# THE PHOENIX PROGRAM: A RETROSPECTIVE ASSESSMENT

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By

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ABSTRACT

The CIA designed and implemented the Phoenix program during the Vietnam War in order to coordinate the attack on the political and military leadership of the Viet Cong. The program was actually a small part of the whole pacification effort designed to eliminate support for the Viet Cong among the rural population in South Vietnam. The Phoenix program employed very few Americans or Vietnamese on a full-time basis. It consisted mostly of committees at every political level, from the hamlet to the national level, representing all South Vietnamese agencies, departments, and military organizations. The program, which lasted from 1967 to 1973, was part of the overall pacification effort, under CORDS, designed to win the rural countryside away from the Viet Cong guerillas. Initially, Phoenix planners intended to include the South Vietnamese as participants, with the idea of eventually giving them full control. Despite such intentions, the program remained American.

The predecessors to the Phoenix program included, PT-4 and ICEX, both CIA programs designed to coordinate and plan attacks on the VCI. Whereas the earlier programs had been unabashedly American operations, the Phoenix program actually attempted to involve the South Vietnamese in the planning and operations.

Throughout the Phoenix program's existence, the GVN displayed little interest or desire to control the program, and, in fact, American advisors to the program often complained about the lack of South Vietnamese support. While under American management, the Phoenix program acquired an unsavory reputation for assassination and ineffectiveness. It was a reputation that came in part from the secrecy that surrounded the program, especially in the United States, and in part from the CIA-sponsored Provincial Reconnaissance Units that often worked for the program. The PRUs were paramilitary groups of ex-Viet Cong, convicts, mercenaries, and draft dodgers trained and led by Americans, often Green Berets, and generally accepted to be among the best Vietnamese

soldiers fighting for the GVN. They also had a tough reputation for torturing and murdering captives.

Now, twenty years after the event, the CIA has yet to authorize the release of many Phoenix documents, making a comprehensive history of the program at this point in time impossible. One particular section of the program of which there is very little information is that of operations to infiltrate the VCI, though indications are that it may have been one of the most effective segments. The CIA relinquished control of the program to MACV in 1968, but despite many humanitarian and procedural improvements instituted in 1968-69, the program's sordid reputation remained. Available documents, mostly MACV files, reveal nothing in the way of assassination plots. Only a few eyewitnesses have come forward since the end of the war.

The Phoenix program suffered from bad press, a lack of GVN support, and an American unwillingness to take the time or effort to train properly their Vietnamese counterparts. Supporters and detractors alike complained of the program's ineffectiveness. The primary indicators that the program was actually quite effective come from the much maligned statistics of the Southeast Asia Analysis Reports, and the Phoenix program's targets: the Viet Cong infrastructure themselves.

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| | |
|---|---|
| APT | Armed Propaganda Team |
| ARVN | Army of the Republic of Vietnam |
| CIA | Central Intelligence Agency |
| CORDS | Civilian Office of Revolutionary (or Rural) Development |
| COSVN | Central Office for South Viet Nam |
| CPHPO | Central Phung Hoang Permanent Office |
| CSD | Combined Studies Detachment |
| CTZ | Combat Tactical Zone |
| DIOCC | District Intelligence Operation and Coordination Center |
| GVN | Government of Viet Nam |
| HES | Hamlet Evaluation Survey |
| ICEX | Intelligence Coordination and Exploitation for the attack on the Viet Cong Infrastructure |
| IOCC | Intelligence Operation and Coordination Center |
| JGS | Joint General Staff |
| KIA | Killed In Action |
| MACV | Military Assistance Command Vietnam |
| MR | Military Region |
| NLF | National Liberation Front |
| NP | National Police |
| NPFF | National Police Field Force |
| NVA | North Vietnamese Army |

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| OSA | Office of the Special Assistant to the United States Ambassador |
| OSS | Office of Special Services |
| PAAS | Pacification Attitude Analysis Survey |
| PF | Popular Forces |
| PIC | Provincial Interrogation Center |
| PIOCC | Provincial Intelligence Operation and Coordination Center |
| PRP | People's Revolutionary Party |
| PRU | Provincial Reconnaissance Unit |
| PSC | Provincial Security Committee |
| PW | Prisoner of War |
| RD | Revolutionary (or Rural) Development |
| RF | Regional Forces |
| SEAL | Navy SEA Air Land team |
| SOP | Standard Operating Procedure |
| SP | Special Branch Police |
| SVG | South Vietnamese Government |
| USAID | United States Agency for International Development |
| VC | Viet Cong |
| VCI | Viet Cong Infrastructure |
| VCINIS | Viet Cong Infrastructure Neutralization Information System |

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# CHAPTER I

## SETTING THE STAGE

On 8 March 1965, the United States committed the first regular American ground troops to Vietnam. Two battalions of the U.S. Marine Corps and their equipment landed near Danang on the northern coast of South Vietnam. American troops remained in Vietnam for most of the next decade. Yet the Marines were not the first Americans to fight in Vietnam; Special Forces troops and military pilots had already been involved for several years. The significance of the Marines' commitment in 1965 was that it marked the commencement of a tragic policy that turned out to be difficult, if not almost impossible, to reverse in the years to come. An oft-repeated adage said that "America had never lost a war," and no president wanted to lose this one. Ultimately, winning this war was not as easy as many contemporary observers and even some later critics would make it seem.

### Background

Twentieth-century American involvement in Vietnam originated during the Second World War, when the predecessor to the Central Intelligence Agency (CIA), the Office of Special Services (OSS), first engaged in rescuing downed American pilots and sabotaging the Japanese military occupying the country. The OSS found that a Vietnamese nationalist movement known as the Vietminh consisted of individuals eager to help the Americans, possibly in hopes of earning American assistance to gain Vietnamese independence from the French after the war. The Vietminh and their leader, Ho Chi Minh, impressed OSS personnel. Ho seemed genuinely interested in emulating

many American political values. The Declaration Of Independence that Ho issued on 2 September 1945 borrowed heavily from the American declaration of 1776, even beginning with the words, "[w]e hold truths that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, among these are Life, Liberty and the pursuit of Happiness."[1]

Although Ho was a Communist, communism was not such a pejorative term during the Vietnamese war against fascism. The nationalist claims of the Communists held some sway with world leaders, including the President of the U.S.. While President Franklin D. Roosevelt expressed interest in granting Vietnam some form of independence initially under a United Nations trusteeship, the French, strongly supported by the British, desired the return of their colonies, including Vietnam, after the war. Unfortunately, when Roosevelt died, so did most American objections to the French reoccupying their colony.[2]

Ho's main power base was in the northern part of the country. It was in Hanoi that Ho first read his declaration of independence. After some unsuccessful negotiations, the French clearly decided to put down the independence movement militarily, and moved in force against the Vietminh. When the French shelled the port city of Haiphong on 22 November 1946, killing some 6,000 Vietnamese, open conflict erupted between the nationalists and their colonial overlord, France.

In a stroke of brilliance, Ho chose a history teacher to command the Vietminh forces: Vo Nguyen Giap. General Giap comprehended clearly the nature of the war, and

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[1]Information Service, Viet-Nam Delegation in France, The Democratic Republic of Viet-Nam (Paris: Imprimarie Centrale Commercial, 1948), 3-5, in Gareth Porter, ed., Vietnam: A History in Documents (New York: Meridian, 1981), 28.

[2]Neil Sheehan, A Bright Shining Lie: John Paul Vann and America in Vietnam (New York: Random House, 1988), 145-51.

understood each side's strengths and weaknesses better than the French. He remained the commander of the Vietminh, and later the North Vietnamese Army, throughout the next thirty years. Although many American and other foreign tacticians questioned Giap's tactics, his strategies ultimately led to the defeat of France and compelled the withdrawal of the U.S..

The French soon became embroiled in all-out warfare with the Vietminh and other nationalist groups. While the French may have been fighting the Vietminh for the purely selfish interest of keeping their colony, the American government funded most of France's appropriations for the war. It was on the grounds that the war was an "anti-Communist" effort and not one of colonial domination that made such funding acceptable to Americans.[3]

The pivotal battle of Dienbienphu, in 1954, convinced the French that their Indochina colony was not worth the trouble or cost it was causing. Dienbienphu was a remote mountain village near the border with Laos. The French hoped to lure Vietminh forces to this base, where they hoped to defeat them with superior firepower and technology in a conventional-style battle. The base was so remote and in such difficult terrain that the French doubted that the Vietminh would be able to transport any of their Chinese and Soviet supplied artillery to the site. The French supplied the base entirely by aircraft. Surprisingly, the Vietminh did transport their heavy artillery to the battle and quickly closed the French airstrip, cutting the French supply-line. Although French aircraft continued to supply the garrison by parachute, it came too late to alter the battle's outcome. The fate of Dienbienphu was sealed; it was only a matter of time until the Vietminh won.[4]

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[3]George C. Herring, America's Longest War: The United States and Vietnam 1950-1975 (New York: Alfred A. Kopf, 1979), 12.

[4]Ibid., 30.

Once the French realized that Dienbienphu would fall, they looked in desperation to the U.S. for help. The U.S. was reluctant to involve itself significantly in the conflagration without the support of the British, the Australians, and other allies. In addition, the U.S. wanted France to allow greater American influence in Vietnam, and to arrange independence for the country, something French pride would not allow.[5] Although the U.S. transferred more vintage Second World War aircraft to the French forces, hopes for direct American intervention were dashed. France eventually took this problem to the international conference table, fully understanding the unlikelihood that Vietnam would remain a colony. On the day before the conference began, Dienbienphu fell to the Vietminh.[6]

## 1954 Geneva Conference

The 1954 Geneva Conference called for the temporary division of Vietnam at the 17th parallel. Ho Chi Minh had wanted far more, and the defeat of the French had left him with a very strong hand indeed, but the Soviets and Chinese feared that further direct American intervention might lead to a strong American military presence on the Asian mainland.[7] The Vietminh's allies pressured them into accepting a "temporary" division. The conference called for the unification through elections in two years, but Vietnam was not reunited for more than twenty years.

With the division of Vietnam by the Geneva Conference, the Vietminh gained control of the northern half of the country (now called the Democratic Republic of Vietnam). The French backed government headed by Bao Dai, an obvious French

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[5]Ibid., 35-36.

[6]Guenter Lewy, America In Vietnam (New York: Oxford University Press, 1978), 7.

[7]Ibid.

puppet, controlled the southern region. The conference called for only a temporary division, to be followed by elections which would decide once and for all which people's government would control the reunited country. Ho Chi Minh and the Vietminh realized that they were the only Vietnamese nationalist group which had shown themselves to be powerful enough to beat the French. Their control of the northern half of the country proved that, and in an election it reduced the real option to a choice between the nationalist Vietminh or the French-backed Bao Dai government. Strong anti-French feeling among the populace made it probable that elections such as those called for by the Geneva Conference would result in decisive victory for the Vietminh.[8]

## Ngo Dinh Diem

The Americans recognized the danger of a Communist victory in the proposed elections. Taking up where the French left off, the U.S. set out to create a viable, independent South Vietnam. More interested in saving the world, more specifically the U.S., from Communist domination than in maintaining a colony, the Americans set forth to "straighten out" the chaos that was South Vietnam. Rejecting the unpopular French puppet Bao Dai, they found a stronger and fervently anti-Communist (as well as anti-French) leader in Ngo Dinh Diem, the premier under the unpopular Bao Dai.

At first, Diem proved to be a strong and effective leader. With overt and covert American support, Diem took power in South Vietnam. Then, with the help of the original "quiet American," hero of the Philippines, Edward Lansdale, Diem survived several coup attempts and eliminated or absorbed many of the various quasi-military factions and private armies then prevalent in South Vietnam.[9] Diem also thwarted the

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[8]Herring, 46.

[9]Edward G. Lansdale, In the Midst of Wars, An American's Mission to Southeast Asia (New York: Harper & Row, 1972), 224-313. Graham Greene's novel about a young idealistic American in Vietnam in the 1950s, The Quiet American, was based on

elections called for by the Geneva Conference. This action had the full support of the Americans who still feared a general election most likely to be won by Ho and the Vietminh.[10] The U.S. feared the outcome of such an election not necessarily because of Ho's popularity, but rather because the relatively more populous north, being Communist, would be forced to vote with one voice. Simply by being anti-Communist, Diem obtained millions of dollars in American aid, as well as political support. Sensing success with Diem, American involvement deepened.

When Vietnam was split into North Vietnam and South Vietnam, the north ordered several thousand of its South Vietnamese supporters to remain there rather than be withdrawn to the north, as prescribed in the Geneva agreements. It was a contingency move that paid the Communists dividends in the long run. Under Diem, these Communists in South Vietnam initially tried to keep a low profile; North Vietnam, having enough problems of its own, was unable to lend much support or direction to its cadres in the south. Diem ruthlessly attacked and hounded both real and imagined Communist cadres. Diem's violent anti-Communism alienated many non-Communists as well, and when in 1959 North Vietnam called for a renewal of the armed struggle in the south, recruiting cadre for the struggle against Diem was not difficult. The core of what became the National Liberation Front (NLF), or Viet Cong, in 1960 consisted of the cadres left behind by the Viet Minh after the division of the country.[11]

American commitment included the retraining and expansion of the South Vietnamese army. Fearing an overt attack by North Vietnamese,`a la Korea, American

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Edward Lansdale. Lansdale was also well-known for his work in the Philippines defeating the Communist insurrection there.

[10]Lewy, 9-10.

[11]Herring, 45-46.

advisors trained Vietnamese troops in the tactics and style of conventional military units. Under Diem, the only unconventional warfare units useful in attacking the guerilla infrastructure may have been Diem's brother Nhu's personal secret police. The Vietnamese Bureau of Investigation hounded Diem's opponents, Communist or otherwise. It did have success against the Communists, but this appears to have been mainly limited to the cities. The regular Vietnamese army, however, was neither trained nor equipped to fight a counterinsurgency war.[12]

The French had lost Vietnam not to guerillas or partisans, but to regular forces in conventional battle. This point was not lost on the Americans when they later became embroiled in Vietnam's troubles. They focused their efforts on regular troops, not on the guerilla leadership and infrastructure. One result of the conventional military training given to the South Vietnamese Army was that once a serious guerilla war began, counterinsurgency actions focused on the leaves, or lower echelons, rather then the roots, or leadership, of the insurgency. South Vietnamese troops sought out the low level Viet Cong soldiers and workers, leaving the Viet Cong leadership largely undisturbed. Consequently, the organization could always recruit more soldiers and workers to make up their losses, while trained and experienced leaders were difficult to replace. During the early 1960s the level of guerilla warfare in Vietnam increased, and the conventionally trained South Vietnamese troops proved incapable of coping with it. Gradually, increasing numbers of American advisors and equipment were necessary to stave off imminent disaster.

By 1962, the Viet Cong movement had grown to some 300,000 members.[13] Despite American help, South Vietnamese efforts against the Viet Cong were failing. In

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[12]Ibid., 59.

[13]Ibid., 88.

military operations Viet Cong guerillas continued to hold the initiative. The Strategic Hamlet plan initiated by the Americans and carried out by the South Vietnamese relied on the use of fortified villages, requiring a massive relocation of people, and resulted in considerable resentment towards the central government. The indiscreet use of artillery and air strikes also alienated much of the population and pushed many peasants into the arms of the Viet Cong. The South Vietnamese Government's failure to implement land reform, long sought by the rural Vietnamese population, also made Viet Cong calls for land redistribution all the more tantalizing. In short, the Diem regime's inattentiveness to its constituency was actually helping the Viet Cong recruit more soldiers. South Vietnam was losing its war, and only the entrance of the Americans reversed the trend.[14]

## The American Influence

As the Americans entered the war, they introduced their own kind of optimism and business-like efficiency. At first the attitude was, "how do we help the Vietnamese help themselves?" Understandably, the Americans faced severe cultural differences, many of which drastically altered their original ideas. The Americans' advice and strategy met with corruption and indifference as the Vietnamese perceived another potential colonizer forcibly trying to reshape Vietnam in its own image.

One of the first American idealists in Vietnam was John Paul Vann. As a young lieutenant colonel in 1963, he expressed frustration at the egoism and obstinacy of the Vietnamese he attempted to advice, and the cultural differences made it difficult for the Vietnamese to accept his advice. He planned one operation that utilized American helicopter mobility (a new concept at the time) to surround an elusive Viet Cong unit with superior forces. Instead of a sure victory near the hamlet of Ap Bac, Vann found the

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[14]Frances FitzGerald, Fire in the Lake: The Vietnamese and the Americans in Vietnam (New York: Vintage Books, 1973), 167-68.

Vietnamese commanders, fearing high casualties, reluctant to commit their forces when they were needed. Casualties meant a loss of face and power to Vietnamese officers. Artillery came at the wrong times, and leaders refused to lead their troops in the right directions, probably because of inefficiency, inexperience, and indifference. The battle of Ap Bac was a well-known fiasco for the Army of the Republic of Vietnam (ARVN) and its American advisors. The Viet Cong escaped, leaving behind more than 80 dead ARVN and numerous wounded. The ARVN had everything on their side, helicopters, artillery, numbers, but what should have been an easy victory disintegrated into a devastating defeat.[15]

Many Americans found the cultural differences too frustrating to overcome, choosing instead to bypass the Vietnamese and do as much as possible themselves. An example of this was Gen. William Westmoreland's strategy of using American troops for most offensive fighting, while having the ARVN forces hold and police whatever the Americans captured. Undoubtedly, the American troops were more effective and less destructive than the ARVN, but the strategy tended to remove the Vietnamese from their own war, and their morale suffered for it.[16] What should have been first and foremost a Vietnamese war turned into a display of American military prowess.

It was the business-like attitude brought by the Americans that gave the war its unique characteristics. It was typically American to form order out of chaos, graphs and charts out of people and tragedy, and profit out of loss. It may have been businessman-turned-Secretary of Defense Robert McNamara who put the corporate stamp on the Vietnam War. The introduction of terms like "body count, pacified villages, free fire zones," and "kill ratios" made the war into a functioning multinational corporation rather

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[15]Sheehan, 201-65.

[16]Herring, 155.

then a "blood-and-guts-Second World War" style war. It was as if American leaders were constantly asking themselves, "how can we apply our business skills to best advantage in this war?" Army and Department of Defense bureaucrats worked to graph and chart the effects of the war, to reduce the massive military effort to numbers and ratios. It was as if the war had been enveloped by thousands of efficiency experts.

In some ways this "corporatization" worked well. American wounded received the best medical treatment that any military had ever received. Most combat infantrymen could count on regular mail, hot meals on holidays, and a tour of duty of no more than one year, rather than for the "duration" as in other wars. Supply shortages were rare; the American logistics effort in the war was second to none. The military constantly adopted new technology and upgraded older technology. Radio sensors, radar bombing, helicopters, chemical defoliants, computers, "smart" bombs, and starlight scopes were all used extensively in the war. Unfortunately, much of this technology and efficiency ignored the Vietnamese as the primary purpose of the war.

Vietnam in the sixties was still an underdeveloped nation. To this day the vast majority of the people still live in rural farming villages. Radar-guided bombs and chemical defoliants were fine weapons, but when used in the densely populated farmland areas against guerilla targets in villages, they often did at least as much damage to the people as to the target. John Paul Vann said in 1962, "This is a political war, and it calls for the utmost discrimination in killing. The best weapon for killing is a knife. The next best is a rifle. The worst is an airplane and after that the worst is artillery. You have to know who you are killing."[17] The Americans created some of the most powerful, efficient, and discreet weapons of destruction, yet they found there was never a weapon that was selective enough for a guerilla war.

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[17]Quoted in William Prochnau, "16 years of Solitude," Washington Post Magazine (9 October 1988): 29.

Under President John F. Kennedy, the U.S. continued to increase its involvement in Vietnam. Kennedy had been elected on a strong anti-Communist platform, and the Bay of Pigs failure in Cuba had made it all the more urgent that he not lose another confrontation to Communism. Kennedy's predecessor, President Dwight D. Eisenhower, did not have the proper tools, in the form of specially trained counterinsurgency troops, that Kennedy had available. Eisenhower's administration had concentrated on increasing nuclear forces, while Kennedy's administration redesigned the American armed forces in order to confront Communism on any level, in a flexible response, from a guerilla insurgency to a full-scale nuclear war.

Under Kennedy, the Army created the Green Berets, a unit specially designed for counterinsurgency warfare. These were the first American forces sent to Vietnam. The Green Berets specialized in training and operating with indigenous troops, and throughout the war they proved to be extremely effective. However, the Viet Cong's numbers continued to grow, despite the efforts of the small number of Green Berets, and the Southeast Asian war continued to escalate. In order to supplement the Green Berets, gradually increasing numbers of regular army troops trained as advisors. By the mid-sixties, most advisors were regular army.

The official American attitude changed from one of helping the Vietnamese to help themselves into one of simply getting the job done without involving the Vietnamese. In the final analysis, the Americans were efficiently doing the job that needed to be done, but doing it despite the South Vietnamese. When the Americans finally realized that the effort would take longer and require more casualties than expected, the job had to be returned to the South Vietnamese. Domestic American discontent pressured for an end to U.S. participation in the war. South Vietnam's security situation was little better off when the Americans left than when they arrived. The

ARVN was better equipped and somewhat better trained, but morale remained low and undue reliance on U.S. forces led to confusion and panic when they left.

## Diem's Fall and Thieu's Rise

Diem's repressive actions against his political enemies in the name of anti-Communism continued to alienate many factions, including those that might have otherwise supported Diem on most issues. The Americans understood that if South Vietnam were ever to become a successful example of nation-building to the world, Diem would have to go. What was needed was a leader who could rally the population around him, and Diem and his brother were doing exactly the opposite. Buddhist protests increased the heat on Diem. Monks burned themselves alive in front of television cameras, suggesting to American viewers that perhaps Diem was not a "glowing light" of democracy in Asia. Kennedy tacitly supported Diem's ouster, and once that was clear, several Vietnamese generals arranged a coup. On 1 November 1963, Diem and his brother were forced out of power, and despite promises of safety--and against Kennedy's wishes--they were killed.[18]

Since the President supported the coup, the U.S. bore considerable responsibility for what would happen next. In the remaining twelve years of South Vietnam's existence as a separate nation a leader as strong as Diem would not again hold power. Furthermore, without American assistance, South Vietnam would most likely have collapsed after the fall of Diem. Kennedy himself did not live much longer than Diem, but his successor, Lyndon B. Johnson, determined not only to follow but to expand Kennedy's policies. The feeling grew in the U.S. government that America was partially

[18]Herring, 105-6.

responsible for South Vietnam's predicament, and that it was an American duty to get them out of it.[19]

The leader presiding over South Vietnam for the longest period after Diem was Gen. Nguyen Van Thieu. Thieu was former commander-in-chief of his nation's armed forces, and during the turmoil in the months following Diem's downfall, he managed to win support from the other generals and politicians. In a disputed election in September 1967, Thieu and his running-mate, Air Force General Nguyen Cao Ky, won thirty-five percent of the popular vote, more than any other candidate, but obviously no landslide victory. Thieu continued to preside over the country until his resignation on 21 April 1975, only days before Saigon fell to the North Vietnamese.

## Pacification

At the outset of their direct military involvement in the Vietnam conflict, the Americans began to understand that it would be difficult to defeat the guerillas by conventional military means alone. They also recognized that with the support of the population, the Viet Cong would be an elusive and resilient enemy. Mao Tse-tung once compared guerillas to fish in an ocean, that body of water being the population. The Americans would have to dry up that ocean if they hoped to defeat the guerillas. American strategists employed numerous methods, with differing levels of success, as they tried to entice the general population to support the South Vietnamese government rather than the Viet Cong, or at least to dissuade the population from assisting the guerillas.

Among these attempts was the Strategic Hamlet program which tried to relocate villagers into fortified villages, complete with barbed wire and ditches. This program failed partly because the central government forced the rural population to build the

[19]Ibid., 106-7

hamlets, and then to leave their ancestral homes to live in them. Instead of denying the Viet Cong popular support, the strategic hamlets caused such resentment that they unwittingly helped the guerilla's popularity. In addition, corrupt Vietnamese officials ruthlessly skimmed off money allocated for the program. Many of the strategic hamlets were never built, existing only on paper.[20]

Another example of U.S. attempts to gain the people's support was the push for land reform in order to end the absentee landlords' control of farmlands. Land reform was one of the biggest issues with the rural population and one of the Viet Cong's great attractions. If they controlled the area, the peasants would own their own land and not have to pay rent to a wealthy landlord in distant Saigon. Understandably, land reform never really gained the support of the ruling class, which had the most to lose. Both Diem and Thieu agreed to sweeping reforms but never honored their promises. Consequently, it was not until the early seventies that any effective land reform took place in Vietnam.[21]

Other U.S. backed programs attempted to persuade the rural population that it would be far better off if it supported the South Vietnamese government than if it backed the Viet Cong. Throughout the war the U.S. sponsored agricultural projects, schools, hospitals and clinics, bridge and road building, flood control projects, and dozens of other government programs. Many individual American military units even had their own civic programs. The U.S. Agency for International Development sponsored its own parallel programs, especially in the area of public health and improving the quality of the police forces.[22]

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[20]Lewy, 25.

[21]Thomas C. Thayer, War Without Fronts: The American Experience in Vietnam (Boulder: Westview Press, 1985), 237.

[22]Lewy, 185, 301.

All these efforts came under the general heading of "pacification." These efforts generally remained uncoordinated and sporadic during the early years of American involvement. In May 1967, the U.S. reorganized and renamed these efforts under a program known as Civil Operations and Rural (or Revolutionary) Development Support, or CORDS. CORDS was under the American military command in Vietnam, known as MACV, or Military Assistance Command. Thenceforth, all American pacification efforts became coordinated and integrated with military operations. CORDS director Robert Komer, nicknamed "Blowtorch" for his temper and intensity, held ambassador status and was subordinate only to Gen. William C. Westmoreland (and later Gen. Creighton Abrams) and the ambassador himself.[23]

Komer brought many new approaches and concepts to pacification in South Vietnam, and gave new life to existing ideas. He strengthened and enlarged the militia, the Regional Forces and Popular Forces (known as the RF/PFs), using an intensive training program and supplying units with up-to-date weapons. Komer turned this militia, ("Ruff Puffs," as they were called somewhat derisively by Americans) into an effective force that the Viet Cong could no longer ignore. For the business-minded Americans, the RF/PFs were attractively inexpensive and cost-effective. The improvement and modernization of the RF/PFs occurred over the protests of many South Vietnamese government officials and not a few Americans who feared that giving the peasants modern weapons would be tantamount to handing the weapons to the Viet Cong. Komer persisted with his reforms despite the opposition, wanting to involve the rural population in the war on the government's side instead of allowing them to be neutral. Once they committed themselves to the government, the Viet Cong had to consider them enemies. Between 1967 and 1970, the RF/PFs increased in strength from 300,000 to

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[23]Thayer, 123-25.

534,000 troops. Throughout this period it was actually these RF/PFs that saw the most action of all South Vietnamese military units. They also took the brunt of the combat casualties, accounting for sixty-six percent of South Vietnam's combat deaths in 1970.[24] At the same time, they accounted for a seemingly low thirty percent of the Viet Cong casualties.[25] While this may seem at first glance to be a poor performance, there are several reasons to account for it. First, the RF/PFs operated geographically far from any support and became obvious Viet Cong targets. Second, they had no heavy support weapons such as artillery or aircraft of their own. Third, they were by definition militia, and hence suffered from a lack of training and a poor quality of leadership. Yet the fact remains that RF/PFs, while accounting for thirty percent of the Viet Cong casualties, cost less than four percent of the military budget.[26] Despite their less-than-stellar military performance, the RF/PFs were both cost-effective and essential to the success of pacification.

Former CIA director William Colby later offered one explanation for Komer's expansion and improvement of the RF/PFs, as well as other GVN (Government of [South] Viet Nam) sponsored paramilitary units. By improving the quality of the militia, they now could defend the communities without the government's help. By increasing the numbers of the RF/PF's, Komer was literally taking potential Viet Cong recruits and using them to support the central government. According to Colby,

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[24]Ibid., 163. Thayer lists his source as a MACV-CORDS Territorial Forces Effectiveness System computer file printout.

[25]Ibid., 164. Listed source is MACV Measurements of Progress Report, April 1968 through December 1972.

[26]Southeast Asia office under the Assistant Secretary of Defense (Systems Analysis), "Where The Money Went," Southeast Asia Analysis Report, August-October 1971, 32-34.

> . . . that's what it was all about, that's what the struggle's about. Its not to shoot the enemy, its to get him on your side. That was the design involved in arming the self defense force [RF/PFs]. . . . that's the whole concept of the self defense force: you stand guard one night a week, and you're not a very good soldier, but you're protecting *your* community against intrusion--anybody's intrusion. You don't let anybody intrude that you don't want. . . . We handed out 500,000 weapons, so the villagers could [protect] themselves. I think it was *the* most important program in Vietnam.[27]

Colby was convinced that the expansion of the RF/PFs and other paramilitary forces, aside from the obvious overt military effect, also reduced the Viet Cong's replacement pool.

Other programs became more effective under CORDS as well. The Chieu Hoi program, aimed at encouraging defectors, received much attention. In 1966, some 20,000 Viet Cong rallied to the government's side. After Komer expanded and improved the program, the numbers rose rapidly. In 1969 alone, more than 47,000 Viet Cong rallied to the government.[28] One major reason for the increase in the number of defections was that pacification under CORDS was working. The rural population, whether by choice or conscription, was becoming involved in the war on the side of the government. Increasingly the Viet Cong found it difficult to find willing recruits. Further, it was becoming more hazardous to be a guerilla, because of the enhanced quality of South Vietnamese military and intelligence operations.

A unique concept was revived by CORDS in the Revolutionary Development (RD) Cadre. Special teams of Vietnamese trained to enter areas brought under government control, and to actually live and work with the villagers. They were equipped with small arms, but wore the same clothes and ate the same food as the

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[27]Ambassador William Colby, interview with author, 29 March 1989, Washington, D.C., tape recording.

[28]Thayer, 198. Listed source is Southeast Asia Statistical Summary, Office of the Assistant Secretary of Defense (Comptroller) 25 March 1971 - 17 January 1973, 1-7.

villagers, and introduced government-sponsored farming and social programs to them. Through action and propaganda these teams were designed to disrupt Viet Cong ties while gaining support for the government. Though the fifty-nine man teams carried weapons, their primary task lay in development, not combat. When the program first began operations, corrupt local government officials, undisciplined ARVN units and poor management all impeded the program's effectiveness. However, CORDS worked to improve and enhance the concept.[29]

Political and economic factors also detracted from the allure of the Viet Cong. Despite the war, the standard of living in South Vietnam improved throughout the late Sixties and early Seventies. Historian Thomas Thayer has succinctly described these changes:

> . . . it seems clear that the standard of living of most Vietnamese rose during the war. Refugees and others hard hit by the war were obvious exceptions. More people went to work and earned more money to buy more goods than ever before, and the import program kept the markets supplied with consumer goods of all types, bringing on the Honda and transistor revolutions. In the countryside farmers took advantage of miracle rice, fertilizers, tractors, the ability to hold rice off the market to raise prices, and a variety of other techniques to increase their incomes.[30]

Now guerillas had a choice: they could benefit from the economic boom by rallying to the cause of the government, or they could continue their increasingly dangerous and difficult life.

On the political front, American advisory teams were sent to all the South Vietnamese provinces and most of the districts, giving CORDS more control over the implementation and operation of its programs. Corruption in the local governments

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[29]Herring, 158.

[30]Thayer, 251.

gradually diminished, and though it never ceased entirely, the situation improved substantially.[31]

Keeping track of the progress (or lack of progress in some cases) was one of the most controversial aspects of pacification. President Johnson's "light at the end of the tunnel" comment shortly before the Viet Cong launched the massive nation-wide 1968 Tet Offensive, displayed to the American public and the press just how easily figures can be made to lie: an accurate and reliable method of measurement was essential to success. Over a period of time, CORDS modified existing systems and developed new ones to estimate the progress of pacification. CORDS therefore exerted considerable effort to produce several different methods to estimate the extent of government control, strength of the enemy, and overall effectiveness of the various programs.

One example was The Hamlet Evaluation System, or HES, which rated the security of hamlets from A (meaning the Viet Cong did not exist or exert any control over the hamlet at all) to E (meaning the Viet Cong controlled the night and continued to operate freely). Some hamlets received the rating of VC (which meant that the government had virtually no control at all).[32] The HES changed somewhat each year and received constant criticism, especially that the bureaucracy in Saigon paid too much attention to the statistics produced rather than the reality of the situation in the field. The HES nevertheless proved to have validity in the end.[33]

In his memoirs describing his tenure as an advisor in Vietnam, David Donovan (a pseudonym), was very critical of the HES. Donovan was required to fill out the monthly

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[31]Lewy, 124-25.

[32]Southeast Asia Analysis Report October 1968, 3.

[33]John L. Cook, The Advisor (New York: Bantam, 1987; originally published by Dorrance in 1973), 298.

questionnaires for these statistics. He loathed this job, and shared others' low opinion of the HES and other methods measuring the progress of pacification. Donovan wrote, "[w]hen you are isolated and alone, with too little time to fill in reports accurately--too tired to care and with little belief that the statistics have any relationship to the life you are living anyway--it is easy to just put down the numbers that make life simpler."[34] However inaccurate each individual report was, general examination of reports made it possible to detect gains and losses. Thayer points out that often progress was not easily detectable during the one-year hitch that most Americans served in Vietnam, but when "old timers" returned after an absence of a few years, they were astonished at the improvement in security.[35] Further, three separate studies of the HES during the war all concluded that the system, though flawed, was "basically sound".[36] Former Phoenix advisor John Cook agreed, "[t]he system was far from perfect, but it was the only method we had of evaluating the hamlets. It indicated where we needed to concentrate our efforts, clearly outlining both the weak and strong areas . . . "[37] The HES records are the only substantive accounts available that comprehensively record, with generally fair accuracy, the success and failure of pacification.

Opinion polls, known as the Pacification Attitude Analysis System (PAAS), also gauged progress. For pacification to be effective, CORDS had to stay in touch with the

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[34]David Donovan, Once A Warrior King: Memories Of An Officer In Vietnam (New York: Ballantine, 1985), 158-59.

[35]Thayer, 151.

[36]Ibid., 146-47. One study was done by the staff of the Office of the Assistant Secretary of Defense, another by the Institute for Defense Analysis, and a third was "an informal working paper" that simply tested the results in the field.

[37]John L. Cook, The Advisor (New York: Bantam, 1987; originally published by Dorrance in 1973), 79.

peasants it was trying to influence. CORDS was interested in their attitudes toward security, opinions on politics, and views on economic development. It was obvious that an American-style telephone poll or any appearance of government officialdom would influence a peasant's answers. To avoid this problem the survey takers, would, ". . . memorize the survey questions prior to entering the hamlet, and, guided by pre-established criteria, select respondents. Survey questions [were] posed indirectly in the course of conversation, and the replies of the respondent [were] coded in predetermined categories immediately afterward."[38] Among the questions were, "How well does the government perform?" and "How do you think the American character harmonizes with Vietnamese character?" (only about 30% said good or fair harmony existed). While all these measuring methods were subject to error, in the long run they proved surprisingly accurate.[39]

Another objective of pacification was democracy, a goal never fully attained. The American idea of democracy was never achieved, but a certain amount of local control over community affairs emerged. Colby's idea that an armed militiaman would protect his village was enhanced by the fact that he was also gaining a greater voice in village affairs. More and more villages chose their own government aid projects, and Saigon became less inclined to force development and defense projects like the Strategic Hamlet program upon reluctant villagers. Truly free elections never took place, but limited elections did occur. Before the Americans drastically cut their support in 1972, South Vietnam was on the road, however slowly, to democracy.

The biggest setback for pacification during the war became the greatest catalyst for change as well. The 1968 country-wide Tet offensive launched by the Viet Cong was

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[38] Southeast Asia Analysis Report, January-February 1971, 14.

[39] Ibid.

truly a turning point for the war. The surprise military offensive at a time when President Johnson and General Westmoreland were predicting victory shattered the American leaders' credibility. The offensive proved that, win or lose, the war would be much longer than anyone wished. In the U.S., popular support of the war began a steady decline shortly after the offensive. The American press no longer blindly accepted U.S. participation in the war, but became increasingly critical instead. Ironically, the Tet offensive was a disaster for the Viet Cong guerillas as well. Although they attacked dozens of cities throughout South Vietnam, they only managed to hold one, Hue, for any length of time. In every case, the Viet Cong found themselves in an unfamiliar conventional-style war, rather than the hit-and-run operations for which they had been trained and in which they had experience. American and South Vietnamese forces slaughtered the lightly-armed guerillas, and the Viet Cong never fully recovered from the disaster. "We lost our best people," admitted one Communist leader in a recent interview with author Stanley Karnow.[40]

For pacification, the Tet offensive was a serious but temporary setback. During the rest of 1968 and into 1969, CORDS was able to regain all the lost ground and more. By the time the Americans had pulled out in 1973, the guerilla threat to South Vietnam was virtually at an end. Attacks on outposts, assassinations of government officials and isolated ambushes continued, but there was no threat of the South Vietnamese government's fall to the Viet Cong. The 1972 Easter offensive was a conventional invasion by 120,000 North Vietnamese troops led by tanks, but the Viet Cong did not, or could not, assist this event.[41]

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[40]Quoted in Stanley Karnow, Vietnam, A History (New York: Penguin Books, 1984), 534.

[41]Herring, 246; Lewy, 201.

After the formation of CORDS in 1967, pacification gradually had begun to show progress. The South Vietnamese economy boomed, government control of the countryside increased, and the roots of democracy were laid. The Viet Cong found it increasingly difficult to continue their operations at previous levels, and even harder to attract replacements. More and more of their ranks were filled with North Vietnamese, making the Viet Cong less attractive still to indigenous South Vietnamese.[42] While the Tet Offensive in 1968 was truly the high point of the Viet Cong effort, it also marked the beginning of the end. Gradually pacification dried up Mao's ocean. Despite all the flaws, the corruption, the waste, the violence, and the destruction, pacification achieved its goals.

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[42]Karnow, 534.

# CHAPTER II

## PHOENIX ORIGINS AND ORGANIZATION

### Pacification Efforts and the Viet Cong Infrastructure

Pacification played a significant role in the American efforts in Vietnam. The most formidable challenge to pacification, however, came in the dedicated and elusive Viet Cong. American advisors, responsible for overseeing pacification programs in rural area, encountered a long-established shadow government, part of the Viet Cong Infrastructure (VCI). the shadow government was often more respected and powerful than the legitimate South Vietnamese government. Pacification efforts often suffered due to Viet Cong actions: bombings, assassinations, abductions, and even tax collections for the shadow government. While regular forces such as the National Police and the Army of the Republic of Viet Nam (ARVN) sometimes succeeded in killing or capturing Viet Cong soldiers or occasionally military leaders, they failed to effectively eliminate the Viet Cong political leadership. The Americans designed special programs to target the shadow governments and the high-level military leaders--the VCI.

## The VCI Background

As the chief support and coordinating body of the Viet Cong guerillas, the VCI showed a particularly strong resilience to conventional anti-guerilla tactics. Official American documents describe the VCI as the basis and support of most guerilla operations, but they generally fail to address the reasons for the widespread popularity and strength of the Viet Cong:

> The VCI is an essential and integral element of the effort being directed from Hanoi to overthrow and replace the Government of Vietnam. . . . It constitutes the political, administrative, supply and recruitment apparatus by which the Communists seek to impose their authority upon the people of South Vietnam. The VCI supports military operations of VC and North Vietnamese Army Units by providing guides, caches of food, clothing, weapons, medical supplies and other war materials, logistics support, and by directing and implementing a systematic campaign of terrorism, extortion, subversion, sabotage, abduction and murder to achieve Communist objectives.[43]

This statement embodies the guiding principle behind the Phoenix program. Furthermore, it delineates the plethora of VCI activities which demanded an extensive and carefully coordinated effort on the part of the program. Even so, the statement also reveals American reluctance to look beyond communist rhetoric and to the far more powerful Viet Cong appeal, to nationalism.

The Viet Cong's immediate predecessors, known as the Vietminh, espoused nationalist, rather than communist goals. Ho Chi Minh founded the Vietminh organization during Japanese occupation of Southeast Asia in the Second World War. Ho, already a dedicated communist, astutely chose to capitalize on the burgeoning nationalist sentiments of many Vietnamese. Thus, Ho harnessed centuries old resentment against foreign rule to serve as the driving force behind his movement. Therefore, while other movements for national independence in Vietnam surfaced, the superior

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[43]Headquarters, Military Assistance Command, Vietnam (MACV), "Phung Hoang (Phoenix) 1969 End of Year Report," 28 February 1970, A-1.

organization and singleness of purpose of the Vietminh eventually led to their popular acceptance as the primary representative of Vietnamese nationalism.[44]

Ho's strength remained in the North, but ultimately he sought the unification of all Vietnam under a single Communist government. Although many Vietminh cadres deliberately remained in South Vietnam following the 1954 Geneva Accords in order to form the nucleus of communist support for the future, Ho and the North Vietnamese government faced too many political and economic problems to exert much influence over the South Vietnamese insurgents. Left largely on their own, the South Vietnamese communists tried to keep a low profile as Diem decimated them in his anti-communist purges. Not until 1959 did the North Vietnamese actively recommence their support for the Vietminh in the South.[45]

Renewed North Vietnamese involvement in South Vietnamese affairs resulted in the birth of the National Liberation Front (NLF). About the same time the term Viet Cong (meaning Vietnamese Communist) came into use. Many observers, past and present, use the terms "Viet Cong" and "NLF" interchangeably, meaning any Vietnamese communist, although NLF usually refers to the political hierarchy, while Viet Cong refers to the guerillas themselves. VCI refers to the political and military leadership of the Viet Cong, and People's Revolutionary Party (PRP) referred to only those few Viet Cong who were actually party members as well.[46] While Diem's violent and indiscriminate campaigns against the communists hurt the Viet Cong, they also alienated much of South Vietnam's rural population. Because of this alienation, the Viet Cong encountered a

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[44]George C. Herring, America's Longest War: The United States and Vietnam 1950-1975 (New York: Alfred A. Kopf, 1979), 5.

[45]Ibid., 68.

[46]Thomas C. Thayer, War Without Fronts: The American Experience in Vietnam (Boulder: Westview Press, 1985), 208.

supportive population in the countryside.[47] Americans typically equated the Viet Cong and communism, but many Viet Cong were in fact nationalists, or simply people with an animosity towards the South Vietnamese government. With the combined support of the nationalists, Communists, and disenchanted peasants, the Viet Cong controlled villages, districts, and even whole provinces by 1962.

## VCI Organization

South Vietnam was a nation of forty-two provinces, similar to the American states. The provinces consisted of 247 districts, each district containing a number of villages. The villages actually represented a collection of hamlets, of which there were approximately 13,000 in South Vietnam. To help coordinate military operations, the American and South Vietnamese military divided South Vietnam into four "Corps Tactical Zones," or CTZs; the Viet Cong divided the country into similar military zones, although they did not coincide geographically with the CTZs. In spite of Phoenix efforts to eliminate high-level VCI, its activities mostly involved attacks against lower level VCI at the village and district levels, and only occasionally at the province level or higher.

The overall command of the VCI rested with the Central Office for South Viet Nam (COSVN). The field headquarters of COSVN had no permanent location, but generally operated out of Laos and Cambodia to avoid detection by the Americans and South Vietnamese.[48] The secrecy and mobility of the COSVN headquarters was such that as late as 1970 the United States Defense Department was not even positive that it actually existed outside Hanoi.[49] However, it did exist, and it served as the logistical and strategic nerve-center of the Viet Cong.

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[47]Ibid.

[48]Ibid., 29.

[49]Herring, 236.

Captured documents reveal that COSVN concentrated its efforts on continuation of the guerilla war until North Vietnam could enter peace negotiations with South Vietnam from a position of strength. COSVN relied on Hanoi for its long-term schemes, and its overall strategic direction.[50] The COSVN's need for absolute secrecy impeded any attempts at day-to-day decisions regarding nation-wide Viet Cong activities. How much independent control COSVN actually wielded remains unclear, but it clearly played an instrumental role in the maintenance and organization of the insurgency in South Vietnam, culminating in such major offensives as Tet in 1968. Consequently, COSVN's staff constituted the primary targets for the Phoenix program, at least theoretically, but the program rarely succeeded in identifying these higher-level Viet Cong, much less in eliminating them.

In addition to the COSVN staff, the American intelligence counted among the VCI all personnel involved in the "political, administrative, supply and recruitment apparatus" that supported Viet Cong and NVA troops. Such support included providing guides to troops from outside the area, arranging for food, clothing, weapons, and medical supplies, and other logistical tasks. The VCI was also responsible for planning and directing various guerilla operations.[51]

The Viet Cong military itself was a loosely structured force, permitting guerillas to function at diverse levels of activity. Most joined the local "Self-Defense" forces, similar in concept to the Popular Forces favored by CORDS. Marginally trained and

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[50]Captured document, in U.S. Department of State, Working Paper on the North Vietnamese Role in the War in South Viet-nam, mimeographed, 1968, Annex D, Document No. 303, in Gareth Porter, ed., Vietnam: A History in Documents (New York: New American Library, 1981), Document No. 209, 329-30.

[51]MACCORDS-PHX, "Historical Review of the PHUNG HOANG/PHOENIX Program from July 1968 to December 1970," 27 November 1970, Annex A, 1-2. Hereafter referred to as "Historical Review."

armed villagers made up the bulk of these units. Still others made up units with greater emphasis on mobility and flexibility. Even so, the Viet Cong tended to function in relatively close proximity to their homes, and in fact, most guerillas were only part-time soldiers. They were usually active only in their own villages, rarely straying outside of their individual districts. But naturally, military actions sometimes forced Viet Cong organizations out of their home areas. Then they would base themselves as close to home as they considered safe, which often meant in neighboring Cambodia.

North Vietnamese Army (NVA) troops often filled out Viet Cong ranks decimated by combat and pacification actions. As the war continued, more and more NVA replaced Viet Cong cadres and even the Viet Cong leadership.[52] NVA troops had fewer social and family attachments in the villages to which they were assigned. Thus, their presence led to other problems resulting from the understandable North Vietnamese-South Vietnamese animosity, losing some popular support. Yet, despite the North-South schism, the Phoenix program usually faced guerillas with family and friends from the very area in which they operated. This scenario made it difficult to convince the population to turn against the Viet Cong.

Accurate estimates of the numbers of VCI never existed. The CIA estimated that there were 84,000 VCI in South Vietnam in December 1967. As shown in Table 1 below, this number steadily decreased until December 1971, when the estimated number of VCI was down to 66,000.

Table 1.--VCI Estimated Total Strength (in thousands)[53]

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[52]Thayer, 32-33.

[53]Southeast Asia office under the Assistant Secretary of Defense (Systems Analysis), Southeast Asia Analysis Report, 20; MACV Measurement of Progress Report, December 1971, 67, in Thayer, 206.

Month and Year

| 12/67 | 12/68 | 12/69 | 12/70 | 10/71 |
|---|---|---|---|---|
| 84.0 | 82.7 | 74.0 | 72.0 | 66.0 |

Unfortunately, these numbers are very rough estimates, and even William Colby, former director of the Phoenix program and later head of the CIA, questioned the validity of his own intelligence figures.[54] While Colby was presenting his figures to the Senate Foreign Relations Committee, the Army sent a letter to the Committee claiming that the VCI was 5,000 cadre stronger than Colby suggested.[55] Such inter-agency disagreement was not uncommon, especially since keeping track of the numbers of an underground guerilla organization is a haphazard activity at best. Most intelligence organizations agreed, however, that there was a decrease in the numbers of VCI between 1967 and the American withdrawal in early 1973. Success against guerillas was not entirely unique to the Vietnam War.

Historically, conventional military efforts against guerillas have sometimes been successful, Malaya and the Philippine Insurrection are examples, but they require time and patience, as well as a willingness to accept the constant attrition that guerilla wars require. In Southeast Asia, the Americans concentrated their military efforts mostly against the military wing of the Viet Cong. "Search and Destroy" missions, division-size sweeps, the use of Agent Orange, and extensive napalm strikes all constituted part of the attacks on the guerillas themselves. Eliminating guerillas, however, was like the

[54]Congress, Senate, Committee on Foreign Relations, Vietnam: Policy and Prospects, 1970, Civil Operations and Rural Development Support Program, 91st cong., 2nd sess., 17-20 February, and 3, 4, 17, 19 March 1970, 33.

[55]Ibid., 56-57.

mythical hydra: when one head was cut off, two more would appear in its place. Destroying this Asian hydra required the elimination of the Viet Cong Infrastructure. This mammoth task became the focus of the Phoenix program.

## Early Covert Operations

Official Phoenix program documents indicate that the origins of the effort began with the American Intelligence Coordination and Exploitation For Attack on Viet Cong Infrastructure (ICEX) Program. However, many different programs designed to dismantle the Viet Cong Infrastructure existed before the ICEX program.

These early programs primarily engaged in covert, CIA organized operations. Information about the early anti-VCI programs is scarce, which is probably as the CIA would have it. Since the U.S. government has released only a few classified documents on this subject, most of the information comes from eyewitnesses and participants. Most likely, they did basically what the Phoenix program would do later, but on a smaller scale and without American military involvement. These early efforts also appear to have involved the South Vietnamese as little as possible, except in the actual military operations against the VCI.[56] Even then, American troops or American-led units most likely carried out the majority of those operations.[57] Most probably the Phoenix program inaugurated the move to involve the South Vietnamese in anti-VCI intelligence operations already in existence for some time under American direction. Unification of American military and CIA intelligence operations also figured into its formation.

Colonel Harry Summers, a historian and theorist on the war who had a first-hand perspective, asserts that one reason for the formation of the Phoenix program was to unite

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[56]Special Forces Col. (ret.) Dennis Porter, Interview by author, 14 April 1989, Silver Spring, Md, tape recording.

[57]Porter, Interview.

the American intelligence networks with those of the Vietnamese. A pilot program, known as CT-4 , begun in November 1966, attempted to coordinate the Vietnamese National Police intelligence with MACV intelligence, and something called the Office of the Special Assistant to the United States Ambassador (OSA). The OSA was the CIA headquarters in the United States Embassy in Saigon.[58] The program was only operational in MR 4, the Saigon area. Whatever its success or effectiveness, its records remain classified. The program disappeared upon the creation of a larger, more comprehensive organization.[59]

One of the main Phoenix participants, William Colby, contends that the CIA worked only with the Special Branch of the Vietnamese Police (similar to the FBI) and with the Vietnamese Central Intelligence Organization. Colby described the early (pre-ICEX/Phoenix) CIA efforts as intelligence-gathering through "penetrations, interrogations, interception of couriers and communications, translation of captured documents, analysis of propaganda writings and broadcasts, and thorough scholarly study and review.'[60] But it appears that the CIA strayed far beyond mere intelligence-gathering in their counterinsurgency efforts. It is clear that the CIA used their specially trained PRUs (Provincial Reconnaissance Units) to take direct action against the VCI.

## Provincial Reconnaissance Units

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[58]Michael Drosnin, "Phoenix: the CIA's biggest assassination program," New Times, 22 August 1975, 18. Drosnin made the connection between the OSA and the CIA, however he incorrectly stated that the initials stood for the "Office of Special Assistance," rather than Office of the Special Assistant to the United States Ambassador.

[59]"Vietnamization of the PH Program," briefing paper for ambassador, Record Group 334, ID#74A-005 Box 1, "selected folders, Oct.-Nov. 71," National Archives and Record Center, Suitland, MD.

[60]William Colby and Peter Forbath, Honorable Men: My Life in the CIA (New York: Simon and Schuster, 1978), 266; Vietnam: Policy and Prospects, 1970, 58.

In at least two projects during the Vietnam War the CIA strayed beyond specific intelligence activities: in the training and organization of the PRUs, and in the elimination of the VCI. These two projects often coincided. The PRUs became the favored organization for attacking the VCI, and often served the early Phoenix-like programs, starting in the mid-sixties.

When first created, the CIA called the Provincial Reconnaissance Units "Counter-Terror" teams. Colby explains that they were often used ". . . to develop direct sources on the Communist infrastructure and to mount carefully targeted operations based on the intelligence they gathered.'[61] Beyond this clinical definition of the PRUs lay a fierce reputation with the press. Colby maintained that the PRUs,

> suffered from the secrecy of [their] machinery. For an aura of mystery quickly surrounded these units, which operated outside the normal bureaucratic machinery and were subject only to provincial chiefs rather than national control, and outsiders, including the American press, saw in their name, Counter-Terror teams, something sinister and tended to put the stress on the latter word rather than the former.[62]

But many others outside the press noted their reputation for ferocity. Advisor Stuart Herrington refused to use PRUs after seeing them in action, for he regarded them as "infamous" for "excesses against the peasantry in the name of the anti-Communist campaign.'[63]

In theory, the PRUs of the mid-sixties were to be effective military units that provincial chiefs could call on without the oversight of the military. The provincial chief's main forces, the RF/PFs lacked the training, motivation, and equipment to be very

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[61]Colby and Forbath, 234.

[62]Ibid.

[63]Stuart A. Herrington, Silence Was A Weapon: The Vietnam War In The Villages (Novito, Calif.: Presido, 1982), 196.

effective, making the PRUs an attractive alternative.[64] The PRUs consisted mainly of former Viet Cong, ethnic minorities, and Vietnamese bounty hunters. According to New York Times journalist James P. Sterba, the PRUs were "local hoodlums, soldiers of fortune, draft-dodgers, defectors and others who receive about 15,000 piasters a month--compared with 4,000 paid the common soldier--to conduct raids after Vietcong agents, ambush their trails and meeting places and simply arrest them . . . .'[65] They were well-paid and well-led. There is some truth behind the view that they were mercenaries; yet they also constituted the most effective ground-combat unit, man-for-man, of any in Vietnam.[66]

The PRU's non-military status prevented the notoriously corrupt and inefficient ARVN from wasting or misusing them. Generally well armed with modern weapons, if only with small arms, their primary purpose was to fight guerillas and the VCI. The PRU's separation from the ARVN meant that they normally could not request artillery or air strikes--theoretically unnecessary actions in the counterinsurgency work usually assigned. A brainchild of the CIA, from creation through implementation, and often led by CIA personnel, the PRUs also played significant roles in many CIA operations, including Phoenix.[67]

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[64]Colby, Interview with author.

[65]James P. Sterba, "The Controversial Operation Phoenix: How It Roots Out Vietcong Suspects," New York Times, 18 February 1970, 5.

[66]Southeast Asia Analysis Report, June-July 1971, 6-7.

[67]Guenter Lewy, America In Vietnam (New York: Oxford University Press, 1978), 283.

ICEX

Available records on the founding of ICEX, the predecessor to the Phoenix program, clearly show an American program initially designed to evolve into a Vietnamese program. An undated document entitled "Phased Plan For Developing the Attack Against VC Infrastructure" lays out the guidelines for the creation of ICEX following a three-phase plan. Phase I was defined as "Concept Approval." Just *who* was responsible for Concept Approval remains a mystery, but it was not the GVN, whose approval and cooperation was not called for until Phase III. By that stage, Phase II, the formation of the American "organizational structure" and the details of the program had already been established. Further, a note included in Phase III of the plan warned that the initial briefing of the GVN about the program "must be carefully prepared to avoid treading on the Vietnamese sensibilities or putting US-controlled programs into the Vietnamese political grab-bag."[68] Clearly the people who created the program did not wish the Vietnamese to have much input into its design. In short, the Americans wanted the GVN involved in the program, but not so deeply involved that they could hinder its success with political infighting, corruption, and poor leadership.

Another contemporary document clearly assigned the responsibility for ICEX development to the United States, calling for the American part of the program to do the "coordinating and focusing" of the attack on the VCI. It also stressed that the program should "serve as a catalyst for similar Vietnamese development."[69] Nevertheless, as late

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[68]Report in Komer-Leonhart File, National Security File, "Phased Plan For Developing the Attack Against VC Infrastructure," undated, LBJ library, 2.

[69]Report in Komer-Leonhart File, National Security File, Headquarters, United States Military Assistance Command, Vietnam, Directive Number 381-41, "MILITARY INTELLIGENCE, INTELLIGENCE COORDINATION AND EXPLOITATION FOR ATTACK ON VC INFRASTRUCTURE SHORT TITLE: ICEX," 9 July 1967, LBJ Library, 2. Hereafter cited as "SHORT TITLE: ICEX."

as 1970, official Phoenix documents reveal that "[h]eretofore, most Phung Hoang Directives and policies were written by US personnel, translated into Vietnamese, and issued by CPHPO [Central Phung Hoang Permanent Office]."[70]

For the nationwide expansion of the anti-VCI effort, CIA personnel did much of the ground work, but most subsequent American advisors came from the regular Army.[71] Thus the ICEX program emerged in mid-1967. The initial strategy called for the staffing of every district in South Vietnam with an American intelligence advisor to coordinate the attack on the VCI.[72] An article by Peter Kann in the Wall Street Journal vividly showed the need for such a coordinated effort. He offered as an example one district in which eleven intelligence networks functioned separately, and indicated a program to synchronize them was long overdue. Kann claimed that, "[c]ompeting agencies regularly arrested one another's agents, accidentally or because of political rivalries."[73] Overcoming these organizational problems and inter-agency rivalries became a formidable task never fully completed. ICEX laid the foundation for a nation-wide intelligence network, and actually attempted to include the Vietnamese in the effort. In 1968, this program was renamed Phoenix, with Phung Hoang used as the Vietnamese title. Despite the attempt to involve the South Vietnamese in the program, the program remained primarily American.

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[70]"Historical Review," 16.

[71]Harry G. Summers, Jr., Vietnam War Almanac (New York: Facts on File Publications, 1985,) 283.

[72]John L. Cook, The Advisor (New York: Bantam, 1987; originally published by Dorrance in 1973), 21.

[73]Peter R. Kann, "The Invisible Foe: New Intelligence Push Attempts to Wipe Out Vietcong Underground," Wall Street Journal, 5 September 1968,1.

## The Question of Origin and Control

One of the criticisms of Phoenix frequently brought up in hearings and in the press was that while it was heralded as a joint program, it was, in fact, an American-inspired and-led endeavor. Overwhelmingly, the evidence indicates that the program's origins were entirely American, and though the program went through a gradual "Vietnamization," meaning that the South Vietnamese were being trained to take it over, it remained an American program throughout its existence. For example, despite American pressure, it was not until 1970, more than two years after the creation of the program, that the government of South Vietnam finally allocated any funds for Phoenix, and the amount allocated equaled about two percent of the total cost of the effort.[74] This minimal financial support indicates a lack of both interest and initiative in Phoenix. There is enough evidence to show that the Vietnamese were not the ones promoting the program, William Colby and official Phoenix histories notwithstanding. The bald fact that the Phoenix program disintegrated rather quickly after the Americans pulled out in 1973 supports this view.

CIA director William Colby was head of the Phoenix program during its height in the late sixties, and, twenty years later, would continue to insist that the program was mostly Vietnamese. Although he was often pressed on this point, Colby never admitted controlling American involvement. When asked about it during 1971 congressional hearings, he answered:

> It is really only Vietnamese, but the Americans had a great deal to do with starting the program. . . . we had a great deal to do in terms of developing the ideas, discussing the need, developing some of the procedures, and so forth. . . . I would say the United States had a great deal to do with it and maybe more than half the initiative

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[74] "Phung Hoang, 1969 End of Year Report," 13.

> came from us originally. I think at this point that probably we contribute less than half of the effort.[75]

Not surprisingly, the Phoenix program official histories support Colby's account on this point because he was in charge of the program and had a chance to review and edit the reports. The official Phoenix reports contain many references to Vietnamese accomplishments within the program and try to show that much, if not most, of the program was Vietnamese. CORDS director Robert Komer agreed with Colby when he wrote, "[the Phoenix program] was not 'administered' by the United States. Like all other facets of pacification, it was wholly administered by the government of South Vietnam."[76] Yet the contemporary press, personal recollections, and congressional hearings all indicate that the program was in fact initiated, managed, and supported by Americans. One newspaper reporter quoted an American official as saying, "They [the South Vietnamese] just aren't interested, [t]hey don't want to be caught trying to get the VCI if they think maybe next year the VCI will be in control."[77] Whether for Vietnamese fear, lack of interest, or American impatience, the Phoenix program was an American program.

Many official documents confirm the extent of American influence in the creation and operation of the Phoenix program. In "National Security Study Memorandum #1," the State Department made clear that South Vietnamese President Thieu only issued his

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[75]Quoted in Congress, House, Subcommittee of the Committee on Government Operations, U.S. Assistance Programs in Vietnam, 92nd Cong., 1st sess., 15, 16, 19, 21 July, 2 August 1971, 210.

[76]Essay by Robert Komer in: Peter D. Trooboff (ed.), Law and Responsibility in Warfare: The Vietnam Experience, (Chapel Hill: The University of North Carolina Press, 1975), 100.

[77]Quoted in Robert G. Kaiser, Jr., "U.S. Aides in Vietnam Scorn Phoenix Project, Washington Post, 17 February 1970, 10.

July 1968 decree supporting the program after "considerable American prodding."[78] MACV agreed with that assessment, adding that "[t]he Phoenix-Phung Hoang program is looked upon by many Vietnamese as having been forced upon the GVN by the Americans."[79]

Like many other operations and programs set up by the United States in Vietnam, the Phoenix program was formed with the clear intention of becoming a Vietnamese program. Like many of the other wartime programs, it was ultimately run by Americans anyway. This was due both to the impatience of the advisors and their genuine desire to make the Phoenix program work.

In his memoirs, Stuart Herrington wrote that he and another American soldier, Tim Miller, were both trained to be advisors to the Phoenix program. In each case, they found that that only way to make the program work was to take personal charge and provide the impetus for action. This despite Herrington's early feelings, when he said of his superior:

> I had been disturbed by Colonel Weissinger's impatient demand that if the Vietnamese were not up to the task of eliminating the Vietcong organization, we Americans should do it for them. I believed firmly that one of the major shortcomings of our overall approach in Vietnam had been the tendency to do things ourselves rather than to train the Vietnamese to do them.[80]

Herrington found that most of the Vietnamese involved with the Phoenix program had little resolve to carry out its mission. Herrington also recounted one low-level advisor's opinion of the Vietnamese participation: "They just go through the motions to

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[78]House of Representatives, insertion by Representative Ronald Dellums, National Security Study Memorandum #1, "Escalation, American Options and President Nixon's War Moves," 92nd Cong., 2nd sess., Congressional Record (10 May 1972), 167498.

[79]Ibid.

[80]Herrington, 16.

please the Americans, . . .'[81] Contrary to the original design, the Vietnamese were assistants to the Americans, not managers.[82]

Colonel Dennis Porter, who spent more than ten years in Vietnam and who was a major figure in the anti-VCI efforts, agreed in a later interview that the Vietnamese were hardly enthusiastic about the program, though there were individual exceptions. He also recalled that once the Americans pulled out in 1973, the program collapsed.[83] The American Phoenix advisors did substantially more than advise: they provided the drive, the substance, and the very life of the program.

## ICEX/Phoenix Hatches

The CIA originally determined that ICEX would begin functioning in July 1967. Due to unforeseen problems, and South Vietnamese intransigence, it was not until late December of the same year that the GVN initiated their participation in the program.[84] The Vietnamese name for the program was "Phung Hoang," a mythical Oriental bird vaguely similar in concept to the western Phoenix.[85] Ironically, it was a bird not very adept at getting off the ground.

A small attachment to an ICEX document of 25 November 1967, from the Komer-Leonhart papers, reveals the frustration of the American designers in implementing the program. The author began, "At last we are getting started on ICEX

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[81]Ibid., 11.

[82]Ibid., 11-16, and many other instances elsewhere in the work.

[83]Porter, Interview.

[84]"PHOENIX Year End Report - 1968," 18 March 1969, 2 (note: page numbers are my own, the pages of document are not numbered).

[85]Summers, Almanac, 283.

reporting," and signed the note, "Bob," presumably meaning Robert Komer, then head of the CORDS program encapsulating in these few words American impatience at the delay of the program.[86] Even so, not until almost a month later did Vietnamese Prime Minister L. S. Nguyen Van Loc finally issue a directive "on the elimination of the Viet Cong infrastructure.'[87] Van Loc called for the creation of Phoenix committees, which would serve as the "brains" of the program. Unfortunately, before Phoenix could hatch, the turning point of the war intervened.

On 30 January 1968, during the Vietnamese Tet holidays, the Viet Cong launched a nationwide military offensive in every major city in South Vietnam. Although the offensive ended in military disaster for the Viet Cong, it also disillusioned many people in the United States, who had put faith in President Johnson's assertion that an American victory would not be long in coming. Much of the American public concluded that its government had deceived it and began questioning the motives and goals of the war. Only in the city of Hue did the Viet Cong hold out for more than a few days or hours. In every case, the guerillas took enormous casualties, and the Tet Offensive proved to be their highest point before a steep decline in their strength. A spectacular but doomed attack on the United States Embassy in Saigon was only one small part of the dozens of battles all over South Vietnam. They failed to defeat either the ARVN or American troops, but they succeeded psychologically by convincing many Americans that the war was unwinnable.[88]

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[86]Quoted in note attached to, "SHORT TITLE: ICEX," 25 November 1967.

[87]Republic of Vietnam, Office of the Prime Minister, "DIRECTIVE (or Instruction) of the PRIME MINISTER on the elimination of the Viet Cong Infrastructure," 20 December 1967, LBJ Library, National Security File, Komer-Leonhart File, container no. 11.

[88]Several works support these conclusions: Peter Braestrup, Big Story: How the American Press and Television Reported and Interpreted the Crisis of Tet 1968 in Vietnam and Washington, (Boulder, Colorado: Westview Press, 1977.); Don Oberdorfer,

The sheer size and scope of the offensive threw CORDS' pacification efforts into disarray. For the next few months the Americans neglected their pacification programs while they attended to the more immediate military danger and its aftermath. Military forces moved from the rural countryside to where they could help defend the cities, and the villages had to fend for themselves.[89] The surprise offensive dealt a shocking blow to pacification, but it also turned out to have hidden benefits.

The second half of 1968 proved to be a fruitful time for pacification. The military setbacks of the Viet Cong resulting from the Tet period weakened them substantially, and forced them to curtail the frequency and intensity of their actions in the second half of the year. Additional volunteers to replace the huge Viet Cong losses did not readily materialize. In addition, the growing numbers of RF/PFs had new weapons and equipment at their disposal, making them more effective. Once the attacks on the cities declined, more government troops than ever before assisted in rural pacification operations.[90] In November 1968, CORDS launched a three-month "Accelerated Pacification Program" in an attempt to take advantage of the reduction in Viet Cong activities and increased forces available for pacification.[91] With more troops used to provide rural security, development projects increased their efforts. While Tet had been a catastrophe for pacification in the first half of 1968, it served as a catalyst for significant growth in the second half of the year.

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Tet! (New York: Doubleday, 1971.); Barry Zorthian (in charge of U.S. press relations for much of the war in Saigon) interview in Kim Willenson, ed., The Bad War: An Oral History of the Vietnam War (New York: New American Library, 1987,) 179.

[89]Lewy, 134.

[90]Ibid., 134.

[91]Colby and Forbath, 260-62; Lewy, 134.

The Phoenix program had just begun its initial operations when the Tet Offensive disrupted plans. Documents indicate that some of the ICEX/Phoenix procedures and committees were in place before January 1968, the month that the Tet offensive began, but Phoenix had barely begun to operate by then. In January and February combined, just over one thousand VCI appear on a list of "neutralized" (killed, captured or rallied to the central government) individuals. By comparison, in December 1968 alone, the Program claimed more than 2,300 neutralizations.

On 1 July 1968, after the disruption following the Tet Offensive had subsided, the president of Vietnam, Nguyen Van Thieu, issued a decree in support of Phoenix, making it an official government program (using the Vietnamese name Phung Hoang). It meant that South Vietnam formally accepted responsibility for the program.[92] Presumably, Thieu chose that moment for the decree due to pressure from the Americans, who wanted to quickly follow up the Viet Cong defeats during the Tet Offensive earlier that year. Although the prime minister had already issued one letter in support of the idea, most Phoenix documents cited the July decree as the first substantiated evidence of GVN acceptance of the program.[93]

## Methods: In Theory and Practice

While there is disagreement over their origins, the stated goals of ICEX, and later Phoenix, addressed the coordination of efforts to the various intelligence agencies against the Viet Cong. There is no doubt that the need for such coordination existed. Nearly every major department or organization, Vietnamese or American, had some form of

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[92]Guenter Lewy, "Vietnam: New Light on the Question of American Guilt," Commentary Magazine, February 1978, 29.

[93]"PHOENIX, Year End Report - 1968," 2; Presidential Decree 280-a/TT/SL, 1 July 1968.

intelligence network or organization. Information exchanges rarely occurred, and the duplication of efforts amounted to a costly disgrace for the military. One American document described the overall South Vietnamese counterinsurgency effort as "chronically splintered, badly led, poorly financed, and understaffed."[94] South Vietnamese organizations operating intelligence networks included the National Police (including the Special Police), the Village/Hamlet information groups, no less than six military organizations (including the regular ARVN and Military Security Service), the Revolutionary Development program, and the Census Grievance teams. In addition, the Americans brought in other intelligence operations such as the CIA, the Defense Intelligence Agency, and numerous army intelligence outfits.[95] The coordination of these different programs, and the comprehensive organization of all the information that they would produce, was a mammoth task in itself, but the Phoenix program intended to go one step further.

In addition to coordinating intelligence on the VCI, the intent of the Phoenix program was to coordinate attacks against it. One reason for the creation of the PRUs had been to enable the Americans to act promptly on intelligence leads about the VCI. However, the CIA deemed special-action teams essential because of the difficulty it experienced in getting these already established military units to react quickly or effectively on intelligence leads. The PRUs never numbered more than 6,000, far too few to do all the anti-VCI work. To achieve the desired effect, all military and paramilitary organizations in South Vietnam had to work together. Phoenix set about to spur them into action.

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[94] Southeast Asia Analysis Report, September-October 1970, 22.

[95] Southeast Asia Analysis Report, October 1968, 54.

There was a significant gap between the Phoenix program's design and the final product. "The basic Phoenix concept was to enlist and coordinate the efforts of local-level leadership, the police, and paramilitary groups towards the end of identifying and eliminating the VCI."[96] Thus Phoenix was a program of coordination, not military operation. It was not supposed to have its own intelligence network; it was not supposed to interrogate prisoners directly; and it was not supposed to carry out attacks on identified VCI members. Despite this, there is evidence that in the lower levels of the Phoenix program--the province and district levels--the division between the program and the allegedly separate operations that were carried out was blurry indeed.

## Bureaucratic Structure

ICEX/Phoenix required both an extensive bureaucracy and the construction of physical buildings to function as planned. To coordinate the attack on the VCI, Phoenix officially organized committees at four levels: national; regional, zone or corps; province; and district. Each committee included a chairman who was either the minister of the interior, at the national level, or the ranking GVN representative of the geographic area in which the committee presided. At the regional (or corps) level, the Vietnamese military's commanding general headed the committees, while the provincial and district chiefs presided over their respective constituencies. Members of the National Committee included:

* The minister of the interior, who also served as chairman,

* The director of National Police, vice-chairman,

* A representative of the Revolutionary Development Ministry (or Rural Development Ministry, a pacification organization),

* The director of Revolutionary Development Cadre Directorate,

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[96]Ibid., 22.

* A representative from the Chieu Hoi Ministry,

* Chief of Military Intelligence (J2), ARVN Joint General Staff (JGS),

* Chief of Operations (J3), JGS,

* Assistant for Field Police Branch (the part of the National Police that served in the rural areas),

* Assistant for Special Police Branch (an FBI-style secret police branch of the National Police).

The lower committees followed the same pattern, with minor exceptions, having between seven and eight members representing the same organizations, but at lower levels.[97]

The duties of the committees varied with their levels of operation. The National Phoenix Committee was responsible for overall plans and programs, and ensured compliance with them. The regional, provincial and district committees held responsibility for coordinating the activities of committees underneath them, as well as for ensuring the actual exploitation of gathered intelligence.

Intelligence and Operation Coordination Centers

The establishment of the Intelligence and Operation Coordination Centers (IOCCs) represented an initial American effort to lay the groundwork for the Phoenix program. These operated at both the provincial and district levels, as the Province Intelligence and Operation Coordination Centers (PIOCCs) and District Intelligence and Operation Coordination Centers (DIOCC). A memo of August 1967 discussed the possibility of using existing Provincial Interrogation Centers (PICs) to house ICEX/Phoenix operations, but the planners discarded that idea in favor of building new

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[97]"DIRECTIVE (or Instruction) of the PRIME MINISTER . . .;" Headquarters, United States Military Assistance Command, Vietnam, "PHUNG HOANG, Phoenix, 1969 END OF YEAR REPORT," 28 February 1970, A-5 to A-6.

IOCC structures.[98] The Phoenix bureaucracy coordinated its activities from these centers. With U.S. funds, the Vietnamese generally built the IOCCs throughout Vietnam from scratch, requiring many months in all. Ideally, the IOCCs served as collection centers for intelligence from all the different agencies operating in the area. No less than a dozen agencies, programs, and individuals used the IOCCs as a home base, among them the Police Special Branch, Chieu Hoi, and the RF/PFs.[99] By the end of 1968, PIOCCs successfully operated in each province, and some 248 DIOCCs commenced operations as well. The IOCCs housed what would become the Phoenix "memory banks" as well: the filing cabinets.

Much of the Phoenix program consisted merely of maintaining comprehensive investigative files on individuals. One province advisor complained that the Americans supplied "buildings, desks, typewriters, file cabinets, index cards, dossiers, etc. It was inevitable that the program would develop a strong clerical slant. Now the intelligence is often accumulated, cross-indexed, properly analyzed and filed. That is the end of the process."[100] Information arrived constantly from a myriad of different intelligence agencies and sources, and the key to the whole program was connecting the bits of intelligence from different agencies to the proper individual. Ideally, once each VCI member became known, two index cards and a dossier would be created on the individual. One card would go into an alphabetical name file of the VCI members, the other into a similar geographical file by the name of the member's village. The cards

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[98]"OPERATIONAL AID NO. 2," 20 August 1967, LBJ Library, National Security File, Komer-Leonhart File, container no. 11.

[99]Headquarters, Military Assistance Command, Vietnam, "PIOCC/DIOCC Inspection Guide," undated, 2. From Record Group 334, ID#77-0052, Box 11, folder 203-04, "Phoenix (1969)," National Archives and Record Center, Suitland, Md.

[100]Lewy, America in Vietnam, 284.

included names and aliases, VCI position and function, and reference to the dossier in which one might find most of the information on the VCI member. The dossier contained copies of pertinent reports, captured documents, photographs, maps of his or her area of operation, and a "Personality Data Form."[101]

Each Personality Data Form contained all the personal information available on the individual in question in order to facilitate identification and apprehension. Aside from the usual names-and-addresses type of information, the form included facts about the suspect's immediate family, education, occupation, physical description, known history with the Viet Cong, locations of activities, and many other details. The Personality Data Form and the accompanying items in the dossier theoretically served to aid operations and ultimately, the sentencing of the individual.[102] Interrogations of prisoners could be cross-indexed with the information found in the dossiers, leading to the targeting of the individual.[103]

Beside this extensive filing system kept on individuals, the IOCCs maintained files and charts on the various VCI organizations at the village, district, and province levels. Phoenix officials compiled charts on all VCI organizations operating in each area and used them to keep track of known VCI and their positions in the guerilla

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[101]MACV, "PIOCC/DIOCC Inspection Guide," 3-4.

[102]"VCI Target Personality Target Form," undated, three pages. From Record Group 334, ID#74A-005, Box 1, "Selected Folders," folder entitled, "CORDS Progress Phung Hoang Department (68-70),"; HQ MACV, "PHUNG HOANG, ADVISOR HANDBOOK," 20 November 1970, 10. From Record Group 334, ID#74A-005 Box 1, "Selected Folders," folder entitled "227-01, Advisors Handbook," National Archives and Record Center, Suitland, Md.

[103]Cook, 84.

organization. In addition, the centers kept copies of the charts of neighboring IOCCs regarding their areas of operation.[104]

The IOCCs also produced continually updated "blacklists."[105] The blacklist included all VCI known to be operating in the IOCC's area of control. By 1972 Phoenix had divided the blacklists into three categories appropriate to the level of the target, roughly province, district and village. On occasion Phoenix targeted "legal" VCI cadre (VCI who maintained proper South Vietnamese government identification and papers) which it suspected of infiltrating organizations such as trade unions and religious sects.[106] The IOCCs provided copies of the list for all military and paramilitary units in the area, as well as other IOCCs.[107] Using the extensive dossiers, Phoenix personnel could hope to easily "target" and track down VCI members, no matter where they had fled in South Vietnam. Extensive media criticism had labeled such Blacklists "hit lists," but it was the actual operations themselves, and not such intelligence gathering, that led to Phoenix's sordid reputation.

## Operations: the Official Design

Two categories of Phoenix operations existed: general and specific. General operations included "cordon and search" operations against a hamlet frequented by VCI members, night ambushes on trails known to be habitually used by VCI members, and

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[104]MACV, "PIOCC/DIOCC Inspection Guide," 5-6.

[105]The term "blacklist" had to be changed due to its negative connotations, so officially became the "special list of Communist offenders." U.S. Assistance Programs In Vietnam, 244.

[106]"Phung Hoang Draft Standing Operating Procedures 4," 1972, 4-66 and 4-67. From Record Group 334, ID#74A-005 Box 1, "Selected Folders," National Archives and Record Center, Suitland, Md.

[107]MACV, "PIOCC/DIOCC Inspection Guide," 6.

other operations where "hard" intelligence was unavailable. Specific Phoenix operations targeted individual VCI members, with the usual target either a small group or a single VCI member. In operations against VCI, the Phoenix program set a priority list of six goals:

1. Recruit in place
2. Induce defection
3. Capture
4. Kill
5. Wound
6. Neutralize[108]

Recruiting in place was the ideal achievement. It meant that a VCI member would voluntarily change sides and work for the Phoenix program while maintaining his position in the VCI: a double agent. The Phoenix operation relied heavily on information from captured VCI, but to actually have a double agent within the underground organization meant access to current, vital information. It could lead to a devastating blow against the VCI. Unfortunately, while "Recruit in place" had the highest priority, it seldom achieved its aim and when it did rarely succeeded for very long.[109]

"Induce defection" extended from the earlier "Chieu Hoi" defectors program. In exchange for a degree of amnesty, a VCI member would defect to the government's side and assist in eliminating the VCI network. This may have been the Phoenix program's most effective and common weapon. The defectors, usually disgruntled with their

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[108]The term "neutralize" could have several different meanings. The Phoenix program usually referred to neutralizing VCI, meaning killing, capturing or rendering ineffective. The list of priorities comes from "Phung Hoang SOP No 2," 1 November 1968, 8.

[109]Porter, Interview.

superiors or fed up with the underground life, looked for something better. The government responded with cash rewards, vocational training and a full amnesty to "ralliers."[110] For the Phoenix program, cooperative ralliers meant fresh information on the VCI.

The lower priorities in attacking a VCI member included capturing, killing or wounding, or neutralizing. Captured VCI members might offer information on the infrastructure; dead ones could not. Above all else, the Phoenix program was an intelligence operation, and dead VCI, beyond their individual losses, did not help to dismantle the underground government. Neutralizing VCI meant a number of different things, depending on the circumstances, including forcing the member to leave his area of operations, while compromising fellow VCI members' cover, making it impossible for the member to continue covert operations, and simply intimidating the VCI member until he ceased operations.

Since Phoenix had no forces of its own, per se, the National Police Special Branch, National Police Field Forces, PRUs, or RF/PFs carried out both general and specific operations.[111] Because ranking police officers served on the Phoenix committees at all levels, arranging police operations could not have been difficult, and Phoenix documents reveal a marked preference for the use of the police forces for Phoenix operations. However, due to the poor training, lack of proper equipment, and the low esprit de corps of the National Police, the RF/PFs executed most of the neutralizations.[112] Throughout the Phoenix program's existence, CORDS attempted to

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[110]Herrington, 17, 41, 72-73; Thayer, 196.

[111]MACV, "PIOCC/DIOCC Inspection Guide, " 6-7.

[112]Southeast Asia Analysis Report, October 1969, 27-28.

upgrade the National Police, but it never achieved its goal of making the National Police the primary Phoenix action force.

Phoenix planners originally intended for the Province Interrogation Centers (PICs), not the IOCCs, to conduct interrogations. Nevertheless, the emphasis shifted in favor of obtaining information from captured or rallied VCI prior to their forces' departure from the province. Ideally, IOCCs maintained continual liaison activities with those agencies or forces interrogating the VCI. The Phoenix program emphasized the importance of IOCCs keeping in constant contact with all the forces operating in their given area of operations, so that they could immediately relay information of both operational use, and of details on the VCI organization.[113] Often the American advisors would perform the liaison activities themselves to ensure the quality of the interrogations. This eventually led to problems with both the media and public opinion because torture was not an uncommon practice at these interrogations, despite official discouragement.[114] American advisors may have tolerated the torture of prisoners more than one might have hoped, for torture was very common among South Vietnamese troops and police, and any attempt to stop the practice would have had a detrimental effect on the advisor's relationship with them.[115] In any event, the sight of Americans attending the actual interrogations was not an uncommon one, for Americans held key positions throughout the Phoenix program.

## Americans in Phoenix

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[113]MACV, "PIOCC/DIOCC Inspection Guide," 9-10.

[114]Dennis Porter, Interview with author; Colby and Forbath, 270-71.

[115]Lewy, 287-88.

From the creation of ICEX, Americans maintained their control over the Phoenix program. Technically the Americans held advisory positions, but "advice" commonly dictated policy. Whatever effectiveness the program achieved came from American expertise and influence. In fact, the program survived and functioned only because the Americans provided their expertise and influence.

The initial American ICEX committee to aid in the creation of the Phoenix program included some of the highest ranking American officials in South Vietnam. The top official from the CORDS program, Robert Komer, chaired the committee. A senior representative from the CIA, as well as high-ranking representatives from both the intelligence and operations sections of MACV filled its ranks as well, forming the basis from which the Vietnamese National Phoenix Committee emerged. A staff of both civilian and military personnel, similar to that of the CORDS program, supported the committee. Finally, initial American involvement included special anti-VCI advisors at the corps, provincial and even district levels (although only a few districts had such American advisors early in the program).[116] Military personnel made up the bulk of the advisors, but the program was part of CORDS and as such had a significant civilian influence. At the Provincial level, the Province Senior Advisor (PSA), the controlling American in the province, often was a civilian. In such situations, the deputy PSA would be military. The opposite was true if the PSA was military, and thus civilian influence was built into the program.[117]

Before July 1969, OSA/CIA provided all logistical support for the program.[118] An ICEX memo from August 1967 reveals that in thirteen out of sixteen provinces in

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[116]Komer-Leonhart File, Directive Number 381-41, 2.

[117]Cook, 26.

[118]"Phung Hoang (Phoenix) 1969 End of Year Report," 11.

Region IV advisors were assumed to be CIA personnel, although the wording and origin of the document appear deliberately vague. The memo explained that military personnel did not yet have "sufficient experience and/or training."[119] Phoenix documents suggest that OSA "leadership, experience, and flexibility" were "essential . . . to lay the necessary groundwork and develop the initial framework for PHUNG HOANG/PHOENIX activities and support requirements."[120] Technically already part of CORDS, operational control of the Phoenix program only gradually passed to CORDS from OSA beginning in December 1968 and ending by July 1969.[121] Before that date, OSA continued to fund one third of the costs of the program.[122]

The Americans deliberately developed their side of the program first, and gradually formatted the Vietnamese structure. The American part served as an example for "stimulating, energizing, guiding and collaborating with the corresponding Vietnamese organizations and effort."[123] The original concept called for the PRUs and Police Field Forces to be the primary forces directed against the VCI, with other forces in "supporting and complimentary roles."[124] In this way the anti-VCI campaign would be a police responsibility, not a military responsibility.

"Field Organizations" served under the national Phoenix committee in Saigon. At the corps level, the senior advisor (normally the highest ranking American advisor in the

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[119]"OPERATIONAL AID NO. 2," 20 August 1967, LBJ Library, National Security File, Komer-Leonhart File, container no. 11.

[120]"Phung Hoang 1969 End of Year Report," 11.

[121]Ibid., 11.

[122]"Phung Hoang (Phoenix) 1969 End of Year Report," 13.

[123]Komer-Leonhart File, Directive Number 381-41, p. 2.

[124]Ibid., 2.

corps) had an OSA officer as his principal staff officer "in matters relating to infrastructure intelligence collection and action against the key VC infrastructure."[125] Other Americans at the corps level coordinated intelligence, aided in the creation of a Vietnamese counterpart, and "foster[ed] Vietnamese inter-agency cooperation and coordination."[126] The province and district-level advisors had essentially the same tasks, though on a smaller scale.[127] As the program grew, especially after the Tet offensive, the numbers of Americans directly involved grew as well.

By 1970, just over 450 Americans worked with the Phoenix program.[128] Military officers accounted for more than ninety percent of these Americans, while "civilians," which could be taken to mean CIA, made up the remainder. At the same time, almost 340,000 American troops were fighting in Vietnam. Clearly, Phoenix did not drain manpower from other operations.[129] In 1970, 256 Americans served in the 247 districts (which included cities divided into several districts), and 132 in the forty-four provinces. This indicates that usually only one American served as a Phoenix advisor in a specific district, and two at the province level. The four corps sections averaged ten American advisors each, and the main Phoenix office in Saigon, thirty-three.[130] Due to the small number of Americans operating in each of the districts and provinces, the individual advisors conceivably could have wielded considerable influence. Just the

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[125]Ibid., 4.

[126]Ibid, 4.

[127]Ibid, 4.

[128]"Phung Hoang (Phoenix) 1969 End of Year Report," 9.

[129]Table 103, "Southeast Asia Statistical Summary," Office of the Assistant Secretary of Defense (Comptroller), 7 February 1973, in Thayer, 37.

[130]"Phung Hoang 1969 End of Year Report," 9.

same, it was essential that they interact well with their Vietnamese counterparts, or the program would have functioned poorly.

## Training and Personnel

Training for the fledgling ICEX program consisted of a two-week course near the giant Tan Son Nhut air base in Saigon.[131] Official training programs for Phoenix personnel did not begin until November 1968. A semi-monthly, ten-day Phoenix Coordinators' Orientation course to improve the American advisors' performance at the lower levels (province and district levels) began in that month at Vung Tau, a coastal resort town southeast of Saigon.[132] Three months later, other American non-Phoenix advisors, ARVN advisors, civil advisors, and others, took the course as well.[133] By training as many American advisors as possible in the concepts and operations of Phoenix, the leaders hoped that cooperation and utilization would improve. In another attempt to promote better understanding of the program, Phoenix also created a separate briefing program for American support personnel. As the program developed, the Phoenix Directorate ordered the training of Phoenix advisors prior to their arrival in Vietnam.[134]

In 1969 the Army began training future Phoenix advisors in a fifteen-week course before they left the United States.[135] The course was a definite improvement over the

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[131]Cook, 21.

[132]MACCORDS-PHX, "Historical Review of the PHUNG HOANG/PHOENIX Program from July 1968 to December 1970," 27 November 1970, 16. Found at National Archives and Records Center, Suitland, Md.

[133]Ibid., 16.

[134]Ibid., 18.

[135]"Phung Hoang 1969 End of Year Report," 7.

ten-day, Vung Tau course which continued as a refresher course and motivational seminar for Phoenix advisors.[136] The new fifteen-week course included 180 hours of instruction in the Vietnamese language, essential to increasing communication and cooperation while reducing the need for often unreliable Vietnamese interpreters.[137] In addition, more than ten different Army intelligence training centers received regular mailings on Phoenix techniques and operational modifications.[138] By the end of 1969, new advisors arriving in Vietnam had far better preparation for operating the Phoenix program than their predecessors.

Training programs for the Vietnamese share of the program lagged well behind the American programs, another sign of the total American dominance and control of the program. A National Phoenix school for Vietnamese did not emerge until 1971.[139] In the meantime, Vietnamese Phoenix operatives trained at the regional (or corps) level. The first regional training courses did not begin until December 1968, in the Saigon region. Another began operations in June 1969, and the final two regional schools did not get off the ground until October 1969.[140] The lack of support for a comprehensive, nationwide training center for Vietnamese became a fatal flaw in the Phoenix program.

In making the American advisor's role paramount within the program, and by not training Vietnamese to eventually adopt the advisor's duties, the program was bound to collapse once the Americans left. It seems unlikely that Phoenix planners could not

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[136]Herrington, 11-14.

[137]"Phung Hoang 1969 End of Year Report," 7.

[138]Ibid.

[139]Headquarters, Military Assistance Command, Vietnam (MACV), "Phung Hoang 1970 End of Year Report," 11 May 1971, 42.

[140]"Historical Review . . . ," 17.

predict in 1969 that there would be no American advisors left in South Vietnam five years later when William Colby, and others went to such lengths to portray that program as being primarily Vietnamese.

## Agent Penetration of the VCI

One aspect of the Phoenix program on which very little information has been released, is the use of spies actually joining the VCI ("penetrating it" in spy terminology) to destroy the organization from the inside. In a recent interview, William Colby mentioned penetration of terrorist organizations in connection with other programs, and then said Phoenix had copied those other programs.[141] In another interview Colonel Porter also indirectly discussed the penetration of the VCI, and he even mentioned that Vietnamese-Americans had been specifically recruited for such a purpose early in the war.[142] No Phoenix document available at this time details or even directly mentions this activity, but it is possible to learn some of the details indirectly.

One captured VCI document mentioned in the 1970 Phoenix year-end report reviewed ways to counter the "planting of secret agents in the revolutionary organizations."[143] Others talked of strengthening internal security, a somewhat unnecessary measure to counter the Phoenix program unless the program was somehow penetrating the VCI.[144] Morale in Viet Cong units suffered from the effects of the Phoenix program, according to the captured documents. This coincides well with a post-war interview where a former Viet Cong leader, Madame Nguyen Thi Dinh admitted of

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[141]Colby, Interview with author.

[142]Porter, Interview with author.

[143]"Phung Hoang, 1970 End Of Year Report," 46.

[144]Ibid., 43-46.

the Phoenix program, "We never feared a division of troops, but the infiltration of a couple of guys into our ranks created tremendous difficulties for us."[145] Green Beret Colonel David Porter also mentioned some instances of recruiting individuals to infiltrate the VCI, though he indicated limited success in this area.[146]

A briefing paper mentions the use of "penetration agents" by the Special Branch of the National Police. The Special Branch can be compared to the FBI in many ways, and it does seem likely that they may have been involved in such an activity.[147] On the other hand, indications are that the Phoenix program had penetration agents of its own, unrelated to the police force.

One possible explanation for the absence of information in this area, and this is pure speculation, is that the section of the Phoenix program involved with the infiltration of agents may have remained exclusively a CIA activity. Advisor memoirs say nothing about the infiltration of the VCI, nor do MACV records that have been released. Obviously, some of these Phoenix agents may still be in Vietnam, and any sort of records that might directly or indirectly list a name or offer a clue to their identity are not likely to be released, without extensive censorship, in their lifetime.

## Conclusions

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[145]Quoted in Karnow, 602.

[146]Porter, Interview with author.

[147]Undated, Anonymous Briefing Paper, from RG 334, 74A, Box 1, selected folders, "Vietnamization of PH Program," (General) (Oct-Nov 71), found at the National Archives and Records Center, Suitland, MD,6. The briefing begins "Mr. Ambassador, Gentlemen . . . ," (presumably meaning ambassasor Colby or Komer) and is included with a similar briefing for the Prime Minister (presumably of South Vietnam) dated 19 November 1971, 11.

The CIA gave birth to the Phoenix Program with the full intention of eventually handing it over to the CORDS program. It was hoped that the program could eventually have been in turn handed over to the South Vietnamese, but in fact the Phoenix program relied too much on the Americans to survive in their absence. The Americans designed and implemented most of the machinery of the program, and tried to adapt it to the conditions in South Vietnam. If properly carried out, the program might have had a chance for success and survival, but reality and good intentions never quite met. On the other hand, at least during the American presence, the program was far from a total failure.

# CHAPTER III

## APPREHENSION, INTERROGATION, DETENTION AND SENTENCING

### The Legal Niceties of Phoenix

The Phoenix program was clearly legal under Vietnamese law, although it might not have withstood scrutiny under American law. The South Vietnamese Constitution of 1967, Article 4 stated: "(1) The Republic of Vietnam opposes Communism in any form; and (2), any activity designed to publicize or carry out Communism is prohibited."[148] This being so, Phoenix organizers felt justified in categorizing the Viet Cong as rebellious civilians. Just the same, the Viet Cong often still fell into the military category, and as such, were subject to prisoner-of-war (PW) rules. The Phoenix program acquired primary responsibility for deciding which captured VCI the government could classify as PWs, and which ones it could not.

The Phoenix program's Advisor Handbook stated the criteria for determining whether a detainee was a PW or not:

> VC and NVA military personnel are to be accorded PW status and the rights of a PW under the Geneva conventions. Civilian PRP members and VCI cadre are considered civil defendants.[149]

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[148]Headquarters, Military Assistance Command, Vietnam (MACV), "Phung Hoang (Phoenix) 1969 End of Year Report," 28 February 1970, A-3.

[149]HQ MACV, "PHUNG HOANG, ADVISOR HANDBOOK," 20 November 1970, 10. From Record Group 334, ID#74A-005 Box 1, "Selected Folders," folder entitled "227-01, Advisors Handbook," 15.

A penumbra developed because many Vietnamese operated in both the military and political sections of the Viet Cong.[150] In such cases the advisor was to accord such persons PW status. Under the 1954 Geneva Convention, a PW could be incarcerated for the duration of the conflict. A South Vietnamese civilian detainee had far fewer legal rights than a PW, but the government could not detain them indefinitely without trial.

Much of the legal system in South Vietnam was based on the Province Security Committees (PSCs). Originally created in 1957, the committees proved useful in simplifying and providing a nominal legal system in a nation with less than two hundred lawyers.[151] Due to the "national emergency," the committee had the power to release those it deemed innocent; to send the case on to a military or civil court if it was strong enough to convict the detainee; or to impose "administrative detention" of up to two years for those suspects "reasonably believed to threaten the national security."[152] In addition, it could relocate individuals, reclassify them as PWs, or, paradoxically, even recommend that they be drafted into South Vietnam's army if deemed a security threat.[153]

The province chief, the public prosecutor, and other members representing the military and the National Police, initially made up the PSCs. These committees faced many problems, including an enormous backlog of cases and questions about their competence and fairness. The Phoenix annual summary for 1968 criticized the PSCs,

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[150]Congress, House of Representatives, Subcommittee of the Committee on Government Operations, U.S. Assistance Programs In Vietnam, 92nd Cong., 1st sess., 15, 16, 19, 21 July, and 2 August 1971, 188.

[151]William Colby and Peter Forbath, Honorable Men: My Life in the CIA (New York: Simon and Schuster, 1978), 274.

[152]"PHUNG HOANG, ADVISOR HANDBOOK," 16; "Phung Hoang 1969 End of Year Report," A-3.

[153]"PHUNG HOANG, ADVISOR HANDBOOK," 16-17.

which it claims would "usually mirror the attitude of province chiefs. . . ." Describing "[j]udicial processing" as "one of the weakest links in the overall attack on the VCI", it calls for immediate improvements to reduce a backlog of more than 16,000 cases awaiting trial at the end of 1968. "It is apparent", it continued, "that numbers of innocent persons, or at least persons who have been forced to perform tasks for the VC, have been arrested and held, sometimes for extended periods, without a hearing."[154] William Colby, pressured by the U.S. Congress, successfully worked to make improvements in the committee structure. The "improved" committee included at least one "elected" province council member and relegated the police and military members to an advisory rather than participatory role.[155] In addition, Colby created a conditional release system (similar to parole), instated a system of notification for the suspect,s family, and set time limits for each step in the legal process. In practice, however, the limits were little more than ideal targets.[156]

According the the Advisor's Handbook, all VCI arrests required a warrant issued by a "competent judicial authority." Conversely, the handbook goes on to state, "[a]n arrest defective due to lack of a warrant, however, can later be 'corrected' by issuance of a warrant ex post facto by an official having authority to do so initially."[157] In other words, it was possible to arrest civilians spontaneously at virtually any time for virtually any reason. Although law and directives prohibited American personnel from arresting Vietnamese civilians, all Vietnamese Phoenix personnel had the authority to arrest

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[154]"PHOENIX Year End Report - 1968," 10.

[155]Colby and Forbath, 274.

[156]Colby and Forbath, 274; U.S. Assistance Programs in Vietnam, 183, 198.

[157]"PHUNG HOANG, ADVISOR HANDBOOK," 14.

suspects, with the stipulation that they had to be turned over to the custody of the National Police within 24 hours. The police could hold a suspect for up to three days, still without charges or bail, until they transferred him or her to the Provincial Interrogation Center (PIC). The PICs earned a negative reputation for crowded conditions, poor treatment, and torture. They could hold the suspect legally for up to thirty days before turning him over to the province chief and PSC. The committee had a week to sentence, release, or send the individual to trial in front of a military court. Taken together, an innocent person could legally spend up to six weeks in custody before going to trial or being released. In practice, it was common for suspects to spend much longer periods of time in custody due to backlogs in processing cases.[158] This system was as open to abuse as it was to criticism.[159]

When authorities lacked sufficient evidence to convict a suspect, the most common method for arresting VCI was "an tri detention."[160] Because the central government considered VCI as threats to South Vietnam's national security, it created special laws for the detention of such political prisoners. Enough evidence to show the PSC that a suspect "is a threat to national security" was sufficient for an an tri detention. Article 19 of the An Tri law stated:

> Those persons considered dangerous to the national defense and public security may be interned in a prison or designated area or banished from designated areas for a maximum period of two years, which is renewable. The internment and banishment shall be ordered by Arrete of the Prime Minister issued upon recommendation of the Minister of Interior.[161]

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[158] U.S. Assistance Programs in Vietnam, 198.

[159] "Phung Hoang, Advisor Handbook," 14.

[160] U.S. Assistance Programs in Vietnam, 193-94.

[161] Ibid., 99.

The suspect did not have the right to legal counsel or even to a hearing in front of an actual court. Not a criminal conviction, the an tri detention required less proof than required by a regular court. An tri was an emergency measure designed to aid in attacking the guerillas in a time when testimony against them could mean death for a witness. In other words, it created a legal system resistant to influence by the Viet Cong, at a cost of many individual protections. The prosecution had only to prove to the PSC that the suspect operated as "a member of the Communist party or exercises a position or function in the party or any associated front organization. Proof of position or function in the Viet Cong Infrastructure is sufficient to convict."[162]

A contemporary New York Times article addressed this issue somewhat apologetically:

> This procedure is acknowledged to result in a variety of abuses. Often the case against a suspect consists largely of intelligence indications rather than hard evidence. Despite this, if the security council regards the case as conclusive, the man is imprisoned. . . . Harsh as this may seem, American officials insist that the technique is an improvement over the old "county fairs" operations conducted under Gen. William C. Westmoreland, former United States commander in Vietnam, in which a whole village was cordoned off and screened and perhaps hundreds of people were detained with little semblance of due process. Now, the officials maintain, there is at least a quasi-judicial review of the evidence.[163]

Whether conditions in Vietnam at the time justified this judicial "short-cut" or not is difficult to say, but the American press often attacked the measures.

Another section of the an tri law sought to intimidate the population into actively taking up the central government's cause.

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[162]"Phung Hoang, Advisor Handbook," 17.

[163]Terence Smith, "C.I.A. Planned Drive on Officials Of Vietcong Is Said to Be Failing: U.S. Sources Say Suspects Are Often Freed by Local Vietnamese Authorities," New York Times, 19 August 1969, 4.

> By this Decree are outlawed private persons, parties, leagues, associations that commit acts of any form which are directly or indirectly aimed at practicing Communism or Pro-Communist Neutralism. . . . Shall be considered as Pro-Communist Neutralist a person who commits acts of propaganda for and incitement of Neutralism: these acts are assimilate to acts of jeopardizing public security.[164]

Colby denied any Phoenix participation in targeting neutralists. He indicated that since Phoenix targeted leadership, someone who only tacitly supported the Viet Cong would not normally have come under the program's jurisdiction.[165] Nevertheless, the catch-all sections of the an tri act made it easier to detain suspects on little or no evidence. Once convicted, a VCI member in an tri detention faced a two-year renewable sentence, despite never actually having the privilege of a trial. William Colby faced many questions on this topic in Congressional hearings, and one exchange with Representative Ogden R. Reid explained the official Phoenix position well:

> Mr. REID. Then is it [an tri detention] not a kangaroo trial?
> Ambassador COLBY. It is an administrative proceeding, not a trial.
> Mr. REID. Whether it is called a trial or an administrative proceeding, is that important in international law? There might be some concepts under which we would relate it to due process.
> Ambassador COLBY. I think there are two different things. I think it probably meets the technicalities of international law but it certainly does not meet our concepts of due process.
> Mr. REID. Does it meet the spirit of international law?
> Ambassador COLBY. I think as it has gradually improved it does. I think it did not some time ago and I do not think it entirely meets it yet.
> Mr. REID. Would [the suspect's] rights be protected?
> Ambassador COLBY. Not adequately under our concept of due process.[166]

Colby tended to take an optimistic view of most things, but he was a careful and honest speaker. He never made any sweeping generalizations, since he could not back them up.

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[164] U.S. Assistance Programs in Vietnam, 205.

[165] Ibid.

[166] Quoted in U.S. Assistance Programs in Vietnam, 189.

Thus, when pressed by Representative Reid, Colby honestly admitted the weaknesses in the system. One of the cornerstones of the South Vietnamese legal system, in fact the whole Phoenix program, was that it took place in a nation at war. Some of the methods and systems could be termed "emergency measures," insinuating that they be only temporary, war-time measures.

The State Department produced a memorandum, "The Geneva Conventions and the Phoenix program," based on the 1949 conventions. Article 4 of the third convention focuses on the protection of civilians in time of war, but only protection of civilians in the custody or control of a "power [of] which they are not nationals. This means that South Vietnamese civilians detained by South Vietnamese authorities are not protected persons . . . ." Nevertheless, the Convention provided for minimum levels of humanitarian treatment, whether for a "protected person" or not. The memorandum concluded:

> . . . although there have been some individual failures in execution, the general obligation of humanitarian treatment underlying the Geneva Conventions has been accepted by the Governments of Vietnam and the United States in the context of the Vietnam conflict, despite the anomalies created by attempting to apply rules essentially designed for a World War II situation to one involving a political, subversive infrastructure.[167]

Most criticisms of the Phoenix program in the area of law and the Geneva Convention are based on unsupportable assumptions. Noted anti-war critic Noam Chomsky and Edward S. Herman vehemently opposed the Phoenix program on legal as well as moral grounds. The basis for their legal attacks rested on the concept that the U.S. was an "invading" nation in South Vietnam. Chomsky and Herman asserted that official documents and statistics were of questionable veracity because they contradicted all "nonofficial

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[167]Ibid., 217-18.

testimony on the subject."[168] Only if the U.S. is recognized as such an unwelcome invader does their argument rate any merit. Whatever their contentions, the South Vietnamese legal system had enough problems meeting its own time limits and satisfying civil protections for all its prisoners.

Despite the time-saving an tri detention, and a subsequent computerized tracking system for suspects, the judicial system continued as a bottleneck in the anti-VCI efforts. By July 1970, the South Vietnamese judiciary had succeeded in processing only 1,930 out of 6,111 awaiting trial. American documents complained that "the Province Security Committees are not functioning with anything near the despatch required to ensure punishment of the guilty, while avoiding prolonged detention of the innocent."[169] One of Colby's stated goals was to improve and streamline the legal system, but he did not fully succeed in this area. As the Southeast Asia Analysis Report stated, "[d]espite the recent drive to speed up sentencing procedures, the apparatus still appears to be lagging badly."[170]

Phoenix handbooks contained a guideline that evolved into another legal aspect of the Phoenix program that received criticism. One of the Phoenix Standard Operating Procedure (SOP) books described suspicious actions by Vietnamese civilians as, "expressions which distort Government of Vietnam policies and the action of Government of Vietnam cadres. False rumors which confuse and frighten the people, and the creation of division and hatred among the populace, between the populace and

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[168]Noam Chomsky and Edward S. Herman, Counter-Revolutionary Violence: Bloodbaths in Fact and Propaganda (unknown publication location: Warner Modular Publication, 1973), 22-24.

[169]Southeast Asia office under the Assistant Secretary of Defense (Systems Analysis), Southeast Asia Analysis Report, September-October 1970, 19.

[170]Ibid., 30.

the Government of Vietnam cadres."[171] It encouraged neighbors to report on each other. Taken literally, a Vietnamese villager could tell the Phoenix operatives that a certain disliked neighbor was saying bad things about the government, and if the local Phoenix personnel took the report seriously, they would start a dossier on the unfortunate neighbor. Three such reports and the neighbor faced possible an tri detention.

Obviously, such a procedure hardly encouraged free political debate in the villages. It is impossible to tell how many innocent Vietnamese faced such detention for simply voicing their opinion or making one too many comments on the corruption in the government. While interviewing William Colby, a question on this topic received the most angry response, even more so than the questions of assassination. Colby defended the procedure:

> It was defending against an infiltration. Defending against people within your society who are working for the enemy. . . . it was just an indicator. . . . What's the chief of the proselyting section going to be doing? He's going to be going around bitching and complaining about the government. Now that doesn't mean that everybody who bitches and complains about the government is the chief of the proselyting squad.

When asked if, as according to the SOP, all people complained about the government should be considered suspects, Colby denied that was the case:

> Not necessarily, if that's all you have, some guy complains taxes are too high, that doesn't make him a VCI. That's an inadequate report. . . . I mean if the nature of the war is to try to get the people to work for this side as against working for that side, and somebody is vigorously putting out stories, he's obviously an agent trying to achieve that. And the fact that he doesn't carry a gun is not relevant to the fact that he can be a very important member of the conspiracy that is trying to overthrow the government.[172]

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[171] Phoenix SOP #3, as read into record by Congressman Pete McCloskey in U.S. Assistance Programs in Vietnam, 195.

[172] Ambassador William Colby, Interview with author, 29 March 1989, Washington, D.C., tape recording.

In other words, because it was a war, certain personal freedoms had to be compromised. Colby freely admitted that the guidelines made for easy abuse of the system, but the rules needed a certain amount of leeway:

> . . . I don't want to be puristic here, you have a fight going on with a subversive force. You better know who the force is, you better build up a set of files so you know who your enemy is. And what their saying. It,s important if you're going to fight that kind of a war. A political war. . . . Are you going to send that guy to jail just because of [a statement against high taxes]? No. All the SOP's say no, you can't send him just for that. That's a [low] level comment. But it's relevant.[173]

## The VCI ABC's

Importantly for the Phoenix program, the PSCs, not the military or police units, had the final word in the classification of captured VCI. Phoenix divided the VCI into three categories, "A" (leaders and formal party members), "B" (lower-level cadre who held some responsibility) or "C" (troops and followers with no real rank or power).[174] The VCI category was important, as it determined the severity of the sentencing and length of detention the individual received. Improper classifications led to the release of high-level VCI or to misleading assumptions about the degree of damage the Viet Cong had suffered in a given area. Categorization eased with the introduction of the "Green Book." The first edition appeared in December 1968 under its official title, "Current Breakout of VCI Executive and Significant Cadres." The book was an attempt on the part of Phoenix leadership to improve the accuracy of progress reports, to aid in the

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[173]Colby, Interview with author.

[174]Colby and Forbath, 268.

targeting of key VCI members, and to help standardize VCI sentencing throughout South Vietnam.[175]

When the PSC sentenced suspects, category "A" VCI generally received two years, the maximum allowed with administrative detention, but that was almost always extended for such high level VCI. "B's" generally received one to two years, extended in about half the cases, and "C's" one year or less, with few extensions.[176] In practice, "C's" often gained releases or escaped after little or no administrative procedure.[177] Although a problem, these "C" level releases, according to William Colby, actually aided pacification:

> . . . the category "C" were the ones that I wanted to recruit. The best way to defeat a guerilla is not to shoot him; it's to recruit him. Because when you can get him to come to your side, you've not only reduced the enemy by one, you add one to you. So you've got a double effect. If you just shoot him all you've done is reduced the enemy by one; you're not adding anything to your strength.[178]

On the other hand, there was also the constant problem of category "A" and "B" cadre escaping or bribing their way out of custody. This chronic problem plagued the Phoenix program throughout its existence.[179]

The lack of an effective prisoner accounting system allowed many VCI to either escape prison unnoticed, or to bribe or cajole their way out. Most weekly and yearly reports cited this recurring problem. The 1968 report states, "[t]here are also indications

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[175]Phung Hoang/Phoenix, "Current Breakout of VCI Executive and Significant Cadres," 1 January 1970, i.

[176]Colby and Forbath, 274.

[177]Southeast Asia Analysis Paper, December 1968, 51.

[178]Colby, Interview with author.

[179]Southeast Asia Analysis Paper, June-July 1971, 7.

that VCI cadres with sufficient influence can prevent local officials from taking action against them, avoid apprehension, or gain easy release after capture."[180] One report, in December 1968, lists as one of the Phoenix program's two principal operational problems, "imprisonment agencies and the failure of the GVN prison and judicial system to hold more than a fraction of the VCI arrested. . . . The lack of a strong judicial and prison system has meant that as much as 70% of the VCI members arrested may be released within a year after they are detained."[181] For 1968, it was estimated that more than 13,000 prisoners gained early releases. Between May and September, more VCI members actually escaped or disappeared from the prison system then the Phoenix program neutralized![182] Such a situation thwarted official efforts at eliminating the VCI. Once prisoners had undergone interrogation, the Phoenix program relinquished control over them, after which they all too often simply disappeared before or shortly after sentencing.[183] Although a new system for tracking prisoners, the VCI Neutralization Information System (VCINIS) was initiated in January 1970, but more than a year later a report stated that the South Vietnamese judicial machinery was "leaky."[184] If it was unable to prevent VCI from escaping the prison system, at least the VCINIS did show exactly how many VCI leaked out (2,004 in 1970).[185]

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[180]"PHOENIX Year End Report - 1968," 12.

[181]Southeast Asia Analysis Paper, December 1968, 52.

[182]Ibid., 63.

[183]Ibid., 54.

[184]Southeast Asia Analysis Paper, September-October 1970, 29; Southeast Asia Analysis Paper, June-July 1971, 7; "Phung Hoang 1969 End of Year Report," 16.

[185]Southeast Asia Analysis Paper, June-July 1971, 7.

Interrogation and Detention Centers

Interrogation and detention centers persisted as one of the greatest problems of Phoenix advisors and directors. Despite the fact that the Phoenix program did not directly operate them nor bear any clear responsibility for them, the interrogation and detention centers were essential to the proper functioning of the program. Therefore they cannot be left out of an assessment of the program. The centers served the needs of the Phoenix program, as well as of the regular police and military units. Plagued by escapes, bribery, overcrowding, abysmal record keeping, indiscriminate torture and antiquated facilities, the South Vietnamese interrogation and detention centers proved to be both an embarrassment and a weakness for the Phoenix program, and the pacification effort as a whole.

The 1968 year end report for Phoenix describes detention facilities in South Vietnam as "inadequate in many areas."[186] Each province had its own Provincial Interrogation Center (PIC), which operated under the jurisdiction of the Special Branch of the National Police.[187] The PICs served as holding areas as well, and they earned a notorious reputation for squalor and torture. Saigon Police reportedly had a saying, " If they are innocent beat them until they become guilty."[188] An tri detention hearings allowed the use of "interrogation statements" and confessions from suspects held in PICs. That practice encouraged the use of torture to gain such confessions of guilt. Torture was not uncommon, but it did go against official Phoenix policy. Discussion of the conditions

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[186]"PHOENIX Year End Report - 1968," 9.

[187]Howard Frazier, ed., Uncloaking the CIA (New York: The Free Press, 1978), Essay by John D. Marks, 15-16.

[188] Washington Post, 17 February 1970.

in the facilities died down in the later years of the program, but the conditions remained bad, as testified to in various media reports and congressional hearings.

One anonymous CIA operative admitted to the problems in the PICs, but he played down the American influence there. He indicated that the Americans could only do so much to prevent the torture and other problems:

> . . . I can't think of ever setting out or even wanting somebody to be hurt or maimed or killed. There were illegalities, but they were little illegalities. And when someone got hurt, generally speaking, it would be when we [the American advisors] didn't have pure control of the operation.[189]

He conjectured that the underlying reason for the problems in the PICs could be found in an inherent Vietnamese propensity for brutality. He argued that the Americans did their best to follow regulations and maintain constant supervision of the PICs, but they could not be everywhere and the Vietnamese would do what they were going to do--once the Americans had left:

> I had those things [the PICs] neat and clean and orderly. And then the next thing I'd find is that in one province some Vietnamese had gotten the hell beaten out of him. That was never authorized or directed. We could raise all kinds of hell, and it was like talking to a stone wall. . . . The CIA assumed an awful lot of blame. Our only responsibility was to set these things up. . . . We did have some power over the Special Branch too, since we were supporting and financing them. But the torture, there were times when we even didn't know about it. We'd hear about it because some newspaperman was floating through the area, and somehow he'd find out. We'd read about the torture in the paper, and we'd get a cable from Saigon asking: What in the name of God is happening in your damn PIC now? But we never, as an agency, instigated either torture or violence.[190]

This statement indicates that torture was fairly widespread, especially when the Americans were elsewhere. But, it also indicates that the advisors suspected that it continued, and thus bear some of the responsibility. The operative further claimed that

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[189]Quoted in Marks, 15-16.

[190]Ibid.

the CIA maintained considerable influence over the police Special Branch, yet despite that fact proved ineffective in halting the torture.

CORDS initiated a program of prison improvement and expansion in 1967. The program included both fortification, to protect against Viet Cong attacks, and expansion to reduce overcrowding. Medical care and sanitary facilities improved as well. CORDS had six U.S. Federal Bureau of Prisons personnel in Vietnam to assist and advise. Funding increased from $78,000 in 1967, to a high of $1,199,700 in 1968 and an average of $540,300 per year for the years 1969-72. According to Colby, the prisoner mortality rate dropped from 1.56 per thousand per month in 1967 to .36 per thousand per month in 1970. CORDS continued to assign advisors to a regular inspection program of PICs, prisons and detention centers, but it charged the South Vietnamese Government with following up on the advisor's reports and recommendations.[191]

In 1971 hearings Congressman William S. Moorhead directly asked William Colby about the allegations of torture under the Phoenix program:

> Mr. MOORHEAD. You mentioned that there have been some abuses. Have any of your subordinates reported to you instances of torture being used under the Phoenix program?
>
> Ambassador COLBY. We have had reports of a few through our channels. We have also had allegations to the National Assembly and in the Vietnamese press of this kind of thing. We have looked into these. On occasion we have found abuses, as I say, unjustifiable abuses, and in collaboration with the Vietnamese authorities we have moved to stop that sort of nonsense.[192]

Later, Colby added his rather pragmatic reasons for opposing torture:

> If you want to get bad intelligence you use bad interrogation methods. If you want to get good intelligence you had better use good interrogation methods. You will get

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[191] U.S. Assistance Programs in Vietnam, 229.

[192] Quoted in U.S. Assistance Programs in Vietnam, 186.

> what the fellow thinks you want to hear if you use the wrong methods. This is the lesson we have been trying to put over with the people with whom we work.[193]

On more than one occasion William Colby expressed his opposition to torture and other illegal acts in connection with the Phoenix program. The Advisor Handbook (dated 20 November 1970) cautioned that:

> Participation in actions contrary to law are expressly prohibited. If violations are observed, the advisor is to make his objections known, cease any participation in the illegal activity, and make a full report of the incident to his immediate superior for corrective action.[194]

The 1971 hearings indicated that twenty-one Americans inspected the forty-four PICs in South Vietnam.[195] Sometimes they were present for interrogations, but evidence indicates that they did not participate in or condone torture. Colby wrote:

> U.S. personnel are primarily advisors with respect to GVN interrogation of VC or NVA suspects. Thus they are sometimes present, sometimes not; they sometimes make suggestions with respect to questioning, and sometimes do not. There is no fixed rule in this regard, other than that of helping GVN personnel to meet professional (and ethical) interrogation standards.[196]

Nevertheless, even Colby's Saigon legal advisor admitted, "[e]verybody who was there accepted torture as routine."[197] The general consensus seemed to be that the Vietnamese tortured no matter what, sometimes for the simple pleasure of causing pain, and the

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[193]Ibid., 190.

[194]"Phung Hoang, Advisor Handbook," 13.

[195]U.S. Assistance Programs in Vietnam, 214.

[196]Ibid., 226.

[197]Michael Drosnin, "Phoenix: the CIA's biggest assassination program, New Times, 22 August 1975, 22.

Americans could do little to prevent it.[198] Another former CIA operative who worked for the Phoenix program admitted to a good cop-bad cop format:

> We'd often have a VCI suspect brought to [the outside] compound--we were accustomed to air-conditioning and didn't want to sit around a crummy, hot, PIC on a hard wooden bench, . . . We'd give the prisoner a cigarette or a cup of coffee and offer him an alternative. Either he could cooperate with us, or he could go back to the PIC with his countrymen. . . . They generally talked.[199]

The inability of the American advisors to manage any dramatic improvements in the prisons, or especially to prevent torture, was one of the most obvious problems surrounding the Phoenix program. Technically, the prison system was not operated by the program, but advisors and personnel from Phoenix often witnessed torture and abysmal conditions--and did little to improve matters. Official policy differed from practice, a common ailment of Phoenix.

## Conclusions

For the most part, Phoenix organizers based the program on South Vietnamese legal precedent or existing laws and proclamations. However, the Americans did not hesitate to change or add laws where it was thought it might enhance the effectiveness of the program. Whether through good intentions or merely because of frustration, American influence prompted the South Vietnamese to modify their legal system in order to increase its speed and efficiency, and even to provide some semblance (however thin) of legal protection for the accused. Since the American and South Vietnamese governments officially recognized the conflict as a "war" rather than a case of internal dissention, they had more freedom of action in assigning captured guerillas either civil or

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[198]Ibid., 21.

[199]Quoted in Drosnin, 21.

PW status. Despite the improvements, even had the system worked as well as the Americans envisioned, it seems unlikely such an arrangement would have been accepted if imposed in the U.S.

Unfortunately, human rights occupied a low priority in the South Vietnamese legal system, even after many American inspired improvements. It is clear that the Phoenix organizers did not condone torture, and even actively discouraged it. It also appears obvious that some individual Americans ignored such official discouragement and while not likely to actually participate in the action themselves, did not risk their status with the South Vietnamese by attempting to prevent it. Responsibility for such acts falls mostly on the South Vietnamese, but obviously the Americans could have used their influence and control to prevent such atrocities. Most reports indicate the detention facilities did improve due to American insistence and aid, but that fact does not make up for the inability to prevent torture or reduce periods of detention without trial.

Whether an tri detention is perceived as an excuse for detention without evidence or not, it was certainly not unprecedented in the world or even unique to South Vietnam. Many, if not most underdeveloped countries in the world today have similar laws. During wartime, the United States has often resorted to such measures, such as the confining of the Japanese-Americans to camps in World War II, and the sedition laws of World War I. Many Americans understandably found an tri detention unacceptable during the Vietnam War, but it is difficult to condemn a law that is found acceptable in so many other nations.

# CHAPTER IV

## PHOENIX EFFECTIVENESS

While critics and supporters held differing views on most aspects of the Phoenix program, they generally agreed on the issue of effectiveness. Green Berets, CIA agents, and even Phoenix originators publicly admitted that the program fell far short of expectations, doing little perceptible damage to the VCI. Phoenix founder Robert Komer himself described the program in 1971 as "a small, poorly managed, and largely ineffective effort, though some attrition of the VCI has taken place."[200] Few Phoenix advisors dared to claim much success, and many vented their problems and complaints to the media. Sir Robert Thompson, perhaps one of the leading specialists on counter-guerilla warfare and widely quoted by the press, supported the concept of the Phoenix program, but claimed in 1970 that the program was not doing its job.[201] Even former Phoenix director and primary pundit William Colby admitted that "[i]t has been no great success, but we are working on it."[202] Anti-war activists claimed that Phoenix actions against the VCI injured more innocents than it did guerillas. Only the Phoenix program's staunchest supporters, MACV statistics, and (after the fall of South Vietnam) former Viet Cong, tell a different story.

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[200]Robert Komer, "Impact of Pacification on Insurgency in South Vietnam," Journal of International Affairs, Volume XXV, 1971, number 1.

[201]Tad Szulc, "Expert Now Gloomy In Report to Nixon On Vietcong Power," New York Times, 3 December 1970, 1.

[202]Quoted in Congress, Senate, Committee on Foreign Relations, Vietnam: Policy and Prospects, 1970, Civil Operations and Rural Development Support Program, 91st Cong., 2nd sess., 17-20 February, 3, 4, 17,19 March 1970, 25.

Since the end of the Vietnam War many have changed their evaluations of the effectiveness of Phoenix. The emotionally charged war years generated many myths which have since dissipated. The very targets of the Phoenix program, the Viet Cong and North Vietnamese, have openly and frankly discussed the program. Finally, MACV statistics have gained greater attention with the realization that they are considerably more accurate than many had previously believed during the war.

## Phoneix Effectiveness: Self-Assessment

For measuring the progress of pacification and security in South Vietnam, CORDS and MACV tapped a variety of sources. Advisors filed weekly and monthly statistical reports on the VCI in their respective areas of operation. Similarly, both MACV and Phoenix personnel filed reports of detention and interrogation facilities, following periodic inspections. Every month, the elaborate Hamlet Evaluation System (HES) monitored the level of government control over the thousands of hamlets included in the overall pacification effort. The Pacification Attitudes Analysis System (PAAS) conducted opinion polls among the rural Vietnamese. The Southeast Asia Division of the Office of the Assistant Secretary of Defense for Systems Analysis analyzed most of this data. Information specialists deciphered the information, converted it into intelligible terms, and subsequently published it in periodic Southeast Asia Analysis Reports. Robert Komer, while sometimes critical of the reports, called them "the best single source available on how the conflict was really going."[203]

The statistics in the Southeast Asia Analysis Reports and from other agencies clearly indicate that the VCI attrition rate increased steadily from the time of the Phoenix program's inception. Part of the increase is explained by the military's additional

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[203]Thomas C. Thayer, War Without Fronts: The American Experience in Vietnam (Boulder: Westview Press, 1985), xxii.

emphasis on attacking the VCI, but part can also be attributed to the early efforts of the Phoenix program itself. Phoenix offices throughout South Vietnam began stressing the attack on the VCI from the moment of their organization, redirecting a large portion of military efforts towards operations against VCI targets. As Phoenix matured, it heightened in intensity against the VCI. The program focused its attacks specifically against identified and targeted VCI, as opposed to the regular military forces which usually encountered the VCI in the course of general operations.[204] Surprisingly, however, even after Phoenix had a chance to stabilize and function according to design, it still only accounted for a relatively small percentage of total VCI neutralizations.

The Phoenix program rarely claimed more than twenty percent of the total VCI neutralizations for any given period. At first glance this figure would indicate a relatively low level of effectiveness, but the percentage alone was deceptive. Since the Phoenix program primarily targeted specific VCI, in contrast to the more general, large-scale regular military operations, it generally eliminated individuals rather than groups of VCI. For the program to target an individual, it required enough evidence on the person to justify at least *an tri* detention. The military forces, however, encountered VCI in combat operations, and thus needed no legal grounds for a neutralization. These general operations adversely affected the military sections of the VCI, but rarely damaged the higher-level political leadership. The Phoenix program attacked VCI who normally would not be affected in the course of regular military operations. In addition, the program utilized far fewer personnel and resources than did the military operations. Thus, while the program accounted for fewer VCI losses than the regular military forces, it assailed an almost impregnable aspect of the VCI that otherwise would not be seriously damaged, and did it using fewer resources. Estimating the full extent of damage to the

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[204]Southeast Asia office under the Assistant Secretary of Defense (Systems Analysis), Southeast Asia Analysis Reports, October 1968-February 1971.

VCI by the Phoenix program is both complex and, with current sources available, impossible to verify.

To measure the destruction of the VCI, one has to consider both quantitative and qualitative factors, i.e. the sheer numbers neutralized (using the terminology of the time) and the "quality" of those neutralizations. The quality of a neutralization depended on the VCI member's level of authority and the information he provided to his captors. In other words, simply neutralizing a certain number of VCI members in a given time period indicated only one level of effectiveness. Not indicated were the numbers of neutralized VCI members who actually occupied high-level VCI leadership posts, the primary target of the program. This also did not indicate how many willingly offered information about the VCI.

For the Phoenix program to be truly successful, it had to damage the often irreplaceable high-level leadership of the VCI. The Viet Cong could recover rather easily from low-level VCI neutralizations. By inflicting casualties on the higher VCI echelons, Phoenix caused relatively serious damage to its enemy. The Southeast Asia Analysis Reports described the primary target of Phoenix in this way:

> The Viet Cong infrastructure, like any complex organization, is more sensitive to the loss of high level, experienced, leaders than to loss of rank-and-file members. The organization can sustain fairly large losses of the latter without losing too much effectiveness. Losses of high-level personnel damage the organization far more seriously, even when they are few in number, compared to rank-and-file losses. Thus, the importance of the VCI neutralized is an important consideration in assessing progress.[205]

Therefore, the Phoenix program did not waste its resources against the multitudes of common Viet Cong soldiers and laborers, all expendable to at least some degree. Instead, the program turned to the brains and leadership of the Viet Cong. Table 2 below

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[205] Southeast Asia Analysis Reports, September-October 1970, 25.

offers insight into just how much the quality of the neutralizations improved over the most active years of the program.

Table 2.--VCI Neutralizations, 1968-70[206]

| Year | Total VCI Neutralized | Percent of Total VCI Rated as Medium to High Level |
|---|---|---|
| 1968 | 15,776 | 15.2% |
| 1969 | 19,534 | 21 0% |
| 1970 | 22,341 | 32.8% |

Showing the percentage of neutralizations rated as high level (district level and above), does not indicate whether the VCI in question were killed, captured, or rallied. As noted earlier, one of the Phoenix Standard Operating Procedure (SOP) handbooks prioritized neutralizations as follows:

1. Recruit in place
2. Induce defection ("rally")
3. Capture
4. Kill
5. Wound
6. Neutralize (in this use meaning loss of effectiveness)

Recruitment in place and defection constituted the most qualitatively acceptable neutralizations. Thus, recruiting a high-level VCI leader was a far superior neutralization than merely killing a low-level VCI member.

206"PHOENIX Year End Report - 1968," 18; "Phung Hoang, Phoenix 1969 End of Year Report," C-5-1; "Phung Hoang 1970 End of Year Report," Appendix 3.

For example, in 1969, Phoenix claimed responsibility for 19,534 neutralizations. Of that number, 8,515 were captured, 4,832 rallied, and the rest were killed in action (KIA).[207] Since the captured, and especially the rallied VCI, brought vital information about the infrastructure with them, they proved far more valuable to subsequent Phoenix operations. Cooperative VCI provided names of others in their organization, locations of bases, details of planned operations, and other data. Naturally, the Phoenix program worked best when rallied or captured VCI members talked, leading Phoenix operatives to others who in turn offered more information. Dead VCI members became mere statistics.

In 1968, the program's first full year of operation, intelligence reports indicated that of the 15,000 VCI listed as "eliminated," only thirteen percent had functioned above the local level, and of those, only ten individuals had occupied high-level positions.[208] This meant that while the program may have been attacking the VCI, it generally failed to reach the vital high-level leadership. Therefore, it inflicted rather minor damage to the VCI. The 1968 Phoenix annual report summarized the year this way:

> What losses the VCI has suffered apparently have not unduly hampered its functioning. . . . VCI personnel losses have not yet approached the critical stage. Nor does it appear likely that they will in the near future.[209]

In addition, many of the VCI neutralizations did not actually satisfy Phoenix criteria for a successful neutralization, since the South Vietnamese either released the suspect shortly after capture, or reclassified them because they turned out to be low-level Viet Cong

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[207] "Phung Hoang, Phoenix, End of Year Report, 1969," C-1-1

[208] Southeast Asia Analysis Reports, December 1968, 61; "Historical Review of the PHUNG HOANG/PHOENIX Program from July 1968 to December 1970," 22. It is important to keep in mind that no Phoenix statistics include the month of February 1968, the month of the Tet Offensive.

[209] "Phoenix Year End Report-1968," 1.

cadre rather than VCI. Even using the inflated figures of VCI listed as neutralized, intelligence analysts estimated that the VCI could easily withstand such losses:

> . . . assuming that a 30% attrition rate will greatly reduce the effectiveness of any province's VCI (a standard to the military assumption that 30% casualties renders a combat unit ineffective), we are not destroying the VCI in more than five to ten provinces [out of forty-four in South Vietnam].[210]

While the Phoenix program improved its results up through 1970 and 1971, the program's own analysts never harbored any illusions that it might completely destroy the VCI. The primary goal from early on appears to have been to keep the VCI on the defensive so that they would no longer be able to operate freely.

If the high estimate of 111,000 VCI functioning in 1968 is accepted (the estimated number varied wildly depending on the originating agency or intelligence organization; Colby claimed a number closer to 80,000 for 1968),[211] then the Phoenix program neutralized twelve percent.[212] The twelve percent figure is deceptive, for Phoenix analysts estimated that after reducing the figure by the number of VCI who escaped detention, were inadvertently released, or who turned out to be only low-level cadre, the estimated losses of the VCI in 1968 may have been as low as five percent.[213] The VCI easily replaced such losses.

Classification of neutralized VCI in 1968 can only be described as haphazard at best. Consequently, Colby tried to improve classifications by introducing stricter criteria

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[210]Southeast Asia Analysis Reports, September 1968, 59.

[211]Vietnam: Policy and Prospects, 1970, 33.

[212]Estimated number of VCI is by the Office of the Assistant Secretary of Defense (Comptroller); Southeast Asia Analysis Reports, September 1968, 51.

[213]Ibid.

for classifying neutralizations in an effort to reduce abuses against innocent civilians and improve the targeting of the program.[214] As Colby described it,

> During 1968 they did not have precise definitions of who was a VCI and, consequently, pretty much everyone who was arrested was included as a VCI in those figures. By 1969, these sharpened up a bit, and many people who were actually captured and arrested as VC could not be classified as VCI for this program.[215]

By 1969, the Phoenix leadership corrected some of the more serious classification problems, but even so the statistics indicated positive results. That year, twenty-one percent of the VCI neutralizations eliminated high-level members, a huge improvement over 1968. Twenty-one of the neutralized VCI were from COSVN, an area of the VCI that had been virtually untouched in 1968.[216] Despite the use of the stricter criteria for the classification of VCI, the Phoenix program still managed to neutralize more VCI than in 1968. In 1970, the criteria for rating VCI changed one more time, and VCI could now only be listed as neutralized after conviction and sentencing. It was a reform that should have come much sooner. It meant a virtual end to the not-uncommon practice of rounding up innocent civilians to fulfill Phoenix quotas, since the grounds for conviction of such civilians rarely materialized.

The fact that the program did apprehend a large number of civilians and then released them did not enhance its reputation or appearance of efficiency. The errant arrest and trial of innocents could not have been conducive to good relations with the general population. To be able to count on the population's support, the Phoenix program needed public favor and respect. False arrests did not help these relations. The Southeast

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[214]MACCORDS-PHX, "Historical Review of the PHUNG HOANG/PHOENIX Program from July 1968 to December 1970," 27 November 1970, 21. Hereafter cited as "Historical Review."

[215]Vietnam: Policy and Prospects, 1970, 320.

[216]Historical Review, 22.

Asia Analysis Reports estimated that thirteen percent, or one in every eight people arrested, was ultimately released after trial. Unfortunately, few Phoenix documents address this problem, so it can only be assumed that the incarceration of innocents did not rate as a high-priority problem with the program leadership.

The year 1970 proved to be one of the most successful years for Phoenix. The Southeast Asia Analysis Reports congratulated the program on a number of improvements, including the quality of neutralizations, and a noticeable decline in estimated VCI strength.[217] The utilization of computers, in what was known as the VCI Neutralization Information System (VCINIS), stood out as one 1970 improvement. The computer banks basically stored all the information that had been written on filing cards. The computers improved the speed and search capabilities of the Phoenix offices in which it was used. Despite some early problems, the computer system eventually did work, although its effects on the program seem difficult to gauge. Once the Americans had pulled out of Vietnam, the system did not last long, and it quickly fell into disuse.[218]

The following year, 1971, may have been the last year that the Phoenix program enjoyed adequate American support. Even then, MACV pulled out many advisors on short notice as part of the troop reductions. The army forced two advisors who later wrote of their experiences, Herrington and Donovin, to leave either after extensions had already been approved, or otherwise premature to the ends of their hitches. They both left in 1972, a period of the greatest American withdrawals. Cook extended his tour as much as he could, but he too was forced to leave as early as 1970. It is important to note that the regular American combat troops left ahead of the advisors, but the advisors could

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[217] Southeast Asia Analysis Reports, September-October 1970, 14.

[218] Ibid., 19; Colby, Interview with author.

not stay much longer. Once the army scheduled thier departure, no amount of influence or pleading could change the army's decision.[219]

Total destruction of the guerilla infrastructure occurred in only a few districts and provinces during the war. Aside from those exceptions, the full effect of damage inflicted on the VCI could only be measured quantitatively with the greatest of difficulty and inaccuracies. Therefore, besides the sheer numbers of VCI neutralized, it helps to examine the secondary effects of the program.

The higher attrition rates created by the Phoenix program and the other pacification efforts made being a VCI a high-risk career choice. The VCI recruiters and tax collectors maintained closer contact with the general population than any other VCI, and thus proved especially vulnerable to identification and neutralization. As the attrition rates increased, the importance of recruiting replacements increased as well, making the VCI recruiters especially vital to the guerilla movement. In addition, the attrition rate, though never high enough to threaten total elimination of the infrastructure, was serious enough to cause concern for their personal safety among potential recruits.[220] One Phoenix document, albeit biased, claimed,

> VC "recruiting" agents who had formerly been able to fill the ranks under the guise of giving the head of the family an opportunity to 'volunteer' a son or daughter to fight for 'freedom' now had to resort to outright kidnapping of adolescent children. VC tax collectors had to resort to methods amounting to armed robbery to fill their coffers.[221]

Such actions obviously hurt the Viet Cong's acceptance and perception by the general population. The VCI also suffered from the replacements for its casualties.

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[219]Cook, Herrington and Donovin all relate similar experiences at the conclusion of their memoirs.

[220]"Historical Review," 23-24.

[221]Ibid., A-5.

The level of attrition forced VCI personnel to fill critical vacancies with cadre neither trained nor experienced at first. Cadre not familiar with their new positions could not be as effective as those they replaced.[222] The National Liberation Front (NLF) considered it of primary importance to fill all positions vacated due to attrition despite the low qualifications of the replacements. The reason for this policy lay in the NLF's propaganda claims of a legitimate government already in place in South Vietnam.[223] Gaps in the "shadow government" made it difficult to support these claims.

The third effect, related to the attrition, was the increasing numbers of North Vietnamese military filling in the numbers of the Viet Cong positions vacated by casualties. As mentioned earlier, the South Vietnamese often resented the North Vietnamese. This resentment affected the guerillas directly in the loss of logistic support offered by the rural population. Further, ideally guerillas were to operate in their home areas to utilize their tactical knowledge of the areas and family structures. By utilizing North Vietnamese to fill many of these positions, the Viet Cong lost some of their advantages.

CORDS estimated that in 1965, the Viet Cong consisted of seventy-five percent South Vietnamese and twenty-five percent North Vietnamese membership. In 1970, after the huge losses of the Tet Offensive in 1968, as well as other guerilla offensives, and after the constant attrition due to pacification efforts, the ratio of North to South Vietnamese had become virtually reversed. Colby estimated the Viet Cong in 1970 to be seventy-two percent northerners, and only twenty-eight percent South Vietnamese--a substantial and significant change.[224]

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[222]Ibid., 23-24.

[223]Ibid.

[224]Quoted in Vietnam: Policy and Prospects, 1970, 198.

The Phoenix program, and pacification as a whole, increased pressure on the VCI. The early ineffectiveness of the program gave way to a general overall increase in the pressure on the VCI, with some exceptionally devastating operations, and other Phoenix offices doing absolutely no damage to the VCI. MACV statistics and reports, at least, indicate that the program worked in enough instances to cause serious problems to the VCI.

## Phoenix Effectiveness: Advisors' Assessments

The American advisors, stationed at the province, district, and national levels, made up the heart of the Phoenix program. They tackled the day-to-day problems and carried out the operations against the VCI. Despite the similarity of their hands-on participation required by their occupations, the advisors voiced a wide variety of opinions on the effectiveness and efficiency of the Phoenix program. Many spoke candidly with the press about their problems.

A common advisor assessment of the program was that it simply was not doing what it was supposed to do, or as well as it ought to. Part of the problem may have been the typical American impatience with their Vietnamese counterparts. Many advisors exaggerated their problems to dramatize their plight. Reporter Robert G. Kaiser quoted one advisor stating, "[t]he most important point about Phoenix, is that it isn't working."[225] It was a comment heard from many advisors. A senior province advisor from Baclieu Province basically agreed, saying that the program was mostly effective against low level VCI cadre but, "ineffective against the hard core" VCI leadership.[226]

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[225]Robert G. Kaiser, Jr., "U.S. Aides in Vietnam Scorn Phoenix Project," Washington Post, 17 February 1970, A-10.

[226]Quoted in Gloria Emerson, "U.S. Advisers Voicing Doubts on Saigon's Desire to Push Operation Phoenix," New York Times, 26 October 1971, 2.

John Paul Vann, a former military advisor who in 1970 was head of the American advisory effort in the delta, testified to the U.S. Senate,

> . . . I consider [Phoenix] an essential program that has not become anywhere near as effective as we believe it can be. I also am well aware that, like any other program in Vietnam, it has its share of abuses, and by its very nature it is one which is extremely vulnerable to being misused. It requires a great deal of supervision.[227]

Vann's vast experience at all levels of operation in Vietnam highlights the importance of his comments. In his own district, advisor Stuart Herrington was unable to revive what was left of a neglected Phoenix program, but the tactics he evolved himself closely paralleled the design of the program. Herrington presented an example of how a properly run Phoenix operation should have functioned using a friend's district as an example. Advisor Tim Miller created a model Phoenix operation in a Trang Bang, near Herrington's own district.

> . . . Tim realized that only the patient preparation of dossiers on each Vietcong agent could insure that, once captured, the target would be convicted under Vietnamese law. Since the Vietnamese lacked the expertise and the facilities to implement such an experiment, Tim kicked off his project as a unilateral American effort -- which would be gradually Vietnamized as time went on."[228]

Miller built up the dossiers on the VCI in his district, and when a middle-level VCI officer rallied in the fall of 1971, he quickly capitalized on the information offered. The combination of the painstakingly maintained dossiers and the defector's information led to the arrest of twenty-eight other VCI members. When many of the new prisoners disclosed information, the operation grew exponentially, until at one point more than 100 former Viet Cong contributed information, and more than 300 had been captured.[229]

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[227]Quoted in Vietnam: Policy and Prospects, 1970, 321.

[228]Herrington, 102.

[229]Ibid., 105-6.

Herrington was not alone in his view that Phoenix could and did work well in many cases.

John L. Cook's memoirs of being an advisor also portray a successful Phoenix operation. He describes the Phoenix program as systematic and effective. In his own district, Cook helped to virtually eliminate the VCI. Where Tim Miller used primarily rallied and captured VCI to gain his information, Cook relied predominantly on the filing system. Cook, however, indicates a much higher VCI mortality rate then either Miller or Herrington, which may help to explain why he did not utilize much information from captured or rallied VCI.[230]

Although many advisors criticized the Phoenix program to the press, in general, the advisors who made efforts to write of their experiences in detail indicate a high level of effectiveness with the program. The detail usually includes a condemnation of many other advisors who managed only poor attempts at working with their Vietnamese counterparts.[231] The quality of advisors varied as much as the quality of the Phoenix programs.

The most striking feature of the American advisory effort revealed in the many reports and books was the diversity of their success. It is entirely possible that one advisor experienced and operated a successful Phoenix program in one district, while another advisor found exactly the opposite situation in a neighboring district. Thus, most advisors spoke only of their own successes and problems, and their observations of the Phoenix program as a whole remained limited.

## Phoenix Effectiveness: The Viet Cong Assessment

[230]Cook, 299.

[231]Ibid., 101. Cook listed the inability to get along with the advisor's Vietnamese counterpart as one of the biggest reasons for advisors being removed from their post.

Perhaps the most powerful assertion regarding the Phoenix program's effectiveness came from its targets. Phoenix documents contain a number of statements by Viet Cong leaders and summaries of captured documents which illuminate the level of concern that the Phoenix program generated in its enemies. Likewise, interviews with former Viet Cong after the war, as well as recent Vietnamese statements on the subject, have also confirmed that the program did cause the VCI serious problems.

Statements by high-level VCI leaders at the Second Congress of the People's Revolutionary Party (PRP) 2-17 September 1969, revealed anxiety over the damage the Phoenix program caused and the difficulty of implementing effective defenses against it. Remarked one delegate,

> At present, personnel of the PHUNG HOANG intelligence organization are the most dangerous enemies of the Revolution in suburban and rural areas. They have harassed us more than any other group and have caused us many difficulties.[232]

Post-war interviews support the Phoenix documents.

Author and journalist Stanley Karnow conducted interviews with several Vietnamese after the war. One subject, Col. Bui Tin, a former Viet Cong officer, described the Phoenix program as being "devious and cruel" and causing "the losses of thousands of our cadres." Gen. Tran Do, former deputy commander of the Communist effort in South Vietnam, told Karnow that the program had been "extremely destructive," and Nguyen Co Thach, Vietnam's foreign minister after the war, admitted that the program had forced many NVA and Viet Cong troops to retreat over the border to Cambodia.[233] Dr. Duong Quynh Hoa, whom Karnow describes as "a prominent Communist figure," claimed that the "southern Communist political organization was to

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[232]Quoted in "Phung Hoang, 1970 End Of Year Report," 45.

[233]Quoted in Karnow, 602.

be badly battered by the CIA's Phoenix program," in the year following the Tet Offensive.[234] Karnow was not alone in his findings.

Madame Nguyen Thi Dinh, a former commander with the Viet Cong, spoke of the Phoenix program shortly after the war. Apparently referring to the little-known agent penetration efforts that made up part of the Phoenix program, she conceded that, "[w]e never feared a division of troops, but the infiltration of a couple of guys into our ranks created tremendous difficulties for us."[235]

It was the Phoenix program's effectiveness, one VCI member called it the most feared element of pacification, that led to the VCI leadership's decision to strike back against the program.[236] Many local VCI leaders chose to focus their attacks against the Phoenix program itself in hopes of mortally wounding it before it fatally damaged their own organization. In a way, these attacks can be considered a tribute to the effectiveness of the program. It is not surprising, then, that COSVN "Directive 136" called for direct attacks on the program. VCI documents captured in Cambodia in May 1970 listed four methods for rendering Phoenix programs ineffective: assassinating or recruiting Phoenix committee members, infiltrating the committees, attacking the committees and seizing the files, and simply strengthening internal security.[237] When the destruction of the Phoenix program was impractical, the VCI tried evasion instead. They tried to recruit more "legal" cadre, meaning undercover members possessing legal South Vietnamese

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[234]Ibid., 534.

[235]Quoted in Nayan Chanda, "The Phoenix programme and the ashes of war," Far Eastern Economic Review, 2 May 1985, 40.

[236]Historical Review, 63.

[237]Phung Hoang, 1970 End Of Year Report, 44-45.

documentation and identification, who were somewhat more difficult for Phoenix to attack.[238]

Almost without exception, Viet Cong sources during and after the war spoke of the Phoenix program's high level of effectiveness. Colby suggested that they may have mistakenly recognized other programs as part of Phoenix, but that too seems to indicate an impressive level of respect from the VCI. Unlike the advisors' varied opinions, the VCI's common voice is powerful tribute to the concern they had about the Phoenix program.

## Phoenix Forces: A Failure in Implementation

Phoenix forces consisted of a variety of paramilitary units, though the PRUs proved time and again to be Phoenix's most proportionately effective units. The three police branches, the National Police, the National Police Field Forces, and the Special Police (also known as the Special Branch) made up the bulk of the designated Phoenix forces, but they did not prove as useful to the program as other forces, nor nearly as effective, man-for-man, as the PRUs.

The 15,000 strong nationwide police force, known as the National Police Field Force (NPFF), and the equally large Special Police (SP) branch provided the main police contribution to the Phoenix operations. The NPFF actually operated as a paramilitary force, more soldiers than police in equipment and training. Each of the 263 districts in South Vietnam had a 46 man platoon of NPFF assigned to it, for both normal police-type security and the special Phoenix operations. The SP gathered and exploited intelligence, operating more closely (often in theory more than in fact) with the Phoenix program.[239]

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[238]Ibid., 44.

[239]William E. Colby, "Statement for the Record on the Security Aspects of Pacification and Development," Vietnam: Policy and Prospects, 1970, 720-21.

The Phoenix program involved several other forces as well, including the Census Grievance Cadre, the Revolutionary Development Cadre, the Armed Propaganda Teams, and Military Security Teams, though for these units their primary missions did not include directly neutralizing VCI. For example, the Armed Propaganda Teams' primary duties lay in influencing the Viet Cong and the rural population, not in hammering the VCI. In practice, the regular military units accomplished the highest number of VCI neutralizations, but only in general, not specific operations. Of neutralizations by Phoenix forces, more selective in their targeting and with higher level targets, the police forces and PRUs carried out more than ninety percent.[240]

By design, the Phoenix program relied primarily on the police forces to carry out attacks against the VCI, but in practice Phoenix planners never successfully implemented this plan. One reason for this failure might be the fact that USAID (independent of the Phoenix program) advised the police forces, and probably did not offer the same indoctrination in the Phoenix program that the other units received from MACV advisors.[241] Severely afflicted with rampant corruption and inefficiency, the police forces proved resistant to change. The police maintained a permanent position at the low end of the Vietnamese "pecking order," earning little respect from either the other Vietnamese military and paramilitary forces or the general population. Official Phoenix documents recognized the problems with the National Police (NP):

> As in many GVN agencies and services, the image of the NP suffered from allegations of corrupt activities. These are the result of a combination of continuing inflation, retarded pay increases, inadequate numbers of qualified

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[240] Southeast Asia Analysis Reports, June-July, 1971, 6.

[241] In fact, in 1969 USAID refused to use any of its resources in support of Phoenix, a change of policy from 1968, and MACV had to fill the gap in support from military sources. "Phoenix 1969 End of Year Report," 12.

> middle and lower level leaders, not to mention the acknowledged existence of venality and opportunism in an unstable economic environment.[242]

For such reasons, the NP never fully earned the confidence of the American Phoenix advisors. The problems had not been rectified by the end of American involvement in 1972. A briefing paper from the Phoenix program underlined the problem with the NP, "although the GVN has designated the National Police as the primary operational element for the attack against the VCI, they have not been given meaningful authority to implement the program throughout the Republic."[243] The Americans did not trust the police with the Phoenix program.

Advisors quickly learned to use units other than the NPFF to carry out Phoenix missions. Former advisors John Cook and Stuart Herrington mentioned their preference for the PRUs or RF/PFs (the RF/PFs were technically not even part of the Phoenix forces) over the NP.[244] The PRUs, though man for man the most effective of the Phoenix units, could not handle all the operations alone, due to their limited numbers. Most VCI neutralizations continued to be carried out by regular military forces and the RF/PFs, who consistently neutralized the largest numbers of VCI. The military forces accounted for forty-four percent of VCI killed or captured in 1970, and ralliers to the

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[242]"Phung Hoang," proposed section on the Phoenix program to be included in MACV history, 27 February 1971, from RG 334, 74A, "CORDS Progress Phung Hoang Department," National Archives and Records Center, Suitland, Md.

[243]Undated, Anonymous Briefing Paper, from RG 334, 74A, Box 1, selected folders, "Vietnamization of PH Program," (General) (Oct-Nov 71), located at the National Archives and Records Center, Suitland, Md, 6. The briefing begins "Mr. Ambassador, Gentlemen . . . ," (presumably meaning ambassasor Colby or Komer) and is included with a similar briefing for the Prime Minister (presumably of South Vietnam) dated 19 November 1971. Hereafter cited as "Anonymous Briefing Paper."

[244]Cook, 172-76, and elsewhere; Herrington, 12.

Chieu Hoi amnesty program accounted for an additional twenty-eight percent of the total.[245]

In addition to poor organization and insufficient armament, mistrust between the police and military intelligence sections in South Vietnam hindered effective coordinated operations. Former advisor John Cook described the problem:

> There was a mutual fear that each was collecting information and "keeping book" on the other. The National Police were afraid of the military in general because the war had increased the military's size and power. The military, on the other hand, was aware of the fact that the war would not last forever, and there was widespread fear that when the war did end the National Police would turn the country into a police state, taking action against any military not in favor with the police.[246]

Such a state of affairs made it difficult to coordinate and fully utilize the various organizations involved in the Phoenix program. Interagency rivalries seriously hindered the operation of the program.

As the United States withdrew from the war, it gradually tried to "Vietnamize" the Phoenix program. The Americans chose the National Police to receive control of the program from MACV and, throughout 1969 and 1970, they transferred sections to the police. Phoenix documents claim that a trend towards specific targeting rather than general targeting made the NP more suitable to take charge of the program then the ARVN.[247] A more realistic reason might have been that most Americans considered the ARVN to be even worse than the NP.

The police never lived up to American aspirations, and throughout the Phoenix program's existence they continued to disappoint their American advisors. In 1970, the police, with 109,000 men, neutralized approximately 4,300 VCI, or 40 neutralizations per

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[245]Southeast Asia Analysis Reports, September-October, 1970, 28.

[246]Cook, 60.

[247]Phung Hoang 1970 End of Year Report, 24.

1,000. The PRUs, in contrast, neutralized 380 VCI per 1,000 men. The Americans tried to improve the police forces through various "public safety" programs, but they showed few results. One South Vietnamese general summed up the National Police in a report on pacification written after the war: "[l]eft to its own initiative, the politically-oriented national police was generally reluctant to take forceful actions and became ineffective against the VCI."[248] In fairness, the police were the most lightly armed of all the Phoenix forces, and thus often fared poorly when facing heavily armed guerillas. The Phoenix leadership may have expected too much from an organization originally designed to write traffic citations and settle domestic disputes.

[248]Brig. Gen. Tran Dinh Tho, Pacification (Washington, D.C.: U.S. Army Center of Military History, 1980), 73-74.

Psychological Operations

Psychological operations (psyop) played an essential part in the Phoenix program and the greater Vietnam pacification program. In addition to attracting Viet Cong defectors, or ralliers, psyops attempted to entice the rural Vietnamese to support their government. Psyops used a variety of media to influence both the guerilla and the peasant, but the level of effectiveness can only be measured indirectly through the numbers of Chieu Hoi ralliers and individual villagers that offered information damaging to the VCI.

Psyop policy handbooks reveal objectives for the support of the Phoenix program as:

> 1. To harass, disrupt, induce surrender or defection, or facilitate capture of the VCI.
>
> 2. To induce the South Vietnamese people to cooperate in providing information which will contribute to the neutralization of the VCI.[249]

When successfully implemented, both of these objectives assisted the Phoenix program enormously. Influencing Viet Cong to defect proved to be the more successful of the two objectives.

All the major Vietnam memoirs of American advisors describe VCI defectors as a primary sources of information. In Stuart Herrington's estimation, ralliers played key roles in destroying the VCI in his province. He described the usefulness of several of them in detail, such as Nguyen Van Phich, who defected at the urging of his wife, along with the promise of amnesty by the South Vietnamese government. He brought valuable

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[249]Joint U.S. Public Affairs Office (JUSPAO), Office of Policy, Plans and Research, Saigon, Viet-Nam, "Psyop Support of GVN Phung Hoang Program," RG 334, 74A-005 Box 1, selected folders, 3. Source found in National Archives and Record Center, Suitland, Md.

information with him, and his defection alone cost the VCI several arms caches and dozens of members.[250] The information potential of these defectors was therefore enormous.

To encourage VCI defections, psyop focused its propaganda on what it perceived as the most vulnerable areas of the VCI. Psyop published photographs of known VCI in order to intimidate them. These photos appeared on "wanted" posters which described their "crimes against the people" and emphasized a "fugitive from justice" theme.[251] The concept can be closely compared to an FBI "wanted" poster. In addition to enlisting the help of the people, such posters focused pressure on the VCI to take advantage of the Cheiu Hoi amnesty program before it was too late. Psyops tried to contact the relatives of known VCI to induce them to pressure their kin to defect. It induced defectors to write letters to their former comrades describing the good treatment and benefits of the GVN's side.[252]

Psyops dramatized the damage done to the VCI by the Phoenix program while expostulating the generous government treatment of defectors. Propaganda directed at the VCI emphasized the disintegration of the VCI organization. The operations attempted to make active members of the VCI feel increased danger with each passing day. In addition to such themes, the propaganda clearly outlined the fair treatment offered to those accepting amnesty. The large number of defectors underscored the

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[250]Herrington, 41-53.

[251]"Psyop Support of GVN Phung Hoang Program," 5.

[252]Republic of Vietnam, Ministry of Interior, National Police Command, Phung Hoang Bloc, "Information/Psyops draft for the publicity and support of the Phung Hoang Plan," 16 September 1971, 4-5, found in National Archives and Record Center, Suitland, Md.

general effectiveness of the psyop program in influencing the individual VCI members.[253]

In the period from 1966 to 1972, defections averaged more than 20,000 per year. In 1969 alone, the year following the Tet Offensive and other ill-advised Viet Cong offensives that cost the lives of thousands of Viet Cong, almost 50,000 of them rallied to the South Vietnamese Government.[254] Far more serious than KIAs, defections often meant that the rallier provided information that led to the elimination of additional VCI cadre. Psyops played the paramount role in securing these defections. By gaining the support of the rural population, particularly relatives of the VCI, psyops indirectly induced even more VCI to surrender.

In order to increase its effectiveness, the Phoenix program needed the support of the people. Psyops attempted to encourage this support by convincing the people that the VCI posed very real threats to their communities. Though it publicized the goals and function of the Phoenix program, psyop failed to raise public awareness to any great level. Regarding the other psyop goals, cleaning up the GVN bureaucracy and making the Phoenix operations more public, both would have helped to earn the population's trust, but might better be described as public relations efforts than psychological warfare. But to understand better the feelings of the population, psyops relied on the PAAS.

While flawed in many respects, the Pacification Attitude Analysis System (PAAS) should be recognized as one of the few sincere attempts made during the war to gauge the attitude of the Vietnamese population. Many of PAAS's survey questions sought to measure public awareness, and the potential level of support for the Phoenix program. The questions also probed support and attitudes towards the Viet Cong and the

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[253]"Psyop Support of GVN Phung Hoang Program," 6.

[254]Office of the Assistant Secretary of Defense (Comptroller), "Southeast Asia Statistical Summary," Table 2, 25 March 1971-17 January 1973, 1-7, in Thayer, 198.

VCI. Critics have often questioned the methodology behind and context of PAAS's questions, but the results show surprisingly little bias, indicating only limited manipulation of questions and answers. The PAAS, then, achieved a fair degree of accuracy.[255]

Attempting to capitalize on the information learned from PAAS, psyop rural programs portrayed the VCI as usurpers. Psyop operatives distributed leaflets or pamphlets throughout villages, which described the benefits of the South Vietnamese government: bridges, roads, hospitals, schools, and others. The Viet Cong it portrayed as the enemy of stability and prosperity in the community. For example, psyops capitalized on the Vietnamese concept of Confucian society: one based on the "will of the community." Without the Viet Cong, psyop argued, there would be peace and prosperity. The propaganda campaigns depicted the Viet Cong as persons who had separated themselves from "the true Vietnamese society." Ultimately, villagers were to believe that they, by turning in VCI, served both their country and more importantly, their community.[256] Unfortunately, assisting the South Vietnamese government was not without risks.

The rural Vietnamese feared the wrath of the Viet Cong: informants faced torture and/or death. One aspect of the Phoenix program that psyops emphasized was the anonymity of informants. In too many instances the GVN proved unable to provide for the anonymity and safety of the informants. In other efforts to influence the population, psyops widely published GVN successes, intending to show a general pattern of VCI loss and GVN gains, in much the same way propaganda directed at the VCI worked. By emphasizing GVN victories and VCI losses, it was hoped that potential informants would

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[255]Thayer, 173.

[256]"Psyop Support of GVN Phung Hoang Program," 4.

perceive a safer climate. The reduction of the VCI meant a reduction in Viet Cong tax collection and terrorism, both possibilities enticing to the average rural South Vietnamese.[257]

Comics and pamphlets, distributed to the rural villagers, focused on the monetary, scholastic, and material benefits of the South Vietnamese government, as contrasted with the terrorism of the VCI.[258] Few believed that the rural population viewed the close relationship between the GVN and the U.S. positively. Psyop propaganda deliberately downplayed American influence in aid programs and in the Phoenix program, and as much as possible portrayed development and pacification projects as primarily GVN activities.[259] Nevertheless, such programs designed to inform and to enlist the support of the rural Vietnamese population did not entirely succeed.

As late as 1971, most of the rural population did not yet fully understand the Phoenix program. An analysis of a PAAS survey completed in December 1970 stated that, "[t]he bulk of the people surveyed did not have a good knowledge of the PHUNG HOANG [Phoenix] program, its objectives or its organization."[260] Most rural villagers had misconceptions about the program, believing that it existed to insure the arrest of draft dodgers and smugglers. Few villagers knew its actual purpose.[261] An uninformed population meant a huge loss of potential information and support.

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[257]Ibid., 5-6.

[258]Ibid.

[259]Ibid., 5.

[260]MACDRAC-CR-PX, "People's Image of the PHUNG HOANG Program," 28 April 1971, 2. Document from RG 334, 44A-005, Box 1, National Archives and Record Center, Suitland, Md.

[261]Ibid., 2.

The PAAS survey revealed a "lax" attitude on the part of village officials in carrying out the Phoenix program, an attitude which the villagers themselves emulated. Villagers who might have been interested in participating in the program feared Viet Cong retribution; they did not believe that the government would protect their anonymity, and thus their lives, a prudent attitude in light of the often unresponsive GVN officials.[262] Psyop employed several methods to improve the GVN image, as well as that of Phoenix .

Psyop's primary goal was to convince the Vietnamese population of a VCI threat. Psyop hoped that by understanding the VCI threat to their communities and livelihoods, the population would more willingly assist the Phoenix program. To assist in gaining the confidence of the rural population, Psyops encouraged a thorough crack-down on corrupt GVN officials. The PAAS surveys showed that the corruption impeded growth in confidence in the government. Another psyop recommendation called for keeping the people more informed about the status of suspects captured during Phoenix operations, even to the point of forewarning a village or hamlet before an operation if that was possible. The idea behind that recommendation was to prevent the disappearance of relatives and friends.[263]

Psyops used diverse methods to disseminate information about the Phoenix program. Armed Propaganda Teams (APT), sometimes including Viet Cong defectors, travelled from hamlet to hamlet in contested regions (often as part of regular Phoenix operations) in order to talk to villagers on a firsthand basis about the benefits of the Phoenix program and the South Vietnamese government.[264] Drama teams acted out

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[262]Ibid., 2-3.

[263]Ibid., 3-4.

[264]Ibid., Inclosure 1, p.1; Thayer, 200, 208.

skits designed to show the advantages of government security, and while psyop television only reached the urban and wealthy, the GVN distributed radios fixed to receive only the government stations which carried psyop. Loudspeakers on trucks, nighttime air broadcasts, airdropped leaflets, and posters also became a part of the regular psyop fare.[265] At least one document suggested distributing such items as "sandbags, paper airplanes, calendars," and "posters, upon which stencil slogans have been printed/painted." It also recommended creating Phoenix "oriented love stories" to put "in popular magazines" in order to reach "a totally new audience."[266]

The propaganda spread by psyops obviously had a fairly substantial effect on both the VCI and the rural Vietnamese population. The high rate of VCI defection, and the increased number of neutralizations attest to that fact. Even in 1968, the year the Phoenix program foundered in many areas, the year-end report praised many psyop related results,

> The increasing number of ralliers is indicative of the effect that various GVN programs, but particularly PHUNG HOANG, are having on the the populace. These ralliers are providing valuable information on enemy activities, . . .[267]

The report also specifically praised psyop for changing popular opinion towards the Viet Cong. In a war to win hearts and minds, psyops turned out to be an effective front-line weapon.

Cost of Phoenix in Dollars

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[265]Republic of Vietnam, Ministry of Interior, National Police Command, Phung Hoang Bloc, "Information/Psyops draft for the publicity and support of the Phung Hoang Plan," 16 September 1971, 4-5, found in National Archives and Record Center, Suitland, Md. Psyop printed some of the leaflets in several Montagnard and Cambodian dialects to cover those minorities living inside Vietnam, "Phung Hoang 1970 Year End Report."

[266]"People's Image . . . ", Inclosure 1, pp.1-2.

[267]1968 Year-end Report, 14.

The Phoenix program may have been but a small part of the greater pacification effort under CORDS, with an equally small budget, but it garnered a disproportionate amount of the attention and controversy surrounding the war effort. The Phoenix budget actually decreased from year to year, because much of the early budgets went to one-time expenses such as buildings and equipment. Compared to the rest of the CORDS pacification program budget, the Phoenix program was a minute part, and surprisingly inexpensive overall.

As mentioned earlier, the South Vietnamese government did not make any direct financial contribution to the program until 1970, and even then it gave only a token amount. However, since many South Vietnamese government and military personnel worked directly with the program, their services constituted a measure of financial contribution.[268] Even so, neither the police nor ARVN involved in Phoenix worked full time for the organization, and their salaries most probably came out of other types of aid programs.

Official government estimates of the cost of the Vietnam War demand utmost caution, but in 1969 the United States officially spent a total of $21.5 billion on the war, of which less than five percent went to pacification and non-military operations.[269] In that year, the total pacification budget amounted to $647.4 million, of which Phoenix received $1.46 million. The Phoenix budget did not include the cost of American military advisors, weapons, ammunition, and military equipment, all of which was

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[268]Congress, House of Representatives, Subcommittee of the Committee on Government Operations, U.S. Assistance Programs In Vietnam, 92nd Cong., 1st sess., 15, 16, 19, 21 July, and 2 August 1971, 188.

[269]"Where the Money Went," Southeast Asia Analysis Reports, August-October 1971, 28.

included in the army budget.[270] Nor did it include the salaries of the PRUs and other forces used in its operations. Nevertheless, compared to the huge amounts of money spent on overt military actions, the program cost very little. No one has ever labeled the Vietnam War as cost-effective, but for all the results and fuss raised by the Phoenix program, it was not expensive.

## Lack of GVN Support

Many Phoenix personnel complained of the lack of South Vietnamese support. Aside from the lack of South Vietnamese funding and the long delays before the GVN voiced support for the Phoenix program, American advisors often complained of being ignored or deliberately snubbed by the GVN. Official Phoenix documents support their contentions. John Paul Vann testified:

> [The Phoenix program] has not yet enjoyed the success that we feel is possible. It has not done it primarily because there has not been the same degree of awareness on the part of the Government of Vietnam, speaking on the whole, not as individuals, as there is on the part of the United States as to the importance of this.[271]

Since Vann was before a congressional committee at the time of this statement, he may have pulled his punches. A contemporary briefing paper outlined the problem in much starker terms,

> Poorly qualified and poorly motivated personnel are often found in the PHUNG HOANG Centers. This is caused by the fact that most agencies are reluctant to assign to PHUNG HOANG their best qualified personnel. If individuals show real promise or ability they are often transferred to their parent organization to help it accomplish

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[270]Congress, House of Representatives, Subcommittee of the Committee on Government Operations, U.S. Assistance Programs In Vietnam, 92nd Cong., 1st sess., 15, 16, 19, 21 July, and 2 August 1971, 182, 184.

[271]Testimony of John Paul Vann, Vietnam: Policy and Prospects, 1970, 322.

its prime mission. This constant turnover in personnel requires a continuous and costly training effort and leads to inefficiency and lack of interest in the program.[272]

Washington Post reporter Robert Kaiser contended in 1971 that,

> Largely because of Vietnamese disinterest, the local Phoenix offices simply do not work. Many keep no records. Others mount no operations. Phoenix is often run by poor-quality personnel, chosen for their jobs by local officials who don't want to waste their good people on the program.[273]

Gloria Emerson came to many of the same conclusions in an article for the New York Times. She quoted a report written by Russell L. Meerdink, a senior province advisor:

> In this province the Government [of South Vietnam] will not allocate even a pencil, paperclip or piece of paper on a regular basis to the program, it would seem that the problem is common. The low quality of personnel assigned to the program must also be considered something other than 'coincidental'.[274]

Kaiser and Emerson found support for many of their contentions in the Phoenix year-end reports.

The 1968 year-end report complained of GVN officials' reluctance to approve operations against the VCI.[275] This was a complaint that became quite common, and only begins to show the GVN apathy towards the program. The 1969 report complained of the loss of skilled interpreters/translators to the draft, a problem that the South Vietnamese government could easily have fixed.[276] It also complained that the 1970 GVN budget left out any support for the Phoenix program, forcing MACV to shoulder

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[272]Anonymous Briefing Paper, 8.

[273]Robert G. Kaiser, Jr., "U.S. Aides in Vietnam Scorn Phoenix Project," Washington Post, 17 February 1970, A-10.

[274]Quoted in Gloria Emerson, "U.S. Advisers Voicing Doubts on Saigon's Desire to Push Operation Phoenix," New York Times, 26 October 1971, 2.

[275]Phoenix year-end report, 1968, 8.

[276]Phoenix 1969 End of Year Report, 10.

the entire financial burden of the program.[277] Finally, the 1969 report again singled out the problem that had been highlighted in the 1968 report, one that advisors complained of constantly:

> Notable among the remaining problems is the lack of interest shown by some province and district chiefs whose whole-hearted backing is absolutely essential to the success of PHUNG HOANG. . . . In some areas it has been noted that CTZ Commanders and Province Chiefs are allowing their responsibilities for PHUNG HOANG to become diffused thereby making it difficult to hold responsible individuals accountable for the actions or lack thereof. This is traditionally a Vietnamese modus operandi and wherever direct supervision is lacking the trend will continue.[278]

Thus, the lack of high-level GVN support trickled down to infect the lower levels of the South Vietnamese government as well.

The attitude of the province and district chiefs was in some ways understandable. Despite the fact that the GVN refused (though indirectly) to fund or support the Phoenix program, the American advisors expected the chiefs to go out of their way (and risk their lives) to back the program. Most GVN officials seem to have perceived the program as a totally American program, and thus saw no obligation to assist it.

The Americans designed, implemented, and paid for the Phoenix program, and they expected the Vietnamese to embrace their creation. The lack of funding provided by the GVN, the apathy of the province and district chiefs, and the stripping of Phoenix personnel for ARVN duty all reveal the level of South Vietnamese apathy towards the Phoenix program. It is therefore no wonder that the program disintegrated shortly after the Americans left. For the South Vietnamese government to have actively supported the program would have meant a complete turnaround in their position towards the program.

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[277]Ibid., 12.

[278]Ibid., 19.

The best that can said of the GVN attitude towards the Phoenix program is "tolerable apathy."

## Conclusions

Did the Phoenix program do what it was supposed to do? The short answer is "yes." The program was plagued with problems, indeed in some districts and even whole provinces it did not function at all, and the VCI remained unharmed and active throughout American involvement and right up to the end of the war. Such cases were exceptions rather than the rule, however, and in most locations, Phoenix and pacification damaged the VCI either enough to make it reduce its operations or effectively destroyed it altogether. The most influential factors in making such a conclusion are the reports of the Viet Cong themselves, and the final results of the Vietnam War.

The opinions of the American advisors appear as varied as the locations in which they operated. The program had some effect, many if not most of them agreed. Few believed that it was doing any serious damage to the high-level leadership. The statements of the Viet Cong, on the other hand, reveal a different story without exception. Few of the program's former targets called the program "ineffective" or claimed that it did not do its job. It appears that most of the U.S. advisors suffered from a common military malady, overestimating their enemy.

While William Colby could hardly be considered an unbiased source, his observation that South Vietnam fell not to barefoot guerillas, but to tanks spearheading a conventional-style invasion underscores the success of the Phoenix program and

pacification. In other words, it took an overt military invasion of South Vietnam to win the war. The Viet Cong guerillas could offer only negligible assistance to the final North Vietnamese offensive, and they had been reduced to a shadow of their pre-Tet/pre-Phoenix size and capabilities.

# CHAPTER V

## CRITICISMS OF PHOENIX

### Reasons for Widespread Criticism of the Phoenix Program

The Vietnam War is unrivaled in the military history of the United States for the amount of public exposure and criticism it drew. New England was lavish with dissent during the War of 1812; New York draft riots revealed pockets of violent disagreement with government policies during the Civil War; and the Philippine Insurrection elicited some protest from a limited number of intellectuals and pacifists. None of these, however, attained the magnitude of the outcry against the Vietnam War.

The Vietnam War had the dubious honor of being the first American war fought on television, seen nightly in almost every living room in the United States. It appeared in virtually every issue of every newspaper and news magazine for more than ten years. For the first time in their history, the American people watched a war firsthand, and it was not pretty. Graphic footage of war-torn villages and carnage negatively influenced American opinion towards the long war. It can also be argued that the wide dissemination of the media throughout the United States polarized opinion among sections of the population which generally offer nominal support out of ignorance and apathy. People in small towns, traditionally conservative and supportive of the president, might have been able to ignore the war except for the wide media coverage. The extensive coverage brought with it unwelcome controversy. Unlike most other American wars, Vietnam did not draw unquestioning support from the media, a fact that either reflected or influenced American opinion.

American public opinion generally supported initial American efforts in Vietnam. After the 1964 Gulf of Tonkin incident, President Lyndon B. Johnson's firm response mustered public opinion behind him and the intervention in Vietnam. Shortly after the incident, Johnson enjoyed the support of seventy-two percent of the population.[279] It was only after the American presence had escalated and the 1968 Tet Offensive had smashed any hopes of a quick, decisive victory that American opinion dramatically turned against the war. By March of 1968, seventy-eight percent of Americans believed that no progress was being made in Vietnam.[280] Since the Phoenix program did not actually begin effective operations until late 1968, it did not receive much publicity until the American public had already turned a more wary, questioning eye on the growing conflict. Nevertheless, early media reports did not foreshadow any serious publicity problems for Phoenix. Shortly thereafter, however, the media turned against it, focussing on the Provincial Reconnaissance Units (PRU) and the program's reputation as an assasination program, among other things.

## Provincial Reconnaissance Units: Counter-Terrorism?

The Provincial Reconnaissance Units attracted a considerable amount of media criticism, even before their work with the Phoenix program. Their CIA connections, their original "Counter-Terror Team" name, their para-military/mercenary status, the bounties earned for eliminated VCI, and their deadly effectiveness all made them an intriguing topic for the American media. The press found the PRUs ideal for absorbing stories -- stories that were rarely favorable.

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[279]George C. Herring, America's Longest War: The United States and Vietnam 1950-1975 (New York: Alfred A. Kopf, 1979), 123.

[280]Ibid., 202.

An article on pacification appeared in the widely-read anti-establishment Ramparts magazine in October 1967, in which the author, David Welsh, compared the pacification programs to Nazi Germany, complete with genocide and concentration camps. Although he never mentioned the Phoenix program specifically, then in its embryonic stage, he did object to many of the issues that would later make the Phoenix program so controversial. He reserved special criticism for the Provincial Reconnaissance Units (PRUs) as a "refinement of the old 'counter-terror' teams of the Diem era":

> The mission of the PRU is to identify and destroy the NLF [National Liberation Front] "infrastructure" in every village and hamlet, as well as to neutralize, intern or liquidate all citizens who cooperate in the smallest way with the Front. Periodically, an Agency man in civilian clothes shows up in the province with a briefcase full of piastres, to pay off the informers, village chiefs and the PRU teams themselves, and reward the headhunters. Heads fetch different bounties, depending on the area and the importance of the the quarry. In one Delta province, a free-lance headhunter can pull down 5000 piastres (about $42) for the head of a VC lieutenant, 500,000 ($4,200) if he bags an NLF province chief.[281]

American PRU advisors no doubt objected more to Welsh's somewhat indignant tone than to the facts he supplied. After all, the CIA had specifically created and trained the PRUs to attack the Viet Cong, and especially the VCI. Thus they naturally took a paramount role in identifying and eliminating VCI targeted by the Phoenix Blacklists.[282]

After the fall of South Vietnam in 1975, a former PRU member confirmed that he and others earned monetary bonuses for "kills."[283] These bonuses, or rewards, actually

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[281]David Welsh, "Pacification in Vietnam," Ramparts, October 1967, 36.

[282]Jeff Stein, interview in Kim Willenson, ed. The Bad War: An Oral History Of The Vietnam War (New York: New American Library, 1987), 216; William Colby testimony in, Congress, House of Representatives, Subcommittee of the Committee on Government Operations, U.S. Assistance Programs In Vietnam, 92nd Cong., 1st sess., 15, 16, 19, 21 July, 2 August 1971, 230.

[283]Michael Drosnin, "Phoenix: The CIA's biggest assassination program," New Times, 22 August 1975, 19.

reached as high as $11,000 by the end of the war, but the larger amounts only went for the live capture of very high-level VCI members. The PRUs collected only half the usual bounty if they delivered their targets dead. Before 1971, the largest sum offered had been only $370, to the average Vietnamese a fortune. Authorities increased the rewards in 1971 in hopes of enlisting still more participation by the rural population.[284] The PRUs earned some of these rewards. Even without the bonuses, they received almost four times the salary of an ARVN private. Thus, in the monetary sense, they might have qualified as mercenaries.[285] Whether labeling the PRUs mercenaries or not, most reporters regarded them as unusually adept, CIA-sponsored fighters.

A True Magazine article of 1970, "The CIA's Hired Killers," by Georgie Anne Geyer, displays a respect for the PRU's fighting abilities, if not for all their tactics. The author contends that from their creation the PRUs "practiced all the arts of guerilla warfare," and even "engaged in stand-up battles in which they rapidly established themselves as tigerish fighters in an army where most units resemble Snoopies looking banefully over the garden fence at the cat next door."[286] But in their guerilla tactics the PRUs had to, "murder, kidnap, terrorize or otherwise forcibly eliminate the civilian leadership of the other side."[287] Geyer's respect for the PRUs' military prowess is tempered by her revulsion at some of their tactics.

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[284]Alvin Shuster, "Rewards Up To $11,000 Set For Captured Vietcong," New York Times, 2 August 1971, section 2, 6.

[285]James P. Sterba, "The Controversial Operation Phoenix: How it Roots Out Vietcong Suspects," New York Times, 18 February 1970, 2.

[286]Georgie Anne Geyer, "The CIA's Hired Killers," True Magazine, February 1970, reprinted in U.S. Congress, Senate, Committee on Foreign Relations, Vietnam: Policy and Prospects, 1970, Civil Operations and Rural Development Support Program. 91st Cong., 2nd Sess., 17-20 February, 3, 4, 17, 19 March 1970, 57-58.

[287]Ibid.

An article appearing in the New York Times that same year also treats the PRUs with disdainful skepticism, calling them "local hoodlums, soldiers of fortune, draft-dodgers, defectors and others . . ." It describes them as a sort of local "palace guard" for provincial officials.[288] Thus the PRUs received much media attention without connection to the Phoenix program. The Wall Street Journal carried one of the first stories on the PRUs and their role within the Phoenix program.

In September 1968, the Wall Street Journal published an article in which the PRUs earned some indirect criticism while the Phoenix program was, in general, viewed favorably. Reporter Peter Kann described the PRUs as:

> more American than Vietnamese. Chosen, trained, paid and operated by the CIA, they are highly trained mercenaries, often selected from Vietnam's minority groups, such as Chinese Nungs and Cambodians, or from Vietcong agents who have defected. Their operations often are led by elite U.S. Navy "Seal" commandos assigned to the CIA.[289]

Colby readily admitted that the CIA created, funded, and often led the PRUs, confirming Kann's assertion that they were "more American than Vietnamese."[290]

Another aspect of the involvement of the PRUs in Vietnam was their strong ties to the Navy SEALs. The official history of the Navy SEALs did not mention the Phoenix program, but due to the latter's connection with the CIA, it is likely that the Navy has not released records on that particular subject. On the other hand, an interview with former SEAL Mike Beamon in Al Santoli's Everything We Had, confirmed the SEAL connection with the Phoenix program. Beamon recounts working with the PRUs on

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[288]Sterba, 2.

[289]Peter R. Kann, "The Invisible Foe: New Intelligence Push Attempts to Wipe Out Vietcong Underground," Wall Street Journal, 5 September 1968, 1.

[290]Colby, Interview with author.

missions against Viet Cong tax collectors, as well as late-night kidnappings of high-level Viet Cong.[291] In Geyer's True Magazine article she interviewed an American advisor "detached from the Navy Seals to serve with the PRU's."[292] These testimonies support Kann's report which seems to reflect accurately the various facets and problems of the Phoenix program.

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[291]Al Santoli, Everything We Had: An Oral History of the Vietnam War by Thirty-three American Soldiers Who Fought It (New York: Ballantine, 1981), former SEAL Mike Beamon, 203-20.

[292]Geyer.

Kann's article mentioned that the Phoenix program involved some assassination, but for whatever reason, the Wall Street Journal failed to register much concern over his revelation.[293] The earlier Ramparts article, however, had already unearthed these atrocities. Assassination, torture, and the murder of innocents all deserved mention, showing that Phoenix program woes actually began with criticism of early pacification efforts.

Kann linked assassination with military operations based on the Phoenix blacklists: "These units prefer to capture an identified VCI agent, since he may yield further information, but if that is impractical, the target is assassinated, sometimes brutally, as an object lesson to others." Kann added, "[i]n big cities and other government-controlled areas, however, the program may involve a simple arrest rather than a kidnapping or assassination."[294] While Kann did not explore this facet of the program until later, he did try to learn more about the Phoenix selection process and the Blacklists. Could the Phoenix program confirm that its targets were all VCI? Kann quoted one U.S. official as saying, "we really can't tell who is VCI and who isn't. The GVN has to do this job." It was a common attitude among Phoenix advisors: discerning VCI from innocents was not an easy task, but if the South Vietnamese made the determinations, the Americans felt that they could stand clear of any blame. This difficulty in differentiating guerillas from innocents was a key factor in later media attacks against the program. Kann also reported that since February 1968 Phoenix had successfully captured or killed 6,000 VCI cadre, perhaps a correct figure, and certainly one that gave ammunition to those appalled at the thought of American involvement in indiscriminate murder and assassinations.

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[293]Kann,1.

[294]Ibid.

Journalist Robert G. Kaiser deliberately searched for evidence of premeditated assassination in 1970. Unsuccessful, he suggested that "[m]any of the accusations against Phoenix cannot be verified here. Some seem to be based on misunderstandings of Phoenix terminology and statistics."[295] Though many advisors and Phoenix personnel criticized the program, no one from inside Phoenix termed it an assassination program. Only outsiders did so.

As is apparent, journalists made good use of the term "assassination" in many articles about the Phoenix program. However, an extensive search of available official documents has not uncovered assassination as a deliberate policy, unless a researcher uses an extremely broad definition of the term. The 1967 Ramparts article implied that assassination was a deliberate part of pacification. On 22 February 1970, the New York Times carried a commentary by Tom Buckley entitled, "Phoenix: To Get Their Man Dead or Alive." Buckley suggested that while Phoenix was not necessarily an assassination program, it often did involve murder. After all, to "get their man," small units often resorted to killing him. Buckley further implied that the only reason prisoners remained alive was because torture offered the possibility of getting information out of them.[296] A similar article, "This 'Phoenix' is a Bird of Death," by Iver Peterson, appeared in the New York Times in 1971. Peterson claimed that Phoenix conducted political attacks, killed and imprisoned many innocents, but was virtually ineffective against its primary target, the VCI.[297] Semantics and philosophy aside, one must argue

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[295]Robert G. Kaiser, Jr., "U.S. Aides in Vietnam Scorn Phoenix Project," Washington Post, 17 February 1970, A-10.

[296]Tom Buckley, "Phoenix: To Get Their Man Dead or Alive," New York Times, 22 February 1970, section IV, 3.

[297]Iver Peterson, "This 'Phoenix' Is a Bird of Death,"' New York Times, 25 July 1971, section IV, 26.

that the Phoenix program targeted individuals, and sometimes killed these individuals. Labeling such practice assassination is not such a long stretch of the imagination.

Articles and histories continue to label the Phoenix program an assassination program. An underground "black liberation" pamphlet produced in 1988 declares that the Phoenix program "targeted for assassination courageous military leaders of the Vietnamese people who were waging an anti-imperialist struggle." It asserts that Phoenix was "a CIA program that actually assassinated something like 39,000 people who were cadres, using methods such as piano wire strangulation."[298] It should not be too surprising that a program that acquired such a negative image should be remembered any other way.

Phoenix records explicitly deny involvement with assassination plots, and no written assassination directives have been revealed, if they even exist. Therefore, research on this aspect of the program relies a great deal on personal accounts and interviews. There are many such personal accounts, and they are often quite blunt.

Former SEAL Mike Beamon specifically attributed assassination to the Phoenix program. He described ambushing Viet Cong tax collectors and killing VCI members while making it look as if the Viet Cong had done it themselves in order to foment internal dissent.[299] Yet, Beamon's account, often contradictory, appears to be a somewhat exaggerated soldier's tale. For example, he claimed that his team used only captured Communist weapons in order to appear more like Viet Cong, yet he later noted that his team used American-made M-60s, M-16s, and duck-billed shotguns.[300] Two other Phoenix operatives offered personal narratives in Congressional hearings.

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[298]Ajamu Mwafrika, "Drugs and the U.S. War Against Black Liberation" (Oakland: Nzinga Publishing House, 1988), 7.

[299]Santoli, 204-5.

[300]Ibid., 206-7, 211, 214.

Michael J. Uhl appeared before 1971 U.S. House of Representatives hearings on the Phoenix program. Uhl, an intelligence officer with the Americal division in Vietnam from November 1968 to May 1969, severely criticized the Phoenix program and William Colby. He specifically claimed that any Vietnamese killed on operations automatically became VCI for statistical purposes, in order to improve the unit success record. Congressmen in the hearings seemed to take what Uhl said at face value, including a claim that the Phoenix program was some sort of hoax, existing solely to cover up atrocities. Uhl's interrogators asked him about other atrocities and operations, but did little to determine the veracity of his accusations.[301]

Another veteran, K. Barton Osborn, appeared as a witness at the same hearing as Uhl. Osborn served as an intelligence officer in Vietnam from September 1967 until December 1968, but he described his responsibilities as "peripheral to the Phoenix program." Osborn ostensibly testified on the Phoenix program, but the bulk of his statement referred to atrocities by other American organizations, such as the 1st Marine Division and a CIA detachment known as the Combined Studies Detachment (CSD). He specifically implicated the Phoenix program for misuse of funds, but he also alluded to assassination.[302] He portrayed Phoenix as a vicious program, to say the least.

Osborn claimed that PRUs purposefully killed targeted VCI rather than attempting to capture them. Their duty, he argued, was to "find the people in their villages and to murder them there." Osborn asserted that the term "neutralize" actually meant "kill," projecting a much more sinister light onto the Phoenix program's statistics on neutralization. Adding that he never saw an order to murder a targeted VCI "codified," Osborn said:

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[301]U.S. Assistance Programs In Vietnam, 312-62.

[302]Ibid., 320-21.

> I never saw an official directive that said the PRU's will proceed to the village and murder the individual. However, it was implicit that when you got a name and wanted to deal effectively in neutralizing that individual you didn't need to go through interrogation; find out, establish any kind of factual basis leading to the conclusion that this individual was, in fact, Vietcong infrastructure, but rather it was good enough to have him reported as a suspect and that justified neutralization.[303]

Some aspects of Osborn's testimony find confirmation in other reports and accounts of the program, particularly his assertion that he never saw anyone order, especially in writing, the killing or assassinating of a targeted VCI. No U.S. government agency has released such official documents, if they do exist. Several other testimonies seem to confirm Osborn's claims.

One former PRU described going on a mission at the behest of an American advisor: "[h]e says, 'Bring 'em back alive,' and winks. We all laugh."[304] The fact that the VCI would be deliberately killed rather than be captured was understood between the American advisor and the PRU. Such vignettes support the assertion that Americans ordered assassination, but kept them off the record. An article by Michael Drosnin in the New Times magazine carried an interview on the subject in 1975. Drosnin said:

> "Sure, we were involved in assassinations," confirms Charles Yothers, CIA chief of operations in I Corps from 1969 to 1971. "That's what the PRUs were set up for--assassination. I'm sure the word never appeared on any outlines or policy directives, but what else do you call a targeted kill?"[305]

Drosnin's article featured many such statements. A former SEAL, John Wilbur, who had served as a PRU advisor and thus had regular contact with the Phoenix program, did not regret his involvement with it:

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[303]Quoted in U.S. Assistance Programs In Vietnam, 321.

[304]Drosnin, 19.

[305]Quoted in Drosnin, 19.

> The genuine intent of most all operations was to capture a man at 2:00 a.m. in the boondocks, . . . it turned out to be more often than not an elimination program. We were certainly higher on the killed than the captured. . . . We always told the Vietnamese, *capture*. We were very insistent. But everybody out in the field knew that basically if you could find them, get them. And the higher-level missions always meant deep infiltration, and that almost always meant killing rather than capture because it was so difficult to bring live bodies out of VC controlled areas.[306]

Wilbur was hesitant to use the word "assassination": "I don't like to think of myself as a former regional assassination chief, . . . [i]t was war."[307] It is clear that the Americans involved in the program at the time did not see the program as one of assassination. The vast majority of Americans involved saw themselves as performing a duty, a job that had to be done. Phoenix was not so sinister to the American advisors involved, but the Vietnamese may have had a more realistic view of the program.

Former PRU national commander, Lt. Col. Ho Chau Tuan, did not mince words when Drosnin interviewed him at a refugee camp shortly after the fall of South Vietnam:

> The main mission of the PRU was assassination, . . . I received orders from the Phoenix office, the Vietnamese and the Americans there, to assassinate high-level VCI. We worked closely in Saigon with the CIA from the embassy and in the provinces with the CIA at the consulates to decide who to kill. . . . Our general orders were to eliminate VCI--to kidnap or kill. Sometimes the orders were to eliminate VCI quick, no questions asked. Then we kill, no sweat.[308]

His statement reveals direct and conscious American decisions to kill VCI: assassination. Tuan declined to offer any names, claiming that he feared the CIA's retribution.[309] Without names such charges are difficult to verify, and both Uhl and Osborn made far-reaching accusations without implicating a single other individual. Some of their

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[306]Ibid., 19-20.

[307]Ibid.

[308]Ibid., 20-21.

[309]Ibid., 22.

testimony, perhaps even the bulk of it, was true. Without more details, however, it is open to question.

William Colby has denounced both Uhl and Osborn. He contends that there were indeed killer squads in Vietnam, but not under Phoenix. According to Colby, quite a few groups claimed to be part of Phoenix, or operate under Phoenix, but in the narrow definition of the program, they could not have been a part of it. He did not claim that the Phoenix program did not kill anyone:

> Did people get killed? Damn right. On both sides. No question about it. But, as a deliberate program of assassination? Come on. It was a deliberate program to stop the enemy or infrastructure from operating freely, yes. That was its function, that was its contribution to the war.[310]

For Colby, the Phoenix program filled a necessary gap in the pacification program. It attacked a facet of the guerilla forces that was otherwise unaffected:

> . . . if you consider that the enemy was fighting a war, which required a secret apparatus, and not just regular forces, and you spend all your time on the regular forces, you give up this part of the war to him. I mean and that was what was happening for a long time. So, things like Phoenix and the PRUs would tend to put some pressure over here onto this part of the war, which was what the enemy thought was the most important part of the war. That's the dilemma of it, that he later was saying after the war that this was the program that gave him the most trouble. The military divisions, they didn't bother him a bit, [the guerillas] just got out of their way.[311]

Thus Colby viewed the Phoenix program as a necessary measure essential to thwarting the VCI.

As for Osborn and Uhl, Colby had only disdain. Colby claimed that Osborn was in no position to know much of anything about the Phoenix program, having been in Vietnam before Phoenix really began functioning:

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[310]Colby, Interview by author.

[311]Ibid.

> . . . I didn't think he knew a damn thing about what he was talking about. I mean in the first place he said he got there in '67, and he left in November I think it was '68. . . as you well know now, Phoenix really didn't really get off the ground until the fall of '68.

In effect, Colby asserted that Osborn could not possibly have even seen what Phoenix was like in full operation. Further, Osborn himself never actually claimed to have been a part of the Phoenix program.

> He never said he worked in Phoenix. He was very obscure as to what he actually worked for. He was in the MI, the military intelligence community, apparently working up in the Nanong area for, I don't know what, but he certainly wasn't working for Phoenix. . . he wasn't CIA. . . I was totally baffled with what the hell he was working for. . . . I've never heard anybody responsible say that he was his boss. Or I've never heard anybody try to find out who his boss was. Where'd he get his orders? These are simple questions that any attorney would ask of a witness like that. They weren't asked. . . . I do know that he's not talking about Phoenix.

Colby illuminated other inconsistencies in Osborn's testimony,

> And then he said that he never worked with Vietnamese. Well you can't work with Phoenix without working for Vietnamese. Because that was the whole point, the records were in Vietnamese. All the interrogations were in Vietnamese. The District Centers were Vietnamese. So he tells various stories about abuses I have no doubt they may have happened. But they had nothing to do with Phoenix. And yet, you know, suddenly that was the big Phoenix case. Baloney.[312]

Colby criticized both Osborn and Uhl's testimonies, again arguing that neither of them had first-hand knowledge of the Phoenix program. Accounts by actual Phoenix advisors, such as David Donovin and John Cook, provided a more factually based, inside picture of the program. Too many "eye witnesses," both in the media and in the military, accepted rumor as fact, exaggeration as understatement and isolated incident as accepted policy. On the other hand, Colby may not have told the whole truth either.

Phoenix documents discredit the idea of widespread assassination. In 1968, Phoenix statistics indicate that of the 10,000 plus VCI eliminated, eighty-eight percent

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[312]Ibid.

had rallied or been captured, and only twelve percent killed.[313] Another report shows that in the period between January 1970 and March 1971, U.S. and GVN forces neutralized a combined total of more than 32,000 VCI, of which 10,443 died. Of that number, general operations killed 7,560 VCI. Therefore, most VCI died in regular military actions, not as a result of being individually hunted down and killed. Specific operations against the targeted VCI killed 2,883 members. Of that total, Phoenix forces (national police, special police, PRU's, et al) specifically targeted and killed 616 VCI members, or less than six percent of the total VCI killed. When the grand total of all neutralizations is taken into account, the Phoenix program and the forces it directed killed only two percent (616 of 32,000).[314] Further statistics reveal that the killed-to-captured ratio improved, meaning a higher percentage of VCI were captured, rather than killed, when the Phoenix program was involved in some way.

During the same 1970 to 1971 period (a time period on which the most comprehensive records are available), regular military forces killed 9,152 VCI of the 16,409 that they neutralized. In other words, they killed more than fifty-five percent of their total neutralizations.[315] In contrast, the Phoenix "assassination" program killed 1,291 of the 6,979 VCI it neutralized, or less than nineteen percent of their total neutralizations.[316] Ironically, it was actually safer for a VCI to be neutralized by Phoenix forces than by regular military units. Such statistics also make it difficult to defend the idea that the Phoenix program sponsored widespread assassinations.

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[313]Southeast Asia office under the Assistant Secretary of Defense (Systems Analysis), Southeast Asia Analysis Reports, September 1968, 61.

[314]Ibid., June-July 1971, 6.

[315]MACCORDS-PHX, "Historical Review of the PHUNG HOANG/PHOENIX Program from July 1968 to December 1970," 27 November 1970, 16.

[316]Southeast Asia Analysis Reports, June-July 1971, 4-6.

Green Beret Col. Dennis Porter was no sympathizer with the Phoenix program. Although he worked with the program for most of its existence, Porter become harshly critical of both the program's effectiveness and its hierarchy, particularly William Colby. When later asked if Phoenix was an assassination program, Porter answered that Phoenix was a lot of things, but it was not an assassination program.[317] When questioned further, Porter recalled one circumstance in which the killing was accepted and widely practiced.

The VCI organization maintained a security section, part of whose duties involved the assassination of VCI defectors as well as the more effective Phoenix leaders. Porter stated that more often then not, when Phoenix forces identified VCI security personnel, they usually killed them on the spot. It was an accepted practice, and Phoenix personnel captured by the VCI security personnel, usually met the same fate. But aside from that exception, Porter asserted that the vast majority of VCI deaths at the hands of the Phoenix forces resulted more from normal actions and bungling than from premeditated intent.[318] Certainly, assassination was not official Phoenix policy.

Upon their arrival in Vietnam, all American military/civil advisor personnel received "Instructions to U.S. Personnel Concerning Phoenix Activities," which contained information specifically renouncing assassination or murder as a policy. An excerpt said:

> Our training emphasizes the desirability of obtaining these target individuals alive and of using intelligent and lawful methods of interrogation to obtain the truth of what they know about other aspects of the Viet Cong Infrastructure. . . . Thus, [U.S. personnel] are specifically not authorized to engage in assassinations or other violations of the rules of land warfare, but they are entitled to use such reasonable

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[317]Porter, Interview with author.

[318]Ibid.

> military force, as is necessary to obtain the goals of rallying, capturing, or eliminating the Viet Cong Infrastructure in the the Republic of Viet-Nam.[319]

William Colby later stated his reasons for emphasizing the capture of VCI over the killing of them:

> My point was always: if you shoot a member of the VC, a guy who's really a leader, his family is not going to be happy, to put it mildly. But they're going to understand. If you shoot improperly somebody, who's not really [a VC], you're going to antagonize not only his family, but half the other people who know him as being wrongly shot. Therefore you have to be careful, you cannot have that kind of abuse because it's counterproductive. I mean that's a typical American pragmatic approach to a moral question, . . .[320]

Colby actually appeared to be concerned about the moral question as well as the pragmatic approach, but he approached the entire issue with one primary assumption. It was a war; measures unacceptable in peacetime had to be seen in a different light. Such measures became normal and necessary. Nevertheless, the American media often used the Phoenix program as the embodiment of everything wrong with the American involvement in Vietnam.

It was the 11 December 1969 issue of The Village Voice that really set the tone for subsequent reporting about the Phoenix program. In the article, "Training for Terror: A Deliberate Policy?", Judith Coburn and Geoffrey Cowan focused on two soldiers who were in training to become Phoenix advisors at the U.S. Army Combat Intelligence School. The soldiers had filed suit in a U.S. District Court to be reclassified as conscientious objectors because of their objections to the training.[321]

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[319]"Instructions to U.S. personnel Concerning Phoenix Activities," reprinted in, Congress, Senate, Committee on Foreign Relations, Vietnam: Policy and Prospects, 1970, Civil Operations and Rural Development Support Program, 91st cong., 2nd sess., 17-20 February, and 3, 4, 17, 19 March 1970, 61-62.

[320]Colby, Interview with author.

[321]Judith Coburn and Geoffrey Cowan, "Training for Terror: A Deliberate Policy?" The Village Voice, 11 December 1969, 5.

The two soldiers, Francis Reitemeyer and Michael J. Cohn, filed a petition in court describing Phoenix-related atrocities about which they had heard from their instructors. In it, they further claimed that were they to fall captive to the enemy, they would be at extreme personal risk because what they were trained to do constituted war crimes. The petition claimed that since the United States was unable to win the war by conventional means, it was trying to win using illegal methods.[322]

The description of the Phoenix program in the article was not flattering:

> Operation Phoenix is the CIA's terror campaign against the National Liberation Front's political organization or "infrastructure," its sympathizers, and any other civilians with suspicious political views. The Phoenix program has two major aspects: the systematic gathering of dossiers and blacklists of suspects and the capture or assassination of those listed by teams of Vietnamese police or mercenaries.[323]

It further claimed that American Phoenix advisors compiled the "blacklists" and led the mercenaries (presumably meaning the PRUs).

Reitemeyer and Cohn engaged American Civil Liberties Union lawyer William Zinman to plead their cause. They won the case, and the army released them after declaring them conscientious objectors. When reporters from The Village Voice tried to conduct further research on the program, the U.S. Army actively thwarted their efforts and refused to confirm their information one way or another. Such secrecy graphically illustrates one reason the Phoenix program suffered so much at the hands of the press. Whether justified or not, this secrecy led reporters to assume the worst. The army may have had a stronger case against the two advisors but for all the secrecy surrounding the program.

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[322]Ibid.

[323]Ibid.

In February 1970, the Progressive followed up the Village Voice story with an article, by Erwin Knoll, which described the program as "a mysterious 'advisory program'" and attacked the secrecy surrounding it.[324] Once again, attempts to conceal the Phoenix program backfired. Secrecy became the Phoenix program's curse.

The Progressive lambasted the program for its corruption, questionable judicial apparatus, and blacklists. It also tried to connect Phoenix with the My Lai (also known as Songmy) massacre.

> . . . the most recent allegations about Project Phoenix raise a much larger question--particularly in view of the disclosures about the massacre of Vietnamese civilians at Songmy. American officials, from President Nixon down, have described Songmy as a "deplorable but isolated incident." How isolated and to what extent deplored? Project Phoenix, it has been charged, is a concerted, deliberate program of torture and assassination.[325]

No one ever convincingly connected the Phoenix program to the My Lai massacre, although they were mentioned together in many articles and hearings.[326] Lt. William Calley, the only person convicted for his participation in the massacre, tried to use the Phoenix program as a part of his defense. He claimed that what he did at My Lai Village paled in comparison to what the Phoenix program did everyday. He never specifically mentioned how his unit, a regular infantry company on a "sweep," was connected with the Phoenix program. Lt. Gen. W.R. Peers served as head of the army investigation team, and he found little to link Phoenix with My Lai, "[u]ndoubtedly some of the information from the Phoenix and other programs was used in planning the My Lai

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[324]Erwin Knoll, "The mysterious Project Phoenix," The Progressive, February 1970, 19.

[325]Knoll, 19.

[326]Correction in the New York Times, 4 December 1970, 5. The correction states, " . . . there has been no report of a connection between [the Phoenix program] and the Mylai incident."

operation, but we found no indication that it had any great influence upon it."[327] Some of the media continued to mention the incident in connection with the Phoenix program, but never produced any evidence confirming a link.

Following the publication of Coburn's and Cowan's Village Voice article, the commander of the intelligence school at Fort Holabird opened the doors of the camp to the media. The commander, Col. Marshall Fallwell, refuted many of the article's allegations. Fallwell claimed that Reitemeyer and Cohn had been dismissed from the intelligence school for academic failure. True or not, the Phoenix program's notoriety for secrecy and violence grew enormously despite Fallwell's efforts to redeem it somewhat.

It was Knoll's Progressive article, however, that best illustrates just how pervasive Phoenix's sordid reputation had become by early 1970. Knoll gave details of a talk that lawyer George W. Gregory gave to the Atlanta Press Club. Gregory had been to Vietnam in August 1969 to defend a Green Beret accused of killing a Vietnamese. Although he learned little about Vietnam, he did learn some things about the Phoenix program. The following year described it as a program "where you infiltrate the Vietcong and exterminate" the infrastructure. When Knoll contacted Gregory, it turned out that his particular legal case had little to do with the Phoenix program. Rather, he had merely heard that the program sanctioned the murder of civilians and he thought he could use it as a defense (similar to Calley's idea). Interestingly, Gregory told Knoll that "everybody knows about Phoenix in Saigon, and I just figured you all knew about it in Washington," reflecting the fact that Phoenix was generally well known in Vietnam, but not in the United States. Had officials made it public knowledge in the United States earlier on, it might have attracted less attention and not have been so controversial.[328] Reporter

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[327]Lt. General W. R. Peers, The My Lai Inquiry, (New York: W.W. Norton & Co., 1979), 159.

[328]Knoll, 22.

James Sterba found Phoenix officials in Vietnam thinking along the same lines, " . . . [the Phoenix program's] controversial reputation has been built more on its secrecy than on its actions."[329] Another reporter, Robert Kaiser, wrote: "Some war critics in the United States have attacked Phoenix as an instrument of mass political murder. Such sinister descriptions are not heard in Vietnam, where Phoenix has the reputation of a poorly plotted farce, . . . " Kaiser quoted one official who complained: "They don't understand at home what's going on out here."[330] Some influential Phoenix officers did their best to lower the shroud of secrecy surrounding the program.

Again, William Colby, the major force behind the program, worked hard to reduce the secrecy surrounding Phoenix and to make it more open. Oddly, it was the reluctant sponsor of the program, the South Vietnamese government, that remained unconvinced of the need to make it a public program. Finally, on 1 October 1970, the Phoenix program went to work on a publicity campaign. Ironically, the new Phoenix publicity campaign commenced with a rally and parade in Saigon. It seems more ironic that the program that gained such a grisly reputation began (publicly at least) in a rather festive atmosphere. At the same time, news releases, broadcasts, and leaflets heralded the program throughout the country.[331] Why the program emerged from the shadows in Vietnam but remained unpublicized in the U.S. is unclear. At least one memorandum, dated 11 June 1972, and written by a deputy Director of CORDS, supported publicity in

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[329]Sterba, 2.

[330]Quoted in Robert G. Kaiser Jr., "U.S. Aides in Vietnam Scorn Phoenix Project," The Washington Post, 17 February 1970, A-10.

[331]"PHUNG HOANG: Phoenix 1969 of year report." MACCORDS report, 6.

Vietnam, but not in the U.S..[332] Four months after the "kickoff rally and parade" in Saigon, the Progressive continued to characterize the Phoenix program as "mysterious."

With the 1970 congressional hearings on the CORDS program, the Phoenix program belatedly entered the limelight in America and quickly became a household word, but not in the way William Colby may have wished. The front page of the New York Times for 18 February had a photo and story entitled, "U.S. Aide in Saigon Denies 'Counter-Terror' Charge." In the article Colby defended the Phoenix program, rejecting the term "assassination program."[333] In a related story on the following page, James P. Sterba wrote a lengthy, detailed article on Phoenix backing up Colby's testimony. American officials interviewed in Vietnam called Phoenix "one of the most important and least successful programs in South Vietnam."[334] Sterba asked one official if it was as sinister as its critics portrayed. The answer: "That's nonsense, Phoenix is just not a killing organization. The kinds of things [the congressmen] are looking for are not happening that much--which is to say they are not happening at all."[335] The article went on to give more details about technical problems and inefficiencies rather than about moral irregularities or assassinations:

> Yet in the over-all portrait of Phoenix painted here, the program appears more notorious for inefficiency, corruption and bungling than for terror.
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> Like many other programs in Vietnam, Phoenix looks best on paper. Officials here argue that its controversial reputation has been built more on its secrecy than on its actions.

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[332]Memo from Brigadier General James A. Herbert, Deputy Director of CORDS, to John S. Tilton, head of Phoenix. From National Archives and Records Center, Suitland, Md.

[333]Tad Szulc, "U.S. Aide in Saigon Denies 'Counter-Terror Charge," New York Times, 18 February 1970, 1.

[334]Sterba, 2.

[335]Ibid.

If someone decided to make a movie about Phoenix, one critic joked, the lead would be more a Gomer Pyle than a John Wayne.[336]

Generally critical of the program as a whole, the article did, however, adhere to the premise that Phoenix was merely inefficient and not particularly evil. Sterba noted that only some twenty percent of those suspects picked up under the program were ever successfully tried and sentenced. The rest were released, escaped, or bribed their way out of prison. Overall, Sterba criticized the Phoenix program for many reasons, but not for being an assassination program.[337]

## Quotas

Similar to a business, the Phoenix program set goals and quotas for different time periods. Unlike a business, however, the Phoenix program required neutralizations and convictions to meet quotas, and not to make sales or profits. Many reporters found this practice of setting quotas for the destruction of the VCI dehumanizing and cold-blooded. Defenders of the practice claimed that the quotas stimulated results, sparked inactive Phoenix offices into action, and established a minimal level of progress in eliminating the VCI. The positive and negative effects of the quota system soon became a hotly debated aspect of the Phoenix program.

Washington Post reporter Robert Kaiser quoteed one advisor who complained about the effect of placing quotas on Vietnamese Phoenix personnel, who he said "will meet every quota that's established for them." Kaiser, describing some of the methods used to fill the quotas, notes that "[o]fficials often count every man arrested, even if he is released immediately for lack of evidence . . . Quota-conscious district and province chiefs also pad their Phoenix figures with any number of citizens captured or killed in

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[336]Ibid.

[337]Ibid.

military operations, whether genuine VCI or not."[338] A Phoenix briefing paper agreed, showing that,

> . . . most province and district chiefs are more concerned with fulfilling quantitative goals set by [sic] the national level and less with quality VCI neutralizations. This concern for quantity has

[338]Quoted in Kaiser, A-10.

> resulted in false and ex post facto identification of VCI who were killed during normal combat operations.[339]

Many American advisors had similar complaints about their Vietnamese counterparts. The reasons for their grievances diminished later in the program when Phoenix leadership tightened the requirements for listing a successful neutralization. Arbitrary arrests merely to fulfill neutralization quotas worked in 1968, but by 1971, stricter criteria required that only successfully sentenced VCI be listed as neutralized.[340]

Phoenix officials debated the imposition of quotas, and decided to use them for their motivational influence. At a U.S. Senate hearing in 1970, John Paul Vann, then a deputy for CORDS and responsible for the American advisory effort in Military Region IV (the Mekong delta, Southwest of Saigon), testified that:

> One of the problems in Vietnam has been motivation of various governmental forces to do things. We debated the wisdom of having quotas and the value of not having quotas. This was largely a Vietnamese determination in which we advisors were responding to their knowledge of their own people to the effect that if we don't establish a quota we don't get a real push against the infrastructure.[341]

Vann acknowledged that the Vietnamese often exaggerated neutralizations, labeling dead Viet Cong guerillas as VCI in order to fulfill their quotas. Nevertheless, Vann made it clear that they designed the quota system to inspire the Vietnamese contingent of the Phoenix program to achieve quicker results.

Many promoters of the Phoenix program, as well as its detractors, found fault with the quota system. Advisor John Cook feared that from the introduction of the quota,

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[339]Undated, Anonymous Briefing Paper, from RG 334, 74A, Box 1, selected folders, "Vietnamization of PH Program," (General) (Oct-Nov 71), found at the National Archives and Records Center, Suitland, MD, 9. The briefing begins "Mr. Ambassador, Gentlemen . . . ," (presumably meaning ambassador Colby or Komer) and is included with a similar briefing for the Prime Minister (presumably of South Vietnam) dated 19 November 1971.

[340]Southeast Asia Analysis Reports, June-July 1971, 8.

[341]Quoted in Vietnam: Policy and Prospects, 1970, 119-20.

regular Viet Cong guerillas killed in combat would automatically be called VCI to fulfill the quotas. Furthermore, Cook asserted, the quotas only required numbers, ignoring the quality of the neutralizations.[342] New York Times reporter Gloria Emerson interviewed a senior province advisor with similar views, believing that "[v]olume rather than quality" became the emphasis after the introduction of quotas. Thus even if a district Phoenix organization eliminates five high-level VCI, it is not as important to the system, as eliminating six very low-level VCI.[343]

Colby continued to support the quota system, despite the criticisim that it attracted. He later recalled:

> I think we have to look in the context that we have a quota system for everything. In other words, we had a quota system for the number of weapons to be distributed to the local defense, the numbers of elections the system would have, the number of dollars to be given to development programs, we had quotas for everything. . . . we had a lot of them. It was made clear that the quotas were, "let's reduce the VCI in this area."[344]

The excessive criticism of the quota system did not sway Colby in the least, for he considered it far more important to motivate the Vietnamese segment of the Phoenix program into action. There is little doubt that the quota system brought down more media abuse on an already abused program, particularly after congressional hearings.

The quota system was merely another attempt to make the war a little more businesslike, by reducing it to statistics and numbers. The quota system may have been the most abused aspect of the Phoenix program; leaving itself open to the wholesale laveling of every dead Viet Cong guerilla as VCI, or to the framing of innocent civilians,

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[342]John L. Cook, The Advisor, (New York: Bantam, 1987; originally published by Dorrance in 1973), 209-12.

[343]Quoted in Gloria Emerson, "U.S. Advisers Voicing Doubts on Saigon's Desire to Push Operation Phoenix," New York Times, 26 October 1971, 2.

[344]Colby, Interview with author.

all in the name of fulfilling the monthly quota. Such careless labeling led to inaccurate statistics, making it even more difficult to discern if any progress was being made.

## Misuse

The Phoenix program had the potential to be a powerful weapon against more than just the VCI. Many observers claimed that the program strove to silence political dissent through murder and intimidation. Still others claimed that the program was a tool of local officials for corrupt criminal purposes, such as extortion.[345] Phoenix members themselves admitted the use of program resources against drug trafficking, among other things, in an effort to prevent such misuse. However, even with the limited information available, there is enough evidence to indicate that the program did suffer from occasional abuse.

One former AID employee, Theodore Jacqueney, testified before a Congressional committee that, "[t]he celebrated Pheonix program is not at all successful in its American purpose of eliminating Vietcong political cadre, but it is widely used to arrest and detain non-Communist dissidents."[346] Jacqueney then cited an example of two Phoenix advisors in Da Nang who openly discussed using the program to eliminate dissidents. Colonel Porter mentioned that the Phoenix forces had on occasion been used to silence opposition, and that the Americans generally chose to look the other way. It was considered a Vietnamese matter, and U.S. advisors feared the possible loss of their influence with their counterparts.

The potential misuse of Phoenix for political purposes was enormous. Either by arranging opponents to be targeted as VCI, or by utilizing the extensive filing and sorting

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[345]Kaiser, A-10.

[346]Quoted in U.S. Assistance Programs in Vietnam, 1970, 252.

facilities to track opposition parties, the possibilities were endless for a determined individual or group. A telegram, sent after the Americans had pulled out of Vietnam, described just such a worst-case scenario. Dated 5 April 1973, the "Official Telegram From Operation Phoenix" outlined the proper ways to incarcerate political dissidents. It recommended charging defendants with disturbing the peace rather than labeling them as communist agents.[347] Thus, the South Vietnamese government, in an effort to deflect criticisms that it arrested all its opposition by labeling them as communist agents, now arrested them for disturbing the peace. From the text of the telegram, it appears that the South Vietnamese minister of the interior charged with internal security, used the Phoenix program to muffle opposition to the government. In any case, the telegram dates from the period when the Americans no longer controlled the Phoenix program, and thus could not have prevented such actions. Certainly, during the period of American influence, no such damning evidence ever came to light.

The Phoenix program was too diverse and widespread to police every district, and the Americans involved feared losing the confidence of their Vietnamese counterparts if they reported them to the higher echelons of the program. Clearly such misuse occurred, but it seems more likely that had the practice been more widespread there would have been more documentation. On the other hand, if there had been more penalties levied against the American advisors for such misuse in their own districts, they might have been galvinized into using their influence to prevent it.

## Conclusions

[347]Congress, House of Representatives, Subcommittee on Asian and Pacific Affairs, The Treatment of Political Prisoners in South Vietnam by the Government of the Republic of South Vietnam, 93rd Cong., 1st sess., 13 September 1973, Appendix A, 8.

Phoenix organizers would no doubt have preferred to have the program attract less attention than it did, at least in the U.S. The CIA connection and the early attempts at secrecy actually stimulated intense media scrutiny. Aspects and problems of the program that otherwise might not have even attracted passing notice from the media, instead led to congressional hearings. Phoenix attracted far more press than the small scale of the program probably deserved. But in the period that it existed, at home, many Americans were questioning the morality of the war.

The most succinct justification in answer to the question of the morality of such a program as Phoenix came from William Colby, when he said: "It's a war! You go out to kill people."[348] Critics of the Vietnam War in general, and of the paramilitary Phoenix program in particular, judged against peacetime standards of moral behavior. Clearly, the conflict in Vietnam was a war, and peacetime standards of behavior did not prevail. Before Vietnam, Americans accepted such events as part of war, or at least remained largely oblivious to them. The disgraceful Civil War prison camps, the violent Indian Wars, the Philippine Insurrection massacres, and the World War II firebombings of Dresden and Tokyo all evoked little protest from the American people. Since the U.S. was not in a life-and-death struggle, more time and effort could be spent scrutinizing what was going on in Vietnam, and the unprecidented TV and other media coverage brought it all home.

The Phoenix program was not an atrocity program. It was not designed to assassinate people. It did direct the attack on the VCI, and in the course of operations killed some of them. Since the U.S. participated in the war, Americans had to expect people to die. In retrospect, it would have been far more unusual if it had killed nobody.

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[348]Colby, Interview with author.

As to charges of assassination, the Phoenix program functioned most effectively when it captured VCI alive. Since assassination and murder were contrary to the productivity of the program, charges of widespread deliberate assassination simply do not make sense.

# CHAPTER VI

## CONCLUSIONS

### The End of Phoenix

Beginning in 1970, the Americans gradually withdrew their forces from Vietnam under President Richard Nixon's "Vietnamization" program. By 1973, the last American troops had left the country. For the Phoenix program, the withdrawal of the U.S. meant the loss of American advisors and direction. The Americans turned the program over to the police Special Branch along with the PRUs. Devoid of U.S. guidance, the program soon collapsed completely. High-level Phoenix personnel who had claimed that the Vietnamese had been managing and operating the program with only limited American involvement now saw their assertions discredited.

William Colby had already left the program by 1973 to become the director of the CIA. However, he remained one of the most outspoken adherents of the assertion that the South Vietnamese designed, controlled, and operated the program virtually by themselves. In congressional hearings Colby consistently maintained that the GVN initiated and motivated the Phoenix program, as well as the other pacification efforts. Phoenix's rapid decline and fall seemed to indicate that Colby's faith was misplaced. When later asked if he kept in touch with the Phoenix program after he left it, Colby answered no, adding vaguely, "I think they continued it for a while but I think they essentially incorporated it into the Special Branch of the police."[349] It does appear somewhat odd that the former director would completely lose touch with his program.

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[349]Colby, Interview with author.

On the other hand, Phoenix's rapid demise certainly did not support his earlier contentions of its independence from American assistance.

Unlike Colby, Col. Dennis Porter foresaw the program's collapse. He stated more than once that the program relied entirely on the Americans. Porter had a very poor opinion of the South Vietnamese government and indicated that he would have been surprised if the program had survived Vietnamization.[350] For Porter, Phoenix was an American program impossible for the Vietnamese to run alone.

## What was the Phoenix Program?

In the final analysis, the Phoenix program was a moderately successful, albeit severely flawed, American counterinsurgency effort. The Americans designed and managed the Phoenix program from the outset. The South Vietnamese obviously participated in the program, and in fact comprised the vast majority of personnel and forces, but they had neither the interest nor the motivation to operate the program successfully by themselves. Similarly, the American advisors preferred to provide the motivation, knowledge, and drive for the program, rather than to train the Vietnamese to handle the task. When the advisors left, they took their motivation with them.

In league with CORDS pacification, Phoenix helped eliminate the guerilla threat to South Vietnam. Before 1967, the possibility existed that the guerillas might obtain military control of South Vietnam. By 1971, that possibility was out of the question, despite the withdrawal of U.S. troops. The final, conventional invasion by North Vietnam (as well as the earlier invasion in 1972), was tantamount to an admission by Hanoi that the Viet Cong no longer possessed the capability to overthrow the GVN by themselves, despite the thousands of North Vietnamese troops sent to bolster their ranks. The Americans and South Vietnamese never totally destroyed the Viet Cong. In fact, the

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[350]Porter, Interview with author.

Viet Cong maintained many strongholds right up to the end of the war in 1975, but pacification efforts, including Phoenix, can be given considerable credit for thwarting the guerillas' efforts.

The Phoenix program, however, represented only a small portion of the overall pacification effort, which in turn made up only a segment of the entire U.S./GVN wartime strategy. The combined effect of a small budget, a small permanent staff, and a lack of South Vietnamese support limited the size of the Phoenix program's contribution. The overall impact of Phoenix on the war pales in comparison to the considerable media coverage it received.

The Phoenix program earned more than its share of bad press. The media exaggerated many of its practices, and all too often assigned responsibility to Phoenix for unrelated atrocities to the program. Nevertheless, Phoenix's sordid reputation was not entirely undeserved either. Since most of the program's problems occurred early in its existence, the media began focusing more attention on what went wrong early in the war, and often neglected subsequent improvements. Also, transgressions and atrocities had a much greater impact on the public than did improvements in human rights. Even in a war as comprehensively reported as the Vietnam War, the sensationalism sparked by the charges of assassination by the Phoenix program probably dwarfed its accomplishments.

It is difficult to place the Phoenix program in perspective without appearing to justify it. Phoenix suffered from many problems, but by characterizing the program as "Vietnamese," Americans, in a sense, absolved themselves of responsibility for it. The American influence was widespread enough to have prevented many of the outrages. More serious questions, however, lay not in the the shortfalls of the Phoenix program, but in the entire issue of American involvement in the war.

The full record of the Phoenix program will remain officially classified for another ten years. The army has already released most of its documents relating to

Phoenix, but the CIA has shown a reluctance to declassify any information related to the program at all, and it should be interesting to find out exactly why. The level of security surrounding the records of the program necessitates gaps in any review of its record, and, pending the future release of these documents, historians will have to rely on personal accounts and contemporary media reports to fill in the missing areas of documentation.

It is pointless to expect to fight a war without hurting people. Widespread media coverage of the Vietnam War brought the war's violence and bloodshed home to the U.S. so that Americans could see the direct results of their nation's actions. Small atrocities and indiscretions could no longer be silently overlooked as had been done in previous wars, but instead had to face the full glare of world press cameras and thus could be judged at home. Small atrocities and indiscretions, if not large ones, may be inevitable in any war. When the U.S. involved itself in the Vietnam War, problems were inevitable, and the Phoenix program certainly was not the most serious of these problems.

Was the Phoenix program justifiable? The answer seems to be; in the chaos and immorality of wartime, yes; in peacetime, no. Any program required to do the same tasks as Phoenix would injure innocents in its attempts to ferret out guerillas from the general population, no matter how carefully conducted. The Phoenix program, and the forces connected with it, showed all too little concern for human rights and innocent civilians, but it is difficult to say how such a program might have been developed differently in similar conditions. But if the Phoenix program's operations and actions in Vietnam are accepted as necessary under the conditions, the attempts to conceal the program's existence from the American public through deception appear even more outrageous. If such a program can not survive open public scrutiny, than perhaps it should not survive at all.

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