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By Henry A. Kissinger

THE peace negotiations in Paris have been marked by the classic Vietnamese syndrome: optimism alternating with bewilderment; euphoria giving way to frustration. The halt to the bombing produced another wave of high hope. Yet it was followed almost immediately by the dispute with Saigon over its participation in the talks. The merits of this issue aside, we must realize that a civil war which has torn a society for twenty years and which has involved the great powers is unlikely to be settled in a single dramatic stroke. Even if there were mutual trust—a commodity not in excessive supply—the complexity of the issues and the difficulty of grasping their interrelationship would make for complicated negotiations. Throughout the war, criteria by which to measure progress have been hard to come by; this problem has continued during the negotiations. The dilemma is that almost any statement about Viet Nam is likely to be true; unfortunately, truth does not guarantee relevance.

The sequence of events that led to negotiations probably started with General Westmoreland's visit to Washington in November 1967. On that occasion, General Westmoreland told a Joint Session of Congress that the war was being won militarily. He outlined "indicators" of progress and stated that a limited withdrawal of American combat forces might be undertaken beginning late in 1968. On January 17, 1968, President Johnson, in his State of the Union address, emphasized that the pacification program—the extension of the control of Saigon into the countryside—was progressing satisfactorily. Sixty-seven percent of the population of South Viet Nam lived in relatively secure areas; the figure was expected to rise. A week later, the Tet offensive overthrew the assumptions of American strategy.

What had gone wrong? The basic problem has been conceptual:

the tendency to apply traditional maxims of both strategy and "nation-building" to a situation which they did not fit.

American military strategy followed the classic doctrine that victory depended on a combination of control of territory and attrition of the opponent. Therefore, the majority of the American forces was deployed along the frontiers of South Viet Nam to prevent enemy infiltration and in the Central Highlands where most of the North Vietnamese main-force units—those units organized along traditional military lines—were concentrated. The theory was that defeat of the main forces would cause the guerrillas to wither on the vine. Victory would depend on inflicting casualties substantially greater than those we suffered until Hanoi's losses became "unacceptable."

This strategy suffered from two disabilities: (a) the nature of guerrilla warfare; (b) the asymmetry in the definition of what constituted unacceptable losses. A guerrilla war differs from traditional military operation because its key prize is not control of territory but control of the population. This depends, in part, on psychological criteria, especially a sense of security. No positive program can succeed unless the population feels safe from terror or reprisal. Guerrillas rarely seek to hold real estate; their tactic is to use terror and intimidation to discourage coöperation with constituted authority.

The distribution of the population in Viet Nam makes this problem particularly acute. Over 90 percent of the population live in the coastal plain and the Mekong Delta; the Central Highlands and the frontiers, on the other hand, are essentially unpopulated. Eighty percent of American forces came to be concentrated in areas containing less than 4 percent of the population; the locale of military operations was geographically removed from that of the guerrilla conflict. As North Vietnamese theoretical writings never tired of pointing out, the United States could not hold territory and protect the population simultaneously. By opting for military victory through attrition, the American strategy produced what came to be the characteristic feature of the Vietnamese war: military successes that could not be translated into permanent political advantage. (Even the goal of stopping infiltration was very hard to implement in the trackless, nearly impenetrable jungles along the Cambodian and Laotian frontiers.)

As a result, the American conception of security came to have

little in common with the experience of the Vietnamese villagers. American maps classified areas by three categories of control, neatly shown in various colors: Government, contested and Viet Cong. The formal criteria were complicated, and depended to an unusual extent on reports by officers whose short terms of duty (barely 12 months) made it next to impossible for them to grasp the intangibles and nuances which constitute the real elements of control in the Vietnamese countryside. In essence, the first category included all villages which contained some governmental authority; "contested" referred to areas slated to be entered by governmental cadres. The American notion of security was a reflection of Western administrative theory; control was assumed to be in the hands of one of the contestants more or less exclusively.

But the actual situation in Viet Nam was quite different; a realistic security map would have shown few areas of exclusive jurisdiction; the pervasive experience of the Vietnamese villager was the ubiquitousness of both sides. Saigon controlled much of the country in the daytime, in the sense that government troops could move anywhere if they went in sufficient force; the Viet Cong dominated a large part of the same population at night. For the villagers, the presence of Government during the day had to be weighed against its absence after dark, when Saigon's cadres almost invariably withdrew into the district or provincial capitals. If armed teams of administrators considered the villages unsafe at night, the villagers could hardly be expected to resist the guerrillas. Thus, the typical pattern in Viet Nam has been dual control, with the villagers complying with whatever force was dominant during a particular part of the day.

The political impact of this dual control was far from symmetrical, however. To be effective, the Government had to demonstrate a very great capacity to provide protection; probably well over 90 percent. The guerrillas' aim was largely negative: to prevent the consolidation of governmental authority. They did not need to destroy all governmental programs; indeed in some areas, they made no effort to interfere with them. They did have to demonstrate a capability to punish individuals who threw in their lot with Saigon. An occasional assassination or raid served to shake confidence for months afterwards.

The North Vietnamese and Viet Cong had another advantage which they used skillfully. American "victories" were empty

unless they laid the basis for an eventual withdrawal. The North Vietnamese and Viet Cong, fighting in their own country, needed merely to keep in being forces sufficiently strong to dominate the population after the United States tired of the war. We fought a military war; our opponents fought a political one. We sought physical attrition; our opponents aimed for our psychological exhaustion. In the process, we lost sight of one of the cardinal maxims of guerrilla war: the guerrilla wins if he does not lose. The conventional army loses if it does not win. The North Vietnamese used their main forces the way a bullfighter uses his cape —to keep us lunging in areas of marginal political importance.

The strategy of attrition failed to reduce the guerrillas and was in difficulty even with respect to the North Vietnamese main forces. Since Hanoi made no attempt to hold any territory, and since the terrain of the Central Highlands cloaked North Vietnamese movements, it proved difficult to make the opposing forces fight except at places which they chose. Indeed, a considerable majority of engagements came to be initiated by the other side; this enabled Hanoi to regulate its casualties (and ours) at least within certain limits. The so-called "kill-ratios" of United States to North Vietnamese casualties became highly unreliable indicators. Even when the figures were accurate they were irrelevant, because the level of what was "unacceptable" to Americans fighting thousands of miles from home turned out to be much lower than that of Hanoi fighting on Vietnamese soil.

All this caused our military operations to have little relationship to our declared political objectives. Progress in establishing a political base was excruciatingly slow; our diplomacy and our strategy were conducted in isolation from each other. President Johnson had announced repeatedly that we would be ready to negotiate, unconditionally, at any moment, anywhere. This, in effect, left the timing of negotiations to the other side. But short of a complete collapse of the opponent, our military deployment was not well designed to support negotiations. For purposes of negotiating, we would have been better off with 100 percent control over 60 percent of the country than with 60 percent control of 100 percent of the country.

The effort to strengthen Saigon's political control faced other problems. To be effective, the so-called pacification program had to meet two conditions: (a) it had to provide security for the population; (b) it had to establish a political and institutional

link between the villages and Saigon. Neither condition was ever met: impatience to show "progress" in the strategy of attrition caused us to give low priority to protection of the population; in any event, there was no concept as to how to bring about a political framework relating Saigon to the countryside. As a result, economic programs had to carry an excessive load. In Viet Nam—as in most developing countries—the overwhelming problem is not to *buttress* but to *develop* a political framework. Economic progress that undermines the existing patterns of obligation—which are generally personal or feudal—serves to accentuate the need for political institutions. One ironic aspect of the war in Viet Nam is that, while we profess an idealistic philosophy, our failures have been due to an excessive reliance on material factors. The communists, by contrast, holding to a materialistic interpretation, owe many of their successes to their ability to supply an answer to the question of the nature and foundation of political authority.

The Tet offensive brought to a head the compounded weaknesses—or, as the North Vietnamese say, the internal contradictions—of the American position. To be sure, from a strictly military point of view, Tet was an American victory. Viet Cong casualties were very high; in many provinces, the Viet Cong infrastructure of guerrillas and shadow administrators surfaced and could be severely mauled by American forces. But in a guerrilla war, purely military considerations are not decisive: psychological and political factors loom at least as large.

On that level the Tet offensive was a political defeat in the countryside for Saigon and the United States. Two claims had been pressed on the villages. The United States and Saigon had promised that they would be able to protect an ever larger number of villages. The Viet Cong had never made such a claim; they merely asserted that they were the real power and presence in the villages and they threatened retribution upon those who collaborated with Saigon or the United States.

As happened so often in the past, the Viet Cong made their claim stick. Some twenty provincial capitals were occupied. Though the Viet Cong held none (except Hué) for more than a few days, they were there long enough to execute hundreds of Vietnamese on the basis of previously prepared lists. The words "secure area" never had the same significance for Vietnamese civilians as for Americans, but, if the term had any meaning, it

applied to the provincial and district capitals. This was precisely where the Tet offensive took its most severe toll. The Viet Cong had made a point which far transcended military considerations in importance: there are no secure areas for Vietnamese civilians. This has compounded the already great tendency of the Vietnamese population to await developments and not to commit itself irrevocably to the Saigon Government. The withdrawal of government troops from the countryside to protect the cities and the consequent increase in Viet Cong activity in the villages even in the daytime have served to strengthen this trend. One result of the Tet offensive was to delay—perhaps indefinitely—the consolidation of governmental authority, which in turn is the only meaningful definition of "victory" in guerrilla warfare.

For all these reasons, the Tet offensive marked the watershed of the American effort. Henceforth, no matter how effective our actions, the prevalent strategy could no longer achieve its objectives within a period or with force levels politically acceptable to the American people. This realization caused Washington, for the first time, to put a ceiling on the number of troops for Viet Nam. Denied the very large additional forces requested, the military command in Viet Nam felt obliged to begin a gradual change from its peripheral strategy to one concentrating on the protection of the populated areas. This made inevitable an eventual commitment to a political solution and marked the beginning of the quest for a negotiated settlement. Thus the stage was set for President Johnson's speech of March 31, which ushered in the current negotiations.

II. THE ENVIRONMENT OF NEGOTIATIONS

Of course, the popular picture that negotiations began in May is only partially correct. The United States and Hanoi have rarely been out of touch since the American commitment in Viet Nam started to escalate. Not all these contacts have been face to face. Some have been by means of public pronouncements. Between 1965 and 1968, the various parties publicly stated their positions in a variety of forums: Hanoi announced Four Points, the NLF put forth Five Points, Saigon advanced Seven Points and the United States—perhaps due to its larger bureaucracy—promulgated Fourteen.

These public pronouncements produced a fairly wide area of apparent agreement on some general principles: that the Geneva

Accords could form the basis of a settlement, that American forces would be withdrawn ultimately, that the reunification of Viet Nam should come about through direct negotiation between the Vietnamese, that (after a settlement) Viet Nam would not contain foreign bases. The United States has indicated that three of Hanoi's Four Points are acceptable.[1]

There is disagreement about the status of Hanoi's forces in the South; indeed, Hanoi has yet to admit that it has forces in the South—though it has prepared a "fall-back position" to the effect that North Vietnamese forces in the South cannot be considered "external." The role of the NLF is equally in dispute. Saigon rejects a separate political role for the NLF; the NLF considers Saigon a puppet régime. There is no agreement about the meaning of those propositions which sound alike or on how they are to be enforced.

In addition to negotiations by public pronouncements, there have been secret contacts which have been described in many books and articles.[2] It has been alleged that these contacts have failed because of a lack of imagination or a failure of coördination within our Government. (There have also been charges of deliberate sabotage.) A fair assessment of these criticisms will not be possible for many years. But it is clear that many critics vastly oversimplify the problem. Good will may not always have been present; but even were it to motivate all sides, rapid, dramatic results would be unlikely. For all parties face enormous difficulties. Indeed, the tendency of each side to overestimate the freedom of manœuvre of the other has almost certainly increased distrust. It has caused Hanoi to appear perversely obstinate to Washington and Washington to seem devious to Hanoi.

Both the Hanoi Government and the United States are limited in their freedom of action by the state of mind of the population of South Viet Nam which will ultimately determine the outcome of the conflict. The Vietnamese people have lived under foreign rule for approximately half of their history. They have maintained a remarkable cultural and social cohesion by being finely attuned to the realities of power. To survive, the Vietnamese have had

[1] These are: withdrawal of U.S. forces, the provision of the Geneva agreements calling for neutrality for North and South Viet Nam, and reunification on the basis of popular wishes. The United States has rejected the third point which implies that the internal arrangements for South Viet Nam should be settled on the basis of the NLF program—though the United States has agreed to consider the NLF program among others.

[2] See, for example, Kraslow and Loory, "The Secret Search for Peace in Vietnam." New York: Random House, 1968.

to learn to calculate—almost instinctively—the real balance of forces. If negotiations give the impression of being a camouflaged surrender, there will be nothing left to negotiate. Support for the side which seems to be losing will collapse. Thus, all the parties are aware—Hanoi explicitly, for it does not view war and negotiation as separate processes; we in a more complicated bureaucratic manner—that *the way* negotiations are carried out is almost as important as *what* is negotiated. The choreography of how one enters negotiations, what is settled first and in what manner is inseparable from the substance of the issues.

Wariness is thus imposed on the negotiators; a series of deadlocks is difficult to avoid. There are no "easy" issues, for each issue is symbolic and therefore in a way prejudges the final settlement. On its merits, the debate about the site of the conference—extending over a period of four weeks in April and May—was trivial. Judged intellectually, the four weeks were "wasted." But they did serve a useful function: they enabled the United States to let Saigon get used to the idea that there *would* be negotiations and to maintain that it retained control over events. It would not be surprising if Hanoi had a similar problem with the NLF.

The same problem was illustrated by the way the decision to stop the bombing was presented. Within twenty-four hours after announcement of the halt, both Hanoi and Saigon made statements of extraordinary bellicosity, which, taken literally, would have doomed the substantive talks about to begin. But their real purpose was to reassure each side's supporters in the South. Saigon especially has had a difficult problem. It has been pictured by many as perversely stubborn because of its haggling over the status of the NLF. However, to Saigon, the status of the NLF cannot be a procedural matter. For South Viet Nam it has been very nearly the central issue of the war. Washington must bear at least part of the responsibility for underestimating the depth and seriousness of this concern.

The situation confronted by Washington and Hanoi internationally is scarcely less complex. Much of the bitter debate in the United States about the war has been conducted in terms of 1961 and 1962. Unquestionably, the failure at that time to analyze adequately the geopolitical importance of Viet Nam contributed to the current dilemma. But the commitment of 500,000 Americans has settled the issue of the importance of Viet Nam. For what is in-

volved now is confidence in American promises. However fashionable it is to ridicule the terms "credibility" or "prestige," they are not empty phrases; other nations can gear their actions to ours only if they can count on our steadiness. The collapse of the American effort in Viet Nam would not mollify many critics; most of them would simply add the charge of unreliability to the accusation of bad judgment. Those whose safety or national goals depend on American commitments could only be dismayed. In many parts of the world—the Middle East, Europe, Latin America, even Japan—stability depends on confidence in American promises. Unilateral withdrawal, or a settlement which unintentionally amounts to the same thing, could therefore lead to the erosion of restraints and to an even more dangerous international situation. No American policymaker can simply dismiss these dangers.

Hanoi's position is at least as complicated. Its concerns are not global; they are xenophobically Vietnamese (which includes, of course, hegemonial ambitions in Laos and Cambodia). But Hanoi is extraordinarily dependent on the international environment. It could not continue the war without foreign material assistance. It counts almost as heavily on the pressures of world public opinion. Any event that detracts from global preoccupations with the war in Viet Nam thus diminishes Hanoi's bargaining position. From this point of view, the Soviet invasion of Czechoslovakia was a major setback for Hanoi.

Hanoi's margin of survival is so narrow that precise calculation has become a way of life; caution is almost an obsession. Its bargaining position depends on a fine assessment of international factors—especially of the jungle of intra-communist relations. In order to retain its autonomy, Hanoi must manœuvre skillfully between Peking, Moscow and the NLF. Hanoi has no desire to become completely dependent on one of the communist giants. But, since they disagree violently, they reinforce Hanoi's already strong tendency toward obscurantist formulations. In short, Hanoi's freedom of manœuvre is severely limited.

The same is true of the Soviet Union, whose large-scale aid to Hanoi makes it a semi-participant in the war. Moscow must be torn by contradictory inclinations. A complete victory for Hanoi would tend to benefit Peking in the struggle for influence among the communist parties of the world; it would support the Chinese argument that intransigence toward the United States is, if not

without risk, at least relatively manageable. But a defeat of Hanoi would demonstrate Soviet inability to protect "fraternal" communist countries against the United States. It would also weaken a potential barrier to Chinese influence in Southeast Asia and enable Peking to turn its full fury on Moscow. For a long time, Moscow has seemed paralyzed by conflicting considerations and bureaucratic inertia.

Events in Czechoslovakia have reduced Moscow's usefulness even further. We would compound the heavy costs of our pallid reaction to events in Czechoslovakia if our allies could blame it on a quid pro quo for Soviet assistance in extricating us from Southeast Asia. Washington therefore requires great delicacy in dealing with Moscow on the Viet Nam issue. It cannot be in the American interest to add fuel to the already widespread charge that the superpowers are sacrificing their allies to maintain spheres of influence.

This state of affairs would be enough to explain prolonged negotiations progressing through a series of apparent stalemates. In addition, a vast gulf in cultural and bureaucratic style between Hanoi and Washington complicates matters further. It would be difficult to imagine two societies less meant to understand each other than the Vietnamese and the American. History and culture combine to produce almost morbid suspiciousness on the part of the Vietnamese. Because survival has depended on a subtle skill in manipulating physically stronger foreigners, the Vietnamese style of communication is indirect and, by American standards, devious—qualities which avoid a total commitment and an overt test of strength. The fear of being made to look foolish seems to transcend most other considerations. Even if the United States accepted Hanoi's maximum program, the result might well be months of haggling while Hanoi looked for our "angle" and made sure that no other concessions were likely to be forthcoming.

These tendencies are magnified by communist ideology, which defines the United States as inherently hostile, and by Hanoi's experience in previous negotiations with the United States. It may well feel that the Geneva Conferences of 1954 and 1962 (over Laos) deprived it of part of its achievements on the battlefield.

All this produces the particular negotiating style of Hanoi: the careful planning, the subtle, indirect methods, the preference for

opaque communications which keep open as many options as possible toward both foe and friend (the latter may seem equally important to Hanoi). North Viet Nam's diplomacy operates in cycles of reconnaissance and withdrawal to give an opportunity to assess the opponent's reaction. This is then followed by another diplomatic sortie to consolidate the achievements of the previous phase or to try another route. In this sense, many contacts with Hanoi which seemed "abortive" to us, probably served (from Hanoi's point of view) the function of defining the terrain. The methods of Hanoi's diplomacy are not very different from Viet Cong military strategy and sometimes appear just as impenetrable to us.

If this analysis is correct, few North Vietnamese moves are accidental; even the most obtuse communication is likely to serve a purpose. On the other hand, it is not a style which easily lends itself to the sort of analysis at which we excel: the pragmatic, legal dissection of individual cases. Where Hanoi makes a fetish of planning, Washington is allergic to it. We prefer to deal with cases as they arise, "on their merits." Pronouncements that the United States is ready to negotiate do not guarantee that a negotiating position exists or that the U.S. Government has articulated its objectives.

Until a conference comes to be scheduled, two groups in the American bureaucracy usually combine to thwart the elaboration of a negotiating position: those who oppose negotiations and those who favor them. The opponents generally equate negotiations with surrender; if they agree to discuss settlement terms at all, it is to define the conditions of the enemy's capitulation. Aware of this tendency and of the reluctance of the top echelon to expend capital on settling disputes which involve no immediate practical consequences, the advocates of negotiations coöperate in avoiding the issue. Moreover, delay serves their own purposes in that it enables them to reserve freedom of action for the conference room.

Pragmatism and bureaucracy thus combine to produce a diplomatic style marked by rigidity in advance of formal negotiations and excessive reliance on tactical considerations once negotiations start. In the preliminary phases, we generally lack a negotiating program; during the conference, bargaining considerations tend to shape internal discussions. In the process, we deprive ourselves of criteria by which to judge progress. The over-

concern with tactics suppresses a feeling for nuance and for intangibles.

The incompatibility of the American and North Vietnamese styles of diplomacy produced, for a long time, a massive breakdown of communication—especially in the preliminary phases of negotiation. While Hanoi was feeling its way toward negotiations, it bent all its ingenuity to avoid clear-cut, formal commitments. Ambiguity permitted Hanoi to probe without giving away much in return; Hanoi has no peers in slicing the salami very thin. It wanted the context of events rather than a formal document to define its obligations, lest its relations with Peking or the NLF be compromised.

Washington was unequipped for this mode of communication. To a government which equates commitments with legally enforceable obligations, Hanoi's subtle changes of tense were literally incomprehensible. In a press conference in February 1968, President Johnson said, "As near as I am able to detect, Hanoi has not changed its course of conduct since the very first response it made. Sometimes they will change 'will' to 'would' or 'shall' to 'should,' or something of the kind. But the answer is all the same." A different kind of analysis might have inquired why Hanoi would open up a channel for a meaningless communication, especially in the light of a record of careful planning which made it extremely unlikely that a change of tense would be inadvertent.

Whatever the might-have-beens, Hanoi appeared to Washington as devious, deceitful and tricky. To Hanoi, Washington must have seemed, if not obtuse, then cannily purposeful. In any event, the deadlock produced by the difference in negotiating style concerned specific clauses less than the philosophical issue of the nature of an international "commitment" or the meaning of "trickery." This problem lay at the heart of the impasse over the bombing halt.

III. LESSONS OF THE BOMBING HALT

The bombing halt occupied the first six months of the Paris talks. The formal positions were relatively straightforward. The American view was contained in the so-called San Antonio formula which was put forth by President Johnson in September 1967: "The United States is willing to stop all aerial and naval bombardment of North Viet Nam when this will lead promptly

to productive discussions. We, of course, assume that while discussions proceed, North Viet Nam would not take advantage of the bombing cessation or limitation." In its main outlines, the American position remained unchanged throughout the negotiations.

Hanoi's reaction was equally simple and stark. It scored the obvious debating point that it could guarantee useful but not "productive" talks since that depended also on the United States.[3] But in the main, Hanoi adamantly insisted that the bombing halt had to be "unconditional." It rejected all American proposals for reciprocity as put forward, for example, by Secretary Rusk: respect for the DMZ, no attack on South Vietnamese cities, reduction in the level of military operations.

Though this deadlock had many causes, surely a central problem was the difficulty each side had in articulating its real concern. Washington feared "trickery;" it believed that once stopped, the bombing would be politically difficult, if not impossible, to start again even in the face of considerable provocation. Too, it needed some assurance as to how the negotiations would proceed *after* a bombing halt. Washington was aware that a bombing halt which did not lead rapidly to substantive talks could not be sustained domestically.

The legalistic phrasing of these concerns obscured their real merit. If bombing were resumed under conditions of great public indignation, it would be much harder to exercise restraint in the choice of targets and much more difficult to stop again in order to test Hanoi's intentions. The frequently heard advice to "take risks for peace" is valid only if one is aware that the consequences of an imprudent risk are likely to be escalation rather than peace.

Hanoi, in turn, had a special reason for insisting on an unconditional end of the bombing. A government as subtle as Hanoi must have known that there are no "unconditional" acts in the relation of sovereign states, if only because sovereignty implies the right to reassess changing conditions unilaterally. But Hanoi has always placed great reliance on the pressures of world opinion; the "illegality" of U.S. bombing was therefore a potent political weapon. Reciprocity would jeopardize this claim; it would suggest that bombing might be justified in some circumstances. Hanoi did not want a formula under which the United States

[3] Article by Wilfred Burchett, *The New York Times*, October 21, 1967.

could resume bombing "legally" by charging violations of an understanding. Finally, Hanoi was eager to give the impression to its supporters in the South that it had induced us to stop "unconditionally" as a symbol of imminent victory. For the same reason, it was important to us that *both* sides in South Viet Nam believe there had been reciprocity.

As a result, six months were devoted to defining a quid pro quo which could be represented as unconditional. The issue of the bombing halt thus raised the question of the nature of an international commitment. What is the sanction for violation of an understanding? The United States, for a long time, conducted itself as if its principal safeguard was a formal, binding commitment by Hanoi to certain restraints. In fact, since no court exists to which the United States could take Hanoi, the American sanction was what the United States could do unilaterally should Hanoi "take advantage" of the bombing pause. Hanoi's fear of the consequences is a more certain protection against trickery than a formal commitment. Communicating what we meant by taking advantage turned out to be more important than eliciting a formal North Vietnamese response.

The final settlement of the problem seems to have been arrived at by this procedure. In his address announcing the bombing halt, President Johnson stressed that Hanoi is clear about our definition of "take advantage." Hanoi has not formally acknowledged these terms; it has, in fact, insisted that the bombing halt was unconditional. But Hanoi can have little doubt that the bombing halt would not survive if it disregarded the points publically stated by Secretary Rusk and President Johnson.

If the negotiations about the bombing halt demonstrate that tacit bargaining may play a crucial role in an ultimate settlement, they also show the extraordinary danger of neglecting the political framework. Washington had insisted throughout the negotiations that Saigon participate in the substantive talks which were to follow a bombing halt. President Johnson, in his speech announcing the bombing halt, implied that Saigon's participation satisfied the requirement of the San Antonio formula for "productive talks." How we came to insist on a condition which was basically neither in our interest nor Saigon's cannot be determined until the records are available—if then. It should have been clear that the participation of Saigon was bound to raise the issues of the status of the NLF and the internal structure of

Viet Nam—issues which, as will be seen below, it is in everybody's interest to defer to as late a stage of the negotiations as possible.

Having made Saigon's participation a test case, we advanced the "your side, our side" formula. Under it, Saigon and the NLF are to participate in the conference. Each side can claim that it is composed of two delegations; its opponent is free to insist that it really deals with only one delegation. Thus the United States does not "recognize" the NLF and insists that Hanoi is its negotiating partner; Hanoi can take a similar view and maintain its refusal to deal formally with Saigon. It is difficult to disentangle from public sources whether Saigon ever agreed to this formula and whether it understood that our formula amounted to giving the NLF equal status.[4]

On the face of it, Saigon's reluctance to accept equal status with the NLF is comprehensible for it tends to affect all other issues, from ceasefire to internal structure. The merits of the dispute aside, the public rift between Saigon and Washington compromised what had been achieved. To split Washington and Saigon had been a constant objective of Hanoi; if the Paris talks turn into an instrument to accomplish this, Hanoi will be tempted to use them for political warfare rather than for serious discussions.

Clearly, there is a point beyond which Saigon cannot be given a veto over negotiations. But equally, it is not preposterous for Saigon to insist on a major voice in decisions affecting its own country. And it cannot strengthen our position in Paris to *begin* the substantive discussions with a public row over the status of a government whose constitutionality we have insistently pressed on the world for the past two years. The impasse has demonstrated that to deal with issues on an ad hoc basis is too risky;

[4] Clashes with our allies in which both sides claim to have been deceived occur so frequently as to suggest structural causes (see Skybolt, the Non-Proliferation Treaty, now the bombing halt). What seems to be happening is the same bureaucratic deadlock internationally which was noted above within our Government. When an issue is fairly abstract—before there is a prospect for an agreement—our diplomats tend to present our view in a bland, relaxed fashion to the ally whose interests are involved but who is not present at the negotiations. The ally responds equally vaguely for three reasons: (*a*) he may be misled into believing that no decision is imminent and therefore sees no purpose in making an issue; (*b*) he is afraid that if he forces the issue the decision will go against him; (*c*) he hopes the problem will go away because agreement will prove impossible. When agreement seems imminent, American diplomats suddenly go into high gear to gain the acquiescence of the ally. He in turn feels tricked by the very intensity and suddenness of the pressure while we are outraged to learn of objections heretofore not made explicit. This almost guarantees that the ensuing controversy will take place under the most difficult conditions.

before we go much further in negotiations, we need an agreed concept of ultimate goals and how to achieve them.

IV. CEASEFIRE AND COALITION GOVERNMENT

Substantive negotiations confront the United States with a major conceptual problem: whether to proceed step by step, discussing each item "on its merits," or whether to begin by attempting to get agreement about some ultimate goals.

The difference is not trivial. If the negotiations proceed step by step through a formal agenda, the danger is great that the bombing halt will turn out to be an admission ticket to another deadlock. The issues are so interrelated that a partial settlement foreshadows the ultimate outcome and therefore contains all of its complexities. Mutual distrust and the absence of clarity as to final goals combine to produce an extraordinary incentive to submit all proposals to the most searching scrutiny and to erect hedges for failure or bad faith.

This is well illustrated by two schemes which public debate has identified as suitable topics for the next stage of negotiations: ceasefire and coalition government.

It has become axiomatic that a bombing halt would lead—almost automatically—to a ceasefire. However, negotiating a ceasefire may well be tantamount to establishing the preconditions of a political settlement. If there existed a front line with unchallenged control behind it, as in Korea, the solution would be traditional and relatively simple: the two sides could stop shooting at each other and the ceasefire line could follow the front line. But there are no front lines in Viet Nam; control is not territorial, it depends on who has forces in a given area and on the time of day. If a ceasefire permits the Government to move without challenge, day or night, it will amount to a Saigon victory. If Saigon is prevented from entering certain areas, it means in effect partition which, as in Laos, tends toward permanency. Unlike Laos, however, the pattern would be a crazy quilt, with enclaves of conflicting loyalties all over the country.

This would involve the following additional problems: (1) It would lead to an intense scramble to establish predominant control before the ceasefire went into effect. (2) It would make next to impossible the verification of any withdrawal of North Vietnamese forces that might be negotiated; the local authorities in areas of preponderant communist control would doubtless certify

that no external forces were present and impede any effort at international inspection. (3) It would raise the problem of the applicability of a ceasefire to guerrilla activity in the non-communist part of the country; in other words, how to deal with the asymmetry between the actions of regular and of guerrilla forces. Regular forces operate on a scale which makes possible a relatively precise definition of what is permitted and what is proscribed; guerrilla forces, by contrast, can be effective through isolated acts of terror difficult to distinguish from normal criminal activity.

There would be many other problems: who collects taxes and how, who enforces the ceasefire and by what means. In other words, a tacit de facto ceasefire may prove more attainable than a negotiated one. By the same token, a formal ceasefire is likely to predetermine the ultimate settlement and tend toward partition. Ceasefire is thus not so much a step toward a final settlement as a form of it.

This is even more true of another staple of the Viet Nam debate: the notion of a coalition government. Of course, there are two meanings of the term: as a means of legitimizing partition, indeed as a disguise for continuing the civil war; or as a "true" coalition government attempting to govern the whole country. In the first case, a coalition government would be a façade with non-communist and communist ministries in effect governing their own parts of the country. This is what happened in Laos, where each party in the "coalition government" wound up with its own armed forces and its own territorial administration. The central government did not exercise any truly national functions. Each side carried on its own business—including civil war. But in Laos, each side controlled contiguous territory, not a series of enclaves as in South Viet Nam. Too, of all the ways to bring about partition, negotiations about a coalition government are the most dangerous because the mere participation of the United States in talking about it could change the political landscape of South Viet Nam.

Coalition government is perhaps the most emotionally charged issue in Viet Nam, where it tends to be identified with the second meaning: a joint Saigon-NLF administration of the entire country. There can be no American objection, of course, to direct negotiations between Saigon and the NLF. The issue is whether the United States should be party to an attempt to *impose* a coali-

tion government. We must be clear that our involvement in such an effort may well destroy the existing political structure of South Viet Nam and thus lead to a communist takeover.

Some urge negotiations on a coalition government for precisely this reason: as a face-saving formula for arranging the communist political victory which they consider inevitable. But those who believe that the political evolution of South Viet Nam should not be foreclosed by an American decision must realize that the subject of a coalition government is the most thankless and tricky area for negotiation *by outsiders.*

The notion that a coalition government represents a "compromise" which will permit a new political evolution hardly does justice to Vietnamese conditions. Even the non-communist groups have demonstrated the difficulty Vietnamese have in compromising differences. It is beyond imagination that parties that have been murdering and betraying each other for 25 years could work together as a team giving joint instructions to the entire country. The image of a line of command extending from Saigon into the countryside is hardly true of the non-communist government in Saigon. It would be absurd in the case of a coalition government. Such a government would possess no authority other than that of each minister over the forces he controlled either through personal or party loyalty.

To take just one example of the difficulties: Communist ministers would be foolhardy in the extreme if they entered Saigon without bringing along sufficient military force for their protection. But the introduction of communist military forces into the chief bastion of governmental strength would change the balance of political forces in South Viet Nam. The danger of a coalition government is that it would decouple the non-communist elements from effective control over their armed forces and police, leaving them unable to defend themselves adequately.

In short, negotiations seeking to impose a coalition from the outside are likely to change markedly and irreversibly the political process in South Viet Nam—as Vietnamese who believe that a coalition government cannot work quickly choose sides. We would, in effect, be settling the war on an issue least amenable to outside influence, with respect to which we have the least grasp of conditions and the long-term implications of which are most problematical.

This is not to say that the United States should resist an out-

come freely negotiated among the Vietnamese. It does suggest that any negotiation on this point by the United States is likely to lead either to an impasse or to the collapse of Saigon.

V. WHERE DO WE GO FROM HERE?

Paradoxical as it may seem, the best way to make progress where distrust is so deep and the issues so interrelated may be to seek agreement on ultimate goals first and to work back to the details to implement them.

This requires an analysis of the strengths and weaknesses of both sides. Hanoi's strength is that it is fighting among its own people in familiar territory, while the United States is fighting far away. As long as Hanoi can preserve some political assets in the South, it retains the prospect of an ultimately favorable political outcome. Not surprisingly, Hanoi has shown a superior grasp of the local situation and a greater capacity to design military operations for political ends. Hanoi relies on world opinion and American domestic pressures; it believes that the unpopularity of the war in Viet Nam will ultimately force an American withdrawal.

Hanoi's weaknesses are that superior planning can substitute for material resources only up to a point. Beyond it, differences of scale are bound to become significant and a continuation of the war will require a degree of foreign assistance which may threaten North Viet Nam's autonomy. This Hanoi has jealously safeguarded until now. A prolonged, even if ultimately victorious war might leave Viet Nam so exhausted as to jeopardize the purpose of decades of struggle.

Moreover, a country as sensitive to international currents as North Viet Nam cannot be reassured by recent developments. The Soviet invasion of Czechoslovakia removed Viet Nam as the principal concern of world opinion, at least for a while. Some countries heretofore critical of the United States remembered their own peril and their need for American protection; this served to reduce the intensity of public pressures on America. Hanoi's support of Moscow demonstrated the degree of Hanoi's dependence on the U.S.S.R.; it also may have been intended to forestall Soviet pressures on Hanoi to be more flexible by putting Moscow in Hanoi's debt. Whatever the reason, the vision of a Titoist Viet Nam suddenly seemed less plausible—all the more so as Moscow's justification for the invasion of

Czechoslovakia can provide a theoretical basis for an eventual Chinese move against North Viet Nam. Finally, the Soviet doctrine according to which Moscow has a right to intervene to protect socialist domestic structures made a Sino-Soviet war at least conceivable. For Moscow's accusations against Peking have been, if anything, even sharper than those against Prague. But in case of a Sino-Soviet conflict, Hanoi would be left high and dry. International crises threatening to overshadow Viet Nam in successive years—the Middle East in 1967; Central Europe in 1968—thus may have convinced Hanoi that time is not necessarily on its side.

American assets and liabilities are the reverse of these. No matter how irrelevant some of our political conceptions or how insensitive our strategy, we are so powerful that Hanoi is simply unable to defeat us militarily. By its own efforts, Hanoi cannot force the withdrawal of American forces from South Viet Nam. Indeed, a substantial improvement in the American military position seems to have taken place. As a result, we have achieved our minimum objective: Hanoi is unable to gain a military victory. Since it cannot force our withdrawal, it must negotiate about it. Unfortunately, our military strength has no political corollary; we have been unable so far to create a political structure that could survive military opposition from Hanoi after we withdraw.

The structure of the negotiation is thus quite different from Korea. There are no front lines with secure areas behind them. In Viet Nam, negotiations do not ratify a military status quo but create a new political reality. There are no unambiguous tests of relative political and military strength. The political situation for both sides is precarious—within Viet Nam for the United States, internationally for Hanoi. Thus it is probable that neither side can risk a negotiation so prolonged as that of Panmunjom a decade and a half ago. In such a situation, a favorable outcome depends on a clear definition of objectives. The limits of the American commitment can be expressed in two propositions: first, the United States cannot accept a military defeat, or a change in the political structure of South Viet Nam brought about by external military force; second, once North Vietnamese forces and pressures are removed, the United States has no obligation to maintain a government in Saigon by force.

American objectives should therefore be (1) to bring about

a staged withdrawal of external forces, North Vietnamese and American, (2) thereby to create a maximum incentive for the contending forces in South Viet Nam to work out a political agreement. The structure and content of such an agreement must be left to the South Vietnamese. It could take place formally on the national level. Or, it could occur locally on the provincial level where even now tacit accommodations are not unusual in many areas such as the Mekong Delta.

The details of a phased, mutual withdrawal are not decisive for our present purposes and, in any case, would have to be left to negotiations. It is possible, however, to list some principles: the withdrawal should be over a sufficiently long period so that a genuine indigenous political process has a chance to become established; the contending sides in South Viet Nam should commit themselves not to pursue their objectives by force while the withdrawal of external forces is going on; in so far as possible, the definition of what constitutes a suitable political process or structure should be left to the South Vietnamese, with the schedule for mutual withdrawal creating the time frame for an agreement.

The United States, then, should concentrate on the subject of the mutual withdrawal of external forces and avoid negotiating about the internal structure of South Viet Nam for as long as possible. The primary responsibility for negotiating the internal structure of South Viet Nam should be left for direct negotiations among the South Vietnamese. If we involve ourselves deeply in the issue of South Viet Nam's internal arrangements, we shall find ourselves in a morass of complexities subject to two major disadvantages. First, we will be the party in the negotiation least attuned to the subtleties of Vietnamese politics. Second, we are likely to wind up applying the greater part of our pressure against Saigon as the seeming obstacle to an accommodation. The result may be the complete demoralization of Saigon, profound domestic tensions within the United States and a prolonged stalemate or a resumption of the war.

Whatever the approach, the negotiating procedure becomes vital; indeed, it may well determine the outcome and the speed with which it is achieved.

Tying the bombing halt to Saigon's participation in the substantive discussions was probably unwise—all the more so as Hanoi seems to have been prepared to continue bilateral talks.

The participation of Saigon and the NLF raised issues about status that would have been better deferred; it made a discussion of the internal structure of South Viet Nam hard to avoid. Nevertheless, the principles sketched above, while now more difficult to implement, can still guide the negotiations. The tension between Washington and Saigon can even prove salutary if it forces both sides to learn that if they are to negotiate effectively they must confront the fundamental issues explicitly.

As these lines are being written, the formula for resolving the issue of Saigon's participation in the conference is not yet clear. But the general approach should be the same whatever the eventual compromise.

The best procedure would be to establish three forums. If the South Vietnamese finally appear in Paris—as is probable—the four-sided conference should be looked upon primarily as a plenary session to legitimize the work of two negotiating committees which need not be formally established and could even meet secretly: (*a*) between Hanoi and the United States, and (*b*) between Saigon and the NLF. Hanoi and Washington would discuss mutual troop withdrawal and related subjects such as guarantees for the neutrality of Laos and Cambodia. (The formula could be the implementation of the Geneva Accords which have been accepted in principle by both sides.) Saigon and the NLF would discuss the internal structure of South Viet Nam. The third forum would be an international conference to work out guarantees and safeguards for the agreements arrived at in the other committees, including international peacekeeping machinery.

If Saigon continues to refuse the "our side, your side" formula, the same procedure could be followed. The subcommittees would become principal forums and the four-sided plenary session could be eliminated. The international "guaranteeing conference" would not be affected.

To be sure, Saigon, for understandable reasons, has consistently refused to deal with the NLF as an international entity. But if Saigon understands its own interests, it will come to realize that the procedure outlined here involves a minimum and necessary concession. The three-tiered approach gives Saigon the greatest possible control over the issues that affect its own fate; direct negotiations between the United States and the NLF would be obviated. A sovereign government is free to talk to any group

that represents an important domestic power base without thereby conferring sovereignty on it; it happens all the time in union negotiations or even in police work.

But why should Hanoi accept such an approach? The answer is that partly it has no choice; it cannot bring about a withdrawal of American forces by its own efforts, particularly if the United States adopts a less impatient strategy—one better geared to the protection of the population and sustainable with substantially reduced casualties. Hanoi may also believe that the NLF, being better organized and more determined, can win a political contest. (Of course, the prerequisite of a settlement is that both sides think they have a chance to win or at least to avoid losing.) Above all, Hanoi may not wish to give the United States a permanent voice in internal South Vietnamese affairs, as it will if the two-sided approach is followed. It may be reinforced in this attitude by the belief that a prolonged negotiation about coalition government may end no more satisfactorily from Hanoi's point of view than did the Geneva negotiations over Viet Nam in 1954 and Laos in 1962. As for the United States, if it brings about a removal of external forces and pressures, and if it gains a reasonable time for political consolidation, it will have done the maximum possible for an ally—short of permanent occupation.

To be sure, Hanoi cannot be asked to leave the NLF to the mercy of Saigon. While a coalition government is undesirable, a mixed commission to develop and supervise a political process to reintegrate the country—including free elections—could be useful. And there must be an international presence to enforce good faith. Similarly, we cannot be expected to rely on Hanoi's word that the removal of its forces and pressures from South Viet Nam is permanent. An international force would be required to supervise access routes. It should be reinforced by an electronic barrier to check movements.

A negotiating procedure and a definition of objectives cannot guarantee a settlement, of course. If Hanoi proves intransigent and the war goes on, we should seek to achieve as many of our objectives as possible unilaterally. We should adopt a strategy which reduces casualties and concentrates on protecting the population. We should continue to strengthen the Vietnamese army to permit a gradual withdrawal of some American forces, and we should encourage Saigon to broaden its base so that it is stronger

for the political contest with the communists which sooner or later it must undertake.

No war in a century has aroused the passions of the conflict in Viet Nam. By turning Viet Nam into a symbol of deeper resentments, many groups have defeated the objective they profess to seek. However we got into Viet Nam, whatever the judgment of our actions, ending the war honorably is essential for the peace of the world. Any other solution may unloose forces that would complicate prospects of international order. A new Administration must be given the benefit of the doubt and a chance to move toward a peace which grants the people of Viet Nam what they have so long struggled to achieve: an opportunity to work out their own destiny in their own way.