieve the necessary prerequisites. They might be represented in parallel columns, each to be accomplished at the best practical speed, with further actions possible only when the preceding actions are accomplished, being shown below them. Thus:

Local	National
Hamlet secret elections (when hamlet free of VC controls)	Formation of Assembly of Notables
Village secret elections (when free of VC controls)	Internal organization of A N completed
District secret elections for District Chief and representative to provincial, national, A N (when 2/3's of villages free)	Formulation of press code
Province secret elections for Province Chief, Provincial Council (when 2/3's population in free areas)	Assist in hamlet, village elections
	Assist formation provincial assemblies
	Formulation of political party code
	Organization of political parties
	Formation of constituent assembly, with limited membership (100?) (by vote in AN when 2/3's population represented there)
	Draft, adopt, new constitution (Adopt - D-90)
	National Elections (D-30)
	Inauguration new administration
	D - (Inauguration) Day -- 1 Nov. 67

The announcement should stress the caretaker, monitory, and emergency action roles of the present administration. It should also set forth certain pre-requisites to acceptable elections at district and higher level, such as

candidates running as members of political parties, with at least two recognized parties represented, and each receiving at least 10% of the vote; and with at least 50% of the eligible voters casting ballots.

Action to meet the political requirements of the Vietnamese people and government is clearly urgent. This is amply evident from the efforts being made by Premier Khanh and others. Equally evident are the many problems involved, and the need for American understanding of them. Unfortunately, in the political as well as military, economic and social fields, we Americans have developed so far, specialized so much, that, while still remembering some theory of fundamentals, we too often have forgotten the problems of establishing them and making them work. This sketch has sought to join theory with recognizable problems and suggest elements of practical solutions.