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Neither Peace nor Honor: The Nixon Administration's Vietnam War Policies, 1972-1973 John Tresidder

On January 23, 1973, President Nixon in a televised speech to the nation announced his administration had concluded a peace agreement, which would "end the war and bring peace with honor in Vietnam." This peace agreement was a culmination of a secret shift in the Nixon administration's Vietnam War policies, which originated in 1971 and pursued throughout 1972 and January of 1973. Publicly, President Nixon and his National Security Advisor Henry Kissinger continued to state the administration's policy that any peace agreement must maintain the South Vietnamese government of President Nguyen Van Thieu and South Vietnam as an independent nation. However, they secretly decided they would be satisfied if the peace agreement would ensure that the Thieu government and South Vietnam only last for a sufficient time, i.e. a decent interval before being forcibly taken over by North Vietnam. If there was such a decent interval before this forcible takeover, the United States would not militarily intervene again.

President Nixon and Kissinger knew that the South Vietnamese government was too weak to survive for the long term and that South Vietnam would be forcibly taken over by North Vietnam. Despite knowing this and moving to end the war earlier by accepting the replacement of the Thieu government with a coalition government, which would have been dominated by North Vietnam, President Nixon and Kissinger instead pursued their decent interval strategy. They did this because they believed that if South Vietnam could survive for this decent interval, this outcome would assure President Nixon's reelection in 1972, allow them to conduct an effective foreign policy and avoid being seen as responsible for the North Vietnamese's forcible takeover of South Vietnam by the American public, other nations, and ultimately history. Their brutal and misguided strategy had staggering costs. By prolonging the war by the pursuit of this strategy, thousands more Americans were killed as well as hundreds of thousands of Vietnamese. Further, the peace agreement did not bring peace to Vietnam. Instead, North Vietnam and the South Vietnamese government violated the peace agreement and continued fighting. Many more thousands of Vietnamese were killed.³ The fighting continued until South Vietnam was forcibly taken over by the North Vietnamese as President Nixon and Kissinger knew would happen. Since the ultimate forcible takeover of South Vietnam could not have been prevented, this enormous loss of life could have been avoided if President Nixon and Kissinger had not pursued their decent interval strategy and ended the war sooner.

The Nixon administration's war policies of 1972-1973 with its decent interval strategy needs to be studied carefully as it has been proposed by some as a model for the United States to use to end conflicts in the world in which there is an active American combat presence. For example in 2011, Gideon Rose, the editor of the influential journal *Foreign Affairs* recommended

¹President Richard Nixon, "Address to the Nation Announcing an Agreement on Ending the War in Vietnam" (University of Virginia: Miller Center American Presidential Speech Archive), 2014.

http://millercenter.org/president/nixon/speeches/speech-3884

² George C. Herring, *America's Longest War: The United States in Vietnam*, 1950-1975, 5th ed. (Boston: McGraw-Hill Education, 2014) 330-331.

³ Marilyn B. Young, *The Vietnam Wars, 1945-1990* (New York: HarperPerennial, 1991) 290.

to President Obama that he model his policy of ending active American combat presence and withdrawing from Afghanistan on the decent interval strategy employed by President Nixon and Kissinger. ⁴ Careful study of their decent interval strategy would hopefully cause the government of the United States not to employ this brutal and misguided strategy as a model to end future conflicts in the world in which there is an active American combat presence. In studying the 1972-1973 Nixon administration's war policies with its shift to a decent interval strategy, it is best to begin with an examination of the circumstances that brought about their creation.

The War Policies of the Nixon Administration From 1969-1971 and the Origin of the Decent Interval Strategy

As Richard Nixon assumed the office of the presidency in January of 1969, he wrote that the war in Vietnam was "the most pressing foreign problem I would have to deal with..." Both President Nixon and his National Security Advisor Henry Kissinger recognized that the war had to come to an end. In particular, President Nixon thought that ending the Vietnam War or at least America's active military combat role, would have a significant effect on his political future, saying "I'm not going to end up like LBJ, holed up in the White House afraid to show my face on the street. I'm going to stop that war fast." He was willing to pursue a negotiated settlement to end the war, but asserted the settlement would have to include that the government of South Vietnam headed by President Nguyen Van Thieu and that South Vietnam would be preserved as an independent nation, and that all American prisoners of war would be returned along with an accounting of American military missing in action.⁸ Both President Nixon and Kissinger believed that they could end the war within six months. Significantly, they both felt they alone should formulate the administration's war policies and moved to consolidate the making of foreign policy into their hands, cutting out the State and Defense Departments. 10 As Roger Morris, a National Security Council aide during this period, wrote there was a "shrinkage of American foreign policy decision making from the bargaining of the few departments to the will of two men."¹¹

During the period from 1969 to 1971, the Nixon Administration employed a strategy which, had both military and diplomatic aspects. The military strategy had the objectives to limit North Vietnam's capacity to launch an offensive against South Vietnam and at the same time demonstrate that the administration was capable of escalating militarily and thus encourage North Vietnam to negotiate terms more favorable to the United States and government of South

⁴ Gideon Rose, "What Would Nixon Do?," *The New York Times*, June 25, 2011, SR3.

⁵ Richard Nixon, *RN*, *The Memoirs of Richard Nixon* (New York: Grosset & Dunlap, 1978) 347.

⁶ Herring, America's Longest War, 279.

⁷ H.R. Haldeman, *The Ends of Power* (New York: Times Books, 1978) 81.

⁸ Nixon, *RN, The Memoirs*, 348-349.

⁹ Lien-Hang T. Nguyen, *Hanoi's War: An International History of the War for Peace in Vietnam* (Chapel Hill: University of North Carolina Press, 2012) 135.

¹⁰ Nguyen, *Hanoi's War*, 133.

¹¹ Roger Morris, *Uncertain Greatness: Henry Kissinger and American Foreign Policy* (New York: Harper & Row, 1977) 91.

Vietnam. 12 These military actions included bombing raids on the North Vietnamese military sanctuaries in Cambodia and Laos, air strikes against bridges, base camps, and trails in the demilitarized zone between North Vietnam and South Vietnam, and bombing raids on the Hanoi-Haiphong area in North Vietnam. 13 The administration also embarked on a program of Vietnamization, in which the United States would build up the South Vietnamese military through increased military aid and training so they could more effectively defend themselves against North Vietnamese and National Liberation Front troops. 14 At the same time, the administration also began a program of withdrawing American combat troops from South Vietnam, striving for "a sensitive balance between too much, too soon and too little, too late." This withdrawal policy was done in part to diffuse and weaken the growing antiwar protests as it would satisfy the American public and Congressional critics that the administration was moving to end the war and thus allow more time for the Vietnamization program to work. The administration also launched an invasion of Cambodia using American and South Vietnamese troops to attack North Vietnamese military sanctuaries in order to assist the Cambodian government from what President Nixon believed was an attempt by the North Vietnamese to overthrow that government and disrupt any potential North Vietnamese attacks on South Vietnam from Cambodia, which would threaten the Vietnamization program and the schedule of withdrawals of American troops from South Vietnam and the security of the remaining American forces left in South Vietnam.¹⁷ President Nixon also believed this action would convince North Vietnam that it had better negotiate more favorable terms as he, unlike President Johnson, would not be bound by restraints and would widen the war. 18 In a similar vein, the administration launched an invasion of Laos using South Vietnamese troops supported by American airpower to attack North Vietnamese military sanctuaries and cut their military supply lines. The administration again reasoned that this would allow the Vietnamization program more time to succeed, allow the withdrawal of American troops to continue and protect the residual American troops left after these withdrawals in 1972, as North Vietnam's ability to launch military offensives in South Vietnam would be significantly curtailed with its supply line cut. 19

At the same time, the administration pursued a diplomatic strategy. President Nixon and Kissinger sought to engage the Soviet Union and later the People's Republic of China to make efforts to get North Vietnam to reach a peace settlement on terms more favorable to the United

12 Herring, America's Longest War, 283.

¹³ Ibid, 282-283, 305.

¹⁴ Ibid, 288, 291-293.

¹⁵ Foreign Relations of the United States (hereafter FRUS) 1969-1976, Vol. VI, Vietnam January 1969-July 1970, "Memorandum from the President's Assistant for National Security Affairs (Kissinger) to President Nixon," 87.

¹⁶ Nixon, *RN*, *The Memoirs*, 448, 469, David Greenberg, "Nixon as Statesman: The Failed Campaign," in *Nixon in the World: American Foreign Relations*, 1969-1973, eds. Fredrick Logevall and Andrew Preston (New York: Oxford University Press, 2008) 52, Herring, *America's Longest War*, 288.

¹⁷ Nixon, *RN*, *The Memoirs*, 449-452.

¹⁸ Herring, America's Longest War, 298-299.

¹⁹ Henry Kissinger, *White House Years* (Boston: Little Brown and Company, 1979) 991, 1010.

States. Starting in 1969, they made several overtures to the Soviet Union, who was a massive supplier of military assistance to North Vietnam to use that position to influence or pressure North Vietnam to agree to a peace settlement.²⁰ To get this Soviet assistance, President Nixon and Kissinger pursued a policy of linkage. They related Soviet behavior on Vietnam to other issues facing the United States and the Soviet Union. The Soviets were repeatedly told that unless Soviet help in Vietnam was forthcoming, it would be difficult to have any progress toward agreement in the issues of strategic arms limitation or trade which the Soviet Union was desirous of. ²¹ However, the Soviet Union bluntly stated it would never cut off such supplies to North Vietnam. 22 The administration did not limit such efforts to the Soviet Union. After military clashes between the People's Republic of China and the Soviet Union along the northeast border separating their two countries, the administration adopted a policy of seeking rapprochement with the People's Republic of China.²³ This policy eventually led to a secret visit by Kissinger to Peking in July of 1971 to discuss the possibility of further improvement in the relationship between the United States and the People's Republic of China, China's international role, the issues concerning Taiwan, and Chinese relations and perceptions of the Soviet Union, and a summit meeting with President Nixon in Peking.²⁴ Kissinger said that during this visit he would "seek some moderating influence on Indochina, keeping in mind that the mere fact of the meeting and the subsequent summit was bound to massively demoralize Hanoi."²⁵ In Peking, Kissinger again tried linkage, linking the issue of Taiwan and ending the Vietnam War by suggesting the United States would withdraw two-thirds of American forces committed to the defense of Taiwan after the Vietnam War ended.²⁶ Premier Chou En-lai rebuffed this suggestion of linkage and stated they would continue to support North Vietnam including supplying them with military aid. ²⁷ Chou repeated this statement of continued Chinese support for North Vietnam so long as North Vietnam continued fighting to President Nixon at a meeting with President Nixon and Kissinger in Peking in February of 1972.²⁸

As part of its diplomatic strategy the administration offered North Vietnam a new peace proposal at the secret Paris peace talks in May of 1971. The proposal dropped the demand for withdrawal of North Vietnamese troops in South Vietnam with North Vietnam agreeing to no further infiltration, offered the total withdrawal of American troops, a ceasefire throughout all of Indochina (not only Vietnam) the release by both sides of all prisoners of war and innocent civilians when the withdrawal of American troops began, guarantees of independence, neutrality

²⁰ Kissinger, *White House Years*, 124, 129, 187, Nixon, *RN, The Memoirs*, 391, 399, 405-406.

²¹ Ibid.

²² Nixon, RN, The Memoirs, 391.

²³ Kissinger, White House Years, 172-194.

²⁴ Ibid, 689, 703.

²⁵ Ibid, 735.

²⁶ National Security Archive, "Conversations with Chou En-lai, July 9, Afternoon, Dinner, and Evening Sessions," 9.

http://nsarchive.gwu.edu/NSAEBB/NSAEBB66/ch-34.pdf

²⁷ National Security Archive, "Conversations with Chou En-lai, July 10, Afternoon Sessions," 27.

http://nsarchive.gwu.edu/NSAEBB/NSAEBB66/ch-35.pdf

²⁸ Nixon, RN, The Memoirs, 568.

and territorial integrity of Laos and Cambodia and left the political future to be decided by the South Vietnamese. On June 26, 1971, North Vietnam responded with its peace proposal calling for complete withdrawal of American troops, a ceasefire, the release of all prisoners of war by both sides, a demand for reparations from the United States for the damage caused on the war zone of Vietnam and most importantly for the United States government to replace the Thieu government in South Vietnam with a coalition government which the communists would dominate. This demand caused the peace talks to deadlock. In the communists would dominate to replace the communists would dominate.

In September of 1971, President Nixon despaired that his administration's strategy had failed to end the war. His chief of staff H.R. Haldeman recorded in his diary the President's thoughts that "he was sorry that we hadn't been able to actually end the war directly but made the point that there was no way to end it-it was doomed always just to trickle out the way it is and that's now become clear." ³²

During this period there was a growing realization by the administration that the policy of Vietnamization had weaknesses. The stated goal of this policy was to increase the effectiveness of the South Vietnamese military through additional military aid and training provided by the United States. As American troops were being withdrawn, the South Vietnamese military would undertake the majority role in the actual fighting that had been previously done by American troops. However, doubts arose within the administration and the American military as to whether the South Vietnamese military would ever be able to assume this role and be able to defeat the troops of North Vietnam and the cadres of the National Liberation Front as the American troops were withdrawn.³³

These concerns increased when the administration evaluated the LAM SON 719 operation. In this operation, the administration in February 1971 expanded the war by launching an invasion of Laos. Its purpose was to cut the main North Vietnamese supply trail and then destroy the North Vietnamese logistical structure thereby reducing their ability to launch military offenses, which in turn would allow more time for Vietnamization, increase the administration's ability to withdraw American troops more rapidly and protect the residual American troops left in South Vietnam.³⁴ In this operation, unlike the earlier Cambodian invasion, there would be no American troops involved in the fighting on the ground. The South Vietnamese Army undertook that role. The United States would only provide air strikes in support of this ground operation. Initially, the South Vietnamese forces fought well. However, when the fighting intensified and the North Vietnamese committed more troops to the fighting and gained the upper hand, the South Vietnamese troops suffered heavy casualties and were no longer willing to continue the operation.³⁵ The South Vietnamese troops then hurriedly retreated back into South Vietnam.³⁶ Their casualty rate was very high and would have been even higher without the bombing provided by American air

583.

²⁹ Henry Kissinger, *Ending the Vietnam War* (New York: Simon & Schuster, 2003) 210.

³⁰ Ibid, 214-216, 306.

³¹ Nguyen, Hanoi's War, 162, Kissinger, Ending, 224-225, Nixon, RN, The Memoirs,

³² H.R. Haldeman, *The Haldeman Diaries* (New York: G.P. Putnam's Sons, 1994) 256.

³³ Herring, America's Longest War, 291-295.

³⁴ Kissinger, White House Years, 999, 1008, 1010, Herring, America's Longest War, 305.

³⁵ Kissinger, White House Years, 1008-1009, Herring, America's Longest War, 305.

³⁶ Kissinger, White House Years, 1009.

support. 37 The North Vietnamese claimed victory and stated "Washington had wanted to make this operation a test for the policy of 'Vietnamization' of the war. But the new strategy had proved a flop." President Nixon claimed that the operation was a success. In spite of his claim, the operation raised more questions as to whether Vietnamization would succeed as the South Vietnamese military was shown to have deficiencies in planning and tactics, an inability to sustain offensive operations unless the casualty rate was low, and had commanders of individual units who were reluctant to incur losses in large offensive operations because their political influence depended on the strength and morale of the units they commanded. 40 The performance of the South Vietnamese military could not help but increase concerns in the administration as to whether South Vietnam with such an ineffective military could survive as an independent nation in the long term and successfully resist a forcible takeover by North Vietnam. Kissinger himself admitted he had these concerns when he stated that he was tormented by a question asked of him by Le Duc Tho, the North Vietnamese negotiator at the Paris peace talks. Le Duc Tho, in discussing the strategy of the United States to withdraw enough forces to placate American public opinion while simultaneously strengthening the South Vietnamese forces to stand on their own, asked this question: "Before there was over a million U.S. and puppet troops and you failed. How can you succeed when you let the puppet troops do the fighting? Now with only U.S. support how can you win ",41

This concern about the effectiveness of the South Vietnamese military, and ultimately the prospect that South Vietnam could not survive for the long term as an independent nation under the Thieu government, led to a significant alteration in the administration's war policy. On the surface, the administration's stated conditions for an acceptable peace agreement remained the same. However, a record of private conversations of President Nixon and Kissinger reveal a shift in the administration's policy. The administration was willing to have a peace agreement that did not guarantee the long-term survivability of the Thieu government and South Vietnam as an independent nation. Instead, it was acceptable to the administration that the peace agreement permit a ceasefire, which would allow the Thieu government to exist for a sufficient period of time i.e. a decent interval. After the elapse of that period, if the Communists overthrew this government, such an event would not trigger a new intervention by the United States.

In Kissinger's secret meetings with Communist China's Premier Chou En-lai in Peking on July 9 and July 10, 1971, Kissinger first articulated this shift. On July 9, he first stated:

President Nixon operates on a different philosophy. We do not deal with communism in the abstract, but with specific communist states on the basis of their specific actions toward us, and not as an abstract crusade.

³⁷ Herring, *America's Longest War*, 305-306.

³⁸ Jeffery Kimball, *Nixon's Vietnam War* (Lawrence: University Press of Kansas, 1998) 248.

³⁹ Nixon, RN, The Memoirs, 498.

⁴⁰ Kissinger, *White House Years*, 1010, Herring, *America's Longest War*, 306, Jussi Hanhimaki, *The Flawed Architect: Henry Kissinger and American Foreign Policy* (New York: Oxford University Press, 2004) 113.

⁴¹ Kissinger, White House Years, 444.

We believe that if people want to defend themselves, they must do it on the basis of their own efforts and not on the basis of the efforts of a country 10,000 miles away.

So when we offer to withdraw from Vietnam, it is not in order to devise some trick to re-enter in some other manner but rather that we want to base our foreign policy on the realities of the present and not on the dreams of the past.⁴²

Kissinger added that a deadline for withdrawal will be set and that there would be a ceasefire during the withdrawals "and some attempt at negotiations. If the agreement breaks down, then it is quite possible that the people in Vietnam will fight it out." He then went further and stated:

What we cannot do is to participate in the overthrow of people with whom we have been allied, whatever the origin of the alliance. If the government is as unpopular as you seem to think, then the quicker our forces are withdrawn the quicker it will be overthrown. And if it is overthrown after we withdraw, we will not intervene.⁴⁴

Shortly thereafter, Kissinger added the ceasefire the United States was proposing could have "a timeline, say 18 months..." The next day, Kissinger offered further elaboration on this point stating "What we require is a transition. Between the military withdrawal and the political evolution... If after complete American withdrawal, the Indochinese people change their government, the U.S. will not interfere." Although China had rebuffed Kissinger's attempt through linkage to get it to influence North Vietnam to negotiate terms more acceptable to the United States, there can be little doubt that Kissinger knew that the Chinese would inform the North Vietnamese of his visit and relay these remarks to the North Vietnamese, their Communist ally. When the Chinese did inform North Vietnam of Kissinger's visit, as will be further discussed below, the disclosure of this visit to the North Vietnamese had ramifications, which effected the North Vietnamese decision to invade South Vietnam on March 30, 1972 and on the subsequent peace negotiations leading to the ultimate peace accords signed in January 1973.

The March 30, 1972 Invasion of South Vietnam by North Vietnam

This shift in President Nixon and Kissinger's thinking on this issue was further reinforced by the North Vietnamese invasion of South Vietnam on March 30, 1972. The decision of North Vietnam to launch a conventional large-scale invasion of South Vietnam was significantly influenced by President Nixon and Kissinger's policy of seeking rapprochement with Communist China and detente with the Soviet Union. After Kissinger's secret visit to Peking, Premier Chou En-lai went to Hanoi and told the North Vietnamese leaders of his secret visit and that the Chinese government had agreed to invite President Nixon to China for further political discussions which

⁴² National Security Archive, "Conversations with Chou En-lai, July 9," 22.

⁴³ Ibid, 33.

⁴⁴ Ibid, 33-34.

⁴⁵ Ibid, 34.

⁴⁶ National Security Archive, "Conversations with Chou En-lai, July 10," 22.

shocked them. 47 Although Chou En-lai assured the North Vietnamese leaders that China would continue to aid North Vietnam, the North Vietnamese were worried that eventually China would agree with President Nixon's policy of linkage by linking the issue of Taiwan with a settlement of the Vietnam War. 48 This concern was increased by a second visit by Chou En-lai on March 3, 1972 after Nixon had visited China. While Chou En-lai stated the Chinese government had specifically rejected any linkage of the issue of Taiwan and the settlement of the Vietnam War, he pressured the North Vietnamese leaders to seek a negotiated settlement rather than seek military victory. 49 This further increased the North Vietnamese leaders' fear that the Chinese government had changed its policy toward the war and now pressuring the North Vietnam to reach a peace agreement more favorable to the United States.⁵

On August 10, 1971, the Soviet government, in response to the July 15, 1971 announcement of President Nixon that he would visit Communist China, extended its own invitation to President Nixon to visit Moscow for political discussion in May or June of 1972.⁵¹ This further worried the North Vietnamese leaders as they thought the Soviet Union, like Communist China would greatly reduce economic and military aid to North Vietnam in order to further its own relationship with the United States.⁵²

These fears, along with a view that the Nixon administration troop withdrawal had created a situation where communist forces were clearly superior to South Vietnamese troops and the desire to achieve a military victory to influence the 1972 American presidential election, convinced North Vietnam to launch a large-scale invasion of South Vietnam. 53 North Vietnam First Secretary Le Duan stated "the time has come..." to "sweep away the Saigon forces and regime" with the view to "formalizing in Paris...the victory [about to be] achieved on the battlefield."54

On March 30, 1972, North Vietnam launched its invasion of South Vietnam. Using tanks, 120,000 North Vietnamese troops invaded South Vietnam on three fronts. 55 Initially, the communist troops achieved success, capturing the Quang Tri, the district capitals of Dak To and Loc Ninh, and were threatening the city of Hue and the area north of Saigon. 56

The Nixon administration responded to the offensive both militarily and diplomatically. Militarily the administration launched massive B-52 air strikes on the invading North Vietnamese troops in the South and North Vietnam itself to cripple the logistical ability of the North Vietnamese by attacking fuel depots, rail yards, and transportation routes from China.⁵⁷ After the

⁴⁸ Ibid.
⁴⁹ Nguyen, *Hanoi's War*, 242.

⁴⁷ Pierre Asselin, "Revisionism Triumphant: Hanoi's Diplomatic Strategy in the Nixon Era," Journal of Cold War Studies Vol. 13, No. 4 (Fall 2011): 110.

⁵⁰ Asselin, "Revisionism Triumphant," 116, Nguyen, *Hanoi's War*, 241-242.

⁵¹ Kissinger, White House Years, 837.

⁵² Nguyen, *Hanoi's War*, 242.

⁵³ Asselin, "Revisionism Triumphant," 117-119, Nguyen, *Hanoi's War*, 243.

⁵⁴ Asselin, "Revisionism Triumphant," 118.

⁵⁵ Herring, America's Longest War, 312.

⁵⁶ The Military History of Vietnam, Victory in Vietnam: The Official History of the People's Army of Vietnam, 1954-1975 (Lawrence: University Press of Kansas, 2002) 297-298, Nguyen, Hanoi's War, 245-246, Herring, America's Longest War, 312-313.

⁵⁷ Herring, *America's Longest War*, 315.

North Vietnamese rejected the further negotiations at the Paris Peace talks, President Nixon escalated the American military response by engaging in additional B-52 bombing of Hanoi and Haiphong and mining the port of Haiphong.⁵⁸

Diplomatically, the administration pursued a more moderate course. In April, Kissinger went to Moscow and met four times with Soviet General-Secretary Leonid Brezhnev, Foreign Minister Andrei Gromyko, and Soviet Ambassador to the United States Anatoli Dobrynin. During those meetings, Kissinger offered a major concession that the United States would accept a cease fire if North Vietnam only withdrew the troops that had entered South Vietnam during the March 30 invasion, allowing North Vietnam to keep in South Vietnam the estimated 100,000 North Vietnamese troops that had entered into South Vietnam prior to the March 30, 1972 invasion. Kissinger also presented a decent interval offer, stating:

We have two principal objectives. One is to bring about an honorable withdrawal of all our forces; secondly, to put a time interval between our withdrawal and the political process which would then start. We are prepared to let the real balance of forces in Vietnam determine the future of Vietnam. We are not committed to a permanent political involvement there, and we...are prepared to withdrawal all of our forces without any residual forces and to close all bases within a period of months...⁶⁰

Again Kissinger knew the Soviets would inform their North Vietnamese allies of his visit and relay his remarks to them as he later asked Brezhnev to transmit his proposals to the North Vietnamese.⁶¹

President Nixon went to Moscow for his summit meeting with the Soviet leadership on May 22, 1972. At the summit meetings, President Nixon and Kissinger again pursued their decent interval proposal. At a meeting with Brezhnev and other Soviet leaders, when Brezhnev stated to President Nixon and Kissinger that "Dr. Kissinger told me that if there was a peaceful settlement in Vietnam, you would be agreeable to the Vietnamese doing whatever they want, having whatever they want after a period of time, say 18 months. If that is indeed true and if the Vietnamese knew this, and it was true, they would be sympathetic on that basis." Neither President Nixon nor Kissinger objected or expressed disagreement in any way with Brezhnev's statement. Kissinger again floated this decent interval proposal in his meetings with Foreign Minister Gromyko on May 27 and 28, 1972. Soviet records of these meetings portray Kissinger saying the United States would not stand in the way of a communist government in South Vietnam if such a government come

⁵⁸ Nixon, RN, The Memoirs, 602-603, Herring, America's Longest War, 316.

⁵⁹ FRUS, 1969-1976, Volume XIV, Soviet Union, October 1971-May 1972,

[&]quot;Memorandum of Conversation," 139, Tad Szulc, *The Illusion of Peace: Foreign Policy in the Nixon Years* (New York: The Viking Press, 1978) 544.

⁶⁰ FRUS, 1969-1976, Volume XIV, Soviet Union, October 1971-May 1972, "Memorandum of Conversation," 134.

⁶¹ FRUS 1969-1976 Volume XIV, Soviet Union, October 1971-May 1972, "Memorandum of Conversation," 159.

⁶² FRUS 1969-1976 Volume XIV, Soviet Union, October 1971-May 1972, "Memorandum of Conversation," 271.

into power eventually after the peace agreement was signed. ⁶³ Records of the United States Department of State also reflect Kissinger's statements in support of a decent interval proposal. In the May 27 meeting with Foreign Minister Gromyko, Kissinger states:

If North Vietnam were wise it would make an agreement now and not haggle over every detail because one year after the agreement there would be a new condition, a new reality...if the DRV were creative, it would have great possibilities...all we ask is a degree of time so as to leave Vietnam for Americans in a better perspective... We are prepared to leave so that a communist victory is not excluded, though not guaranteed.⁶⁴

In June 1972, Kissinger went to Communist China and met with Chou En-lai. On June 20, Kissinger again offered the idea of a decent interval.⁶⁵ After giving the example of a four-month interval as unacceptable, Kissinger states that "If the North Vietnamese, on the other hand, engage in a serious negotiation with the South Vietnamese, and if after a long period it starts again after we were all disengaged, my personal judgment is that it is <u>much</u> less likely that we will go back again much less likely" (emphasis by underlining in original transcript). ⁶⁶ Chou En-lai then states to Kissinger that Kissinger said this last year, saying Kissinger "said last year after you have withdrawn and the prisoners of war have been returned then as to what happens then, that is their affair." It is noteworthy that Kissinger did not dispute in any way this statement. Kissinger later states "while we cannot bring a communist government to power, if as a result of historical evolution it should happen over a period of time, if we can live with communist government in China, we ought to be able to accept it in Indochina."

On June 21, Kissinger again met with Chou En-lai. Kissinger told him: it should be self-evident that in a second term we would not be looking for excuses to re-enter Indo-China. But it is still important that there is a reasonable interval between the agreement on the ceasefire and a reasonable opportunity for a political negotiation... The outcome of my logic is that we are putting a time interval between the military outcome and the political outcome. No one can imagine that history will cease on the Indo-China peninsula with a ceasefire. 69

⁶³ Ilya V. Gaiduk, *The Soviet Union and the Vietnam War* (Chicago: Ivan R. Dee, 1996) 240, Kimball, *Nixon's Vietnam War*, 318.

⁶⁴ National Security Archive, "Henry Kissinger's Discussion with Andrei Gromyko] 1972," 3, 7.

http://search.proquest.com/docview/1679103288?accountid=14515

⁶⁵ National Security Archive, "Memorandum of Conversation, June 20, 1972, 2:05-6:05 p.m.," 31.

http://nsarchive.gwu.edu/NSAEBB/NSAEBB/193/HAK%206-20-72.pdf

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid 37

⁶⁹ Digital National Security Archive, "Memorandum of Conversation, June 21 3:25-6:45 p.m.," 27-28.

Without question, the Chinese government passed Kissinger's remarks on a decent interval to the North Vietnamese leadership. 70

After the initial military success of the North Vietnamese military in the initial weeks of the invasion, by the month of June 1972, the battlefield situation for the North Vietnamese had worsened. The massive American bombing of the North Vietnamese transportation system and the mining of Haiphong harbor made it very difficult for North Vietnam to supply its invading military and caused extensive damage to North Vietnamese industry and infrastructure. 71 Further, American airpower proved to be a decisive factor when used as tactical air support for the South Vietnamese military in its fighting with North Vietnamese troops. 72 With this American tactical air support, the South Vietnamese Army was able to stabilize the battlefield situation by repelling North Vietnamese attacks on Hue and other cities and launched a counteroffensive, which resulted in the recapture of Quang Tri city. 73 By the end of the summer of 1972, the North Vietnamese offensive had been stopped. 74 Both sides had suffered heavy losses with the North Vietnamese suffering 100,000 killed and South Vietnam suffering 25,000 killed.⁷⁵

A stalemate existed. However, the March 30 invasion had a significant impact on the effort to end the war by negotiation. Nixon administration Chief of Staff H.R. Haldeman wrote in his diary on May 1, 1972 of President Nixon's reaction to the invasion and the resulting escalation of fighting in the war:

> [Nixon is] obviously facing the very real possibility now that we have had it in Vietnam, and that he's going to have to deal that situation instead of one of acceleration. Both he and Henry agree that regardless of what happens now, we'll be finished with the war by August. Either we will have broken them or they will have broken us, and the fighting will be over. There still seems to be some possibility of negotiation or a ceasefire because it's quite possible, maybe even probable, that the North Vietnamese are hurting even worse than the South Vietnamese, and that both maybe ready to fold.⁷⁶

The March 30 invasion had also increased the administration's already existing concerns over the ineffectiveness of the South Vietnamese military to successfully resist North Vietnamese military operations to forcibly take over South Vietnam. Seeing the South Vietnamese army suffer defeats in the first weeks after the invasion, President Nixon wrote in his diary that despite giving the South Vietnamese the most modern weapons, "the enemy, emphasizes the Spartan life...emphasizes sacrifice and...with the enormous Soviet technical help on missiles, guns etc.,

PQsearch.proquest.com/dnsa-

kt/docview/1679124797/fulltextPDF/CB316671118244CC6PO/27account=14515

⁷⁰ Jussi Hanhimaki, "Selling the 'Decent Interval': Kissinger, Triangular Diplomacy and the End of the Vietnam War, 1971-73," Diplomacy & Statecraft, Vol. 14, No. 1 (March 2003), 178.

⁷¹ Nguyen, *Hanoi's War*, 258-259, Herring, *America's Longest War*, 318.

⁷² Kimball, *Nixon's Vietnam War*, 325.

⁷³ Nguyen, *Hanoi's War*, 245.

⁷⁴ Kimball, *Nixon's Vietnam War*, 327.

⁷⁵ Herring, *America's Longest War*, 318.

⁷⁶ Haldeman. *The Haldeman Diaries*. 450.

they have a pretty good advantage."⁷⁷ Kissinger also noted that in the initial weeks of the invasion many South Vietnamese troops panicked and a later South Vietnamese counteroffensive developed with "excruciating slowness."⁷⁸ Although the South Vietnam military eventually improved, as it was able to stabilize the battle lines and produce a stalemate, it continued to have a severe leadership problem.⁷⁹ More importantly, it was clear that the South Vietnamese military would have suffered a decisive defeat or lost more men and territory without the massive American air attacks and the presence of American advisors on the battlefield solidifying South Vietnamese troops and being conduits to American air and naval power.⁸⁰ It appeared doubtful that the South Vietnamese military could be an effective fighting force and defeat the North Vietnamese military if American air power and battlefield advisors were withdrawn.⁸¹

The administration's desire to obtain a peace agreement which would end America's active military role in the war through the mechanism of having the present independent South Vietnamese government last for a decent interval could not come into fruition so long as North Vietnam insisted that the United States replace the Thieu government with a coalition government as a condition for a peace agreement. However, the aforementioned comments of President Nixon that the March 30 invasion could eventually led to negotiations to end the war proved prophetic.

By July of 1972, the North Vietnamese leadership was ready to return to the negotiating table in Paris. The stalemate on the battlefield, with the heavy casualties of the North Vietnamese military, the destruction the bombing inflicted upon the North Vietnamese economy and infrastructure, the calls by its Soviet and Chinese allies to return the Paris peace talks and negotiate eventually caused the North Vietnamese to return to the Paris peace talks and negotiate seriously to end the war. When Chinese Premier Chou (Zhou) En-lai met with the Paris peace talks negotiators Xuan Thuy and Le Duc Tho in Beijing on July 12, 1972, not only did he urge the North Vietnamese to negotiate but on the question of the North Vietnamese demand for the replacement of Thieu and his government with a tripartite coalition government he said:

To get an agreement now was important to ensure the final exit of American troops; if giving Thieu a role in a coalition government in the South was the prize for that, so be it. Should the talks between the three forces in the proposed coalition government (Thieu, PRG, and neutralists) fail, then 'we will fight again.'...Zhou summed up the Chinese view with a prophetic remark: 'the question is to play for time with a view of letting North Vietnam recover, thus getting stronger while the enemy is getting weaker.' There would have to be a decent

79 Herring, America's Longest War, 318.

82 Asselin, "Revisionism Triumphant," 124-127.

⁷⁷ Nixon, *RN*, *The Memoirs*, 586-587, 588-589.

⁷⁸ Kissinger, *Ending*, 261, 285.

⁸⁰ Kimball, *Nixon's Vietnam War*, 325, Stephen P. Randolph, *Powerful and Brutal Weapons: Nixon, Kissinger, and the Easter Offensive* (Cambridge: Harvard University, 2007) 337.

⁸¹ Herring, America's Longest War, 318, Randolph, Powerful and Brutal Weapons, 337, Dale Andrade, Trial by Fire: The 1972 Eastern Offensive: America's Last Vietnam Battle (New York: Hippocrene Books, 1995) 533.

interval.83

Despite the decision of North Vietnam to return to the negotiating table in Paris and seek a peace agreement, that decision did not mean that North Vietnam was abandoning its use of military force to overthrow the Thieu government and forcibly take over South Vietnam. Le Duan, the general secretary of the Central Committee of North Vietnam's Communist Party, in announcing that decision to return to serious negotiations to seek a peace agreement, stated "we must concentrate our efforts on doing whatever it takes to resolve our first objective, which is to fight to force the Americans to withdraw...The achievement of our first objective will create the conditions necessary for us to subsequently attain our second objective, to fight to make the puppets collapse."

The Peace Negotiations from August 1972 to January 1973

On August 1, 1972, Le Duc Tho presented a new set of North Vietnamese proposals at the Paris peace talks. On the military issues, he was agreeable that the schedule of the withdrawal of American troops would not start until after the peace agreement was signed. More importantly, while Le Duc Tho still insisted on a coalition government, he dropped the demand for a provisional coalition government in which the communists appointed a third of the members and had a veto over the other two-thirds. He now proposed a definitive tripartite coalition government as the definitive government in which the Thieu government and the communists would be able to appoint a third of the coalition government and also one-half of the members of the neutral third and would not have to engage in additional negotiations with the National Liberation Front. Hanoi had officially dropped its demand that the Thieu government immediately be replaced.

President Nixon and Kissinger thought the dropping of the demand for the immediate removal of President Thieu and his government brought their idea of a "decent interval" settlement within their reach. 88 On August 3, 1972, after Kissinger told President Nixon there was a 50-50 chance of reaching a settlement with North Vietnam. President Nixon and Kissinger discussed their decent interval strategy:

President Nixon:...I look at the tide of history out there-South Vietnam probably can never even survive anyway...we also have to realize Henry, that winning an election is terribly important. It's terribly important this year...but can we have a viable foreign policy if a year from now or two years from now, North Vietnam gobbles up South Vietnam? That's the real question.

Kissinger: If a year or two years from now North Vietnam gobbles up South Vietnam, we can have a viable foreign policy if it looks as if it's

⁸³ Hanhimaki, "Selling the Decent Interval," 178-179.

⁸⁴ Le Duan quoted in FRUS 1969-1976 Volume VIII, Vietnam, January-October 1972, "Editorial Note," 284.

⁸⁵ Kissinger, Ending, 306.

⁸⁶ Ibid, 306-307.

⁸⁷ Kissinger, *Ending*, 306-307.

⁸⁸ Ken Hughes, Fatal Politics: the Nixon Tapes, the Vietnam War and the Casualties of Reelection (Charlottesville: University of Virginia Press, 2015) 83.

the result of South Vietnamese incompetence. If we now sell out in such a way that, say, within a three-to-four-month period, we have pushed President Thieu over the brink-we ourselves-I think, there is going to be-even the Chinese won't like that...it will worry everybody. And domestically in the long run it won't help us all that much because our opponents will say we should've done it three years ago.

President Nixon: I know.

Kissinger: So we've got to find some formula that holds the thing together a year or two, after which-after a year, Mr. President, Vietnam will be a backwater. If we settle it, say, this October, by January '74 no one will give a damn.⁸⁹

This conversation is significant because it reveals President Nixon and Kissinger's private conversation accepting the strategy of obtaining a peace agreement that provided Thieu government and South Vietnam with only a "decent interval" before being forcibly taken over by North Vietnam. This conversation corroborates the statements of Kissinger to the Soviet and Communist China officials.

It is also noteworthy in this conversation that President Nixon and Kissinger discuss their reasons why they need to provide this decent interval strategy. As to their comments that North Vietnam would overrun South Vietnam in a few months would be something that even communist China would not want and undermine their ability to have an effective foreign policy in the world appear to be false or at least very exaggerated if not hysterical. Chou En-lai in his first meeting with Kissinger on July 9, 1971, repeatedly stated that the United States should withdraw from South Vietnam at a much faster rate than Kissinger was suggesting and extricate itself from Vietnam which would further the relationship between the People's Republic of China and the United States and bring peace in Asia. 90 The People's Republic of China had its own interests such as the fate of Taiwan that it wished to pursue in more friendly relations with the United States. The Soviet Union was also pursuing its own interests, which required a friendlier relationship with the United States. The chances of furthering those interests would dramatically lower if the United States suffered a quick humiliating defeat at the hands of North Vietnam. One only needs to look at a series of United States State Department records of Kissinger meetings with the Soviet Ambassador to the United States and a letter from Soviet General Secretary Brezhnev to President Nixon to see that the Soviets were not seeking a clash with the United States over the Vietnam War, did not advocate a quick humiliating victory by North Vietnam over the United States and South Vietnam in the March 30 invasion and instead wanted to have the war end by negotiation and be removed as an impediment to better relations with the United States as it would help them successfully pursue their own interests.⁹¹

⁸⁹ Presidential Recordings Digital Editions, "Richard Nixon and Henry A. Kissinger on 3 August 1972,"

Conversation 760-006 (PRDE Excerpt A) http://prde.upress.virginia.edu/conversation/4006748http://prde.upress.virginia.edu/conversation/4006748https://prde.upress.virginia.edu/conversation/4006748https://press.vir

⁹¹ FRUS 1969-1976, Volume XIV, Soviet Union, October 1971-May 1972,

[&]quot;Memorandum of Conversation," 88, FRUS 1976 Volume XIV, Soviet Union, October 1971-

However, their articulation of the political cost if South Vietnam were to collapse and be taken over by North Vietnam within a three- or four-month period of signing a peace agreement was sound. Their political opponents would have a powerfully persuasive argument to make to the American public that President Nixon and Kissinger had continued to have the American military fight in Vietnam for four additional years at a cost of an additional 20,553 Americans killed and hundreds of thousands Vietnamese killed and still lost the war and that the President should have withdrawn earlier, losing the war but avoiding this additional heavy loss of life. ⁹²

On September 9, 1972, when Nixon and Kissinger discussed the terms of an American counterproposal to the North Vietnamese proposal of August 1 and the sending of General Alexander Haig to brief Thieu about those terms, they made a number of startling admissions. Kissinger states that as to the term of a general election after the ceasefire has taken effect, it is all "baloney" as there will never be elections since there must be unanimity of agreement on the electoral law to govern the election by the committee, which is divided between members approved by North Vietnam and South Vietnam. Although there will be a ceasefire, the war will eventually resume but American troops will be already be gone. There was a divergence of issues between President Thieu and the Nixon Administration: the Nixon Administration wanted a ceasefire and its involvement in the war and Thieu didn't want a ceasefire and wants American active military involvement, including the bombing to continue for as long as needed.

The fact that Thieu was not amenable to the terms of the counterproposal, especially the ceasefire and the absence of any term addressing to presence of North Vietnamese troops, did not surprise the administration.

Kissinger notes that a:

primeval hatred animated the two Vietnamese sides. They had fought each other for a generation. They had assassinated each other's officials, tortured each other's prisoners. The chasm of distrust and mutually inflicted suffering was not amenable to acts of goodwill or the sort of legalistic compromise formulas toward which diplomats incline. Each Vietnamese party saw in a settlement the starting point of a new struggle. ⁹⁶

After making a counterproposal which included terms of a ceasefire the formation of a provisional tripartite Government of National Accord to organize a general election, the withdrawal of all American troops and made no mention as to the presence of North Vietnamese troops in South Vietnam, the administration sent General Haig to brief President Thieu and his

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May 1972, "Memorandum of Conversation," 84, FRUS 1969-1976, Volume XIV, Soviet Union, October 1971-May 1972, "Note from Soviet General Secretary Brezhnev to President Nixon," 72.

⁹² Hughes, Fatal Politics, 86, Herring, America's Longest War, 330-331.

⁹³ FRUS 1969-1976, Volume VIII, January-October 1972, "Conversation between President Nixon and the President's Assistant for National Security Affairs" (Kissinger) 270.

⁹⁴ Ibid

⁹⁵ FRUS 1969-1976, Volume VIII, 270.

⁹⁶ Kissinger, *Ending*, 314.

government about this proposal and its terms.⁹⁷ President Thieu strongly rejected this proposal, saying it will cause his government to fall and that he "will have to commit suicide somewhere along the line."⁹⁸

On October 6, President Nixon and Kissinger met. In discussing Thieu's reaction to the administration's counterproposal, Kissinger states "Thieu is right that our terms will eventually destroy him...given their weakness their disunity, it will have that consequence." President Nixon did not disagree with that statement. Concern that Thieu would go public with his criticism of the terms of counterproposal would destroy the government of South Vietnam which so many Americans had died defending, President Nixon stated he did not want a peace settlement before the election if Thieu went public with his criticism. Kissinger suggested the way to keep Thieu from going public with his criticism would be to try and get private-written security guarantees from the North Vietnamese which will keep Thieu from going public with his criticism. One of those security guarantees would have the North Vietnamese withdraw troops from South Vietnam. Yet, President Nixon and Kissinger know that even if they could get such a guarantee, it would be a limited one, as the North Vietnamese would withdraw only some of their troops, not all. 102

On October 8, at the Paris peace talks, Le Duc Tho presented Kissinger and the American delegation with the draft of a complete peace agreement. The draft terms called for a ceasefire in place in South Vietnam, an end of acts of force by the United States against South and North Vietnam, complete withdrawal of American troops, a tripartite body that would supervise the implementation of the agreement and arrange elections but with little real power as it would operate on an unanimity principle which gave the South Vietnamese government a veto, and the South Vietnamese government and anti-government Provisional Revolutionary Governmental (PRG) would in the meantime control the parts of the country they occupied with the United States free to supply its allies. Most importantly, the draft signaled that North Vietnam was willing to resolve the military issues and leave the political issues to be decided after the ceasefire was implemented, which was an essential administration demand. The draft represented a significant concession in that did not contain any term calling for the resignation of President Thieu. However, the draft made no specific mention of North Vietnamese troops present in South Vietnam thus allowing them to remain there.

Kissinger was elated, feeling the North Vietnamese had made significant concessions that were meeting the essential demands of the administration for a peace agreement and that a peace

 $^{^{97}}$ FRUS 1969-1976, Volume VIII, Vietnam, January-October 1972, "Memorandum of Conversation," 277.

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⁹⁹ Presidential Recordings Digital Edition, "Richard Nixon and Henry A. Kissinger on 6 October 1972," Conversation 793-006 (PDRE Excerpt A) http://prde.upress.virginia.edu/conversations/4006449

¹⁰⁰ Presidental Recordings Digital Edition, Conversation 793-006 (PDRE Excerpt A).

¹⁰¹ Ibid.

Presidential Recordings Digital Edition, "Richard Nixon and Henry A. Kissinger on 6 October 1972," Conversation 793-006 (PDRE Excerpt B) http://prde.upress.virginia.edu/conversations/4006749

agreement could be reached if there were just a few more days of intense negotiations. 103 John Negroponte, a member of the American delegation, later stated a stronger peace agreement with more clearly defined terms which might have deterred some of the later North Vietnamese's violations of the peace agreement because of the vagueness of some of its terms could have been obtained if Kissinger would have suspended the talks and returned to the United States for an indepth examination of Le Duc Tho's draft over a longer period and further consultation with Washington and Saigon before making a counterproposal. 104 Kissinger refused to return for further consultation and instead proceeded with the negotiations. 105

After a few days of intense negotiations, a proposed draft of a peace agreement was reached. The key terms were a ceasefire in South Vietnam, an end to all acts of force against North Vietnam, the withdrawal of American troops, the right to replace worn out military equipment and material by the two South Vietnamese parties (the Republic of Vietnam and the PRG), the end of infiltration of North Vietnamese troops, the establishment of an administrative structure to organize general elections which required unanimity to act, internationally supervised elections, and that the Thieu government and PRG would continue to control the parts of the country they occupied. However, by the agreement not mentioning the presence of North Vietnamese troops in South Vietnam it in effect legitimized their presence.

It is interesting to note that Kissinger, on the day of the October 8 meeting that upon reviewing Le Duc Tho's proposed peace treaty draft, claimed that he and the American delegation were on the verge of obtaining an agreement which would bring "an end to the blood letting in Indochina" and peace. 106 Yet in the days of negotiation that followed, Kissinger revealed his true feelings about the agreement and the prospects for real peace. In his office journal he wrote: "It's taken for granted that Hanoi will cheat. The question is how to set up communications, intelligence and command arrangements." During negotiations he wrote that he "had no illusions. Whenever we or Hanoi were looking for an elegant way to bury an issue, we left its resolution to the South Vietnamese parties who we knew would probably never agree on anything." When the draft of the proposed peace agreement was completed, Kissinger declared "we were not so naive as to believe that Hanoi's dour leaders had abandoned the aspirations of a lifetime." ¹⁰⁹ In short, Kissinger believed both sides would violate the agreement after it was signed.

Negroponte and later General Haig were concerned that Thieu would object to this agreement. 110 It did not take long to prove their concerns were justified. On October 27, Kissinger met with Thieu. Kissinger had made the decision not to keep the South Vietnamese government informed of the progress of the Paris peace negotiations and did not send it a draft of the proposed

Negroponte, 1981" WGBH Boston, Richard Ellison, producer (1983)

http://search.alexanderstreet.com/view/work/179320

¹⁰³ Kissinger, Ending, 328-330, Seymour M. Hersh, The Price of Power: Kissinger in the Nixon White House (New York: Summit Books, 1983) 584, "Interview with John D.

¹⁰⁴ WGBH Boston, "Interview with John D. Negroponte, 1981."

¹⁰⁵ Kissinger, *Ending*, 331.

¹⁰⁶ Kissinger, *Ending*, 330.

¹⁰⁷ Hersh, *Price of Power*, 583-584.

¹⁰⁸ Kissinger, *Ending*, 335.

¹⁰⁹ Ibid, 337.

Hersh, Price of Power, 584, Nixon, RN, 693, Hughes, Fatal Politics, 122.

agreement. 111 When Kissinger met with him and gave him a copy of the draft, Thieu simply rejected the terms of the proposed agreement. He stated that "we cannot accept the presence of the North Vietnamese army in the South" and that "a tripartite CNCR is totally unacceptable." 112 Thieu estimated there were 300,000 North Vietnamese troops in South Vietnam. 113 He complained that South Vietnam was being sacrificed and that if "we accept the document as it stands, we will commit suicide and I will be committing suicide."114

To avoid any possibility of Thieu making a public condemnation of the proposed draft treaty, Kissinger agreed to present sixty-nine amendments that the Thieu government wanted in the draft treaty. 115 Among the amendments were substantive revisions were wording concerning the Demilitarized Zone (DMZ) between North and South Vietnam, which would make North Vietnamese troops illegal below the 17th parallel, and the withdrawal of North Vietnamese troops in South Vietnam simultaneous with the release of political prisoners. ¹¹⁶ In response to his difficult meetings with Thieu, Kissinger requested a postponement of the next scheduled meeting at the Paris peace talks stating "the difficulties in Saigon have proved somewhat more complex than originally anticipated [and] concern matters the U.S. side is honor bound to put before the DRV side" which required him and rejoin to Washington for further consultation.

This request for postponement was seen by the North Vietnamese to be designed to make it possible for President Nixon and Kissinger to claim progress was being made in the negotiations while delaying the signing until after the election; they could then use the delays an excuse to extract new concessions while continuing the war to strengthen the South Vietnamese government with additional weapons and material. 118 At that point, there was some truth when Kissinger joked that he "had achieved the unity of the Vietnamese-both of them dislike me, North and South." 119

On October 25, 1972, North Vietnam responded by publicly broadcasting over Radio Hanoi the key points of the draft peace treaty, the history of the negotiations and accusing the administration of negotiating in bad faith in order to prolong the talks and preserve the Thieu government. 120 In response, Kissinger gave a press briefing in which he stated the administration believed that "peace is at hand" and while acknowledging that Thieu, while agreeing with many parts of the agreement, disagreed with some aspects of it, that some ambiguities had to be clarified and there were issues remaining to be settled, which required more time to resolve but were issues that were less important than those already resolved. 121 Kissinger's remarks were well received by

¹¹¹ Kissinger, Ending, 337-338, Herring, America's Longest War, 321.

¹¹² Digital National Security Archive, "Angry Discussion of Peace Agreement with Nguyen Thieu," 3

http://search.proquest.com/docview/1679124720?accountid=14515

¹¹⁴ Ibid, 2, 8.

Hanhimaki, *The Flawed Architect*, 248.

¹¹⁶ Nguyen, Hanoi's War, 289.

¹¹⁷ Kissinger, *Ending*, 367.

Kimball, *Nixon's Vietnam War*, 347, The Military History of Vietnam, *Victory*, 310.

¹¹⁹ Hanhimaki, *The Flawed Architect*, 245.

¹²⁰ Kimball, Nixon's Vietnam War, 345.

¹²¹ Kissinger, Ending, 374, 377, Kimball, Nixon's Vietnam War. 346.

the press, the American public, and the stock market, which soared. ¹²² The issue of the war did not impact Nixon's chances for reelection as he won by a landslide. It must be noted that the Nixon White House ran extensive public opinion polls which showed a majority of the American public favored a peace agreement with the terms that President Nixon and Kissinger claimed would bring "a peace with honor" and even supported bombing Hanoi if that would accomplish that. ¹²³

While his landslide reelection gave President Nixon some reason to believe his administration now had additional leverage to end the war on the terms they were seeking as he perceived that "pressure" had been removed, members of Congress, including some Republicans, thought Thieu was responsible for the inability to conclude a peace agreement on the basis of the October draft peace proposal and threatened to end all aid to South Vietnam and funds for Indochinese military operations. ¹²⁴

The next negotiations session at the Paris peace talks was set for November 20, 1972. During the months of October and November in addition to agreeing to present the sixty-nine amendments proposed by the Thieu government at that session, the administration tried a carrot and stick strategy to persuade Thieu not to publicly reject the peace agreement the administration was seeking. One carrot was a massive resupply of weapons and other military material during this period. A second carrot was a promise by President Nixon to continue economic aid and military assistance after the peace agreement is signed, and assurance that if the North Vietnamese violate the terms of the peace agreement, that he will "take swift and severe retaliating action." The sticks included threats by President Nixon that if Thieu continued to publicly criticize the proposed peace agreement, the essential base of support for Thieu and his government would be destroyed, that such criticism would cause the United States to contemplate alternative courses of action detrimental to both South Vietnam and the United States and that it will be difficult for President Nixon to see how South Vietnam and the United States will be able to continue their common effort towards securing a just and honorable peace. However, Thieu continued to

¹²² Walter Issacson, *Kissinger: a biography* (New York: Simon & Schuster, 1992) 459, Hughes, *Fatal Politics*, 131.

¹²³ Andrew Katz, "Public Opinion and the Pursuit of Peace with Honor in Vietnam," *Presidential Studies Quarterly*, Vol. 27, No. 3 (Summer 1997) 504-505, Hersh, *Price of Power*, 606.

¹²⁴ Herring, *America's Longest War*, 322-323, WGBH Boston, "Interview with John Negroponte, 1981."

FRUS 1969-1976, Volume IX, Vietnam October 1972-January 1973, "Letter from President Nixon to South Vietnamese President Thieu," 96, FRUS 1969-1976, Volume IX, Vietnam, October 1972-January 1973, "Memorandum from Secretary Defense Laird to President Nixon," 111.

Nixon," 111.

126 FRUS 1969-1976, Volume IX, Vietnam, October 1972-January 1973, "Letter from President Nixon to South Vietnamese President Thieu," 20, FRUS 1969-1976, Vietnam, Volume IX, "Letter from President Nixon to South Vietnamese President Thieu," 107.

¹²⁷ FRUS 1969-1976, Volume IX, Vietnam, October 1972-January 1973, "Letter from President Nixon to South Vietnamese President Thieu," 79, FRUS 1969-1976, Volume IX, Vietnam, 107, FRUS 1969-1976, Volume IX, Vietnam, 196.

refuse to support the negotiations by the United States to secure a peace agreement based upon the October peace draft. 128

When the peace negotiations resumed on November 20, 1972, Kissinger found an angry and suspicious Le Duc Tho. In addition to being suspicious that the administration's delay of the negotiations sessions was done to help win President Nixon's reelection by allowing him to portray he and his administration as seeking peace but at the same time massively resupplying South Vietnam with weapons and other military aid, he was angry because the North Vietnamese, relying on the American acceptance of the draft peace treaty had their cadres surface and begin land grabbing operations in South Vietnam and had suffered serious losses. ¹²⁹ After Kissinger presented the Thieu government's sixty-nine amendments, Le Duc Tho agreed to a few technical changes but rejected the overwhelming majority of these amendments and began demanding changes of his own including withdrawing concessions he had made in earlier negotiations. 130

As the negotiations continued after this rocky start, Kissinger was acutely aware, that if an agreement was not reached, members of Congress, including those who had previously supported the administration's war policies, were ready to cut off all military and economic aid to South Vietnam if an agreement was not reached when Congress reconvened in January of 1973. 131 Ultimately, the negotiations broke down over inability of the parties to reach a compromise over the language in the proposed treaty concerning the DMZ. 132 Kissinger wanted language that would have prohibited any civilian or military movement across the DMZ, which North Vietnam feared would make considerably more difficult to rotate and resupply North Vietnamese troops in South Vietnam after the peace agreement was signed. 133 However, the North Vietnamese leadership had more significant reasons for not compromising and agreeing to a peace agreement as the leadership thought:

> the new U.S. Congress that would be taking office in January was widely rumored to be at the point of refusing to fund the war and thereby compelling Nixon to end it. If that were the case, Nixon would have to accept a settlement placing fewer restraints on Hanoi and its forces in the South than he was now willing to accept. Hanoi might secure the withdrawal of foreign troops from the South in return for no more than a pledge to release U.S. POW's and to tolerate the Thieu regime for the time being. Should the new Congress fail to force Nixon's hand, Hanoi could agree to a settlement in another round of talks, with or without further concessions...As for the possibility of renewed bombing which Kissinger told DRV negotiations was likely without an agreement

¹²⁸ Herring, America's Longest War, 323.

¹²⁹ Kissinger, *Ending*, 388, WGBH Boston, "Interview with John Negroponte, 1981."

¹³⁰ Kissinger, Ending, 390, Kimball, Nixon's Vietnam War, 351.

¹³¹ FRUS 1969-1976, Volume IX, Vietnam, October 1972-January 1973, "Message from President Nixon to the President's Deputy Assistant for National Security Affairs (Haig) in Paris," 121, Kimball, *Nixon's Vietnam War*, 354-355, Kissinger, *Ending*, 388. Herring, *America's Longest War*, 324.

¹³³ Nguyen, *Hanoi's War*, 294, Asselin, "Revisionism Triumphant," 125.

by mid-December, VWP leaders decided to take that risk. 134 The talks were recessed on December 14, 1972.

Kissinger wrote the administration "had only two choices: a massive shocking step to end the war quickly or letting matters drift into another round of inconclusive negotiations, prolonged warfare, bitter national divisions and mounting casualties." President Nixon chose the first option. He ordered heavy bombing by B-52s of North Vietnam with a focus on Hanoi and Haiphong targeting industry, infrastructure, transportation, power plants, and broadcast stations. This bombing was done for the explicit purpose of forcing Hanoi to return to negotiation and conclude a peace treaty. ¹³⁷

The bombing lasted from December 18 to December 29, 1972. When the bombing campaign was launched on December 18, Haldeman recorded in his diary that Kissinger makes the point that President Nixon's "best course is brutal unpredictability." The bombing inflicted massive damage, destroying enough of North Vietnam's military, transport, and infrastructure to undo most of the economic progress made since 1969. North Vietnam suffered 2,996 civilians killed and 1,577 wounded. While they expected to be bombed, the North Vietnamese leadership never expected this level of bombing which threatened the destruction of the country. The bombing convinced the North Vietnamese leadership to return to the negotiations in Paris and reach a peace agreement. On December 26, 1972, North Vietnam informed the United States that it was now willing to resume peace negotiations on January 8, 1973.

Despite this success, the Nixon Administration still faced difficulties. The United States suffered heavy losses of twenty-eight aircraft, including fifteen B-52s. The bombing caused heavy criticism domestically and internationally. When Congress came back into session on January 2, 1973, the House and Senate Democratic caucuses voted to end all funding for the war as soon as safe American troop withdrawals and return of American prisoners of war could be obtained, which placed additional pressure on the administration to reach a peace agreement. 145

In this atmosphere, the United States and North Vietnam resumed the peace negotiations on January 8 and reached an agreement within a few days. ¹⁴⁶ In reaching this agreement, North Vietnam did offer some concessions including the restrictive language on the term dealing with

136 Kimball, Nixon's Vietnam War, 364-365.

¹³⁴ Asselin, "Revisionism Triumphant," 130-131.

¹³⁵ Kissinger, *Ending*, 411.

¹³⁷ Asselin, "Revisionism Triumphant," 131.

¹³⁸ Haldeman, *The Haldeman Diaries*, 557.

¹³⁹ Asselin, "Revisionism Triumphant," 132.

¹⁴⁰ Kimball, Nixon's Vietnam War, 365.

¹⁴¹ Asselin, "Revisionism Triumphant," 132, Herring, *America's Longest War*, 327, Nguyen, *Hanoi's War*, 297, WGBH, Boston, "Interview with John Negroponte, 1981."

¹⁴² Asselin, "Revisionism Triumphant," 132.

¹⁴³ Herring, America's Longest War, 327.

¹⁴⁴ Kimball, Nixon's Vietnam War, 365-366, Herring, America's Longest War, 328.

¹⁴⁵ Nixon, *RN The Memoirs*, 742-743, Kissinger, *Ending*, 419-420, Herring, *America's Longest War*, 328.

¹⁴⁶ Nixon, RN The Memoirs, 747.

the DMZ that Kissinger had proposed in December. However, North Vietnam had succeeded in its goal to get the total withdrawal of American troops with North Vietnamese troops being allowed to remain in South Vietnam and the end of American bombing of North Vietnam. The January agreement, although containing some concessions, resembled the October draft agreement. However, North Vietnam by agreeing to the peace agreement had not renounced its ultimate goals of liberating the South and reunifying Vietnam.

During the months of December 1972 and January 1973, the administration pressed the South Vietnamese government to join the United States in its effort to reach what it believed to be an acceptable settlement. On December 17, 1972, just one day before the administration began its massive bombing of North Vietnam, President Nixon sent Thieu a letter advising him that "certain military actions" were about to be undertaken which will convey to North Vietnam his determination to bring the war to a rapid end "as well as to show what I am prepared to do in case of a violation of the agreement." President Nixon warned Thieu that he must decide whether to work together in seeking a settlement along the lines President Nixon has approved or whether Thieu wants President Nixon to seek a settlement with North Vietnam which serves U.S. interests alone. ¹⁵⁰

On January 14, 1973, President Nixon sent Thieu another letter warning that if Thieu would not accept the completed agreement and sign it, he would do so alone and will publicly explain that Thieu's government obstructs peace, which would result in the immediate termination of U.S. economic and military assistance. President Nixon promised that once the agreement is signed by all parties, the U.S. would react strongly in the event the peace agreement is violated and that it was his intention to continue full economic and military aid to South Vietnam. President Nixon promised that once the agreement is violated and that it was his intention to continue full economic and military aid to South Vietnam. President Nixon promised that once the agreement is violated and that it was his intention to continue full economic and military aid to South Vietnam. President Nixon promised that once the agreement is violated and that it was his intention to continue full economic and military aid to South Vietnam. President Nixon promised that once the agreement is violated and that it was his intention to continue full economic and military aid to South Vietnam.

The combination of President Nixon's threats and promises, the statement of Senator Goldwater, the pending legislation in Congress to cut off war funding, and the fact that the December bombing of North Vietnam convinced Thieu that the President was willing to order B-52 bombing raids over North Vietnam to enforce the peace agreement if there were violations by North Vietnam, made Thieu finally relent and agree to sign the agreement. 154

On January 23, 1973, President Nixon in a televised speech to the nation announced that the peace agreement had been concluded, which would "end the war and bring peace with honor

148 Asselin, "Revisionism Triumphant," 133.

¹⁴⁷ Kissinger, *Ending*, 422.

FRUS 1969-1976, Volume IX, Vietnam, October 1972-January 1973, "Letter from President Nixon to South Vietnamese Thieu," December 17, 1972, 189.

¹⁵⁰ FRUS 1969-1976, Volume IX, 189.

¹⁵¹ FRUS 1969-1976, Volume IX, Vietnam, October 1972-January 1973, "Letter from President Nixon to South Vietnamese Thieu," January 14, 1973.

¹⁵² Ibid

Nguyen Tien Hung and Jerrold L. Schecter, *The Palace File* (New York: Harper & Row, 1986) 154-155.

¹⁵⁴ Hung and Schecter, *Palace File*, 144-145, 154-155, Nguyen, *Hanoi's War*, 297-298.

in Vietnam."¹⁵⁵ The next day, Kissinger again revealed the continuing adherence to the belief that he and President Nixon shared that the peace agreement was one in which the South Vietnamese government would only last for a decent interval before being overthrown by the North Vietnamese. John Ehrlichman, White House Counsel and Assistant to the President, asked Kissinger how long did he figure the South Vietnamese can survive to which Kissinger replied, "I think that if they're lucky they can hold out for a year and half."¹⁵⁶ The peace agreement was signed by all parties in Paris on January 27, 1973.

The Aftermath

The Vietnamese parties to the peace agreement recognized at the time of its signing that a new phase in the armed struggle for the control of Vietnam had begun. 157 Thieu felt that the continued presence of North Vietnamese troops in South Vietnam relieved him of any obligation to honor the ceasefire agreement. 158 He saw the struggle as one in which he must assert control overall of South Vietnam and believed the PRG and the North Vietnamese could not be allowed to have any areas under their control as they would eventually use these areas as bases from which they would take over South Vietnam. 159 Thieu violated the peace agreement from the onset by launching attacks on communist occupied areas to seize those areas. ¹⁶⁰ As previously noted, North Vietnam also had no intention of honoring the peace agreement, seeing the peace agreement as a symbol of victory in which communists had now created conditions that gave them "a new opportunity to move forward to force the puppets to collapse to totally liberate South Vietnam, to complete the popular democratic nationalist revolution throughout our country, and to move toward the unification of our nation." North Vietnam also violated the peace agreement in the last part of January 1973 by launching an attack to seize the city of Tay Ninh. 162 Yet North Vietnam and the PRG did not engage in as many attacks as the South Vietnamese government as they needed time to regroup and resupply after the heavy fighting in 1972; instead North Vietnam initially violated the peace agreement in large part by infiltrating troops and military equipment into South Vietnam and building modern paved roads linking staging areas to strategic zones in South Vietnam to better move troops and military equipment into South Vietnam. 163 During the first three months after the agreement was signed, the South Vietnamese army lost 6,000 soldiers and by the end of 1973 a total of 26,000 with the North Vietnamese and the PRG losing 39,000

¹⁵⁵ President Richard Nixon, "Address to the Nation Announcing an Agreement on Ending the War in Vietnam."

John Ehrlichman, *Witness to Power: The Nixon Years* (New York: Simon and Schuster, 1982) 316.

¹⁵⁷ Herring, America's Longest War, 330.

¹⁵⁸ Young, The Vietnam Wars, 287.

¹³⁹ Ibid.

¹⁶⁰ Herring, *America's Longest War*, 334, Robert Dallek, *Nixon and Kissinger: Partners in Power* (New York: HarperCollinsPublishers, 2007) 468.

¹⁶¹ The Military History of Vietnam, *Victory*, 330.

¹⁶² Dallek, Nixon and Kissinger, 462.

¹⁶³ Herring, America's Longest War, 335, Kissinger, Ending, 442.

that year. ¹⁶⁴ On March 14, 1973, Kissinger, in response to the heavy troop infiltration and military supplies being brought by North Vietnam into South Vietnam which Kissinger claimed were a "clear violation of both the letter and the spirit of the January 27 Agreement," requested President Nixon authorize a two to three days of bombing the Ho Chi Minh trail. ¹⁶⁵ On March 20, 1973, President Nixon discussed this request, but stated his objection to authorizing the bombing saying it would cause a congressional uproar and the American public's reaction would be 'Now for Christ sakes, we're out of Vietnam. Let's don't go back in and they [the South Vietnamese] have an air force...why the hell don't they...do it?' ¹⁶⁶ President Nixon never did authorize bombing of even a few days as a response to violations of the peace agreement by North Vietnam.

The fighting continued in South Vietnam until 1975 when the North Vietnamese launched an invasion of South Vietnam and conquered it in just 55 days. President Nixon and Kissinger blamed this development on the Watergate scandal, which simultaneously weakened President Nixon and later President Ford's ability to use military force in the form of American bombing to deter North Vietnamese violations of the peace agreements and emboldened Congress to drastically cut and ultimately refuse further military and economic aid to the South Vietnamese government.

Kissinger claimed that President Nixon was so weakened and distracted by the Watergate scandal that he could not order the bombing necessary to deter North Vietnam from violating the peace agreement, writing the "normal Nixon" would have ordered the bombing but "Watergate Nixon" dithered and would not. 167 Kissinger writes that the Watergate scandal brought to power an emboldened Congress, which slashed military and economic aid, which caused the "throttling" of South Vietnam in its efforts to resist the increasingly large-scale military offensives of North Vietnam, which was ultimately successful in conquering South Vietnam. 168 Kissinger writes that he and President Nixon were seeking a lasting peace with honor and but "for the collapse of executive authority as a result of Watergate, I believe we would have succeeded." President Nixon made the same claim, blaming Watergate for the collapse of executive authority, saying, "Had I survived I think that it would have been possible to have implemented the agreement. South Vietnam would still be a viable non communist enclave." Yet when one examines the aforementioned statements of President Nixon on March 20, 1973, one can see that he realizes that the American public and Congress have decided they want no further American military involvement in Vietnam, especially to further acts of military force such as bombing. He notes that they feel that have given sufficient military aid to the South Vietnamese government and that the South Vietnamese air force should do any bombing. His articulation of why there should not be any bombing occurs before the Watergate scandal had metastasized and hobbled his presidency.

Young, The Vietnam Wars, 290, Herring, America's Longest War, 335.
 FRUS 1969-1976, Volume X, Vietnam, January 1973-July 1975, "Memorandum from

¹⁶⁵ FRUS 1969-1976, Volume X, Vietnam, January 1973-July 1975, "Memorandum from the President's Assistant for National Security Affairs (Kissinger) to President Nixon," 29.

¹⁶⁶ FRUS 1969-1976, Volume X, Vietnam, January 1973-July 1975, "Conversation Between President Nixon and the President's Deputy Assistant for National Security Affairs (Scowcroft)," 34.

¹⁶⁷ Kissinger, Ending, 467.

¹⁶⁸ Ibid, 469.

¹⁶⁹ Kissinger, White House Years, 1470.

¹⁷⁰ President Nixon quoted from 1990 *Time Magazine* article in Isaacson, *Kissinger*, 487.

President Nixon was fully aware of the public opinion polls that were taken right when the agreement was signed and throughout 1973 and 1974 showed Americans wanted only a decisive conclusion to the American involvement in the fighting in Vietnam, that a strong majority of the American people believed that after American troops were withdrawn, that North Vietnam was likely to try and take over South Vietnam again, and in that event, the United States should not send American troops to South Vietnam or bomb North Vietnam; even half the country was against just sending more war materials to South Vietnam.¹⁷¹ Twenty-five years after the signing of the peace agreement, Kissinger would claim that he and President Nixon had misjudged the willingness of the American people to defend the peace agreement, saying:

But I admit this: we judged wrong. And what we judged wrong above all was our belief that if we could get peace with honor, that we would unite the American people who would then defend an agreement that had been achieved with so much pain. That was our fundamental miscalculation. It never occurred to me, and I'm sure it never occurred to President Nixon that there could be any doubt about it.¹⁷²

In light of the strategy they employed and the military actions they undertook in 1972 to achieve the peace agreement, which were done with a realization that the American public was tiring of the American military involvement in Vietnam and was confirmed by independent public opinion polls and by their own public opinion polling, it does not seem believable that it never occurred to these two veteran political operatives that the American public would not support further American military operations and aid to try to enforce the terms of the peace agreement once the United States military involvement had come to end with the signing of the peace agreement.

Instead, what emerges as a far more reasonable scenario is that President Nixon and Kissinger were quite aware of American public opinion that there was to be no further American military involvement in Vietnam and were only interested in pursuing policies in the period after the peace agreement was signed which would further their decent interval strategy to have South Vietnam last a sufficiently long period before being forcibly taken over by North Vietnam so that they would not be blamed for it. Even bombing was part of that strategy. As Kissinger told Le Quan Yew the prime minister of Singapore on August 8, 1973:

We were going to bomb North Vietnam for a week...Congress made it impossible...In May and June I drew the conclusion that the North Vietnamese were resigned to a long pull of 5-to-6 years...And it would have been a certainty if we had given them one blow. 173

As historian Larry Berman states, "In other words, a little bombing now might have slowed them down, which would be a decent interval before losing the South. Nixon and Kissinger would not be directly tied to it." ¹⁷⁴

¹⁷¹ Dallek, *Nixon and Kissinger*, 472, Larry Berman, *No Peace, No Honor* (New York: The Free Press, 2001) 262.

¹⁷² Berman, No Peace, No Honor, 262-263.

¹⁷³ Berman, No Peace, No Honor, 260.

¹⁷⁴ Ibid.

When one reviews this brutal and misguided Vietnam policy, it is tragic that these two men pursued a policy which caused an enormous loss of life to simply avoid the possibility that history would blame them for the downfall of the government of South Vietnam. For all their claims of being tough-minded and courageous in pursuing this policy, it would have been far more courageous and tough minded for them to have acknowledged in the beginning that the South Vietnamese government was not a viable entity capable of surviving for the long term and moved expeditiously to end this war to avoid the heavy loss of life, the expenditure of billions, the continuing division in this country over the war and the resulting damage to the image of the United States for prolonging this war. One can only hope this tragic misadventure will serve as a sobering example to the United States of how not to end conflicts in the world in which there is an active American combat presence.

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