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THE SOUTH VIETNAMESE CONSTITUTION OF APRIL 1, 1967:

THE INSTITUTIONALIZATION OF POLITICS

IN THE SECOND REPUBLIC

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Submitted for the Degree of Doctor of Philosophy

University of London

The School of Oriental and African Studies

July, 1969



ABSTRACT

As the central feature of a long-advocated reorganization of the governmental hierarchy initiated by the Saigon regime in the spring of 1966, a new 117-article Constitution was promulgated on April 1, 1967. This democratization process, or the "Constitutional Experiment", extended well beyond the legal and somewhat theoretical innovations associated with the drafting and ratification of the document, however. In the course of fourteen months, some five national elections were staged in the G.V.N. (Government of Viet-Nam) controlled regions of the country. The constitutional measures thereby also had a considerable impact on the practical aspects of political activity in South Viet-Nam, by encouraging the expression, articulation, and formalization of a wide range of political ideas and behavioral patterns within the Nationalist movement itself.

This thesis is primarily concerned with an assessment of the response of these disparate socio-political factions to the challenge afforded by the initiation of the Constitutional Experiment. For the success of the implementation and the legitimation of the institutionalization of politics in the Second Republic was to depend primarily on two principal considerations: the degree to which the measures incorporated within the Constitution could prove relevant to the realities of Nationalist politics; and at the same time, the extent to which these innovations might prevail over the traditional political forces in the country--forces which had long posed a greater threat to the Nationalist movement from within than had the presence of the National Liberation Front, from without.

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PREFACE

1966, the Year of the Horse, ushered in a period of some twenty months which in many respects was to prove the most politically significant in the history of the Republic of South Viet-Nam since its inception in 1954. Especially at the outset, the intensive activity which characterized this period was reminiscent of that which had determined the course of Nationalist politics for several years. For since the overthrow of the Diem Government in November, 1963 (and with it, the Constitution of October, 1956), the struggle for power in the GVN had been decided primarily by the ability of any one of a plethora of socio-political communal interest groups to outmaneuver or simply to overwhelm its rivals, and thereby isolate them from the largely ad hoc governmental structure serving as the official hierarchy at any given moment.

Yet, this particular resurgence of discontent (which suddenly surfaced after nearly two years of relative calm) did not lead to the usual sort of confrontation--ie., with the authorities either compelled to relinquish their immediate claims to power or with their successfully crushing their adversaries' attempts to gain access to the administrative machinery of the GVN. Although the final stages of "the troubles" of the spring of 1966 witnessed the apparent political demise of those forces responsible for provoking the conflict, at this time, an even more significant development occurred. Largely as a result of the instigation of the Buddhist "struggle movement", the ruling junta agreed to initiate a long-advocated democratization process, centered around the drafting of a new constitution by an elected representative Assembly body.

This Constitution was not the first to be drawn up by a Vietnamese constituent assembly. Rather, it represented the most recent

step in a long history of what might be referred to as the Vietnamese "constitutional tradition". Even during the period of French colonial rule, the Nationalist political élite had frequently relied on the principle of "constitutionalism"--ie., the inducement of political change by legal and constitutional means, rather than by physical force and political intrigue. The first overt political movement in what was formerly known as Cochinchina had in fact been the "Constitutionalist Party", founded in about 1917 and distinguished by its emphasis on representative institutions.

In the more recent past, the Vietnamese political leadership (whether trained as Marxists or as advocates of a capitalist economic and political system) had conscientiously adhered to the idea of a written constitution as a necessary attribute of a legal governmental structure. The first Vietnamese constitution had been drafted and promulgated by Ho chi Minh himself, on November 8, 1946, shortly after the Viet Minh had established themselves in Hanoi as the government of an independent and sovereign state. In October, 1956 (some two years after the signing of the Geneva Accords, whereby the nation had in fact if not in theory been divided at the Seventeenth Parallel), a second constitution was drawn up by the Government of Ngo dinh Diem for the southern half of the country. Four years later, in the North, the Constitution of the Democratic Republic of Viet-Nam was ratified on January 1, 1960.

The actual legal significance of these various documents has been the subject of little serious study, however. Nor was the possibility of the new GVN Constitution proving any more constructive an example of a revolutionary politico-juridical transformation regarded as one of the more crucial aspects of this particular undertaking. The poorly-developed state of most of the fundamental processes of decision-making and executing, and of political participation, in addition to the chronically instable internal political

situation of the country, posed a number of critical limitations to the success of the nation-building program even before it had actually been initiated. Not surprisingly, it was widely argued that the whole idea of constitutional reform as envisaged by the ruling generals at this time was designed primarily (if not solely) as a means of legitimating their arbitrary rule at the expense of their Nationalist political opponents, while satisfying the demands of their American advisors for various political guarantees.

Yet, whatever their motives, once the generals had initiated the "Constitutional Experiment", it became increasingly clear that the fruits of the proposed innovations would not be reserved for them alone. In addition to serving as the basis for a restructuring of the governmental machinery, the establishment of the Constituent Assembly was to provide an impetus for the entree into the political arena of many of those groups long estranged from the official GVN hierarchy. In this way, the democratization process encouraged the expression, articulation and formalization of a number of political ideas and behavioral patterns which were to have a significant effect on the scope and direction of Nationalist politics as a whole.

The first important conceptual development associated with the Experiment was a refinement of the notion of political conflict. At this time, as the various rival factions directed their attention towards the anticipated reforms, their political consciousness was intensified and sharpened. By the same token, they expressed their demands in a more articulate manner than in the past. For while the authorities still retained the prerogatives of power, the Nationalist groups outside the GVN hierarchy had a definite goal towards which they could focus their previously uncoordinated efforts. In this way, the basis for a second significant development, the formulation of a political dialogue, was established. Thirdly, the prospect of the implementation of the newly-devised constitutional meas-

ures encouraged the formalization of this political conflict and dialogue--which, in its most sophisticated form, suggested an institutionalization of politics.

Not surprisingly, the attempt to superimpose the Western-inspired constitutional drafting procedure on the tradition-bound political system of South Viet-Nam also gave rise to a variety of serious political contradictions, which exacerbated many of the problems long plaguing the Nationalist politicians. Despite the common objectives of its component elements (ie., to gain an access to power), the Nationalist movement as a whole was still characterized by a remarkable diversification of communal interest groups. These factions (ranging from the allegedly pro-neutralist militant Buddhist and student organizations to the outspoken, anti-Communist "notables" and Roman Catholics) often seemed to be working at cross-purposes in a desperate attempt to adapt to--or simply to manipulate--the unfamiliar techniques of "representative government" in order to realize their own particular political ambitions. Even in this respect, however, the Constitutional Experiment performed a constructive function, by serving as a relevant political tool in measuring the motivations, as well as the strengths and weaknesses of the diverse Nationalist groups as they sought to meet the challenge it posed.

Equally significant, the institutionalization process afforded an important insight into the nature of the Second Republic. For the political future of the country would obviously depend greatly not only on the immediate response of the component elements of the Nationalist movement to the Experiment itself. It would also be directly related to the attitude of those Nationalist leaders who successfully survived the transposition of power from that of a self-instated military junta to that of a legally sanctioned government. In this way, even the crucial questions of the prosecution of the war, of negotiations, and of an eventual coalition government were

irrevocably linked with the events associated with the nation-building process.

The importance of these twenty months was further increased by yet another consideration. Just as this particular moment in Vietnamese history was recognized as one of considerable political potential (especially in terms of reestablishing a form of representative government which might command the allegiance of the disheartened, war-weary Vietnamese people), so was it widely agreed that a similarly propitious occasion would not repeat itself. Even the most optimistic political observers were aware that should the opportunity pass unappreciated, or should the democratization process prove a failure, the future of the Republic would be very dark indeed. The exigencies and duration of the war had already severely taxed the possibility of any political compromise, and a further deterioration of the situation would doubtless greatly swell the ranks of the "attentistes"--those who chose to disassociate themselves from any political involvement whatsoever. The effects this would have on the war effort (given the ability of the N.L.F. to sustain its forces despite the terrific losses allegedly inflicted on them by American and GVN troops) were obvious, in view of the fact that not only tacit but active support was demanded by both sides.

To facilitate an analysis of the process of the institutionalization of politics in the Second Republic, this thesis has been organized largely on a chronological basis. Broadly speaking, the events between the spring of 1966 and the autumn of 1967 may be divided into two basic categories: the politics of the constitutional drafting procedure; and the politics of the electoral process, whereby the principles embodied in the April First Constitution were transformed into a variety of legally-based governmental institutions. The first section is concerned with the period of political

conflict and the subsequent initiation of a serious political dialogue--ie., the political framework of the Constitutional Experiment (Chapter I), the Constituent Assembly (Chapter II), and the dialogue with the N.L.C. (Chapter III). The transition between these two formative stages of political development has been discussed in terms of the "public debate", or the Constituent Assembly as a political force (Chapter IV). The remaining chapters are concerned with the decisive aspects of the electoral politics: the presidential and senatorial elections of September 3, 1967 (Chapter V), and finally, the election of the Lower House and the concluding stages of the Experiment (Chapter VI).

ABBREVIATIONS

AFC	Armed Forces Council
ARVN	Army of the Republic of Viet-Nam
CCB	Catholic Citizens' Bloc
CDC	Constitutional Drafting Committee
ELDC	Electoral Law Drafting Committee
GVN	Government of Viet-Nam
LLDDK	Luc Luong Dai Doan Ket (Catholic Greater Union Force)
NLC	National Leadership Committee
NLF	National Liberation Front
NPAFC	National People and Armed Forces Congress (May, 1966)
NPC	National Political Congress (April, 1966)
PAFC	People's Armed Forces Council (July, 1966)
PLA	Provisional Legislative Assembly
UBC	United Buddhist Church
VNQDD	Viet-Nam Quoc Dan Dang (Vietnamese National People's Party)

CHAPTER ONETHE POLITICAL FRAMEWORK
OF THE CONSTITUTIONAL EXPERIMENT

"Confident that the patriotism, indomitable will, and traditions of struggle of our people will assure a bright future for our country;

Conscious that after many years of foreign domination, followed by the division of our territory, dictatorship and war, the people of Viet-Nam must assume its responsibility before history, to perpetuate those self reliant traditions and at the same time to welcome progressive ideas in order to establish a Republic of the people, by the people and for the people whose purpose is to unite the nation, and the territory, and to insure independence, freedom, and democracy with justice and altruism for the present and future generations;

We, 117 deputies of the National Constituent Assembly representing the people of Viet-Nam, approve, after deliberation, this Constitution."¹

With these words, on April 1, 1967, the Constitution of the Republic of Viet-Nam was promulgated as the law of the land.

This was the first time in some forty-two months that the governmental structure of the Government of Viet-Nam (GVN) had been firmly set upon a legal political foundation. The Constitution of the First Republic, drawn up by the Diem Government in October, 1956, had remained in force only some seven years before it had been swept aside by the Revolution of November 1, 1963. From that date until April 1, 1967, a wide range of stopgap measures had been applied in what was often a desperate attempt to fill the troublesome vacuum left by the demolition of the cornerstone of the Diem Republic. During these months of confusion (which were to witness some six coups, nearly a dozen changes of government and innumerable purges and cabinet reshuffles), some four provisional charters as well as scores of provisional acts and legislative edicts were

decreed, frequently as ex post facto justification for the appearance of yet another "government of the people". At times these legal measures remained in effect for several months (eg., the Convention of October, 1964). Usually, however, they lasted only a few days (eg., the Vung Tau Charter of August, 1964).

Despite this troubled past, those responsible for drafting the 117-article April Constitution (one provision for each of the original deputies elected to the Constituent Assembly) maintained that it would long outlast its immediate predecessors as a permanent yet flexible basis for a system of institutions and guarantees around which inevitable future political and even structural changes might coalesce and find expression. In terms of its historical significance, the Constitution was hailed by its designers as the most democratic and progressive political experiment ever undertaken in South Viet-Nam, especially during a period of severe internal crisis. For the first time, constituent assembly deputies had been "popularly" elected in what was claimed as the most fair election possible under the circumstances. Deliberations were then held under the critical eye of the Vietnamese people and of the ruling Junta, in spite of threats by the N.L.F. to take action against those involved in the debates.

Secondly, its creators contended that the document would play an important historical role in the actual prosecution of the war. Without stability in the capital, no government could hope to resolve the confusion in the provinces. Indeed, in the past, the cause of national unity had suffered proportionately to the time and energy expended by the military leaders in planning coups. Furthermore, the South Vietnamese people had proved to be merciless critics of pleas for sacrifice by a government which changed as regularly in the South as did the seasons in the North. The new Constitution was also expected to contribute to a peace in Viet-Nam. Its defenders argued that there could evidently be very little hope for negotiations until, among other considerations, the N.L.F. were con-

vinced that they could discuss terms with the "legal" representatives of their adversary. Indeed, the self-imposed representatives of the governing juntas in Saigon had frequently been accused of having a vested interest in perpetuating the war, in view of the fact that the success of their careers was not unrelated to their military victories.

Not surprisingly, very few South Vietnamese fully agreed with this enthusiastic assessment of the Constitution's inherent historical, legal or even political merits. The idea of drafting the document and the means by which this was accomplished, as well as the very precepts of the Constitutional Experiment itself, were hotly disputed throughout the period in question--not only by the N.L.F., which denounced the entire constitutional proceedings as illegal and fraudulent, but also by certain elements within the South Vietnamese Nationalist movement itself. As stated in the Introduction, it is primarily with the response of the latter--the broad and fluid "coalition" of the non-Communist politico-socio groups of South Viet-Nam--that this paper is concerned. For it was within the framework of Nationalist politics as envisaged by these disparate factions that the nature as well as the direction of the Constitutional Experiment was largely determined.

The "Politics" of Nationalism in South Viet-Nam

Before undertaking an analysis of the intrinsic implications of the events of 1966 and 1967 on the politics of the Second Republic, a number of political and historical considerations should be briefly mentioned in order to clarify some of the more relevant concepts and patterns of political response which were to underlie the formulation of the Constitutional Experiment.²

First of all, traditionally as at the present time, political movements in Viet-Nam have been characterized by an extreme fluidity and instability. Although an anti-colonialist Nationalism surfaced at the turn of the Century, the first legal political parties were not established

in Indochina until after the First World War. The relative importance of these groups was soon largely overshadowed by that of the Indochinese Marxists, however, who established their first political organization, the Vietnamese Revolutionary Youth League (Viet-Nam Cach Manh Thanh Nien Hoi) in Canton in 1925. The subsequent rise of Marxism in Viet-Nam may be attributed as much to the weakness of the Nationalist groups as to the strengths of the strictly disciplined clandestine Communist organizations, which prospered despite the repressive political climate imposed by the French colonial administration. For although the Nationalists were in a sense united by their common objective of winning independence from the French, they were unable to agree on a mode of operations conducive to realizing this goal. Nor did they seem capable of formulating an effective program for immediate social reform in order to mobilize the peasant masses who comprised some ninety percent of the population.³

Lacking a trained leadership, external support and material aid, the Nationalist parties became increasingly divided and fraught with internal strife. Consequently, by the end of the Second World War, only the Marxists proved capable of establishing a base of power and of support from the peasant population. By identifying their goals for social and political reform with those of the Nationalist movement, they were able to further strengthen their forces. The elimination of a number of Nationalist leaders resulted in a still more serious dislocation of the non-Communist rival opposition groups, whereby the Communists themselves virtually dominated the Independence struggle against the obdurate French during the First Indochinese War.⁴

The signing of the Geneva Accords in June, 1954, theoretically limited the immediate Communist gains to that part of Viet-Nam north of the Seventeenth Parallel. Yet the extensiveness and effectiveness of their political groundwork in the country as a whole was evidenced by the confusion that followed in the South. Indeed, the fact that no single group or even coalition of Nationalist factions was able to fill the political

vacuum resulting from the withdrawal of Communist forces was to prove as much a cause of the Second Indochinese War as a consequence of the First. After its installation in June, 1954, the Government of Ngo Dinh Diem sought to combat this political instability by relying on a variety of increasingly autocratic methods in order to silence unauthorized opposition as well as to mobilize and organize political support, largely by means of a Government-controlled system of parties (eg., the Nationalist Revolutionary Movement and the Personalist Labor Party, or Can Lao Nhan-Vi Dong). Diem's approach to establishing a "viable" government thus not only greatly inhibited a revival of constructive political activity, but further weakened those disoriented Nationalist groups which had survived the recent war for Independence.

With the Revolution of November 1, 1963, however, these official political constraints were shattered. In their wake, a new "revolutionary spirit" was unleashed, and with it, the long-subdued political forces of the country. As of this time, the G.V.N. political arena was dominated by these reactivated elements who, while striving to maintain their individuality and integrity, struggled to gain access to power in the name of the South Vietnamese people. Yet although this situation seemed more conducive to political expression and participation than had been the case for many months, or even years, the various Nationalist factions were unable to realize their political ambitions. The apparent inadequacies of these groups (at this time as in the past), clearly reflected the troubled political heritage of the South Vietnamese Nationalist movement as a whole. For despite the highly diversified and individualistic characteristics and motivations of the separate factions, they still adhered to certain patterns of political behavior, which, in turn, had important effects on the actual nature of Vietnamese Nationalist politics.

First of all, the disparate groups appeared to be lacking in any understanding either of the idea of political consensus or of reliance on political compromise and cooperation as an accepted mode of operations.

This could largely be explained by the long-established orientation of Vietnamese politics towards factionalism, as determined by regional biases, religious convictions, ethnic differences and social and cultural variations on these themes. These fundamental divergences had been exaggerated not only by a feudal tradition and a history of unresponsive government, but also by the ever-widening urban-rural schisms. The resulting plethora of horizontally-structured communal interest-oriented organizations thereby posed a serious obstacle to the realization or even acceptance of a broadly-based and comprehensive political program capable of neutralizing the debilitating effects of persistent inter-factional disputes.

Secondly, Nationalist politics was characterized by a low level of political affiliation. The tendency of the members of any given political group to be distinguished less by their common acceptance of a certain political program or platform than by their loyalty to a particular politician was doubtless related to the fact that in the past, individual political associations had rarely extended beyond the level of the immediate family-clan or village. In the same way, even contemporary Vietnamese politics seemed to revolve more around personal relationships, or "personal politics", than around any clearly defined political issues.

Thus deriving their strength largely from the status of a few or even of a single individual at the head of the group, these "parties" remained in a constant state of flux. The political objectives of an organization frequently varied according to the current relationship of its leadership with their political allies and rivals, while the membership of these same factions not uncommonly overlapped--or even shifted from one group to another. In this way, loose coalitions or, more likely, new splinter groups were constantly formed. The ultimate success or even survival of these associations was similarly determined not so much by the strength of the rank and file of the membership or viability of the political platform as by the ability of the leadership to manoeuvre adroitly their

forces in order to gain an access to power.

A third feature, evidently derived from the legacy of ten centuries of Chinese culture and social domination as well as from a specifically "Vietnamese" political tradition, was the apparent importance of the element of secrecy in South Vietnamese politics. Until the Twentieth Century, the traditional secret society had been the sole means of formulating political opposition. Subsequently, even the Western-inspired political parties founded after 1920 (Marxist as well as Nationalist), had frequently been modelled on the strict hierarchical structure and had employed tactics used by the former societies. In a sense, the Vietnamese might be said to equate secrecy with power. This fact may be partly attributed to the historical link between power and fear; to a Vietnamese, an individual shrouded in mystery is more awesome (and somehow more respectable) than a self-revealing politician. Indeed, the more powerful an individual, the less he makes known about himself. This element of secrecy further facilitated the inevitable shifting of personalities and issues, the conspiracy and political maneuvering, and the enormous scope for secret agreements between small groups, all synonymous with Vietnamese politics.

Consequently, during the months following the November Revolution, the long history of internal dissension and fragmentation, which had been sustained by the groups' almost continuous alienation from power as well as by the poorly-developed South Vietnamese political system; their lack of political experience, expertise and of external support; and the impact of the renewed Resistance movement, in addition to the enormous increase of American influence in the country, all contributed to the impression of a confusion of interests and of political objectives on the part of those elements engaged in the struggle for power. Indeed, they frequently appeared to be motivated more by their opposition to the authorities and frustrated by their own isolation from the Government hierarchy than desirous or even capable of joining forces with the other op-

position factions to found a genuinely "representative" government. For after 1963, the political crises staged in Saigon had been generally resolved by a simple juggling of interest groups. The repeated substitution of a civilian government by a military junta and vice versa apparently had little effect on those involved except to whet their appetite for power or to increase their determination to safeguard their newly-won political prerogatives, depending on the outcome of the most recent confrontation.

The Principal Contenders in the Struggle

In varying degrees of intensity, this political activity prevailed throughout the post-Revolution period and up until the spring of 1966. Although from June, 1965 (when the Ky Government seized power from the civilian regime headed by Dr. Phan huy Quat), the various Nationalist interest factions had seemed somewhat subdued, at this time, a new and still more dramatic wave of political unrest--"the troubles"--swept across South Viet-Nam.

As suggested above, in early 1966 the South Vietnamese Nationalist movement still encompassed a whole range of diverse regional, religious, ethnic and socio-professional organizations, whose membership was not only frequently ill-defined but often over-lapping. Among the most politically "developed" of these groups (insofar as any of them was able to boast a fairly broad political base, a relatively disciplined following, and a comparatively well-defined leadership), were the Armed Forces of the Republic, and particularly, the Army (A.R.V.N.)⁵ The political assets of the Armed Forces had enabled its spokesmen to figure as one of the most influential Nationalist groups during the recent political upheavals, and also assured them (as both the nation's political incumbents and chief military planners for the ever-expanded war effort), a predominant role in the South Vietnamese political arena during the coming months.

First established by the French in the autumn of 1950, the ARVN had grown from some 250,000 demoralized troops in 1954 to (at least as far as their American advisors were concerned) a technically-advanced and well-trained fighting force of about 600,000 in 1965. But even this relatively coherent body was not immune to the pervasive fragmentation which had long plagued the South Vietnamese Nationalist movement. A variety of subsidiary loyalties both within the ranks and within the officer class itself were clearly discernible. In addition to the usual inter-branch rivalries, a number of sub-groupings appeared to have been formed around a particularly influential military leader; others seemed determined largely by regional affiliations. Generally speaking, among the most prominent of these secondary factions figured a Northern and a Dai Viet group, a Roman Catholic clique, and two groups of "young Turks", one younger than the other.

As far as the formal Nationalist political parties of South Vietnam were concerned, by the beginning of 1966, these organizations seemed able to exert only a minimal degree of influence over their own membership--much less over the other elements of the Nationalist movement. This state of affairs, by no means a new development, had resulted primarily from the predominance of the Communist movement over the Nationalist groups during the struggle for Independence from the French. Having lost many of their most important leaders as well as a large number of their following to the Communists during the First Indochinese War, the parties had been further weakened during the Diem Regime.

After the 1963 Revolution, elements of the formerly discredited VNQDD (Viet-Nam Quoc Dan Dang, or Vietnamese Nationalist Party) and the Dai Viet Parties, both right-wing Nationalist groups which figured most prominently in Central Viet-Nam,⁶ did make an attempt to reestablish themselves on the South Vietnamese scene. At the same time, their members had sought to gain access to the GVN bureaucracy and in this way, to exert their influence on the Government. Yet even these efforts had

been confined to a relatively small scale, for the groups' effectiveness had proved greatly limited due to the fact that the remaining leaders were now long past their political prime, and that most of their earlier contacts with the masses had been lost.

Some sixty-nine political "parties" were reportedly registered in Saigon as officially recognized organizations in the spring of 1966.⁷ Of these, only three or four could boast more than a few hundred members; indeed, many were said to have no more than ten affiliates. Even the VNQDD and the Dai Viets were divided into various branches.⁸ Other fairly important associations were the Vietnamese Socialist Party, the National Revolution Force, the National Unification Force, the Greater Solidarity Force, the Democratic Forces Alliance, and the National Self-Determination Front, in addition to a variety of largely communal interest-oriented organizations.

The traditional forces of regionalism and of ethnic associations also functioned as an important political denominator as well as yet another barrier to the development of a cohesive Nationalist force. First of all, South Viet-Nam was inhabited by a variety of racially distinct communities, of which the most important minority groups were the some 700,000 Montagnards and the approximately 900,000 economically influential Chinese.⁹ Moreover, the ethnic Vietnamese themselves were distinguished by certain prominent regional affiliations. Regional rivalries, recorded even in the annals of early Vietnamese history, albeit on a smaller scale (ie., inter-clan disputes, expanding into clan-dynasty conflicts), had been further emphasized by the French colonial policy of "divide and rule".

The resulting sharply-defined political and social differences between the inhabitants of Tonkin, Annam and Cochinchina (the North, Center, and South, respectively) had become still more apparent when, due to the continuous state of political crisis in the country, tens of thousands of Vietnamese were forced to abandon their traditional villages

or provinces and resettle elsewhere. Because many of these splinter groups took pride in adhering to their town traditions and customs rather than adapting to those practiced by their new neighbors, the concept of regionalism thus functioned as one of the most influential and volatile elements of South Vietnamese politics.

The principal regional groups in the South at this time were the Southern, Northern, and Central Vietnamese, the latter further divided into North-Central and South-Central groups as the result of the division of the country at the Seventeenth Parallel. The great majority of Northern and North-Central Vietnamese living in South Viet-Nam had left their homeland only in 1954, after the signing of the Geneva Accords; some 860,000 to a million refugees were estimated to have arrived in the South at this time.

The Northerners, an energetic, ambitious group, numbered about 1.5 million in 1966. While they frequently tended to criticize their some nine million Southern compatriots as indolent and incompetent, the latter bitterly complained that the newcomers were trying to dominate them and to usurp their legitimate prerogatives in the South. The fact that the Government in power depended largely on the support and cooperation of the adamantly anti-Communist refugee elements (many of whom were Roman Catholics as well) had further exacerbated political tension. Indeed, one of the newer "proto-parties", the "Renaissance of the South" (Phuc Hung Mien Nam) movement, seemed motivated primarily by the determination of its membership--largely indigenous Southern-born Vietnamese--to reassert Southern influence over the predominantly Northern governmental hierarchy.

The approximately three million Central Vietnamese, for their part, had traditionally manifested strong autonomist or separatist tendencies; this was largely attributable to the fact that the ancient imperial capital of Viet-Nam had been located in the city of Hue. Central Vietnamese politicians (and particularly the outspoken Buddhist leaders) had, in the

past, often accused the Southerners of lacking a "true Vietnamese Nationalist spirit"; they seemed equally suspicious of the motivations of the Northern elements.

A number of professional interest groups such as trade unions, business associations and student groups had similarly functioned as quasi-political organizations.¹⁰ The most active of these were, of course, the student organizations, whose membership also reflected the importance of the age factor as a further means of mobilizing support. Following the overthrow of Diem, in the process of bringing down two more governments in two and a half years, the student élite (for only some one percent of the population ever entered a South Vietnamese university¹¹) had been transformed from largely apolitical observers to violently active participants. By the same token, they had proved the most faithful allies of the militant Buddhist factions.

Because political parties in the Western sense seemed, for all practical purposes, largely ineffectual, the most active (albeit politically amorphous) elements in Nationalist politics at this time were recognized to be the South Vietnamese religious organizations. In view of their continued involvement in secular events as the self-appointed spokesmen of the "Vietnamese people", these groups may be best defined as politico-religious movements. In addition to the powerful Buddhist and Roman Catholic groups, politico-religious sects like the Cao Dai and the Hoa Hao had long dominated specific areas of the country, especially in the Mekong Delta, where they formed little islands or political fiefs.

The Cao Dai (or "Third Amnesty of God"), had been founded in 1926 by a French-educated former colonial official, Nguyen van Chieu, as the reconciliation of Oriental-Occidental and modern-traditionalist doctrines.¹² The movement, whose teachings proved well-suited to the political climate of pre-World War II Viet-Nam, soon counted between one and two million affiliates, largely concentrated around the Holy See in Tay Ninh province. Although emerging as the nation's chief sect after

the French-Indochinese War (boasting their own army and lands and property which amounted to a sort of state within a state), by October, 1955, the Diem Government had practically eliminated the Cao Dai as an effective political force. That the sect was still able to wield some influence (although even this was considerably limited due to the fact that as many as eleven sub-sects were vying for priority within the movement¹³), was evidenced by General Ky's efforts to cultivate their support during the months following his installation as Prime Minister.

The Hoa Hao, established in the 1930's under the direction of Huynh phu So as the answer to "reform Buddhism", claimed some 1.5 million disciples who were centered in the five south-west provinces of the country. Like the Cao Dai, the movement played a major role as a Nationalist political force during the Independence Struggle, but subsequently suffered a similar fate under the Diem Government. Since the Revolution of 1963, the staunchly anti-Communist Hoa Hao leaders had succeeded in regaining some political power; various central governments had appeared interested in winning their cooperation--in return for a measure of autonomy, if necessary.

Far more influential, although even less well structured than the Cao Dai and the Hoa Hao, were the South Vietnamese Buddhist associations. Indeed, despite the fact that the bonzes themselves persistently and vehemently denied any political motivation on their part, they were recognized as the chief Nationalist rival of the Armed Forces at this time. While the Buddhist movement as a whole had experienced a sort of renaissance in the 1930's, not until the summer of 1963 had the more worldly elements suddenly surfaced from the ranks to dominate the politically-conscious elements within the Church. At that time, they had been largely credited with creating a climate propitious for the overthrow of the Diem Government, using as their principal tool the "Intersect Committee for the Defence of Buddhism".

After the Revolution, the Buddhist activists had attempted to conso-

validate their forces by unifying the leaders of the various forms of Buddhism practiced in South Viet-Nam.¹⁴ In January, 1964, a national convention sponsored by the bonzes Thich Tam Chau and Thich Tri Quang¹⁵ was convened in Saigon, and the creation of the "Unified Buddhist Church" (Giao Hoi Phat Giao Thong Nhat Viet-Nam, or U.B.C.) announced. Several institutes were created under the auspices of the U.B.C., the most important of which were the "Institute for Secular Affairs" (Vien Hoa Dao) and the Hue-based "Institute of Religious Affairs" (Vien Tang Thong). The Vien Hoa Dao was placed under the direction of the U.B.C. Secretary-General Tam Chau and Deputy Chairman Thich Thien Hoa, and the Hue Institute, under the nominal leadership of the eighty-six year old patriarch Thich Tinh Khiet. The real directors of the Vien Tang Thong, however, were recognized as Tri Quang, the Secretary-General, and his deputy Chairman Thich Phap Tri.¹⁶

In numerical terms, the Buddhists claimed to count as much as eighty percent of the population among their disciples. Generally speaking, it was widely agreed that out of some eleven million nominal adherents in the South, about six million were closely bound to their religion and to the bonzes at the head of the Buddhist Church, while of these, probably about two million "seriously" practiced their religion.¹⁷ In fact, although purporting to speak for the South Vietnamese Buddhists as a whole, the U.B.C. admitted that it represented only some one million religious followers. Subsequent breakaways, in addition to those initiated at the convention itself, were attributed to fears that Tam Chau and Tri Quang were becoming too "political" and were seeking to force traditional Vietnamese Buddhism into organizational forms and secular roles incompatible with its discipline. Other losses occurred as a result of the persistent rivalry between regional groups and among their leaders.¹⁸

Yet despite its relatively limited power base, the U.B.C. were subsequently able to bring down both the governments of General Nguyen Khanh and of Prime Minister Tran van Huong, largely by means of the "Movement

for the Salvation of Buddhism in Danger" and the "National Front for a True Revolution", respectively. Although the bonzes categorically denied any designs to found a "theocratic state", in appealing for popular support their main psychological weapon was their claim to truly represent genuine Vietnamese values, culture, and traditions. In fact, their movement did seem to correspond to the aspirations of a great many Vietnamese and to suggest several logical albeit rather negative solutions to the social and ethical problems gripping the nation. The Buddhist doctrine of social justice offered an alternative to the widespread suffering of the war; the embodiment of the virtues of poverty and asceticism, to the moral crisis in Viet-Nam; and the traditional nationalism, almost Xenophobia, of Vietnamese Buddhism, to the Western efforts to transform their society.

As a political force, the movement had been transformed from one largely directed towards protest to a body designed to contact the masses and encircle them. The founding of youth groups, women's associations, pagoda schools, and the Van Hanh University in Saigon, seminars and dispensaries (often following the Roman Catholic model as well as the Communist one), had all contributed to increasing the bonzes' ability to strike both a mystical and a Nationalist chord within the people. In its most politically-motivated form, the U.B.C. depended on a variety of tried and refined organizational tactics based primarily on "instructive mass action" and on student support in order to stage mass demonstrations. These methods, designed as substitutes for a lack of celebrated leadership and an organized political party apparatus, added to creating a situation whereby the adversary found it difficult to attack and destroy the power of the movement as a whole.

Ranking second only to the Buddhists as a politico-religious force, and in many respects, enjoying a superior political organization, were the Roman Catholics. As in the case of the U.B.C., only a fraction of the 1.5 million members were considered militant activists. Yet this mi-

nority not infrequently appeared to dominate the movement by profiting from the apathy or the reluctance on the part of the majority of the Church's followers to become involved in any political conflict. Many of the Catholics living in South Viet-Nam had been among the 860,000 Northern refugees who fled from the Communists in 1954; some sources put this figure as high as 700,000.¹⁹ Numbering about seven percent of the population in 1960, by 1966 they represented some twelve percent of the inhabitants of South Viet-Nam. During the regime of Ngo dinh Diem, who was himself a devout Catholic, the Buddhists had persistently and often justifiably accused them of enjoying more privileges and of wielding more power than they were entitled.²⁰ The traditional animosity between the two religions had thus not only been renewed, but also greatly intensified.

Probably the most influential political branch of the Catholic movement, which had frequently served as a counterbalance to militant Buddhist demands, was that directed by the Northern priest Father Hoang Quynh. In May and June, 1965, for example, Quynh had led the "Central Movement of the Catholic Struggle" in opposing renewed Buddhist influence in the Quat Government, and had succeeded in forcing the resignation of the latter. Yet after instigating these riots, the Roman Catholic activists had suddenly retreated from the GVN political arena and until the spring of 1966, remained largely uninvolved in Nationalist politics.

Direct Political Antecedents to the Constitutional Experiment

The necessity of drafting a constitution to fill the vacuum resulting from the abrogation of the 1956 document was certainly not a novel idea to the South Vietnamese in the spring of 1966. Each of the preceding governments had at one time or another reiterated the importance of re-establishing a permanent legal basis for the country's political institutions. As frequently, restless demonstrators had demanded the institution of a legitimate governmental structure in order to win concessions

from the incumbents or even to bring about their downfall. The Americans, obviously committed to the concept of a written constitution as the foundation of nationhood, had similarly urged such an undertaking.

From the time of its inception in June, 1965, the members of the National Leadership Committee (N.L.C.) had frequently touched on this same subject, especially in resounding public orations such as General Thieu's National Day speech of November 1, 1965.²¹ Judging from other less publicized remarks by the members of the Junta, however, it appeared that these declarations had been designed more for public and foreign consumption than as the basis for any genuine political reforms. The experience of the past three years had undoubtedly confirmed the convictions of the ARVN as to the preponderance of their role in Nationalist politics.

Nevertheless, in mid-January (either in anticipation of a new upsurge of popular demands for a change in government, as a concession to the American advisors, or as a show of confidence), the Junta made an unexpected move in the direction of initiating a long-advocated constitutional reform.²² On the fifteenth of that month, Prime Minister Ky announced a new five-point program, which envisaged the drafting of a new constitution by October and of national elections in 1967.²³

Upon closer examination, however, it was evident that both in terms of theory and of substance, these proposals deviated little from the accepted norm of political "reform" as practiced by the previous governments of the GVN. Because in all its five phases the plan would be closely supervised and organized by the N.L.C., it seemed to represent less a means of actually enlarging the South Vietnamese political forum than of providing a legal framework for the legitimation of the status quo. As a first step, a "Democratic Building Council" (D.B.C.) was to be established by the generals to draw up a draft constitution. Although the document would then be discussed in special nation-wide seminars (again arranged by the N.L.C.),²⁴ a "consensus on a final draft" would

be reached by the members of the D.B.C. themselves. Finally, after organizing a "popular referendum" on the Constitution, the N.L.C. would undertake preparations for "real democratic elections in 1967" in order to "come back to the regular government elected by the people".²⁵

Yet before the eighty-member D.B.C. began any serious work on implementing the N.L.C.'s program,²⁶ the whole process of "democracy-building" as visualized by the ruling generals was to undergo a radical transformation. Shortly after the Government had reiterated its lofty statements on the merits of the proposed reforms at the Honolulu Conference early in February,²⁷ a new crisis arose. During the three and a half months of political turmoil which ensued, and which several times seemed to threaten an imminent civil war, the political forces of South Viet-Nam once again directed their energies towards achieving by force what had been implicitly (if not explicitly) denied them since Independence: the right to self-expression and participation in the legal power structure of the GVN.

Rumblings of political discontent (which, although they seemed always to lie just below the surface of the fluid South Vietnamese Nationalist movement, had not been heard since the N.L.C.'s installation), first surfaced in the wake of the optimism and good-will of Honolulu.²⁸ Still, even at this time, few really seemed aware of the gathering storm. But when Ky (his prestige and confidence bolstered by President Johnson's recent public endorsement) somewhat arbitrarily dismissed the aggressive and popular General Nguyen chanh Thi from his post as Commander of I Corps on March 10, the tempest was suddenly unleashed.²⁹

This incident had an almost catalytic effect on the latent dissatisfaction and long pent-up frustrations within the Nationalist movement. For although the protest was initially directed against Thi's dismissal, this issue was almost immediately overshadowed by far more serious demands. Waried by the endless military purges, and hostile towards the continued predominance of the generals, various Nationalist

factions seized the opportunity afforded by this event and focused their attention on the problem of a "national Constitution" as a crucial step to the establishment of a "national popular Government" - ie., an end to military rule.

The leadership of this reinstigated "Struggle Movement" similarly reflected rapid changes in its declared objectives. The first demonstrations, held in DaNang on Saturday, March 12, were organized primarily by civil servants, many of whom were not only outspoken supporters of Thi but who owed their positions to his good graces and influence in the Government. Subsequently, however (as had been the case during the ill-fated administrations of General Khanh and of Prime Minister Huong), the militant faction of the U.B.C. once again dominated the anti-Government protest. For even as the DaNang civil servants marched through the streets, in Saigon, Thich Tam Chau declared the "urgent" need for "basic institutions to bear witness to independence and democracy: a National Assembly as well as a Government that brings about national unity".³⁰ For the Buddhists, the prospect of elections in 1967 was obviously too remote.

As the de facto political authorities, supported by a well-equipped and fairly well-disciplined organization, the N.L.C. were expected to have little difficulty in resolving the conflict in order to carry on with their program for constitutional reform. Yet when "the troubles" not only persisted but were steadily intensified, the Saigon generals reacted to the Buddhist challenge in a manner which belied any notion on their part of a carefully preconceived political plan. For they had obviously underestimated one crucial factor: the extent of political dissatisfaction among the South Vietnamese people.

Besides the threat of the demonstrators, American officials, both in Saigon and in Washington, were reportedly engaged in bringing pressure on the generals to resolve the political crisis before an irrevocable military defeat ensued. At the same time, the tension provoked

considerable discord within the N.D.C., as few of the generals seemed to share Ky's confidence about the outcome of a confrontation with the Buddhists. As a result, the Government's attitude suggested a balancing act between the possibility of political concessions and the necessity for political reprisals.

During the subsequent weeks, the N.L.C. resorted to both these tactics in an attempt to quell the persistent unrest. On April 12, five days after Ky suddenly decided to dispatch some 1,500 loyal marine troops to DaNang to "liberate" the city,³¹ a "National Political Congress" was convened to discuss the establishment of an organ responsible for drafting the new constitution.³² Although initially regarded as a counter-force to the militant Buddhists, on April 13, the Congress passed a series of resolutions which included a demand that the Government pledge to resign as soon as a constituent assembly could be elected (ie., within four months), and the right of the assembly to transform itself into a legislative body.³³ The following day Thieu signed Decree Law 14/66, which provided for the election of a constituent assembly within three to five months of that day, or by September 15 at the latest.³⁴ Consequently, within a month after the first protests had been raised, the Government had been compelled to almost completely revise their proposed plans for constitutional reform in order to satisfy the dissidents.

On May 5, a thirty-member Electoral Law Drafting Committee (E.L.D.C.) met to begin work on the electoral regulations.³⁵ Yet the situation continued to deteriorate, as the generals sought to reassert their political will over the protesters. Not only did Ky reveal his intentions to remain in power for "at least another year" (or until a National Assembly had been elected), but he warned that if a government eventually emerged which showed neutralist or pro-Communist tendencies, "I and my friends will fight it".³⁶ Indeed, he provoked an even greater outcry a week later, when on May 15, he dispatched two battalions of marines to DaNang.

During a "National People and Armed Forces Congress" (N.P.A.F.C.),

convoked by the authorities on May 21 in order to enable them "to report on the present situation of the homeland", the generals did announce that elections would be held on September 11, and agreed to expand the Directory with a number of civilian members.³⁷ But the Buddhists only responded to these concessions by launching an immolation campaign not unlike that of the summer of 1963--which in many respects had sealed the fate of the Diem Government. Nor were they appeased by the addition of ten civilians to the Military Council (N.L.C.) on June 6,³⁸ or by the Junta's decision to establish a "People's Armed Forces Council" (P.A.F.C.) to "advise the Prime Minister and the Cabinet".³⁹

Nevertheless, in spite of their persistent recriminations and threats, by this time, the bonzes' influence appeared to be rapidly ebbing. Not only had the street violence failed to bring down the Government, but even the immolation campaign had been largely ignored--by the Americans as well as by the Saigon authorities. By June 20, the fate of the Struggle Forces seemed to have been decided. As the Buddhist stronghold of Hue fell to the Government troops,⁴⁰ in Saigon, the U.B.C. lost an equally important battle: that of the Electoral Law. For despite the confusion which had prevailed since its establishment, on June 6, the E.L.D.C. had completed the draft law, which was then signed by Thieu on June 19.

Significantly, although the N.L.C. had earlier seemed satisfied with the periodic progress reports submitted by the Commission, the revised law (formally introduced by Thieu as Decree Laws 21/66 and 22/66) differed substantially from that drawn up by the E.L.D.C. on at least three key issues.⁴¹ Not surprisingly, these modifications would doubtless prove strongly favorable to the generals. First, the N.L.C. decreed that the Constituent Assembly would not "transform itself into a legislature" (and thereby a very real threat to the military's continued predominance), but would "end its term of office de facto when the Constitution is promulgated."⁴² The authorities would then "establish the nation's institu-

tions in accordance with the provisions of the Constitution within three to six months from the date of promulgation".⁴³ In other words, a National Assembly would not be founded before the latter part of 1967, during which time, as Ky had previously hinted, the Junta would remain in power.⁴⁴

Secondly (in what was recognized as an additional move to curtail militant Buddhist influence), the Law specified that in twenty-five of the fifty-two voting constituencies, candidates would be obliged to stand on a "slate system". Based on an intricate method of apportioning the votes won by each slate in order to determine how many seats had actually been won,⁴⁵ this system was undoubtedly intended as a means of encouraging the formation of coalitions among the splintered groups and factions, and thereby of offsetting the power of the U.B.C. by favoring Nationalist parties and religious minorities. For by assuring a fragmentation of Buddhist strength, the latter would no longer be able to emerge as the most powerful group in the Assembly.⁴⁶

The generals' apparent determination to weigh the constitutional as well as the electoral proceedings in their favor was further reflected in certain provisions of the Decree Law 21/66, which delineated (or, rather, greatly limited) the powers of the future Constituent Assembly. First of all, the Chairman of the N.L.C. would have the right to contribute "suggestions" to the deputies, which were to be discussed at the "next following general meeting of the Assembly".⁴⁷ Moreover, once the written Constitution had been approved by a simple majority of deputies, it was to be forwarded to the Directory, who would exercise the right to veto the draft either in part or in toto. To overrule this veto, a two-thirds majority vote by the Assembly would be necessary.⁴⁸

On July 2, Air Force Day, the Prime Minister declared that "the problems with the Buddhists were over".⁴⁹ Three days later, in spite of yet another U.B.C. boycott, the P.A.F.C. was convened. The N.L.C.'s increasing confidence was also reflected in an announcement of July 12 to the

effect that six major Cabinet changes had been made. Not surprisingly, the new ministers were recognized as further proof that the Government would continue to take an uncompromising political stand vis-à-vis the dissidents.⁵⁰ For by this time, Government sources were hinting that Ky was no longer interested in a "compromise", but hoped rather for an "understanding". The distinction was obviously an important one.

Conclusion: The Troubles and the Nationalist Movement

The price of the three and a half months of unrest had been dear-- for those against whom the protest was staged as well as for the protesters themselves. The Armed Forces, although apparently once again in control of the situation, were evidently still shaken both by the intensity of the conflict and by the recent instability and even open rebellion within their own ranks.⁵¹ The dissident forces, and especially the Buddhists, had paid an even higher price, judging from their confusion and disorientation at this time.

The ability of the N.L.C. to finally crush the anti-Government campaign was evidently due to their organizational superiority as well as to their access to certain political prerogatives and material advantages associated with their status as the Government authorities. In addition to their control of the Armed Forces and the ARVN commanding officers (with a few notable exceptions), they had relied on the use of both the administrative and governmental machinery of the state to support their position. The N.L.C. had been able to convene a variety of committees and congresses for advisory or even for explanatory and publicity purposes, as demonstrated by the establishment of the N.P.A.F.C. Cabinet positions and military commands had been adjusted to suit their needs. Even public liberties such as the freedom of the press, or of circulation or assembly, had been curbed in order to strengthen the generals' hand.

Yet at the same time, the Buddhist Struggle Movement had obviously not been completely abortive. As a result of the U.B.C. protest, Ky had

been obliged to make considerable modifications in the existing Government hierarchy as well as in the N.L.C.'s plans for future reforms. The generals had acquiesced to the participation of civilians in the ruling Directory. Several advisory councils had also been established. Even more important, the Constitution was to be drafted by an elected rather than by an appointed body. Finally, although the authorities had evidently hoped to extend preparations for the elections over as long a period of time as possible, they had eventually been compelled to promise to hold the vote in September. Indeed, in view of the situation in early March, the N.L.C.'s agreement to sanction the drafting of a new national Constitution by an elected body seemed to represent a considerable accomplishment on the part of the Buddhist protesters.

Lacking the relatively sophisticated means of political organization available to the Junta, in their role as the principal directors of the anti-Government campaign the militant Buddhists had relied primarily on mass action and the largely student-led Struggle Forces as their most important tactical weapon.⁵² In addition to the impressive mass protests, the Buddhists had also instigated general strikes and boycotts of the N.L.C.-sponsored political congresses and councils, as well as "passive resistance" -- ie., sit-down strikes and hunger strikes, of which the most celebrated was Tri Quang's 100-day fast, initiated on June 10.

Less publicized methods of frustrating Government control (such as the use of Buddhist Army chaplains to undermine loyalty to the central authorities within the Armed Forces), had also been employed with similarly favorable results. The tour de force of the anti-Government movement had been the immolation campaign, initiated at the end of May. Finally, when even this tactic failed to bring down the N.L.C., the bonzes had organized an "altar" campaign; family altars were dragged into the streets to block circulation and thereby cripple any further large-scale anti-demonstration operation by the generals.⁵³

The militants had also resorted to exploiting one of their traditional enemies, the Roman Catholics, as a means of winning less politically-active Buddhists to their cause and of unifying their splintering movement. Their persistent demands for the dismissal of the Catholic General Thieu, particularly during the early stages of the protest, had apparently been motivated by this strategy. For similar reason, the militants had proved as hostile to the Americans as to the Government forces, especially after the generals' troops had launched their attack on DaNang.⁵⁴ This anti-American sentiment had reached a climax at the end of May; in Hue, the United States Information Service (USIS) library was burned on May 26, and the American Consul sacked on June 2 by Buddhist students protesting against American support for General Ky.

In their drive to "realize the people's aspirations", the professed goals of the Buddhist leaders and their demands for a popularly-elected Assembly had frequently been obscured by the anti-Government agitation. The ambiguous and even contradictory nature of the bonzes' protests had a considerable effect on the N.L.C.'s response. When, within a month after the unrest had violently surfaced, the U.B.C. promised to "personally lead its faith",⁵⁵ the Junta countered by branding the Struggle Forces as "Communist infiltrated".⁵⁶ That the Buddhist organizations could have been and on some occasions most probably were exploited by the insurgents seemed fairly likely in view of the unstructured and undisciplined character of the U.B.C. campaign.⁵⁷ At the same time, most of the Buddhist leaders themselves, knowing the fate of their brethren in the North, did seem sincere in their contentions that South Viet-Nam must be defended against Communism as well as against "colonialism".⁵⁸ It was undoubtedly for this reason that the highly-Nationalistic bonzes had looked to a "popularly-conceived" National Assembly as necessary to insure what they termed "our right to self-determination".⁵⁹

Despite the strengths of the movement, its ultimate collapse was foreshadowed by the increasing dissension within the U.B.C. hierarchy it-

self. While throughout the course of the troubles the Hue-based elements continued to opt for a generally uncompromising plan of action, already in March it was rumored that negotiations between the Saigon Buddhist leaders and representatives of the N.L.C. had been initiated. Chau's willingness to parley with the Junta was greatly resented by the militant Tri Quang group, who accused the moderate spokesmen of "betraying" the Struggle Movement.⁶⁰ The possibility of an open split developing within the Buddhist Church had thus confused the protest to an even greater degree.

The Buddhists also lacked support from any significant number of influential ARVN officers--particularly among those commanding the strategic regions around Saigon from where, in the past, most of the anti-Government coups had been launched. Furthermore, as evidenced by the apparent ineffectiveness of the immolation campaign, the bonzes underestimated the Americans' determination to support the GVN authorities. Equally important, they miscalculated the effects of their actions on the other political groups of South-Viet-Nam, who had no intention of remaining spectators of the Buddhist-dominated Struggle Movement.

These disparate socio-political factions, and in particular, the Roman Catholics, regarded the sudden upsurge of militant Buddhist strength as a direct challenge to their own political status. Their reactions to this "threat" clearly demonstrated the seemingly compulsive splintering of Vietnamese opposition movements, regardless of the strength of the common factor uniting them. Evidently as concerned as the generals about the possibility of the bonzes' dominating the future Assembly and perhaps the new government as well (although it may be argued that there seemed little evidence to support these fears⁶¹), their efforts soon became oriented more towards limiting Buddhist prerogatives than to insuring a widening of their own. As had repeatedly been the case in the past, they seemed motivated more by negative than by relatively positive goals.

The militant Roman Catholics were among the first to react to the Government's five-point program introduced in January. As many of them were former refugees from the North, and thereby highly unlikely to collaborate or even cooperate with the Communists, their agitation at this time seemed particularly significant. With the instigation of the Struggle Forces, the more politically active Catholics once again grouped under the leadership of the Northern priest Father Hoang Quynh. As Chairman of the "Greater Union Force" (Luc Luong Dai Doan Ket), Quynh's attacks on the Government initially echoed those of the U.B.C.; evidently, many Catholics then felt that a common front with the Buddhists was necessary in order to create an effective united movement and thereby, to assure both an end to military rule and their own access to power.

But as subsequent events had proved, despite the apparent cooperation, traditional suspicions and antipathy between the two religions were still a highly volatile element. For as the U.B.C. influence steadily increased, the Catholics suddenly "suggested" that they would "oppose capitulation of the ruling generals to Buddhist pressures."⁶² By the beginning of April, Roman Catholic spokesmen had reportedly joined with moderate Buddhists to discuss means of curbing the militant bonzes' power; a week later, they challenged the N.L.C. to move against the dissidents in Central Viet-Nam, and echoed the Government's contentions that the Buddhists would make peace in Viet-Nam "by shaking hands with the Communists".⁶³

Shortly thereafter, these admonitions were translated into public demonstrations of strength, held throughout the country. Indeed, by mid-April, largely as the result of alleged Buddhist attacks on a Catholic village near DaNang, the transformation of the conflict into a real religious war seemed imminent. Although as a whole the Catholic protest marches attracted less attention than did the Buddhist riots, early in June, under the direction of the newly-organized "Bloc of Catholic Citizens" (Khoi Cong Dan Cong Giao Viet-Nam, or C.C.B.)⁶⁴ the militant

Catholics did succeed in staging some of the largest demonstrations ever held in the capital.

In addition to the massive U.B.C. and Roman Catholic movements, a number of other Nationalist factions and groups had also been involved in the troubles. Although they played only a minor role in the conflict, their activities were equally significant insofar as they clearly reflected the political behavior of the Nationalist movement as a whole, as well as the decisive, and often divisive forces which motivated Nationalist politics in South Viet-Nam. Once again, the diversified communal-interest factions had closely adhered to the practice of "personal politics" rather than that of consensus politics; their position vis-à-vis the Struggle Forces varied considerably during the course of the anti-Government campaign. For the loyalties of these factions, and particularly of their spokesmen, frequently seemed determined less by the attitude of the actual membership than by the relationship of their leaders with any one of the major contenders at any given moment.

The splintered and fragmented VNQDD may be cited as a particularly relevant example of the intensive political manipulation which characterized this period. While the Southern branch of the Party eventually sided with the Catholics in their attempt to insure the formation of a new civilian government and to pose an effective counter-balance to the Buddhist Struggle Forces, the members of the Central Viet-Nam faction remained seriously divided over the question of support for the militant bonzes. Similar political maneuvers were initiated by both the Hoa Hao and the Cao Dai, as well as by the Dai Viets. These groups not only joined in the call for an elected civilian regime, but also were represented in the various Government councils and commissions organized during the recent weeks.

At the same time, a number of new political organizations or coalitions had sprung up. These loosely-organized factions served as a prime example of the fluidity of Nationalist politics; comprised frequently

of the most unlikely political allies, they quickly advanced to the political foreground and then, as suddenly, faded back into the amorphous ranks of the Nationalist movement. The most interesting of these organizations was the "Front of Citizens of All Faiths".⁶⁵ Founded on June 3, under the leadership of Father Quynh (who had recently been disassociated from the less militant mass Catholic protest organization) and the radical bonze Thich Phap Tri, the group strongly supported U.B.C. demands for the immediate dismissal of Ky and Thieu and denounced the Government's "unfair" election plan as a means of establishing a "puppet parliament".⁶⁶ Although the membership of the Front included such relatively prominent figures as Phan ba Cam, Chairman of the Vietnamese Socialist Party, little was even known about its following as a whole;⁶⁷ the group appeared to disintegrate shortly after announcing its plans to boycott the election.

By early August, even the militant student Struggle Forces, whose adherents had made a significant contribution to the organization and execution of the anti-Government as well as anti-American campaigns, seemed largely subdued. Judging from the state of confusion prevailing within the U.B.C. and from the nature of the recently promulgated Electoral Law itself, Buddhist voting strength in the coming poll would be drastically reduced. Indeed, the bonzes' awareness of this fact had been suggested by their frequent denunciations of the election as "a ruse to perpetuate the Government's power" and as "unpopular and manipulated".⁶⁸ Not surprisingly, therefore, after initiating a series of rapid changes within the now seriously-divided U.B.C. hierarchy,⁶⁹ on August 13, what amounted to a boycott of the September election was officially condoned.⁷⁰ Consequently, while as of this time the other elements of the Nationalist movement directed their attention towards broadening their own political base and strengthening their position in the electoral campaign, the Buddhists remained isolated from the GVN political arena.

The rise and fall of the U.B.C. Struggle Movement thus afforded an important insight into the sort of political maneuvering and intriguing, the reliance on stop-gap measures and temporary alliances, and the predominant role of a few individuals characteristic of Vietnamese politics. Even more significant, the ramifications of the Buddhist defeat suggested the basis for the development of the next crucial phase of the Constitutional Experiment: the elections of September 11, 1966.

CHAPTER TWO

THE CONSTITUENT ASSEMBLY

The Electoral Procedure

Immediate reaction to the idea of elections had initially been three-fold. First, the political cynics had contended that the election would not be held. Secondly, the political "realists" had argued that the election should not be held; five months of preparation was far too little, and the war would cancel any positive gains made. A third group had agreed with the National Liberation Front by flatly declaring that the election could not be held. Yet although by the end of July events appeared to have largely disproved these contentions, as the official opening date of the electoral campaign approached, noisy debate, and even serious dissension within the Nationalist movement increased.

This confusion was due in part to the decision of several of those Nationalist political elements whose spokesmen had earlier been the most outspoken supporters of the organization of national elections (eg., the militant Buddhists and their radical Roman Catholic colleagues) to boycott the forthcoming poll. An equally important consideration, however, was the fact that during the weeks immediately preceding the campaign, the most enthusiastic support for the election was to emanate from a somewhat unexpected source, in view of its recent and even adamant opposition to the same idea: the N.L.C.

This "political volte-face" was regarded by a number of Nationalist factions as proof that the vote was intended less as an exercise in democratic procedures and as a means of instituting an independent representative political entity than as a collective demonstration of

loyalty to the de facto powers and a referendum to perpetuate the political status quo. It was for this reason, their opponents argued, that the generals seemed determined to encourage as much popular support as possible. In fact, the authorities' sudden zeal was probably due in part to the dissidents' decision to remain uninvolved in the electoral proceedings. Equally significant, it was undoubtedly induced by their own renewed self-confidence.

For despite a variety of concessions reluctantly granted by the military authorities during the recent months, judging from the nature of the newly-promulgated Electoral Decree Laws 21/66 and 22/66, they had managed to salvage or retain an impressive number of political safeguards. In addition to significantly reducing the powers of the future Assembly, these laws assured the generals and their representatives firm control over the electorate and the actual voting procedures¹, as well as over the prospective candidates themselves. According to Article 10 of Decree Law 22/66, any individual "directly or indirectly working for the Communists or pro-Communist neutralists, or involved in activities advantageous to the Communists", would be automatically "ineligible" to stand in the election.² Finally, should even these provisions still fail to prevent the election of a pro-neutralist candidate, the N.L.C. would have the right to order him expelled from the Assembly itself.³

In their capacity as chief organizers of the September vote, the authorities (and those candidates favored by them) would also enjoy a number of less obvious but equally important material and political advantages over their contenders, such as access to Government funds and the assistance of local GVN officials.⁴ Other means of influence open to the generals (and interestingly enough, means which were cited by Ky himself as evidence that the Government intended to organize a "free and absolutely honest" election) included the mobilization of the nation's civil servants, administrative trainees and students from the National Institute of Administration to help mobilize popular support for the

coming event and to assist at the polls; the use of cadet officers from military schools, in addition to regular troops, to provide security for voters and candidates; the organization of seminars in all provincial capitals, district towns and villages to discuss the election and to encourage people to vote; and the use of Government vehicles to transport voters to the polls.⁵

At the same time, however, others more sympathetic to the GVN electoral policy insisted that despite the obvious shortcomings, the September balloting would nevertheless represent an important exercise in democratic procedures. The Americans, in particular, having overcome their earlier reluctance to the prospect of organizing a meaningful election in South Viet-Nam, wholeheartedly supported the N.L.C.'s program as a significant step in the direction of establishing a representative political forum.⁶ By holding the election at such a critical time, they argued, not to mention the fact that there was an almost total lack of any genuinely "popular" voting experience in South Viet-Nam, the Government was taking a great risk in order to recognize the legitimate demands of the Vietnamese people.⁷

The Junta's critics were reminded that every effort to arouse enthusiasm and to insure equal opportunities for all prospective candidates had been promised by the authorities. Election officials were to organize a carefully-planned election campaign, some aspects of which would be determined by the candidates themselves.⁸ Speeches were to be given only in pre-arranged locations at pre-determined times. Campaign expenses would be financed from the National Budget.⁹ The generals had also guaranteed extra rations of newsprint for the press; the use of Government radio and television for the first time; of Government presses for printing posters, handbills and pamphlets publicizing the election; of newsreels, and of GVN propaganda teams. Press censorship was to be lifted during the official campaign period, and all candidates were assured protection during the election activities.¹⁰

The Candidates

Yet despite this carefully-orchestrated fanfare, the initial response on the part of prospective candidates themselves was considerably less than had been anticipated. With the exception of Saigon (where by mid-July some twenty-six slates were reported to have registered, to contest ten seats), candidate registration was so low in several voting districts that election officials extended the deadline of July 11 in order to encourage more individuals to file nominations. On August 5, it was announced that of those who had completed the preliminary formalities (estimated at between 735 and nearly 1000), 716 had been "tentatively cleared".¹¹ This attenuation had in some cases undoubtedly been caused by a failure to fulfill the official requirements (eg., an incomplete dossier, or the inability to raise the required 10,000 piastre deposit or to locate a suitable running mate). In other instances, it could be explained by political motives.

A number of candidates had apparently withdrawn from the race because of threatened intimidation by the National Liberation Front. More likely, they had simply been eliminated by the local screening boards. Indeed, GVN spokesmen admitted that approximately eighty percent of the candidates disqualified by these committees had been rejected for "political reasons"--of which the most serious were probably not only "pro-neutralist tendencies", but also involvement in the recent Buddhist agitation.¹² The central review committee subsequently revealed that only some 544 candidates were qualified to stand in the election.¹³

As a result of this thorough screening process, it seemed highly unlikely that any of these 544 candidates would prove an exception to the accepted Government norm of a "representative political figure". Nevertheless, even on the eve of the campaign, surprisingly little information was known about their individual political outlook or affiliations. This was primarily due to the fact that as a whole, the aspiring deputies were themselves political unknowns in South Viet-Nam. No

more than half a dozen were recognized as influential Nationalist politicians; of these, only one had held an important post in any of the previous civilian governments.¹⁴

Secondly, only a very small proportion of the candidates were associated with a particular political party. This fact clearly reflected both the fundamental lack of established political organizations in South Viet-Nam and the divisive forces of Nationalist politics on the existing fragmented splinter groups. Many of the self-styled political leaders of these "parties" did undoubtedly realize that unless they disregarded the traditional rivalries and petty intrigues and joined forces with other similarly-oriented factions, they would have little chance of securing a place for their members in the new Assembly. Yet few, if any, seemed either willing or able to initiate such a move in order to meet the opportunity afforded by the approaching election to reassert their waning influence within the Nationalist movement.¹⁵

For this reason, a considerable number of candidates who were unaffiliated with any of the more formal political groups looked to another source for political backing: the loosely-structured communal interest-oriented factions or "proto-parties" within the Nationalist community. These organizations, although characterized by a variety of "extra-political" considerations (eg., race, region, religion, or professional interests) rather than by a particular political platform, thus functioned in lieu of a more conventional party system as a means of providing both moral and financial support to the candidates. At the same time, however, although making an important contribution to the campaign, the involvement (and indeed, preponderance) of these factions in the electoral proceedings further obscured the political issues at hand.

The most active of these groups were those motivated by the forces of regionalism and of religion--or more likely, by a combination of both. Especially prominent were the Roman Catholic Northern refugee-

oriented LLDDK (Luc Luong Dai Doan Ket, or "Greater Union Force"), the recently-founded "Catholic Citizens' Bloc" (Khoi Cong-Dan Cong-Giao Viet-Nam), and the Southern-Nationalist Phuc Hung Mien Nam ("Movement for the Renaissance of the South").¹⁶ The Mekong Delta sects, the Hoa Hao and the Cao Dai, were also reportedly actively involved in local campaign activities. Indeed, even the relatively limited participation of the splintered VNQDD and Dai Viet Parties seemed motivated more by regional (ie., Centrist) than by purely political considerations.

In addition to these extra-political affiliations, the candidates were also distinguished by certain important professional or class distinctions. The most prominent as well as the most discouraging feature characterizing these aspiring politicians was that few, if any, represented the great majority of the people of South Viet-Nam: the peasant farmers and urban working class. As had been the case in the various consultative congresses and committees during the recent years of political turmoil, those claiming to speak for "the people" were in fact, the members of an élite cross-section of bourgeois elements of the intellectual and white-collar classes.¹⁷

Over ten percent of the total number of certified candidates (about sixty-five) were either active or retired officers in the GVN Armed Forces. Yet none of these prospective deputies was to stand as a representative of the Saigon generals. Indeed, the N.L.C. had apparently purposely refrained from overtly sponsoring any of the nominees, or from encouraging any of their acknowledged associates to enter the electoral contest as a spokesman of the "khaki party".¹⁸ All the same, it was generally recognized that the majority of officer-candidates would doubtless prove "amenable" to the N.L.C.'s policies, and that they, as well as the members of the provincial councils, would most probably support the present administration once seated in the Assembly.¹⁹

The Campaign

The actual electoral campaign, officially opened on August 26, contributed little to clarifying the political aspirations of the individual candidates. In fact, in some respects, the pre-electoral activities only further confused the principal issues of the vote. The candidates themselves seemed passive and uninspired, and the general public, largely apathetic. The rallies, described as "lackluster" and "lifeless" affairs, were often poorly attended; for this, the nominees blamed the Government officials and the press, and the latter, the candidates. 20

Equally important, with few exceptions, the speeches were termed "vague" and "amateurish". Admittedly, the difficulty of campaigning on "issues" in an election organized solely as a means of selecting representatives for a constituent assembly was obvious, particularly in view of the limited political experience of the majority of candidates themselves. Yet only a few of the political hopefuls even bothered to discuss the problem of the Constitution, and their remarks were usually limited to a review of alternative governmental systems rather than to an exposé of those fundamental political and legal precepts which they would promote if elected to help draft the document.

Rather, most of the speakers seemed primarily concerned with a variety of parochial or unrealistic problems which were completely unrelated to their task as members of the Assembly; promises were made to assist the poor, to clear away garbage, or to liquidate slums. Still, there was little discussion about the conduct and the direction of the war, negotiations, inflation, the recent political tensions, the American presence, or, significantly, the policies of the N.L.C. This obvious omission was probably largely due to the fact that although no specific restrictions had been placed on the issues which might be discussed, the candidates were undoubtedly inhibited by a number of more psychological concerns. Unsure of their prerogatives, they seemed reluctant to risk

incriminating themselves by making a remark which might subsequently be interpreted as a violation of the standing laws designed to punish those guilty of compromising the war effort.²¹

The Vote

When the 5,238 polls scattered throughout the GVN-controlled areas of South Viet-Nam finally opened at 7 A.M. on September 11, both the Saigon officials and their American counterparts were doubtless still greatly concerned that the grim predictions of a "disputed poll without an issue" would be realized. Although the election turnout had been officially forecast at as high as some seventy-five percent of the electorate, many South Vietnamese contended that the wide-spread apathy and suspicion, reinforced by the U.B.C. boycott, would discourage as many as a third of the eligible voters from participating.²² Indeed, by noon, only some thirty-seven percent of the electorate had cast their ballots, most of them in the north.

By 4 P.M., when the polls were closed, the situation had greatly improved. Several million additional ballots had been cast; the unexpected turnout was officially put at 4,274,812, or 80.8% of the 5,289,725 eligible voters.²³ In ten provinces, more than ninety percent of the electorate had reportedly gone to the polls. The generals immediately hailed the results as an unqualified success. Thieu declared that the election had not only been "a bitter and crushing defeat for the Communists", but a "victory for the entire Free World", and "the greatest victory ever won by free Viet-Nam".²⁴

The Saigon spokesmen explained this unanticipated success largely to the failure of either the Buddhists or the insurgents to "thwart the people's desires". At the same time, they insisted that the election results afforded real evidence not only of the superior control of the GVN authorities, but also of their genuine appeal as the leaders of the South Vietnamese people. The fact that in those provinces which had only recently been considered strongholds of militant Buddhist influence some

of the largest voting percentages were recorded was cited as proof of the ineffectiveness of the U.B.C. boycott.²⁵ The Government also claimed to have inflicted severe losses on the Resistance Forces by frustrating their large-scale attacks on the polls; although the incidence of terrorist attacks had been five times the normal rate, the resulting casualties had not been proportionately as great.²⁶

In point of fact, these contentions raised a number of interesting questions about the real significance of the vote. Insofar as the militant Buddhist protest was concerned, its setback was probably due less to the authorities' efforts to win over the Buddhist electorate than to a remarkable eleventh-hour appeal by Tam Chau (broadcast by Government radio) encouraging the faithful to vote.²⁷ the problem of invalid ballots, generally recognized as a reliable indication of the nature of the voters' motivations (ie., some three percent of the total vote thus "invalidated" was considered normal), also suggested that the Saigon officials were over-optimistic in their interpretation of the inability of the bonzes to carry out their threats. In Hue alone, these protest votes amounted to some 11% of the total, and in Saigon, to about 6.5%²⁸

Moreover, although the some 700,000 South Vietnamese armed police and military personnel stationed at the polls had undoubtedly contributed to discouraging harassment by the insurgents, apparently only a few of the estimated 112,000 regular forces of the Liberation Army had actually been deployed in direct attacks at this time. It was thereby suggested that the Front's retaliatory measures had never been intended as a genuine attempt to "crush" the election, but merely as a means of intimidation. For despite the bitter denunciations of the vote as an illegitimate fraud, the Communists' relatively subdued effort to seriously disrupt the polling exercise had obviously been below the real capacity of their forces.²⁹ Various theories were put forth as a possible explanation for this fact. Some speculated that the N.L.F. were not entirely hostile to the idea of a new government. Others, reasoning on

the basis of the Front's contentions that the GVN's claims to have registered over five million voters was patently untrue, simply dismissed the official "voting turnout" as a similar fabrication.³⁰

The notion of a selective electorate did, in fact, contradict many of the generalizations made about the popular response to the balloting. The highest percentage of votes, 97.5%, was recorded in Phu Bon province; yet less than 19,000 Vietnamese had been registered there.³¹ Another interesting anomaly was that of Hau Nghia province. Although at a first glance, the 79% turnout of eligible voters appeared to confirm the popularity of the GVN in the province, in fact, most of Hau Nghia had long been considered a N.L.F. stronghold. The registered voters, numbering only a very small percentage of the total population of the province, were situated around the provincial military outposts--where not only a much greater degree of security would be expected, but indeed, some measure of control could fairly easily be exercised.

The voting outcome in the capital afforded another important insight into the responsiveness of the electorate. Although considered one of the safest Government areas, in Saigon, only 65% of the eligible voters cast their ballots.³² A further complication in a conventional assessment of the election results arose from reports that of the 6.5 million election cards printed, less than eighty-five percent of them had actually been distributed. Consequently, the official figure of some 4.2 million voters implied that more than 95% of those holding voting cards had gone to the polls--a remarkable turnout by any standards.³³

The Composition of the Assembly: The Basis for a Political Dialogue

Probably the least-discussed aspect of the "success" of the election was that of the victorious candidates themselves. This was largely due to the rather colorless political nature of the aspirants as a whole, which, as suggested above, had resulted both from the strict political qualifications imposed by the Electoral Law on the prospective candi-

dates and from their own lack of political experience or of association with a recognized political organization.

Not surprisingly, one of the most striking first impressions of the 117 deputies (as had been the case with the 544 candidates originally standing in the election) was that they appeared to be representative primarily of the anti-Communist, French-educated bourgeois elements of a professional élite still strongly influenced by its recent colonial heritage. Approximately one third of the newly-elected delegates were either members of the select Armed Forces Officer Corps or of the civil service hierarchy; forty-one of the 117 had previously or were then serving on a provincial or municipal administrative council, and eight were members of the newly-founded Army-People Council. The next largest professional interest groups were represented by businessmen and educators.³⁴ Not a single peasant or industrial worker had been chosen to sit in the Assembly.

The educational background of the delegates seemed yet another noteworthy feature when compared with the situation in the country as a whole--and one equally unrepresentative of the general population. Not only had an overwhelming proportion of the deputies completed primary school, but nearly half had enrolled in secondary school. Even more important, practically forty percent of the Assemblymen had received some education at the university level, in a country where less than two percent of the population could ever hope to have access to higher education.³⁵

Quite obviously, little attempt had been made to include a wide cross-section of popular class interests in the Assembly (as had been the case in the 1946 Viet-Minh-organized constituent assembly, for example). Yet this extremely limited scope could not be explained simply as a means of frustrating the real interests of the people. The composition of the Assembly did, in fact, distinctly reflect the formalization of the unstructured political system around which Nationalist poli-

tics revolved. Long conditioned by the traditional and somewhat paternalistic Confucian code of ethics, Nationalist political activists and other influential members of the various communal interest groups considered the responsibilities of statesmanship to be the concern of only certain elements in the society. In other words, they believed that the affairs of the nation (and particularly a matter as important as the formulation of a constitution) should be directed by the well-established, well-educated and professionally respected individuals of the population. For only men of such status were expected to fully grasp the needs and be capable of realizing the aspirations of the people.

Moreover, upon closer examination, the appearance of the Assembly as a rather stereotyped body of delegates, seemingly united by their moderately conservative (albeit outspokenly anti-Communist) political convictions, was to prove illusory. Just as the composition of the institution reflected the sociological and moral premises of the Vietnamese political system, so did it bear witness to the less ideological and more dysfunctional forces motivating Nationalist politics. Like the political society they represented, the deputies themselves were highly susceptible to the legacy of factionalism and dissension nurtured by a state of seemingly permanent political crisis in South Viet-Nam.

Indeed, almost immediately, the pervasive and unsettling influence of the extra-political elements of region, religion, profession, and race seemed to challenge the superficial aura of consensus within the Assembly. The impact of these conflicting loyalties--of which many of the representatives had been supported in the election by the various communal interest-oriented associations--was of particular significance in that it suggested the possibility of their functioning as a means of stimulating a meaningful discussion among the members of an apparently otherwise politically nondescript body. For within this competition lay the potential for a development of a real political dialogue in the Assembly, and consequently, for its playing a purposeful role within the

political system of the Republic itself.

The most volatile of these communal loyalties seemed to be that of regional identification, which contradicted the plan of the deputies' each representing a certain group of provinces or Corps regions, as outlined by the Electoral Law.³⁶ This situation was largely attributable to the preponderance of the most vociferous as well as politically prominent of the regional minority groups, the Northern refugees. A total of thirty-eight Northern and North Central Vietnamese (or very nearly a third of the 117 deputies) had won seats, although in the South as a whole, they numbered only about one tenth of the population.³⁷ Moreover, while the Southerners did form the largest single bloc, with some forty-six seats to their credit,³⁸ twenty-three delegates from Central Vietnam (or almost twenty percent of the total membership) had also been elected.³⁹ Finally, the ethnic minorities of South Viet-Nam were represented by sixteen deputies.⁴⁰

This heterogeneity was further emphasized by the religious interests with which the Assembly members were associated. Although a majority were nominal Buddhists, none of their militant brethren had, of course, stood in the election.⁴¹ Yet at the same time, the possibility of considerable inter-denominational friction among the deputies was by no means precluded. Once again, an outspoken minority group, the Roman Catholics, had succeeded in placing a considerable number of its adherents in the contested seats; forming only about twelve percent of the population of the South, with thirty-three delegates, they accounted for nearly one third of the membership.⁴² Indeed, the prominence of this group was further emphasized by the fact that over half were also Northerners, and thus simultaneously identified with two of the most powerful minority interest elements in the Assembly. The politico-religious sects of the Mekong Delta had also succeeded in claiming fifteen seats for their representatives or associates.⁴³

Another potential source of disunity within the Assembly was that

of age. The fact that a majority of deputies were representative of a new generation of aspiring Vietnamese politicians (ie., exactly one third were less than thirty-five years old) was recognized as a relatively recent development on the South Vietnamese political scene. For in the past, one of the necessary attributes of political success had been that of "experience"; similarly, influence increased with age.⁴⁴

In view of this complicated interest association-oriented pattern of affiliations, by means of which fundamentally extra-political considerations were translated into political factors (not infrequently to the advantage of a number of vociferous minority groups), the Assembly did manifest a unique political personality. Yet the transposition of these various identifying elements into the basis for the formulation of a political dialogue within the institution depended on still another and even more important consideration: the relationship between the deputies and the ruling generals.

Interestingly enough, while the GVN officials had championed the organization of the Constituent Assembly, at the same time, they had evidently been very much aware of the fact that their efforts to establish this body could well prove their own undoing. Having committed practically the entirety of the GVN's physical and human resources to a power struggle with the insurgents, the N.L.C. realized that the expense incurred by a revolt of the non-Communist elements within the expanded governmental structure would very likely result in their own political bankruptcy.

Consequently, although agreeing to sanction the September election, by means of the Electoral Law, the generals had also taken certain precautions to frustrate the possible development of such a dialogue (or, as such would naturally be regarded by them, a potential rival opposition force) within the Assembly. As noted in Chapter I, Decree Law 21/66 placed certain important limitations on the deputies' prerogatives by assuring the N.L.C. the right to intervene in the deliberations, as well

as to exercise a veto over the draft Constitution.

But the generals also realized that the issue at stake was considerably more complex than that of simply disciplining or even eventually silencing any uncooperative delegates. In order to realize their proposed political, military, economic and social programs (and thereby extend and legitimize their own power base), the N.L.C. would be obliged to enlist the deputies' active support--support which would not only be manifested as an integral part of the Assembly's policy, but which would be reflected in the actual formalization of the objectives of the draft Constitution.

The Junta had reportedly hoped to control some sixty seats, although it was generally recognized that even forty deputies who supported their policies could act as a powerful tool in shaping Assembly politics. Indeed, in assessing the outcome of the September vote, the generals were doubtless encouraged by the fact that many of those elected were associated with groups which had in the past proved either sympathetic to the Government authorities or susceptible to pressure exerted by them. First of all, at least eight delegates were alleged to have received assistance from either the GVN, the Armed Forces, or from individual highly-placed GVN officials. Secondly, as stated previously, nearly one third of the Assembly members were employees of the central Government (ie., military personnel or civil servants); more than twenty were members of provincial or municipal councils, and an additional twenty had formerly served in a similar capacity.

Nor were the possible sources of support limited to these individuals. By virtue of their affiliation with certain communal interest associations, a considerable number of deputies seemed in accord with the incumbents' policies if only because they, like the generals, were motivated by their resistance to a common adversary--the National Liberation Front. Generally speaking, the Northern refugees and the Roman Catholics, as well as the representatives of a variety of business in-

terests who had become proficient in gleaning enormous profits from the war economy, had proved the most reliable elements of this "anti-alliance". A number of wealthy landowners comprised yet another influential group, as they, for obvious reasons, were determined to frustrate Communist gains. The importance of these four interest elements was increased by the fact that they were frequently inter-related, whereby the possibility of their joint cooperation was further facilitated.⁴⁵

In fact, a combination of group interests along these lines had not been confined to support for the N.L.C.'s struggle against the insurgents. During the recent troubles, a similar "united force" had formed to encourage the authorities' efforts to quell the Buddhist dissidence; subsequently, this tacit alliance had been extended to the electoral exercise itself as an expression of solidarity with the N.L.C. program. Not surprisingly, virtually all of these elements--the LLDDK, the C.C.B., the VNQDD, the Dai Viets, and the Delta sects--were represented en force in the newly-established Assembly.

The combined presence of these numerous professional and socio-political groups would undoubtedly constitute a formidable force within the Constituent Assembly. Yet to recognize this presence was not to assume that its component membership would be able to dominate the internal political scene. For there were also represented other elements among the 117 deputies, whose affiliates would most probably challenge the ambitions of those politically associated (if not aligned) with the generals. The basis for the development of what might be termed a potential opposition force was suggested by at least two considerations, one of which was fundamentally extra-political (ie., regional), and the second, political.

The first of these was related to the status of the deputies from the Mekong Delta region. Like their colleagues from the other three Corps areas and the C.M.R., several of these delegates were identified

with the militantly anti-Communist organizations.⁴⁶ In fact, the overwhelming majority of the Southern deputies had received support either from the Hoa Hao, Cao Dai, or the Phuc Mien in the electoral campaign--groups which, during the previous spring, had in several instances formed temporary alliances to counter the Buddhist threat.

At the same time, however, as a sort of politico-regional group rather than as members of the various politico-religious associations, the Southerners could be expected to exercise a somewhat larger degree of independence from the central authorities. Judging from their political attitude in the past, the representatives from the Delta (and particularly those affiliated with the Phuc Mien faction), would undoubtedly prove highly sensitive to what they might interpret as an attempt to disregard their inherent rights as the legitimate spokesmen of the people of South Viet-Nam. Indeed, a number of prominent Southerners were known for their outspoken criticism of the Northern officials in Saigon as self-appointed carpet-baggers conspiring to usurp their own legitimate prerogatives in the South.

The nascent opposition nucleus suggested by the presence of this Southern solidarity faction in the Assembly would doubtless receive important support from a second and more politically-oriented element. This group (less cohesive but undoubtedly more articulate) was comprised primarily of individuals rather than of interest associations, and particularly of those representing the C.M.R. constituencies. For despite the disproportionate number of non-Southerners among these Assemblymen, by virtue of their previous political involvement, they could be expected to strongly oppose any move implying collusion between the other interest factions and the central authorities. In this way, they might well provide the catalytic force necessary for the development of a movement within the Assembly which could rival the elite vested political interests of many of their colleagues.

All of the more outstanding political activists who had stood in

the election had won seats in the Assembly. Among them figured two North-Central Vietnamese, Dr. Phan quang Dan and Dan van Sung; and the Southerners Phan khac Suu, Tran van Van, and La thanh Nghe.⁴⁷ Despite their prominence in South Vietnamese politics, these individuals were all lacking a broad popular base and a personal political machine. Yet their presence and prestige would undoubtedly make a substantial contribution to the proceedings of the Assembly, and thereby influence not only the drafting of the document, but, equally important in terms of the institution's political role, the formulation of a political dialogue.

The Formal Political Structure of the Constituent Assembly

Even before the official deliberations on the draft Constitution had been initiated,⁴⁸ the basis for a potential split within the Assembly had thus been recognized. This pattern of conflicting political loyalties was further formalized by a variety of procedural innovations adopted during the first plenary sessions.

The Internal Regulations

The draft version of the Internal Regulations, drawn up by an "Internal Regulations Drafting Committee" (I.R.D.C.),⁴⁹ was submitted to the entire membership for discussion on October 11 and promulgated on October 23.⁵⁰ Although limited in scope, these provisions did suggest a number of important legal as well as political safeguards to be enjoyed by the deputies. First of all, any delegate who assumed a salaried Government position would be obliged to resign from the Assembly. This was interpreted as a considerable victory for those members who had already shown themselves highly sensitive to the possibility of external pressures being imposed on the institution. Secondly, although exercising a wide range of prerogatives, the Chairman of the Assembly would be denied the right to act as official spokesman for the deputies. This stipulation was apparently intended as a means of avoiding

future confusion in case important problems dealt with by the chief Assembly official had not been agreed upon by the membership as a whole.

It was also decided that the text and outline of the draft Constitution would be approved by a minimum vote of two-thirds of the total membership, and even more important, that any discussion could be held when proposed by at least twelve deputies and seconded by a majority of those present. Moreover, although the delegates recognized that their "main responsibility" was obviously to elaborate the Constitution, they also claimed the right to debate "important problems concerning the nation". This decision aroused speculation that some of the deputies might thus be planning to attempt to eventually transform the constituent body into a National Assembly.

The Permanent Secretariat

With the election of the Permanent Secretariat on October 26, the political composition of the Assembly began to take on a much more definite form. On the second ballot, Phan khac Suu, the former Chief of State of Prime Minister Huong's ill-fated civilian government, was elected Chairman. The sixty-one year old Southerner and Cao Dai affiliate, chosen over eleven other deputies, was probably the best known among the Assembly members.⁵¹ Indeed, he had most likely been elected for this reason.⁵² To the second most influential position, that of Secretary-General, was elected Truong tien Dat. A Northerner and a Roman Catholic, the thirty-three year old judge had reportedly been backed as a GVN/C.C.B. candidate in the Bien Hoa election.⁵³

As a whole, the newly-elected eight-member Secretariat represented the younger (excluding Suu, of course) and more well-educated elements within the Assembly. Three of the eight (Nguyen van Dinh, Mai duc Thiep, and Dat) were originally from North Viet-Nam; a fourth (Tran van Phien) was from South-Central Viet-Nam. Their religious affiliations were somewhat broader, however; in addition to two Buddhists and

one Roman Catholic (Thiep, Phien--and Dat, respectively), the Southern sects also figured predominantly, with two Cao Dai (Suu and Nguyen huu Luong), one very influential member of the Hoa Hao (Le quang Liem), and a Theravada Buddhist of Vietnamese-Khmer origin (Thach Sung). Their political sympathies were also suggested by the professional interests they represented; those who would most probably condone cooperation with the N.L.C. were an Army officer, a GVN/C.C.B.-sponsored judge, two civil servants, and a police official.⁵⁴

The Blocs

During the fifth plenary session, convened on October 31, the Assembly membership was formally divided into five "blocs". Recognizing the peculiar political format of the institution (ie., the lack of any effectively organized parties as a means of political discipline), the bloc system was promoted more as a technical than as an ideological innovation. That is, its proponents urged its adoption as a means of facilitating the allocation of seats within the Assembly; by giving the deputies an opportunity to debate problems in advance within their own bloc, they argued, discussion time during the plenary sessions would not only be shorter, but also more fruitful.

More important was the possibility that such an organized division, by fostering a sense of the necessity of compromise, might eventually supplant individualistic working methods with a notion of team work. Even a loosely-structured coalition, it was contended, could bridge some of the traditional differences of the past. Finally, a few of the more optimistic deputies suggested that the bloc system might contribute to the formation of embryo political parties around which the vaguely articulated political affiliations and associated interest groups might coalesce.⁵⁵

As anticipated, many of the persistent old-line elements had regrouped in various combinations of interests to dominate each of the individual blocs. These alignments were expected to influence not only

the behavior of the Assembly members within a given group; they would undoubtedly have a considerable effect on the attitude of the membership of the bloc as a whole vis-à-vis the other deputies, and thereby on the development of an eventual intra-Assembly opposition movement.

The Dai Chung Bloc: With forty-three members, the "Dai Chung" (or "The Masses") bloc was the largest of the five; by the same token, its membership reflected the greatest cross-section of interests. Some of the youngest and best-educated deputies, as well as most of the ethnic minority delegates figured among the bloc's adherents. At the same time, however, the Dai Chung was also distinguished by a preponderance of deputies from II Corps, and by a large percentage of Roman Catholics and North Vietnamese. Nearly three-fourths of its membership were either associated with ARVN or were active civil servants; at least ten had served on local government councils. Consequently, although some sources described the outlook of the bloc as "youthful", and its ideology as strongly Nationalist, in fact, the Dai Chung appeared to be the most "pro-Government" group.⁵⁶

A thirty-two year old teacher from Hue city, Nguyen van Ngai, was appointed floor leader of the Dai Chung. A Northerner and a Buddhist by birth, Ngai was also a member of the Dai Viet Cach Mang, which had supported him during the campaign.⁵⁷ Despite its size, the bloc did not include any especially outstanding political figures. Although five of its members had served on the I.R.D.C., only one, Mai duc Thiep, was seated on the Permanent Secretariat.

The Dan Chu Bloc: The "Dan Chu" (or "Democratic") bloc was largely dominated by Northern Vietnamese and Roman Catholic elements; fourteen of the sixteen members were either former refugees and/or affiliates of the Catholic Church. A certain sympathy with N.L.C. policies was also suggested by the fact that nearly a third of the Dan Chu adherents were employees of the Armed Forces or of the civil service; almost half were provincial or municipal councilmen; and nine represented business

of landed interests. All except one of the sixteen were from II or III Corps or from the C.M.R.

The original floor leader, Van Kinh (a sixty-one year old Buddhist Confucianist) had been replaced by Pham Ngoc Hop from Saigon; as a Northern Catholic, Hop seemed more representative of the bloc's interests.⁵⁸ Two Dan Chu members, Nguyen van Dinh and Truong tien Dat, had been elected to the Assembly Secretariat.

The Lien Minh Dan Bieu Bloc: The spectrum of regional and religious interests represented by the twenty-five deputies of the "Lien Minh Dan Bieu" ("Deputy Alliance") bloc was quite the opposite from that of either the Dai Chung or the Dan Chu groups. This "coalition" was comprised almost wholly of a combination of rural Southern (IV Corps) and South-Central (I Corps) Vietnamese, most of whom were associated either with the Mekong Delta sects or with the VNQDD and the Dai Viet Parties, respectively. Somewhat older and less well-educated than many of their Assembly colleagues, most of the Lien Minh deputies were businessmen or landowners. Only four were Government employees, although over a third had sat on local administrative councils.

Three of the delegates, more than in any of the other four blocs, were members of the Assembly Secretariat (Liem, Luong, and Phien). Although Le quang Liem had initially been chosen as floor leader, he was later replaced by Le phuoc Sang; the latter's influence could be attributed both to his important role in the Hoa Hao hierarchy and to his recent appointment to the position of Special Assistant to the Prime Minister, with rank of Secretary of State. Another well-known figure in the bloc was Dang van Sung, the editor and publisher of the influential Saigon daily, Chinh Luan.⁵⁹

The Phuc Hung Mien Nam Bloc: Probably the most clearly region-oriented bloc was the twelve-member "Phuc Hung Mien Nam" ("Movement for the Renaissance of the South"); three-fourths of its associates originated from the Mekong Delta. Moreover, nearly half of the twelve had

apparently been sponsored in the election campaign by the Southern-interest pressure group (and the bloc's namesake), the Phuc Mien. An "independent" outlook would undoubtedly be further encouraged by the absence of any active Government employees among its membership, and possibly also by the youth of its adherents; nearly half of the Phuc Mien deputies were still in their twenties, and the floor leader himself was only twenty-six.

Interestingly enough, none of the Phuc Mien members had been elected to the Secretariat, although two of them had served on the I.R.D.C. The Chairman of the group (which reportedly owed its inception to the efforts of the outspoken Southern-Nationalist Tran van Wan, even though Van himself chose to remain independent), was Ly qui Chung. A Catholic journalist from the Delta town of My Tho, Chung had been backed by the Phuc Mien in the Saigon election.⁶⁰

The Independent Bloc: The fifth bloc, the twenty-one member "Independent" group, was termed a "catch-all" by the press because of its heterogeneous composition. Although a majority of the group's affiliates (including the only woman seated in the Assembly) were Catholics, and a fair percentage were either Northerners, local councilmen, or members of the recently-founded Army-People Council, less than a fourth were Government employees. No more than a third had reportedly received backing from the diverse politico-social associations during the campaign. The most striking feature of this "non-aligned" bloc was the fact that half of its members represented the Saigon constituencies, and that of these, several claimed considerable political experience.

Dr. Phan quang Dan, the Saigon pharmacist La thanh Nghe, the vociferous Southerner Tran van Van, and Phan khac Suu (who, along with a Khmer delegate, Thach Sung, was one of two Independents seated on the Secretariat) had all apparently decided to join the group in order to take a fairly innocuous place within its ranks, from which vantage point they intended to direct their individual crusades. By persistent-

ly voicing their convictions that the Assembly must at all costs uphold its independence and safeguard its political integrity, these four, together with similarly motivated individuals in the other blocs, were to play an important role in the dialogue--in all its various manifestations.

The Internal Subcommittees

The next point on the agenda was the organization of the internal subcommittees: the Constitutional Drafting Committee (C.D.C.), the Press and Information Committee, the People's Claims Committee, and the Budget and Account Committee. Of these four--whose membership was selected on the basis of the proportional numerical strength of each of the blocs rather than from the Assembly as a whole⁶¹--the most important was the forty-member C.D.C.

Northern, Catholic and urban elements, as well as some fourteen Government employees, were all well represented on the Committee. Yet thus comprised of a cross-section of the diverse interests within the Assembly, the political composition of the C.D.C. seemed rather inconclusive; indeed, most of the forty members had stood as "independents" in the September election.⁶² For this reason, it was speculated that this same diversity of interests would function as a sufficient safeguard against the domination of the group by any one or even by a limited combination of the various communal associations.

The deputy to assume the influential position of Committee Chairman, elected by the entire Assembly body, was Dinh thanh Chau, a twenty-nine year old Northern lawyer from the High Court of Saigon. The fact that Chau himself was relatively unknown as a political figure suggested that his election had been assured by his belonging to the Dai Chung bloc, the largest of the five Assembly groups.⁶³

Conclusion

The election of September 11, 1966--the first attempt in five years

to organize a "nation-wide" polling exercise in the GVN-controlled territory of South Viet-Nam⁶⁴--was hailed as an important step towards a democratization of political participation in the Republic. In actual fact, however, due to the elimination of both the "Communists or pro-Communist neutralists" and the militant Buddhists (the two most vociferous opposition elements in the South) from the electoral proceedings, the political nature of the newly-sanctioned Constituent Assembly was decidedly limited in scope.

Indeed, the predominance of the affiliates of certain vocal and contentious regional and religious minorities (eg., the Northerners and the Roman Catholics) as well as the professional and educational interests of the 117 deputies, tended to isolate the membership to an even greater degree from the population as a whole. The composition of the Assembly itself thereby suggested a serious limitation to the realization of the Constitutional Experiment as a grand design for nation-building even before the actual deliberations on the draft Constitution had been initiated.

Yet there was another side to the balance sheet. Within the Assembly were also seated the representatives of elements and factions which (in view of their past political behavior) could be expected to withstand pressure from these vested interests, and, more important, to agitate in favor of the articulation of a meaningful political dialogue. For in addition to a number of ambitious Southern-Nationalist activists, several individuals who had for some time played a fairly prominent role in Nationalist politics--frequently as the champions of "civilian" as well as of civil rights--had been assured a place in the forum.

The potential political influence of these elements was strengthened during the first plenary sessions by the adoption of a variety of procedural tools which were evidently intended as more than a means of facilitating the drafting of a new Constitution. First of all, the In-

ternal Regulations assured the Assembly the right to debate "national problems" in addition to constitutional matters. Secondly, the system of blocs suggested an impetus to the expression of certain interest (and in particular, those of the Southerners) which might otherwise have remained inarticulate. Thirdly, the establishment of the Drafting Committee would afford each bloc (and thus, in principle, each deputy) an entrée into the committee discussions.

There was still another (albeit much less tangible) consideration which would doubtless encourage the development of an independent discussion within the Assembly, and which, by neutralizing some of the more unrepresentative features of the deputies, could be expected to inspire them to defend interests wider than those they had initially identified with. By sanctioning as well as by supervising the vote, the generals had endorsed the 117 delegates as the legitimate representatives of the South Viet-Namense people. Consequently, once seated in the newly-established institution, the deputies found they were able to exercise what seemed an unprecedented degree of political power.

Of course, the authorities had also instituted certain safeguards to facilitate their own control over the Assembly. As subsequent events were to prove, however, these measures often seemed less an effective means of discipline than a further incentive to the delegates to realize their political ambitions. For despite the undertones of dissatisfaction which emanated from the Tan Son Nhut headquarters of the N.L.C., the temptation to exercise fully both the explicit and implicit prerogatives derived from the establishment of the Constituent Assembly as an elected rather than a nominated body, constituted a power force--and for many deputies, one impossible to ignore.

CHAPTER THREETHE DIALOGUE BETWEEN THE CONSTITUENT ASSEMBLYAND THE NATIONAL LEADERSHIP COMMITTEE

By virtue of the Armed Forces' prominent role in South Vietnamese politics since the Revolution of 1963, the generals of the N.L.C. represented the most recent spokesmen of what had become the single Nationalist political force capable of maintaining and of exercising power in the country. As noted in Chapter I, the GVN Armed Forces were not represented by any political party; nor were their ranks free from the chronic factionalizing and splintering which plagued the other non-Communist elements. The strength of the military lay in the fact that its leaders were responsible for policy-making at the highest level of government, while its junior officers held practically all the important provincial, district, and even communal administrative posts. Indeed, nearly every aspect of the daily economic, social, and especially political life of the Republic had become thoroughly "militarized" insofar as the Army was directly involved in the formulation and execution of the many-sided, intensive war effort.

As the central feature of GVN policy, a great deal of stress was placed on a wide range of development and pacification schemes aimed at encouraging a "social revolution" capable of generating enough momentum to stem the tide of the N.L.F. insurgency. Yet at the same time, the political motivations of the Army itself were indicative of a much less "revolutionary" force than that implied by the American terminology used to describe the official Government programs. Lacking a coherent ideology, the Army seemed content to justify its poli-

tical role primarily on the basis of its "sincere and legitimate anti-Communist convictions".

This fundamentally negative outlook was further emphasized by the generals' obvious mistrust of the political and administrative competence of the civilian Nationalist elements in South Viet-Nam. Indeed, on a number of occasions, the military leadership had referred to the repeated failures of the Saigon politicians to establish a viable civilian government as proof that "only the Armed Forces can understand the real needs of the people in the anti-Communist struggle". Not surprisingly, the members of the newly-instituted Assembly seemed to regard the N.L.C.'s ambivalence towards the feasibility or even the desirability of advancing any new experimental plans for a more broadly-based civilian administration as evidence of the Army's determination to maintain the political status quo.

This situation was to become even more complex as a result of a similarly dualistic approach taken by the deputies themselves. From the outset of the deliberations, the anxiety and resentfulness of many of them towards the N.L.C. appeared to be counterbalanced by a generally admitted confidence in their own political rights as spokesmen for a "general popular consensus". In other words, while seeking to overcome their basic insecurity vis-à-vis the established GVN authorities, the delegates--and especially a number of the more outspoken "non-aligned" Assemblymen--displayed a considerably greater amount of independence than the generals had anticipated.

The persistent endeavors of these deputies to promote the development of an articulate and effective opposition force within the Assembly was to give rise to one of the most dramatic aspects of the Constitutional Experiment: the dialogue between the N.L.C. and the Constituent Assembly. By the same token, the confrontation between the authorities and their contentious critics was to have a resound-

ing effect on both the actual drafting of the Constitution and on the direction and scope of the process of the institutionalization of politics in the Second Republic.

Formulation of the Dialogue

Although most of the deputies had enthusiastically supported the contentions of the N.L.C. that the September election had been carried out in a spirit of fairness and just impartiality, a similarly generous consensus was not forthcoming. Already on the occasion of the official inauguration of the Assembly, scheduled for September 27, despite the general aura of good-will, a potentially serious divergence of opinion between the deputies and the N.L.C. on some of the most fundamental aspects of the drafting procedure was revealed. For while neither the generals nor the Assembly spokesmen suggested any concrete principles concerning the specifics of the draft Constitution, both expressed what amounted to a declaration of independence --if necessary, at the expense of that of the other.¹

The deputies' rebellious mood was soon directed towards a number of more specific issues, the first of which was the controversial Electoral Decree Law 21/66--and in particular, Article Twenty. Stipulating that the Directory would have the power to amend the Constitution before the document was promulgated, the clause had evidently been designed to temper if not to regulate the behavior of the Assembly. In early November, this issue provided the basis for the first open split with the N.L.C.² Condemning the article as "undemocratic", and contending that it interfered with their task of drafting a Constitution, a majority of delegates agreed to pass a resolution requesting that the N.L.C. amend the Decree Law within a month; a twelve-member committee responsible for presenting the Assembly's position on this matter before the generals was also established at this time.³

At the end of the first six weeks of deliberations, the deputies

had thus progressed no further in the actual drafting of the document than to approve a three-phase drafting procedure.⁴ As far as they themselves were concerned, this delay was unavoidable; indeed, the fact that the Assembly members apparently had few compunctions about expanding the political dialogue (even at the expense of the work done on the draft) suggested that their role as "representatives of the people" might in the long run prove more important than the Constitution itself.

But by the same token, although the generals still seemed reluctant to take a public stand on the issue of the Decree Law amendments, they evidently felt compelled to reassert their influence over the institution. Ever since the amiability of the inauguration ceremony had been dispelled by the delegates' display of increasing self-confidence, the latter had frequently complained about the Junta's lack of cooperation. The fact that articles on the Assembly's activities were often censored in the local press and that the N.L.C. seemed not only unwilling to brief them on Government policies, but on several occasions had excluded them from official ceremonies--was regarded by the deputies as an unfounded move to thwart their public relations campaign.⁵

Rather than being intimidated by these and similar incidents, however, the delegates seemed to regard what they criticized as a deliberately uncompromising attitude on the part of the N.L.C. as an incentive to expand the dialogue. Indeed, when the twelve-member Assembly committee finally met with Thieu and his colleagues on November 18 to discuss the Decree Law, they did not confine their arguments to the problem of Article Twenty; a wide range of additional guarantees were also proposed in order to safeguard the institution's position--not only during the period of the actual drafting, but even after the Constitution had been promulgated.⁶

Not surprisingly, the N.L.C. simply responded to the delegation's

proposals by announcing that they would "study them in the coming days".⁷ In view of the fact that the Republic was lacking an established tradition of an independent Assembly which might serve as a sort of historical or even moral basis for the deputies' arguments, it seemed doubtful whether many of them harbored any genuine hopes of the authorities recognizing their various demands at this time. Yet, despite the inconclusiveness of the November 18 rendez-vous, the delegates persisted in advocating the formulation of a serious verbal debate between the generals and themselves, and thereby convince the military leaders of their political reliability both as staunch anti-Communist spokesmen and as a legitimate voice of the GVN electorate.

During the course of the drafting period, the Assembly members relied primarily on two methods of engaging the N.L.C. in these discussions. First of all, they resorted to the direct contact approach, such as the session in mid-November. These meetings, although arousing considerable public interest, were limited both in number and in the extent to which any constructive debate was thus inspired. Consequently, the deputies also depended on a second means of communication, which, while less obvious than the first, was directly related to their work in the Assembly.

Aware that their strength as a political entity was derived from the fact that they had been elected to draw up the future Constitution, the delegates were quick to appreciate that the draft itself could serve as a means of expressing their political convictions. Indeed, many of the articles and provisions adapted on the Assembly floor appeared to have been designed to perform one of three functions: firstly, to limit the exercise of the executive power; secondly, to expand and strengthen the rights of the individual, particularly insofar as his relations with the state and the central Government were concerned; and thirdly, to enlarge the powers of the legis-

lative branch, frequently at the expense of those of the executive. By its very nature, this alternative method was to prove highly significant in terms of the implications of both the relationship between the Assembly and the N.L.C., and the actual character of the Constitution.⁸

The two facets of the debate with the Junta were initiated almost simultaneously; while the twelve-member Assembly delegation met with the generals' representatives at Independence Palace, deliberations were opened in the Assembly on the question of the rights and duties of the citizen.⁹ A number of these provisions--particularly those concerned with strengthening guarantees of the individual's right to protection from arbitrary arrest and detention, and to a speedy and public trial; of the freedom of the press, of religion, and of "non-violent and legal (political) opposition"; and above all, the restrictions placed on the role of active military personnel in politics--would invariably impose certain limitations on the political privileges of the central authorities.

Indeed, the deputies' approach to resolving this last issue, the right of the military to participate in overt political activities, was expected to provoke an especially sharp reaction on the part of the Junta. On November 30, the Assembly approved a clause which stipulated that under the new Constitution, soldiers on active duty would not be permitted to be affiliated with a political party or to hold a Government post. In this way, the function of the Army in the political process would apparently be reduced to that of simply casting a vote. If actually adopted in the final draft, this provision would have an enormous impact on the GVN political scene. For most of the Cabinet ministers, several ambassadors, the great majority of provincial and district chiefs, in addition to thousands of office holders (such as the manager of the Saigon radio station)--all of whom were members of the Armed Forces--would be directly affected.¹⁰

Tran Van Van's Assassination

The deliberations of the first week of December, devoted to a general exposition of various constitutional problems by the C.D.C., had little effect on the course of the actual dialogue. This detente was to prove only a very temporary one, however--although the incident which provoked a new wave of bitter accusations by the Assembly members was unrelated to the constitutional issues at hand. On December 7, while enroute to the customary morning session in Lam Son Square, Deputy Tran van Van was assassinated. A twenty-one year-old "Viet Cong" was immediately produced as the main suspect by General Loan, the Chief of Police.¹¹

Assuming that the accused had actually committed the murder on the order of the insurgents, the choice of Van as the unfortunate victim seemed particularly astute in view of his political reputation. A long-standing and vociferous critic of the military Junta, Van was also an energetic crusader for the re-establishment of an indigenous Southern element in the political and administrative hierarchy of the Republic; he had even been mentioned as a prospective candidate for the presidency.¹² Consequently, despite the fact that the GVN officials placed the blame for Van's death fully on the N.L.F., suspicions about the validity of the Government's findings were voiced by those who felt that given Van's political position, the manner of solving the case appeared somewhat too facile.¹³

Tension between the N.L.C. and the deputies (who were not only understandably unsettled by Van's murder, but also obviously dissatisfied with the authorities' rather arbitrary behavior at this time¹⁴), increased as a result of the Assembly's proposal to establish a special investigating committee to "cooperate" with the Government officials in examining the circumstances of the assassination. Then, in an official note of protest, the delegates energetically condemned the "savage act on the part of the assassin, no matter what its

origin".¹⁵

The generals, who had evidently not anticipated such a strong reaction on the part of the deputies, thus found themselves in a most embarrassing position. In an attempt to mollify the Assembly--by taking positive action themselves to bring the matter to a close as well as to reassure the delegates of their sincerity and integrity--the N.L.C. acquiesced to the latter's demands that they be allowed to set up an investigating committee.¹⁶ Moreover, the Assembly was informed that the Junta had finally acknowledged its request (initially made on November 17) that a Government spokesman report on the outcome of the recent Manilla Conference; Prime Minister Ky himself agreed to address the deputies on the "administrative situation" as well as on the subject of the Conference.

Still, the delegates refused to be appeased by these concessions, and intimated that the generals were simply trying to stifle all signs of opposition. By the third week in December, at which time a number of deputies were reported to have requested that the execution be postponed in order to allow their committee sufficient time to complete its investigation, relations between the Assembly and the N.L.C. appeared to have deteriorated even further. Nevertheless, in spite of their persistent efforts to arrive at a definite conclusion about the cause of the murder, even at the risk of provoking the wrath of the generals, the delegates were unable to produce any significant new evidence. On January 10, the accused was tried and convicted by a military court for "rebellion and premeditated murder aimed at violating national security", and was sentenced to death before a firing squad.¹⁷

The ramifications of the assassination had at least two immediate effects on the dialogue. Firstly--although due to Van's position as a rich landlord and as a man of few personal followers, public reaction had not seemed to materialize expressly against the Government

as a result of his death--the incident did create both a renewed interest in the affairs of the Assembly and a certain amount of sympathy for the deputies and their work. Secondly, and more significantly, the loss of one of its most esteemed (albeit controversial) members encouraged the development of a sort of esprit de corps within the Assembly body. Threatened by a common adversary, the delegates suddenly appeared quite willing to forget their previous differences in order to demonstrate their solidarity.¹⁸

The importance of the deputies' rapprochement was emphasized when they reconvened a week after the funeral to continue the deliberations on the draft Constitution; at this time, the Assembly's behavior suggested the possibility of the translation of the "entente" into the more permanent terms of their position in the dialogue itself. Once again, certain measures which appeared to have been inspired as much by their political convictions as by their competence in legal and constitutional matters were initiated.

The first of these, concerned with the form of government of the future Republic,¹⁹ was the curious and controversial "mixed-presidential system", adopted on December 15.²⁰ Although the delegates agreed that the legislature should not interfere with the selection of Cabinet ministers, the former was to exercise the right to dismiss either a part or the whole of the Cabinet.²¹ In this way, legislative (and predominantly civilian) interests could, in theory, prevail over executive (probably military-dominated) interests. The December 17 decision to establish the office of Vice-President in addition to that of Prime Minister suggested a further diffusion of executive power.²²

On December 20, what seemed an even more obvious attempt to wrest power from the military was introduced by the Assembly's near-unanimous approval of a separation of powers in local government. Indeed, this issue was subsequently to become one of the major points of contention between the Junta and the deputies, as the former had for some

time enjoyed the right to appoint those officials in question.²³ Also on December 20, a bicameral legislature was sanctioned, probably on the assumption that a two-house parliamentary system would check a centralization of legislative powers, and thereby lessen the chances of the future National Assembly being dominated by the executive branch.²⁴ The deputies' decision of December 22 to found an independent judiciary was undoubtedly intended as still another safeguard against the preponderance of the executive over the other branches of the government. A strong judicial branch would not only compensate for the impotence of the courts in the past, but also for the rigors of the war, which had frequently been used to justify unfair judicial proceedings.²⁵

The intensive pace of these deliberations was temporarily interrupted by yet another direct contact between the N.L.C. and the deputies--the third since the September inauguration--when on December 23, Ky finally delivered his "State of the Union" speech before the Assembly. Touching on a variety of topics concerned with the "realities of the country", the Prime Minister placed considerable emphasis on the need to establish "national solidarity and discipline". In light of the deputies' reaction to the assassination, not to mention their recent approach to what seemed a far-reaching reorganization of the Republic's governmental structure, these remarks were naturally interpreted as a warning to the Assembly not to abuse their rights.²⁶ Consequently, although Ky's appearance had initially been welcomed as an attempt to lessen the differences between the Junta and the deputies, the latter received his message coolly.

Undeterred in their efforts to initiate as many new innovations in the shortest time possible, the delegates immediately returned to the discussion of the general outline of the Constitution. The first issue considered was that of the establishment of two advisory bodies--the first for economic and social affairs, and the second for cultural

and educational affairs. Approved on December 26 and 27, by virtue of their right to propose suggestions and to express their opinions to the executive on matters related to their respective fields of interest, these councils were doubtless envisaged as a means of imposing certain limitations on executive initiative.²⁷

But then, once again, unforeseen events impinged on the deputies' work. Tran van Van was not the only victim of those "fearing the establishment of democracy": on December 27, less than three weeks after his assassination, a similar incident occurred. As before, the intended victim was about to leave for the Assembly--when his automobile was completely demolished by an explosive device. Like Van, this deputy was one of the most prominent members of the Assembly--as well as an unabashed critic of the Junta and of the N.L.C.'s veto power, which he referred to as "a mine planted on our path which we have to defuse before proceeding further" with the draft.²⁸ His name, of course, was Dr. Phan quang Dan.

The Dialogue Reopened

The drama of the incident was heightened by the fact that even as Dan was being transported to the hospital, the issue of the Decree Law 21/66 was once again reopened in the Assembly--this time by the generals themselves. In a hand-carried message addressed to Chairman Suu, the N.L.C. stated that "no change can be brought in these Decree Laws", although they added that they were hoping for "the promulgation (of a Constitution) without any changes being necessary".²⁹

While the generals' message did thus seem to imply that the controversy could be settled without escalating the possibility of an open confrontation, and while the deputies had evidently been aware of the contents of Thieu's letter for some time,³⁰ the official announcement appeared to have a considerable effect on the Assembly. For despite the fact that the delegates had doubtless suspected from

the first what position the N.L.C. would ultimately take on the issue, they had obviously hoped that the latter would be sufficiently impressed by the institution's political status to deem it necessary to at least make an effort to reconcile their legitimate grievances. Consequently, although the delegates were by no means ready to abandon their "independence struggle", as of this time, their protestations seemed colored by a growing sense of futility and of frustration.

Indeed, the following day, the Assembly heartily approved the establishment of a legal political opposition and the need to encourage the development of a two-party system.³¹ Then, after a hasty discussion, they decided to adopt the previously-rejected proposal for the founding of a control power, probably on the understanding that this "fourth power" could publicize, if not regulate, some of the "extra-curricular" activities of the executive.³² Finally, a stormy debate on the N.L.C. memorandum was opened, which ended on a highly emotional note when all of the eighty-two deputies present pledged themselves to defend the "integrity" of the Constitution despite "possible attempts to alter it after the final vote has been cast".³³ After unanimously approving the founding of an Ethnic Minority Council on December 30,³⁴ on January 3, the Assembly terminated the debate on the main features of the draft.³⁵

A week later, on January 10, the deputies held a well-publicized press conference in order to state their position on the issue of the Decree Law. Contrary to initial expectations, however, the mood of this gathering seemed remarkably conciliatory. Although the Assembly spokesman, Nguyen van Dinh, reiterated his colleagues' contentions that unless the Law 21/66 was modified, the institution would be unable to "maintain its independence and impartiality", he stressed that the session was in no way intended as "criticism or deliberate creation of difficulties for the national situation".³⁶ Indeed, the deputies not only reduced the scope of the argument to the question

of Article Twenty (rather than the whole Decree Law); they promised to welcome any outside suggestions on their work, including those from the N.L.C., and to make any "necessary amendments" in the text of the draft before it was finally approved by the Assembly.

This sudden change of attitude was speculated to have been induced largely by the apparent assumption of certain deputies (among them Dinh himself) that the N.L.C. would not attempt to exercise its veto power over the final draft.³⁷ If this was in fact the case, the Assembly members were sadly disillusioned shortly thereafter. On January 12, General Pham xuan Chieu, the Secretary-General of the Directory, adamantly reaffirmed that the Junta's decision would rest solely on the ability of the delegates to elaborate "a Constitution which responds to the situation and to the aspirations of the people", and denied all rumors of any "agreement" with the Assembly.³⁸

The deputies thus appeared to have reached an impasse both in the campaign to force the amendment of the Decree Law, and to engage the generals in a meaningful dialogue. Although determined to continue their work on the draft in the same strongly independent spirit, few, if any, still seemed hopeful that the authorities would allow them to exercise their "full constitutional rights". Consequently, when they finally reconvened on January 19 to begin debating the newly-elaborated draft provisions,³⁹ the Assemblymen's attitude reflected a curious mixture of resolution to emphatically uphold their principles, and at the same time, to appease the intractable Junta.

One of the best examples of this vacillation occurred during the discussion on Chapter I (Basic Provisions), at which time the deputies decided to adopt a clause attesting to the anti-Communist nature of the Second Republic--although the provision had not been included in the outline draft.⁴⁰ Their sudden concern over this point was undoubtedly due to the fact that the N.L.C. had frequently stressed the capital importance of the Assembly's taking a strong and articu-

late stand on the "just political convictions of the South Vietnamese people"; by supporting the article, the delegates probably felt that their own image as loyal disciples of a "firm anti-Communist outlook" would be enhanced.

Among the decidedly more controversial provisions which the deputies insisted on incorporating into the chapter concerned with the "Rights and Duties of the Citizen" (Chapter II) were those guaranteeing the right of the individual to "petition freely and engage in overt, non-violent and legal opposition" (any form of Communism being "illegal", of course), and limiting governmental control of press censorship.⁴¹ This second issue was of special importance to the self-conscious Assembly members, who had often complained about the authorities' indiscriminate application of the existing censorship regulations to reports of their activities.

At the same time, however, they appeared to stop short of their obvious objectives by deciding that the question of press regulations would itself be "prescribed by law" by the future legislature. In fact, this same proviso was attached to at least a dozen of the twenty-four articles in Chapter II--among them the right of assembly, the right to demand compensation for unjust detention, and the right to private correspondence. Consequently, although the delegates doubtless hoped to reserve as much power for the National Assembly as possible, the ambiguity of these measures suggested they were equally anxious to avoid provoking the N.L.C.

On some issues the deputies did remain firm. Despite considerable opposition within the Assembly, the disputed provision prohibiting the involvement of active military personnel in "political party activities" was adopted by a single vote.⁴² The delegates made a similarly concerted attempt to consolidate the powers of the future legislative branch (Chapter III). In addition to the virtually unprecedented right of a Vietnamese legislature to "determine declarations

of war and holding of peace talks" as well as to exercise a motion of censure over the government (albeit by a final vote of three-fourths of the total membership, rather than by two-thirds, as previously stipulated),⁴³ its control over financial matters was strengthened, as was its right to be informed. Moreover, a number of parliamentary immunities and guarantees (which had been largely overlooked during the previous regimes) were also provided for.⁴⁴

Nor was the obvious impatience of some of the Assembly members confined to such theoretical terms. During a discussion on the powers and duties of the executive branch (Chapter IV), the problem of the qualifications of the future President--and in particular, the minimum age requirement--arose. This point was immediately seized upon by several deputies as an almost symbolic demonstration of their opposition to certain personalities in the Junta as well as to the latter's policies. Although Prime Minister Ky (who was then thirty-six years old) had often been quoted as saying he had no intentions of presenting himself as a presidential candidate, it was generally agreed that he would enter the race at the opportune moment. Consequently, the insistence of a number of delegates on setting the age limit at forty rather than at thirty-five was recognized as a thinly-veiled threat to his candidacy.

This issue was also of special importance in that for the first time, the Assembly blocs became embroiled in the controversy. Already at the beginning of December, a temporary merger of the Lien Minh and the Dan Chu blocs into an obviously pro-Government "Democratic-Alliance" group had been announced; according to its spokesmen, the main objective of the coalition's members was "to bring pressure on the Assembly to lower the age qualifications" from forty to thirty-five.⁴⁵ The final vote on this question suggested that the Democratic-Alliance bloc had been driven to a hard bargain in order to achieve their aims. Although the deputies agreed to accept the lower age limit, they then

added an original touch (and one which would certainly cause considerable consternation within the Junta) to the provisions concerned with the presidential election: in addition to meeting a number of more conventional qualifications, the aspiring candidates would be required to secure the endorsement of ninety Assembly members.⁴⁶

Furthermore, several of the previously exercised statutory rights of the executive (such as the broad emergency powers and the veto power) were either considerably reduced in the new draft or subjected to increased control by the legislature. For example, although the chief of state would act as Supreme Commander of the nation's Armed Forces, the delegates decided that he should not be directly responsible for the promotion of general officers, as had been the practice during the First Republic.⁴⁷

Conflict and Confrontation

In a little over a month, the deputies thus seemed to have regained much of their confidence. By the same token, although the generals had remained aloof from the proceedings since the December clash, they were undoubtedly increasingly perplexed by the attitude of the Assembly. Realizing that despite their own unyielding position on the issue of the Decree Law, the delegates were not about to renounce their plans for political action, the N.L.C. decided to intervene in the actual debate. On February 22, the Assembly was informed that the Directory had raised objections to a number of points in the draft, including the question of a local separation of power, the election of province chiefs and city mayors, the power of the legislature to request the President to dismiss or reshuffle the Cabinet, and to what was termed a "duplication of responsibilities and duties" of the President and Vice-President. The generals also proposed that a consultative committee known as the "High National Defence and Armed Forces Council" be established.⁴⁸

The N.L.C.'s contentions seemed to have little effect on the deputies, however. Indeed, the following day, they voted by an overwhelming majority to retain the article concerned with the popular election of province chiefs and mayors.⁴⁹ On March 1, the establishment of a Supreme Court with wide political as well as judicial powers (eg., the right to disband a political party "whose policy and activities oppose the republican form of government", in addition to the duty of interpreting the Constitution and deciding the constitutionality of all laws) was approved as part of Chapter V (the Judiciary); as was a Judiciary High Council and a Special Court to deal with impeachment cases of the nation's highest authorities.⁵⁰ The articles of Chapter VI (Advisory Bodies) concerned with the Inspectorate and with its powers to "inspect, control, and investigate" were then adopted;⁵¹ although on March 3, the deputies did vote to found an "Armed Forces Council", and thus complied with at least this much of the Directory's request.⁵²

After the newly-elaborated provisions concerning the other specialized councils (eg., the Economic-Social, the Culture-Education, and the Ethnic Minority advisory committees) had been approved on March 6,⁵³ the important question of political parties and opposition was once again taken up (Chapter VII). While nearly all the deputies agreed that there was a critical need for the establishment of a legal political opposition (which, as one deputy declared, "may even be realized right now at the Assembly"⁵⁴), considerable debate arose over the future status of the political party in the Republic. The Assembly members were still unable to come to terms on the necessary conditions to be met by an established political organization, although they did vote to recognize that "political parties play a vital role in a democratic system", and, rather ironically, to "encourage progress" towards a two-party system.⁵⁵

Two additional chapters, neither of which had been discussed in

the context of the general outline of the draft Constitution, were then introduced on the Assembly floor by the C.D.C. The first of these, related to the problem of constitutional amendments (Chapter VIII), was passed with little difficulty on March 8.⁵⁶ The second, the question of the transitional provisions (Chapter IX), proved much more controversial. A considerable number of articles adopted during the recent sessions did seem to have been designed as much as an implicit challenge to the military incumbents and to the political status quo as a theoretically balanced constitutional innovation "appropriate to the actual situation of the country". Yet, the Assembly members had generally refrained from drawing up any provisions which could be construed as an explicit threat to the Junta--until this time. For the opening of the debate on March 9 marked a radical change in the deputies' approach towards the problem of their political status within the new framework of government; by the same token, their relationship with the N.L.C. entered into an even more intensive phase.

The potentially explosive issue of the transitional measures was not a new one, of course; it had been discussed even during the electoral campaign some seven months earlier and, unofficially, on numerous occasions throughout the drafting period. The fact that the deputies themselves had consistently refuted speculation that they might attempt to transform the Assembly into a National Assembly once they had completed work on the draft was probably of little consolation to the generals, however. Already in November, the delegates had expressed their objections to Article Twenty-One of the Decree Law 21/66 (which stipulated that the Assembly would automatically be dissolved on March 27, six months from the date of its inauguration), on the grounds that as the "sole representative body in the nation", they were obliged to remain in office until the newly-elected legislature had been officially convened.⁵⁷

Indeed, the deputies' determination to protect both their indivi-

dual and collective interests was clearly reflected by the provisions adapted during a three-day debate held at this time. Not only would the Assembly "assume the legislative powers established by this Constitution until a constitutional government and the first National Assembly have been established"; they would also draft laws regulating the forthcoming elections, the status of the press and of political parties, and the establishment of the Supreme Court and of the Inspectorate. Furthermore, given that the Provisional Convention of June 19, 1965 (from which the N.L.C. derived considerable legislative as well as executive power), was to be automatically abolished with the promulgation of the Constitution, it appeared likely that during the interim period (ie., for as long as another eighteen months), the Assembly would enjoy the right to exercise certain political as well as administrative prerogatives.⁵⁸ Consequently, although the deputies did concede on the issue of the election of province chiefs--by adding a clause which gave the President the right to appoint these local officials "during the first presidential term",⁵⁹ a collision with the Junta appeared imminent.

The generals responded to the Assembly's challenge even before the final articles of Chapter IX of the draft had been voted. During the session of March 10, the delegates were informed that the N.L.C. had recommended holding a joint Directory-Assembly meeting in order to "clear any opposing viewpoints".⁶⁰ The deputies agreed, and four days later, met with six representatives from the N.L.C. in a closed session. Although the exchange of views was termed "constructive", a number of points had obviously been the cause for considerable disagreement: the problem of maintaining a balance of power between the executive and legislative branches, the right of the legislature to reshuffle the government, the election of province chiefs and mayors, the organization of the Supreme Court and the Inspectorate, the question of workers' participation in the management of their enterprises,

and the transitional provisions.⁶¹

But the authorities had apparently waited too long before presenting their detailed case. After voting on the Preamble to the Constitution on March 16,⁶² and thereby completing the entire text of the draft, the deputies moved into the last phase of the drafting procedure. During the next two spirited sessions, each article was given the Assembly's final approval; not only were few alterations made at this time, but with only two important exceptions (ie., the proviso on the election of local officials and on the motion of censure), the N.L.C.'s suggestions were virtually ignored.⁶³ On March 18, after reiterating their decision not to disband the Assembly on March 27, the 102 delegates present once again solemnly pledged themselves to be "absolutely faithful to and to safeguard the Constitution".⁶⁴ With a flourish well suited to the dramatic tradition of the Lam Son building, they concluded their five-month task.

Promulgation

There thus remained a single but critical bridge to cross before the draft could be transformed from a series of disputed and controversial political and constitutional precepts to the all-powerful law of the land: the promulgation of the document by the N.L.C. and the Armed Forces Council. By that Saturday afternoon, hopes of the generals voicing their crucial "yea" were rapidly fading; indeed, the capital was alive with rumors. How would the Junta cope with the insubordinancy of the Assembly members who, for the last two months, had not only continued to contradict them, but had taken obvious delight in flaunting their constitutional prerogatives? Could they force the deputies to alter the decisions of the last twenty-four hours in order to save face? Would the draft simply be sent back to the Assembly, or even rejected? Would the delegates retaliate: a coup d'etat, perhaps?

In light of this speculation, the N.L.C.'s next move came almost as an anti-climax. On Sunday, March 19, it was announced that the National Directory and the War Cabinet had decided not to propose any amendments to the draft Constitution, but simply to submit the document to the Armed Forces Council for general approval before promulgation. While the generals explained that their final decision had been taken "in respecting the democratic spirit",⁶⁵ other interpretations of their motivations were less charitable. Some suggested that the N.L.C.'s action had been dictated by the fact that as on Monday, Prime Minister Ky was scheduled to meet with President Johnson in Guam for one of the periodic high-level consultations on the military and political "offensives to end the war", he felt obliged to give a "solid indication of progress towards a civilian government" at this time.⁶⁶ Others speculated that the generals had decided to devote their full attention to the problem of the forthcoming national elections, and were thereby anxious to enter the election campaign as the representatives of a "progressive force".

At any rate, the deputies, who were obviously quite elated by this unexpected boon, responded by announcing that after officially submitting the draft to the N.L.C. on March 24, they would reassemble to begin work on the elaboration of the presidential election law. Three days later, on March 23, they chaired a special press conference in order to "report on the work of the Assembly", and enthusiastically defended the decision to extend their term as "legal, constitutional, and in accordance with the wish of the people".⁶⁷

The generals appeared to be taking all this in their stride, however; after all, they were still to make the final decision. What seemed a rather pointed reminder of this fact was suggested by the N.L.C.'s sudden announcement of the dates for the forthcoming national elections: the President and Vice-President would be elected on September 3, the Upper House on September 4, and the Lower House on

October 1. In other words, the interim period (during which time the Assembly would continue to function as the legislative branch) would thus be reduced to an absolute minimum; nor would it interfere with the term of the newly-elected chief of state.

Nevertheless, on March 27, three days after Chairman Suu had presented Thieu with a copy of the draft Constitution, the Armed Forces Council passed the entire text of the document as approved by the Assembly on March 18, and announced that it would be promulgated on April 1. According to official sources, the session had been a tumultuous one; after a general discussion, the Council had actually rejected the Constitution on the first vote. It was only due to the "explanations and pleas" of both Thieu and Ky (who "requested" that the A.F.C. "reconsider" its decision "for the sake of maintaining the stability of the national situation") that the draft was finally accepted by thirty-five of forty-five votes on the second ballot.⁶⁸

On April First, 1967, the Constitution of the Second Republic of Viet-Nam--comprised of 117 articles and a 117-word Preamble--was officially promulgated with all due pomp and circumstance.⁶⁹

Conclusion

At a first glance, the most obvious conclusions to be drawn from the involved and rather curious dialogue between the N.L.C. and the Assembly appeared to be those indicative of a fairly steady development of the latter as a progressive political force in a tradition-bound political schema. Within a period of seven months, the 117 deputies--an untried and politically vulnerable conglomerate of socio-economic and politico-religious interests united only by their vaguely articulated anti-Communist convictions--had completed the task of drafting a new Constitution.

Indeed, clearly aware of the unique opportunity afforded them as

members of a Constituent Assembly, the deputies had attempted to re-structure the static political hierarchy of the GVN into a system of government which--in deriving its mandate from the people instead of from a self-sanctioned military clique--might command the allegiance of the general populace. In order to realize these objectives, a wide range of restrictions on the powers of both the executive branch and the Armed Forces, on the one hand, and a corresponding embellishment of the right of the legislature, on the other, were incorporated within the document. The delegates even succeeded in extending their term of office until the establishment of a permanent National Assembly, and thereby, in reserving themselves a place in the highest echelons of the GVN governmental structure.

The dialogue thus reflected a significant change in the attitude of the South Vietnamese Nationalist forces towards the long-accepted political process, within the confines of which their political activities had formerly been largely restricted. For the first time since the founding of the Republic (given that the Constitution of 1956, as drafted by Ngo Dinh Diem's hand-picked Assembly, was primarily the work of the President himself), a number of elements frequently excluded from the inner power structure in the past were able to contribute both to enlarging and to legalizing a Nationalist political forum. Moreover, this participation was realized through the use of constitutional means rather than by force.

For the debate also revealed a modification in tactics as well as in strategy on the part of these Nationalist forces. In addition to the conventional methods of political intrigue and clandestine plotting, the deputies experimented with a number of modern innovations such as public deliberations, press conferences, and official delegations and committees. The effectiveness of this new form of political challenge seemed to be evidenced by the fact that by April First, the authoritarian military regime had acquiesced on nearly

every major issue towards which the dialogue had been directed.

Yet at the same time, the impact of the establishment of the Constituent Assembly on the GVN governmental hierarchy was also characterized by a number of equally significant, albeit much less optimistic considerations. Viewed within the context of the Constitutional Experiment as a whole rather than as an isolated instance of political development, the relationship between the generals and the deputies lent itself to quite a different interpretation. In other words, when considered as an integral part of the conflict of national interests, the position of the N.L.C. seemed a good deal more secure and that of the Assembly a good deal less so than was implied by those events which occurred during the course of the actual dialogue.

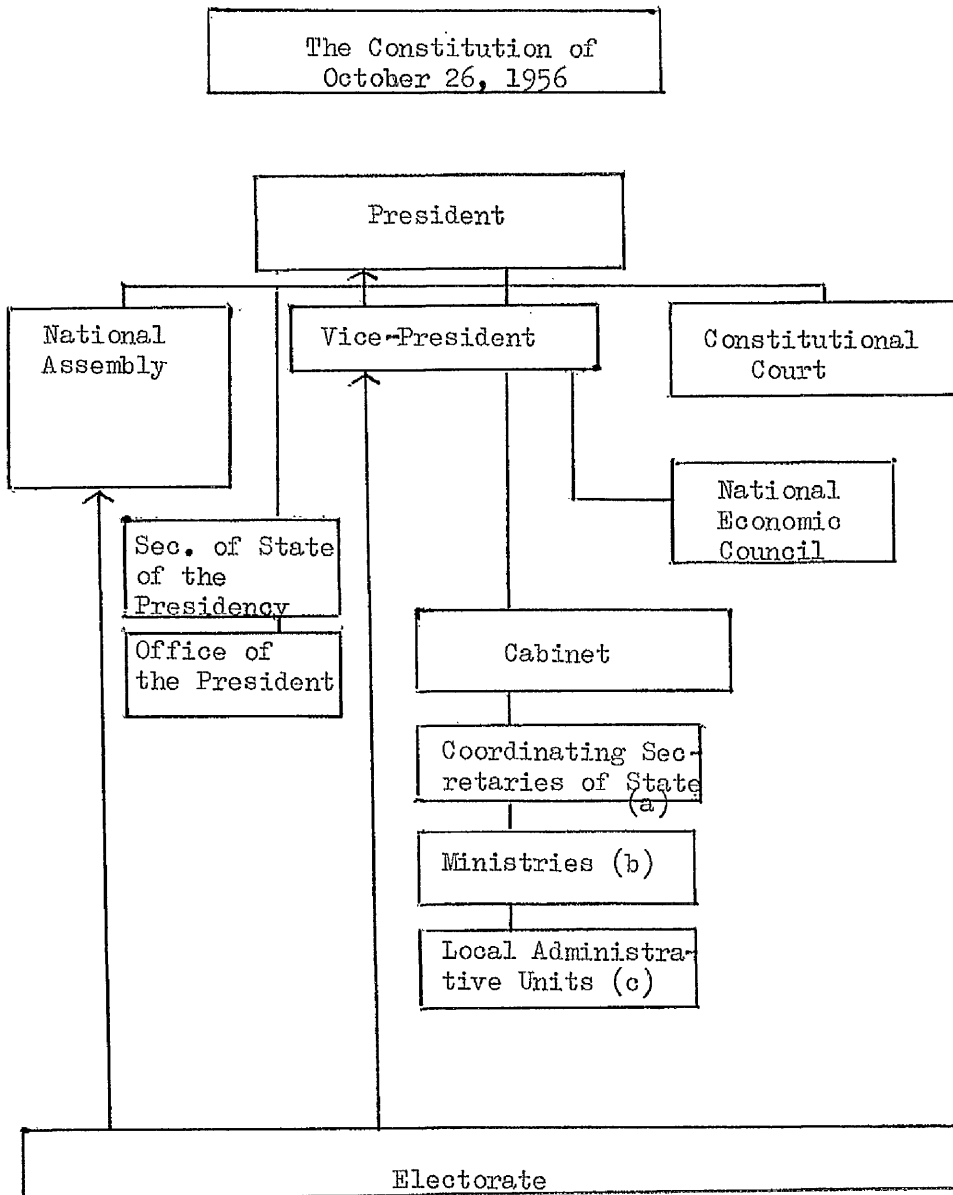
Contrary to initial expectations, the deputies had not remained the passive and rather vague personalities of the September 1966 electoral campaign. Indeed, most of the initiatives taken by the Assembly during this period were attributed to the delegates' fundamental concept of the prerogatives conferred upon them as the single elected and representative entity within the Nationalist political system. Nevertheless, the generals were doubtless encouraged by the outcome of the drafting procedure. For even the most unexpected concessions put forth during this period (of which probably the best example was that of the recognition of the right of the Assembly to extend its mandate after the completion of the draft) were largely short-term measures. The N.L.C. had not yet been forced to deviate to any appreciable degree from its pre-determined long-range objectives.

By the same token, however, the impact of the Assembly's efforts towards instituting the necessary constitutional and political foundations for a revitalization of the political dynamics of the governmental system were by no means limited to the response of the Junta

to the newly-adapted provisions. It is with the wider, and in many ways, more permanent implications of the deputies' contributions that the next chapter, "The Public Debate", is concerned.

THE GOVERNMENT OF THE FIRST REPUBLIC

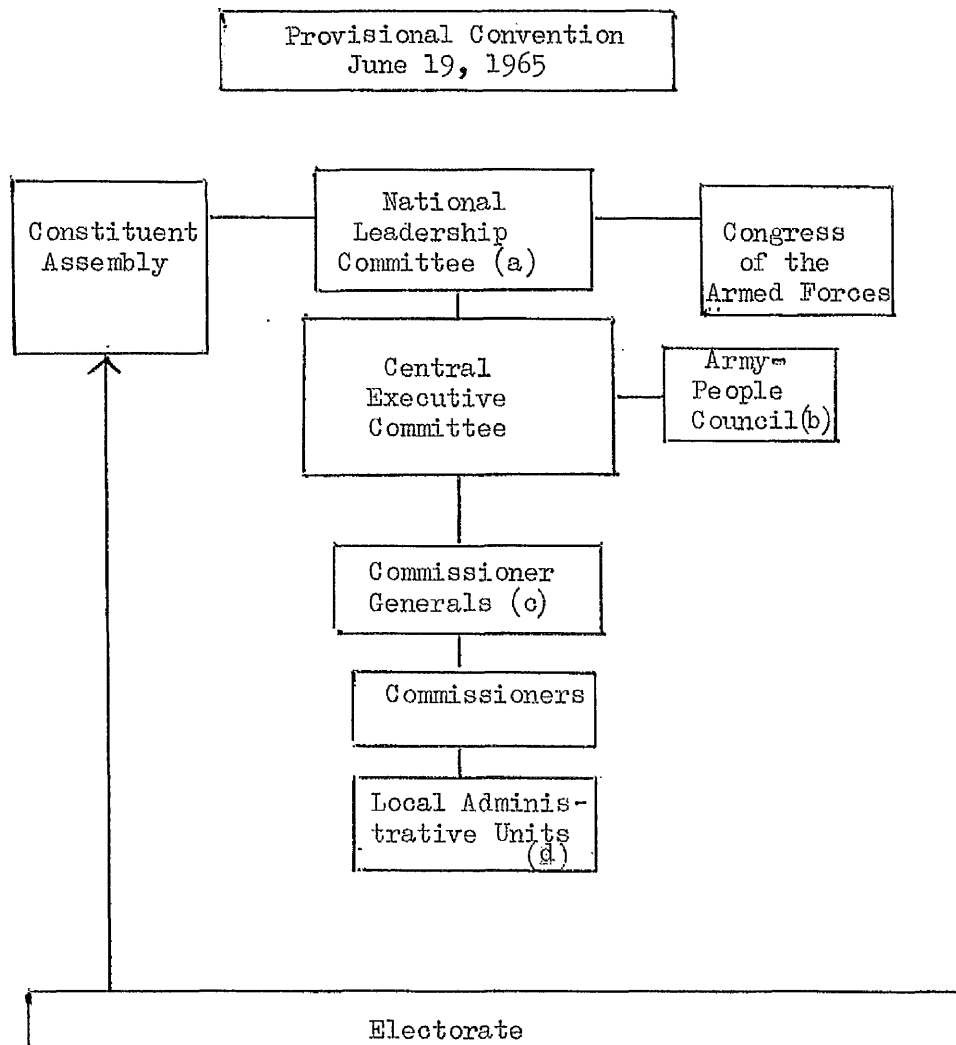
October 26, 1956 to November 1, 1963



- (a) Including the following: Cultural and Social Affairs; Security; and Economic Development.
- (b) Including the following: Civic Action, Labor, Education, Health (under Cultural and Social Affairs); Defence, Interior (under Security); Public Works, Rural Affairs, Finance, National Economy (under Economic Development); and Justice and Foreign Affairs (directly responsible to the Cabinet and the President).
- (c) Directly responsible to and appointed by the President and the Ministries of Defence and Interior.

THE GOVERNMENT OF THE REPUBLIC

June 19, 1965 to April 1, 1967

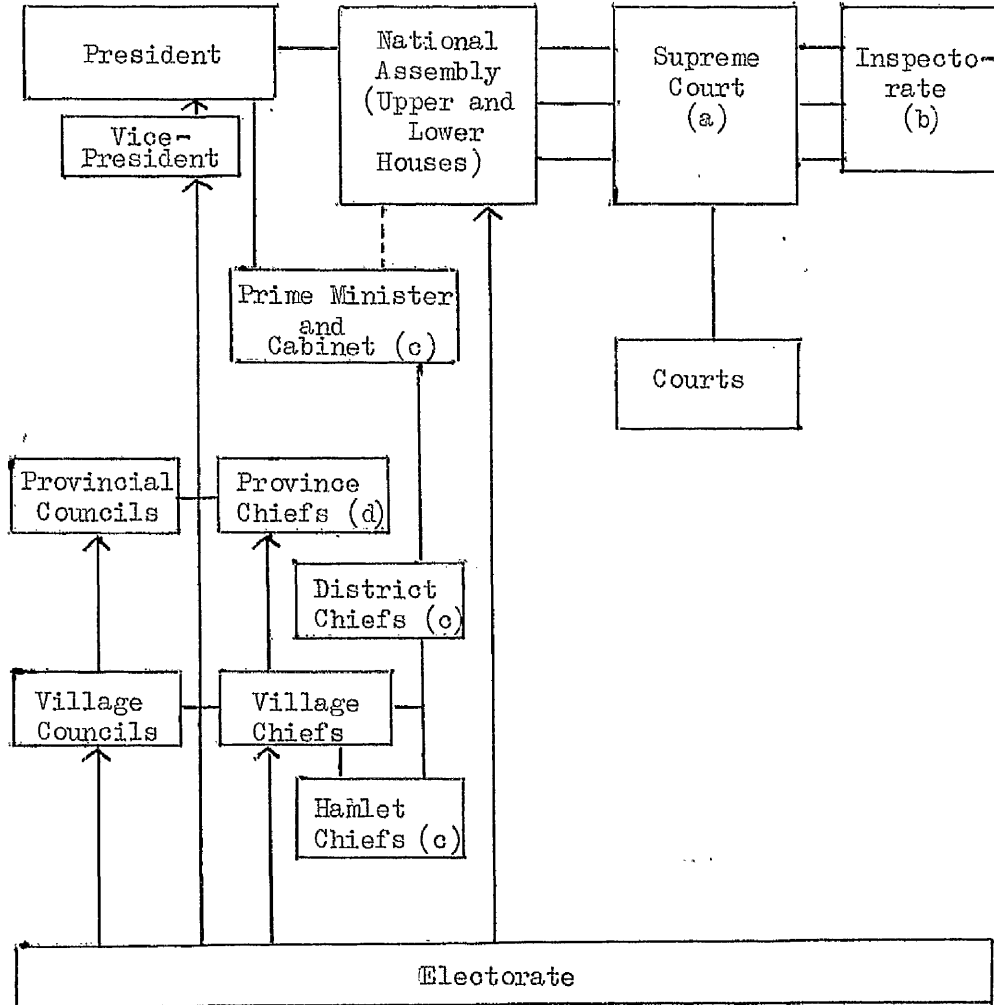


- (a) Originally composed of ten generals, the Committee was expanded by the addition of ten civilians on June 6, 1966. See Appendix, pages 236-37 for the composition of the N.L.C. and the C.E.C.
- (b) The eighty-member advisory Council (also known as the People's Armed Forces Council) was established on July 5, 1966.
- (c) The nine principal Commissioner Generals included the following: National Security, Cultural and Social Affairs, Information and Open Arms, War, Planning and Development, Revolutionary Development, Justice, Economy and Finance, and Foreign Affairs. They were responsible for some sixteen Commissioners.
- (d) Local officials were directly responsible to and appointed by the central authorities (ie., the N.L.C. and Ministries of War and National Security) and the Joint General Staff of the Armed Forces.

THE GOVERNMENT OF THE SECOND REPUBLIC

Established April 1, 1967

The Constitution of
April 1, 1967



- (a) Appointed by the President with the consent of the National Assembly.
- (b) One third appointed by the President, one third by the National Assembly, and one third by the Supreme Court.
- (c) Appointed by the President.
- (d) Appointed by the President during his first term of office only, and subsequently elected.

CHAPTER FOURTHE PUBLIC DEBATE:THE ASSEMBLY AS A POLITICAL FORCE

The dialogue between the Assembly and the generals of the N.L.C. was recognized as one of the most dramatic political developments since "the troubles" of the spring of 1966. Yet, despite its impact on those forces vying for primacy within the formal governmental hierarchy, the debate was nonetheless relatively limited in scope. Because both of the principal contenders were representative of only a select few of the interest groups and factions of the Nationalist movement, the ramifications of this particular confrontation seemed to have only a limited effect on the general political tenor of Nationalist interests.

For this reason, equally important--and in many respects, even more so--was the relationship of the deputies to those elements situated at the opposite end of the political spectrum of the Republic. Indeed, the very presence of the Assembly was to have considerable influence, direct as well as indirect, on the attitude and behavior of the Nationalist movement itself. Although much less publicized and often overshadowed by the more news-worthy developments associated with the conflict between the delegates and the military authorities, this second "dialogue" (the "public", as contrasted with the "internal" debate) was to prove decisive to the formalization of the Constitutional Experiment.

This chapter has been designed to illustrate the effects of the Assembly as a political force on those groups outside the formal political structure of the GVN, from the outset of the deputies'

deliberations up until the time of the preparations for the national elections of September and October, 1967. Both in terms of its scope and direction, the nature of this second dialogue was considerably more complicated than that between the delegates and the ruling generals. First of all, a greater range of interest groups were involved, and a greater number of issues concerned. Secondly, the ramifications of the debate were manifested in several ways.

In its earliest stages, the discussions were largely confined to a variety of formal contacts initiated by the deputies themselves. By establishing a direct line of communication with several of the more prominent and articulate Nationalist factions and associations in the Republic, the delegates apparently hoped to enlist support for the draft Constitution--support which would both facilitate their work on the document and enhance their own political standing. Indeed, the deputies' concern with their image as the sole legitimate spokesmen for the South Vietnamese people was evidenced by an ambitious public relations campaign launched immediately after the inauguration ceremony.

Early in December, the nature of this debate was to undergo an important change. At this time, the deputies announced that on the basis of their campaign to "sound out the people's aspirations", they were ready to undertake their primary task: the elaboration of the draft Constitution. Yet while the formal contacts between the delegates and the various political groups outside the Assembly were thus greatly reduced, once the actual discussions on the draft had been initiated, the latter's interest in the deliberations further increased. In fact, several of the groups and organizations which had earlier been approached as "representative" political bodies were themselves to take the initiative to exert their influence on the Assembly's proceedings, and thereby to continue

the dialogue. This involvement marked a certain expansion of political participation within the newly-enlarged Nationalist forum.

By the spring (at which time the deputies' deliberations had entered into the concluding stages), the debate moved into a third phase. Although most of the controversial issues directly related to the drafting had already been resolved, this period witnessed an even more intensive effort on the part of the disparate factions to become actively engaged in the political discussions. This impetus was largely provided by the prospect of the completion of the draft--and particularly, by the innovations envisaged by the document. For in addition to sanctioning the establishment of a legal foundation for the Second Republic, it promised the organization of national elections in the autumn of that year.

In many respects, this third phase was one of the most critical stages of the implementation of the Constitutional Experiment. Representing an important transition from the "politics of the Constitution" to the "politics of the election" (ie., from the more theoretical to the very practical aspects of the democratization process), at the same time, it clearly reflected the significant impact of the establishment of a highly sophisticated political institution on the traditional forces of Nationalist politics.

The First Phase: The Assembly-Initiated Debate

The initial phase¹ of the public debate was obviously motivated by more than the deputies' awareness of the necessity of ascertaining the "earnest aspirations of the whole people" before undertaking the actual drafting of the Constitution. As in the case of the internal dialogue, they appeared equally inspired by an appreciation of certain political privileges derived from their status as the legally-elected representatives of the GVN electorate. Relying on this prestige as a means of propagating and in a sense of legi-

timating their activities, the delegates evidently hoped to reinforce their claims vis-à-vis the N.L.C. as well as to reserve for themselves an important place in the GVN political arena.

Indeed, once seated in the Assembly, the deputies seemed concerned less with the problems of the Constitution than with encouraging a favorable popular consensus on their new role as a representative political entity. At the same time as the debate on the problem of the Decree Law 21/66 was first opened, they initiated a campaign to establish good public relations at the national and even the international levels. Making a concerted effort to identify themselves with the specific social and economic needs of the people, the deputies also sought to champion what they interpreted as the political needs of their constituents by supporting the activities of the staunchly anti-Communist interest groups in South Viet-Nam.²

The Assembly members were equally sensitive to what they believed to be any misrepresentation of their interests by the press, and were quick to demand that the latter rectify its mistakes.³ At the same time, however, they were very much aware of the influence wielded by the Saigon dailies and of the benefits to be accrued from an informed and preferably sympathetic Fourth Estate. Indeed, some of the deputies appeared to regard the newspapers as a sort of personalized propaganda machine to be used as a means of enhancing their image as public spokesmen or as potential political candidates. Furthermore, as noted in Chapter III, among the modern organizational methods employed by the Assembly as a whole to "educate" public opinion, the press conference was twice featured as the most effective way of clarifying a controversial issue.

In the context of the delegates' preoccupation with their responsibilities as "guardians of the public welfare", what was probably the greatest public relations coup of all was their decision

to extend their mandate after the draft Constitution had been promulgated. Although this move had been greatly influenced by the nature of the dialogue with the N.L.C., in terms of its justification, the deputies resorted to the same type of reasoning that had prompted their involvement in the other "extra-Assembly" matters. As a "unique organ designed by the people to work for their interests", they argued, the Assembly was "duty-bound to stay...to fulfill its tasks".⁴

The deputies were also evidently concerned with the relationship of the institution vis-à-vis the various "friendly" nations and their representatives in South Viet-Nam. By virtue of their contacts with these foreign dignitaries, the delegates not only received considerably publicity, but were in an excellent position to act as "official" spokesmen for the Vietnamese people, both at home and abroad. During the course of the drafting period, some five delegations from allied nations were received by the Chairman of the Assembly.⁵ Particular care was taken to cement relations with the Nationalist Chinese (and thereby, undoubtedly, to enhance the deputies' status among the influential Chinese businessmen of Cholon).⁶ At the same time, the delegates astutely avoided contacts with American officials, obviously in order to demonstrate their independence from the foreign advisors.⁷

Judging the People's Aspirations

Shortly after initiating the first of these formalities, the Assemblymen also began to plan their approach towards the problem of ascertaining popular opinion on the future Constitution--ie., of organizing the actual public debate. The promotion of this dialogue posed a number of important problems in that its development depended largely on the ability of the deputies to bridge the gap between the predominantly Western political concepts upon which the Assembly

had been founded, and the actual political realities of the country. Their efforts were further complicated by the fact that most of the delegates themselves were lacking in political experience and expertise.

Moreover, as shown in Chapter II, the Assembly as a whole represented only a narrow range of political interest groups in South Viet-Nam. As in the case of the electorate which had determined the character of this body, the deputies' idea of what constituted "the people" was equally limited in scope. The enormous gaps in the communications system of the country (in political as well as in logistical terms) also figured among the more obvious difficulties confronting the participants of the debate--not to mention the problem of relating the discussions to the general public.

Yet, in spite of these limitations, the Assembly-initiated dialogue was facilitated by certain other considerations. First of all, this debate was formulated as a result of the explicit wishes of the entire membership of the institution, rather than of only a few individuals or factions, as had been the case in the internal dialogue. Secondly, a legal basis for the discussions had been established. In accordance with the provisions of the Internal Regulations, two permanent subcommittees, the five-member Press and Information Committee and the twenty-five-member People's Aspirations Committee (or P.A.C.), had been founded as a means of encouraging and assessing the contacts.⁸ Thirdly, the dialogue was staged openly, largely by means of public seminars and discussions.

Already by mid-November, the members of the P.A.C. were reported to have approached a number of groups and associations considered representative of a cross-section of national interests; about the same time it was publicly announced that "every opinion on a variety of constitutional issues would be welcomed by the Committee".⁹ While few of the seminars held in the capital were actually

arranged by the members of the P.A.C., an official delegation frequently took part in the deliberations. The most important of these, briefly outlined below, were indicative of both the kinds of groups most interested in taking an active part in these preliminary soundings and of the issues with which they were most concerned--considerations which were influential in determining the nature of the draft itself.

The first discussion, held on October 9, was organized by the "Greater Solidarity Force" (LLDDK), a group which had not only played a prominent role in the recent Buddhist unrest, but which had successfully promoted the election of a number of its representatives to the Assembly. Not surprisingly, the LLDDK spokesmen advocated the need for the future Constitution to reflect the strong anti-Communist convictions of their affiliates; they also opted for a presidential system. The same day, a "group of intellectuals" meeting to consider similar problems decided they themselves would establish a liaison committee between the Assembly and the people in order to collect ideas and opinions related to the draft.¹⁰

The proposals introduced during the course of a two-day conference held on November 22 and 23, under the auspices of the Saigon City Council, were considerably more detailed and in general, more constructive. At this time, such innovations as a mixed-presidential system and a bicameral legislature; the establishment of a Supreme Court, a High Judicial Council, and an economic and social advisory body; the direct election of local officials; and full guarantees for the fundamental rights of citizens were endorsed.¹¹ Several of these points were reiterated on December 5, when the "National Union Front" (Mat Tran Quoc Dan Thong Nhut) outlined its own program for a five-power governmental structure (including an organized political opposition), and advocated an increased degree of regional autonomy.¹²

A number of professional groups also organized lectures or seminars in order to voice their opinions on the future Constitution. One of the most widely-publicized of these sessions, also held on December 5, was that sponsored by the Association of Engineers and Technicians. The former Minister of Defence, General Tran van Don, was featured as the principal speaker; he recommended the "direct democratic way" (defined as "self-management of the peasants" and a general decentralization) as the most effective approach to assuring the success of the new draft.¹³

The students likewise joined in the debate. During a seminar scheduled for November 24 at the National Institute of Administration, they stressed the necessity of establishing a recognized political opposition, an independent judiciary, and the means to resolve the "problem" of the Armed Forces in politics.¹⁴ On December 1, the students of the Faculty of Law considered topics ranging from the autonomy of the University to conscription regulations, the problem of "security", the right to education, and the rights of the peasants. Some 300 members of the student body were reported to have been present at this session,¹⁵ which, like most of the other lectures and debates, was hailed a success by the P.A.C. and the Assembly.

Although the main emphasis of the public opinion campaign was placed on the seminars held in the capital, the members of the P.A.C. also made an effort to meet with political, social and administrative organizations outside Saigon. At the end of November, a delegation was sent to each of the four Corps regions as part of a program to tour all forty-four provinces in order to explain the "workings" of the Assembly and to collect suggestions. A number of individual deputies also attempted to contact the members of their own constituencies to discuss these matters--both at the outset of the deliberations and in the spring of 1967, when the drafting had

been completed. On at least two occasions, the delegates even resorted to an opinion poll as a means of judging popular consensus on a particular issue.¹⁶

The Second Phase: The Public Response

In early December, the P.A.C. reported its findings to the Assembly. The deputies then directed their attention away from their constituents and towards their colleagues; work was initiated on the actual draft. Judging from subsequent events, however, the first phase of the public debate represented more than an exercise in promoting public relations. Just as the founding of the Assembly as a popularly-elected institution had inspired its membership to solicit public response in order to strengthen its own political base, so had it influenced the attitude of those groups invited to participate in the earlier discussions.

For once involved in the dialogue, certain Nationalist elements outside the Assembly were no longer content to act merely as informants. Having sampled the fruits of "participation" (ie., the right to speak out publicly on a number of political issues to an audience which included not only the elected deputies, but also, by virtue of the role of the press, some elements of the general public as well), several of these groups refused to retire to the background to await the finished document. Rather, they tended to view their role as that of political lobbyists and of active critics of the constitutional proceedings--by evaluating, and if deemed necessary, by challenging the deputies' work. Nor were these particular organizations to have a monopoly on the survey; other interest associations, which had not previously taken part in the public meetings, also joined in at this time.

Consequently, in its new and broadened form, both the strategies and the goals of the original dialogue were revised as it grad-

ually took on the flavor of a spontaneous, externally-inspired plan of action directed towards influencing the tenor of the draft. Much of this interest was apparently inspired by the genuine concern of the Nationalist factions in the progress of the Assembly's deliberations. At the same time, however, much of it was undoubtedly induced by the awareness of the political activists that by taking a stand on the issue of the draft, they would be able to impress upon the delegates (as well as upon their own political rivals) the importance of their organization as a representative force.

Most of the demands made on the Assembly by these outside elements (and particularly during the early stages of the drafting procedure) were limited to the latter's advocating the adoption of a particular issue or innovation. One of the best examples of this type of involvement occurred in early December, when a group of Saigon businessmen and industrialists met to draft a resolution calling for the establishment of an economic commission--comprised of delegates of all social strata and professional organizations--as part of the new governmental structure. This suggestion was in fact incorporated into the draft as Article Ninety-Five, which provided for the organization of an "Economic and Social Council".¹⁷ Indeed, on at least one occasion, an appeal was even made to the deputies to intervene in a particular local problem for which the central authorities were held responsible.¹⁸

Generally speaking, however, as the deliberations continued, the presence of the self-appointed critics became more challenging to the delegates. The first real confrontation took place at the end of January, when some 500 members of the "Vietnamese Labor Action Force" demanded that the Assembly consider a whole series of claims (including a complete revision of the draft and the organization of a national referendum on the document before it was promulgated, as well as the assurance of certain guarantees for the

working class of South Viet-Nam) put forth by their association.¹⁹ The deputies, who had obviously not anticipated such a strong reaction to their work, quickly sought to rectify the situation; during the following session, a clause on the "freedom to organize and the right to strike" was approved by a near unanimous vote.²⁰

This incident, and the Assembly's prompt response, naturally encouraged other interest groups to express their opinions on the draft. At the same time, the deputies were frequently invited to attend various seminars organized by their critics, either to discuss or, more likely, to publicly defend their work. Early in February, for example, a group of students convened a second seminar at the Faculty of Law in order to challenge the provisions related to both the election of province chiefs and the "preponderant powers of the legislative branch".²¹

Another group which took the initiative to plan a second seminar as a means of reiterating (and publicizing) their opinions on the Assembly's deliberations was the Saigon City Council. At an open discussion held early in March, the Council members spoke out strongly against the system envisaged by the draft, referring to the chief executive as a "hidden president", to the prime minister as "redundant", and to the powers of the vice-president as "too vague". They also complained that the deputies had not provided for "an adequate philosophy for the nation's leaders and for the people to follow". An appeal was made to the public to "make their criticism known" to the delegates before the document was submitted in its final form.²²

As expected, the issue which provoked the most outspoken opposition was the deputies' decision to extend their mandate. Indeed, this question was sufficiently controversial to inspire a number of groups which had previously remained aloof from the debate to rally their forces in an effort to contest the Assembly's authority. Pro-

bably the most colorful (and curious) example of this reaction was that afforded by the "Union of Motorized Vehicles". In mid-March, when some 300 Lambretta drivers met to "air their grievances", it was reported that they had unanimously approved a proposal advocating "taking to the streets" to protest against the delegates staying in office after the promulgation of the draft.²³

The Dialogue with the Press

One of the most important political "interest groups" involved in the public debate was the Saigon press. Although never directly engaged in the Assembly-initiated seminars, during the first phase of the dialogue, the dailies performed a useful intermediary function by relaying to the general public information related to the forums and lectures. During the second phase, the press played an even more influential (albeit often equally controversial) role.

Given the variety of social and political interests represented by the patchwork press of the capital (of which almost every newspaper was associated or even published by a particular political organ or faction), it was not surprising that the position taken on any given issue varied considerably from one publication to the next. The fact that the circulation of the numerous dailies was also greatly limited in scope doubtless further confused public opinion, or even public awareness, of the problem in question.²⁴ Yet in terms of a "popular" consensus on the purpose and merits of the deputies' work (at least among the urban educated readership of South Vietnam), the involvement of the press in the dialogue represented an important feature of the drafting procedure.

Generally speaking, the meetings and conferences organized during the early stages of the public debate were well received by the Saigon dailies. A number of editorials came out strongly in favor of the effort made by the various organizations to state their views

on the drafting of the document, and urged those "in all walks of life...to actively participate in...such seminars".²⁵ The interest of the press in the discussions increased as the debate moved into the second phase. The sessions organized by the students of the Faculty of Law and by the trade unionists, in particular, were credited with having "done a good service" in calling public attention to the shortcomings of the draft.²⁶

At the same time, however, despite the deputies' obvious efforts to court the press, nearly all the vernacular, French and English-language dailies were highly critical of the role played by the Assembly in the dialogue. They argued that the deputies' competence in determining the "people's aspirations" was so limited that efforts to initiate contacts with the population (and especially in rural Viet-Nam) could be of little significance.²⁷ Nor did the press seem any more impressed by the other tasks with which the delegates were occupied during the first working sessions. When after two months of deliberations the first line of the draft still had not appeared, several papers began to hint that the Assembly was either incompetent or unwilling to begin work on the future Constitution.

Even after the discussions on the preliminary draft had been initiated, the delegates were frequently criticized for the legal shortcomings of their work as well as for their "procrastination" and concern with "useless things".²⁸ Not surprisingly, the issue which sparked the most vehement criticism of the Assembly was that of the transitional provisions. The majority of the Saigon dailies concurred that the deputies' intention to remain in office simply proved that "they are looking after themselves too much".²⁹

Much of this criticism, and especially that concerned with the initial delay in the deliberations on the draft, seemed justifiable. The general lack of sympathy and even condescending attitude of the

press towards the activities of the Assembly (not to mention the attacks made on individual deputies for personal as well as for political shortcomings),³⁰ could, however, be attributed at least in part to two particularly important considerations. Firstly, few Saigon journalists or even editorialists appeared to fully comprehend either the nature of the actual task confronting the delegates, or the fundamental objectives of the Constitutional Experiment.³¹

Secondly, some of the attacks made on the Assembly were undoubtedly inspired less by the latter's genuine failures than by the fact that it represented the one governmental institution to which relatively unrestricted criticism could be directed; strict censorship of the press and restrictions on the right of public assembly severely limited the possibilities of openly challenging the N.L.C., the Army, or even the local administrators. In other words, the Assembly--as a body which owed its existence to the central authorities--appeared an ideal scapegoat upon which the disillusioned Nationalist activists were able to vent their frustrations. Indeed, much of the criticism heaped upon the delegates was evidently applicable (if not intended for) the other powerful components of the GVN political hierarchy.

The Third Phase: The Rapprochement

The relationship between the press and the Assembly--and particularly, the fact that the deputies often seemed to serve as the most convenient target towards which the dailies might direct their general criticism of the Government--afforded an important insight into the fundamental characteristics of the third phase of the dialogue. For as a newly-organized governmental institution, the Assembly represented considerably more than an instrument for constitutional reform. Its actual presence suggested a kind of safety-valve for the expression of political frustrations which had previ-

ously been limited largely to a demonstration of "street power".³²

Up until this time, the public debate had remained limited in scope. Admittedly, during the second phase of the dialogue, the contacts between the Assembly and certain political elements outside the institution were much more spontaneous. They also seemed more politically-motivated than the earlier discussions, as each of the self-appointed critics sought, in turn, to exert its influence upon the deputies. Yet, even these brief confrontations were confined to a relatively formal rather than a "practical" approach towards participation, given the actual political situation of the Nationalist community. In other words, although defending their right to intervene in the deliberations, the various factions and interest organizations had nonetheless appeared willing to meet the deputies on their own terms, rather than to resort to any of the more familiar "mass action" techniques of political lobbying frequently used in the past.

Signs of increasing political maneuvering and activity within the Nationalist movement, clearly discernible about the middle of March, were attributed by some political observers to the generals' decision to hold a series of communal elections at this time. These voting exercises, designed to select the members for local village councils as well as hamlet chiefs in certain "pilot centers" in the GVN-controlled regions of the country, were subject to similar restrictions as had been imposed on the September, 1966, balloting. Moreover, they attracted much less publicity than had the Assembly elections. Nevertheless, the results of the first round were hailed as a major political victory for the GVN as an initial step in a "significant decentralization procedure".³³

The actual politicking preceding these votes, however, seemed to have been largely based on personal relationships and on family interests rather than on any organized electoral campaign sponsored

by the more broadly-based political factions or groups.³⁴ Of course, it was generally admitted that the splintered Nationalist organizations were all too weak to embark on a nation-wide campaign necessary to influence the outcome of the local elections. Yet, these groups were still severely criticized for their failure to meet the challenge afforded by the rural polls. They were attacked for their insincerity and "dead-letter ideologies", for withdrawing into "political ivory towers"--and, especially significant, for their preoccupation with the forthcoming national elections rather than with the crucial local votes.³⁵

This did indeed appear to be the case. For once the ratification of the draft had been assured, public interest quickly shifted from the theoretical issues of constitutional law to the much more relevant problem of political power in the Second Republic. This sharp upsurge in political awareness--the third phase of the public debate--not only induced a much more concerted effort on the part of those elements previously involved in the discussions to realize their political ambitions. It also encouraged the involvement of a number of influential communal groups which had remained largely isolated from the GVN political scene since the election of 1966.

Of particular importance among these groups were the South Vietnamese politico-religious factions, whose estrangement from the political arena during the drafting period seemed especially conspicuous in light of their frequently dominant role in the recent past. Although undoubtedly interested in the Assembly's deliberations (especially insofar as these had been concerned with expanding the GVN political forum), the leadership of these factions and associations had naturally realized that their intervention on the basis of such worldly problems as the right of the future National Assembly to censure the Government would be difficult to justify. Consequently, they had instead generally confined their more secular activities

to attempting to strengthen and consolidate their forces from within.

The Catholics, who were reported to have recently reorganized their hierarchy, first demonstrated what appeared to be a newly reaffirmed solidarity in late February. At this time, ostensibly in protest of General de Gaulle's announcement of his plan for the neutralization of Viet-Nam, they launched a series of anti-pacifist and anti-French demonstrations in the capital. Yet, this show of strength was only a preview. Shortly thereafter, and in fact, practically on the eve of promulgation, the religious activists were afforded an unexpected opportunity to take an articulate (and obviously politically-motivated) stand on the actual constitutional debate.

Just before the Assembly convened to take a final vote on the draft, the Venerable Thich Tam Chau addressed a letter to Chairman Suu requesting that the phrase "the Supreme Being" (Dang Toi Cao) be omitted from the Preamble--on the grounds that it evoked the prologue of the Diem Constitution.³⁶ On March 18, despite the fact that the text of the Preamble had already been adapted in its final form, by a simple show of hands the deputies voted to delete the phrase and thereby comply with the bonze's request. By virtue of their inconsistency (as during this same session, they refused to give way on any of the points of contention put forth by the Junta),³⁷ the delegates suddenly found themselves in a most uncomfortable position.

The reaction to their move was almost immediate. Despite the deputies' attempts to defend their decision during the March 22 press conference,³⁸ a barrage of bitter recriminations against the Assembly's "irresponsible and irrational action" was levelled by a number of Roman Catholic spokesmen. Indeed, as the hour of promulgation approached, these allegations were echoed by hundreds of

loyal Catholic followers, who turned out into the streets in a "manifestation of the democratic spirit and of the spiritual force" contrary to the atheistic Communists. At the same time, their demands also increased.³⁹ In this way, the protest rapidly evolved from "theoretical and theological" grounds to a demonstration of politico-religious discontent which took on much broader implications as a question of religious beliefs and prejudices, of honor and prestige, and of political maneuvers and personal ambitions.

Obviously, the religious activists had no intention of confining their protest to the more selective methods of political pressure applied during the early stages of the debate. Rather, they relied on a number of long-practiced political techniques which, in previous instances of intense political activity, had proved the most effective (if not the sole) means of reasserting their influence as a cogent Nationalist force. First of all, while attempting to mobilize as much popular support as possible,⁴⁰ the Catholic leaders once again resorted to the "united front" tactic in order to expand the campaign and thereby avoid the impression of its being dominated by their own interests. At this time, a number of dissident politico-religious factions and sects were grouped together as the "Front of Citizens of All Religions"--of which the Chairman was not surprisingly the militant priest Father Hoanh Quynh.⁴¹

Secondly, the priests were also aware of the importance of relating their own political objectives to those of the other Nationalist forces, and particularly of their own principal political rivals--the U.B.C., the Assembly, and the N.L.C. While attempting to impress upon these groups the amount of popular support they could command, the Catholics were careful to avoid alienating the N.L.C. For they evidently realized that, as in the past, the generals could be more valuable to the campaign as collaborators (if only

implicitly) than as contenders. Consequently, although attacking the Assembly for its behavior, and Venerable Chau (ie., the U.B.C.) for his "unfounded intervention", the dissidents appealed to the generals as the "legitimate authorities" to "straighten things out". By exploiting the obvious ambivalence of the Junta vis-à-vis both the deputies and the militant Buddhists, the protesters were thus able to greatly enhance their position.⁴²

Although the April First promulgation ceremony was held as scheduled, without any significant incident, the Catholic leaders remained adamant in their demands. An inter-denominational parley organized by the deputies on April 5 did little to clarify the issue.⁴³ Indeed, the Assembly's decision of the following day to reject as "illegal" Suu's tentative promise to reinstate the disputed phrase, and instead, to draft a proclamation (to be added as an appendix to the Constitution) attesting to the theistic nature of the Republic, only increased the tension.⁴⁴

But then, just as suddenly as the crisis had flared up on the political scene, so did it flicker--and snuff out. Neither the subsequent delay of the Assembly to come to any decisive agreement on the wording of the proclamation itself, nor their final "compromise" decision (ie., to leave the Preamble in the abridged form and to substitute "Sacred Being" for "Supreme Being" in the proclamation itself) was seized upon by the militant protesters as a justification for further "spontaneous" demonstrations.⁴⁵

This silence was not to imply that the Catholics felt they had been defeated. For apart from the actual reinstatement of the clause in the Preamble (which, for legal reasons, was not even considered as one of the final alternatives open to the Assembly), the Front's leaders had fulfilled what were doubtless their main objectives already some days previously. In addition to reasserting their influence over their faithful, and thus mobilizing an impressive degree

of popular support both in the capital and in outlying Catholic strongholds, they had been able to discredit (if only indirectly) their primary political rivals.

In other words, by casting doubts on the integrity of the Assembly, as both a lawmaking body and a representative political entity, the Catholics had effectively undermined the position of those "questionable" outside influences which had been initially responsible for the deputies' "unconstitutional" decision--ie., Tam Chau and the U.B.C. hierarchy. Indeed, the fact that Chau and his colleagues not only refused to take part in the April 5 session but made no move to challenge the Catholic leadership suggested that the bonzes realized that they had chosen a rather inopportune moment to exercise their "political rights".

The Supreme Being incident thereby marked the culmination of the public debate on the constitutional proceedings. At the same time, it ushered in a period of sustained and intensive political activity which dominated the South Vietnamese political arena for the next several months--until the date of the national elections. Although none of the other disparate Nationalist factions resorted to the same extremes as had the Catholics in order to reactivate their support, from this time on, most of them seemed preoccupied with preparations for the coming event. In fact, shortly after the Constitution was promulgated, it was reported that several of the more prominent organizations and parties had already begun to organize leadership conferences in order to plan their "electoral strategy".

Not surprisingly, while the "Front of Citizens of All Religions" seemed to have disintegrated early in April, the Catholic C.C.B. and the LLDDK were among the first to announce that they had set up committees to prepare for the "effective participation of Roman Catholic followers" in the national elections.⁴⁶ Also in April, the

VNQDD (DaNang branch), the Tan Dai Viet Party, the Confederation of Vietnamese Workers, and even the members of the Diemist Can Lao Party (who had been largely ostracized from the South Vietnamese political scene since the 1963 Revolution), were reportedly actively mobilizing their forces.⁴⁷ The following month, similar initiatives were undertaken by the Vietnamese Socialist Party, the Association of Former Students of the National Institute of Administration, the New Vietnamese Nationalist Party, and the Cao Dai Synod.⁴⁸ In June, well-publicized sessions were organized by the Vietnamese Veterans Association, the ARVN Catholic Chaplaincy, and the "Anti-Fraud Youth Group".⁴⁹

In addition to reassessing their political programs and attempting to reassert their influence over their political faithful, several groups sought to reinforce their appeal by combining forces with similarly-oriented interest groups. Factions of the VNQDD were apparently involved in at least three of these: the "Committee for Revolution and Democracy", founded in early April; the "Unified Nationalist Bloc", formed in early May; and the "National Citizens' Party"--all of which began to organize slates for the election.⁵⁰ Other prominent front organizations founded at this time were the "Electoral Front of Farmers, Workers, and War Veterans", the "Republican Democratic Party of Viet-Nam", the "People's United Front", a "Journalists' Electoral Front", and even a "National University Students' Association".⁵¹

One of the most notable exceptions to the above-mentioned plethora of factions, committees, fronts, and parties were the Buddhists. Although in mid-April there was some speculation about a possible rapprochement between the moderate U.B.C. wing and the Roman Catholic activists insofar as their "common objectives for the election" were concerned, the Buddhists were not to take an active part in the campaign. This was primarily due to the fact that their

forces had remained seriously divided ever since the split provoked by the troubles in the spring of 1966; the militant Thich Tri Quang was still "exiled" in Saigon and thus isolated from his following in the Center. A national "unity conference" held in October, 1966, to draw up a new Buddhist charter had apparently ended in an impasse, with each of the two principal institutes of the U.B.C. electing its own leader and claiming to be the sole "legitimate" Church.⁵²

Moreover, although by the end of April Chau insisted that efforts were being made to consolidate the Buddhist hierarchy (and especially, to reconcile the two main factions), it was reported that the moderate branch had drawn up a new charter early in 1967 and submitted it to the Government for approval. If ratified, this document would legalize the status of the Vien Hoa Dao faction as the representative of the U.B.C. in South Viet-Nam, and thereby exclude the militant An Quang faction from the movement. Although the generals took no action on the draft charter for some five months, only a few days before the official presidential campaign was opened, General Thieu unexpectedly announced that he had signed the Vien Hoa Dao document.⁵³ This move thus provoked a new wave of bitter infighting which further weakened the Buddhist position in the pre-electoral activities, and which, once again--as will be shown in the following chapter--had a considerable influence on the activities of the other groups within the Nationalist movement.

Conclusion

The public debate, with its many themes and variations, represented one of the most significant political phenomena associated with the Constitutional Experiment. Particularly in its early stages--at which time it was concerned largely with the "politics of the Constitution"--the more obvious features of this dialogue were

characterized as much by its shortcomings as by any more positive aspects. Indeed, the approach of the deputies and the response from within the Nationalist movement to their efforts reflected many of the limitations of the Experiment itself. These discussions were also indicative of the problems to be overcome before the democratization process could be realized, in view of the fact that one of the alleged objectives of drafting a new Constitution was that of establishing a legal foundation for a government capable of winning support throughout the territory of South Vietnam, despite the rival claims to jurisdiction of the insurgents. As suggested by the events outlined in this chapter, one of the most crucial of these problems was that of relating or of reconciling the establishment of a Westernized political entity to the realities of Nationalist politics in the Republic.

Despite the deputies' efforts to expand the debate, the Assembly-initiated phase remained restricted in scope. Only a very small fraction of the electorate, most of them living in the capital, actually participated at this time. The overwhelming majority of the rural electorate (not to mention all those excluded from the vote in the first place) either lacked the organizational means or, more probably, the desire, to articulate their opinions on the subject. The "People's Aspirations Committee" delegates sent into the countryside rarely ventured farther than the provincial capital. Urban groups who joined in the discussions were also limited in terms of the political, social, economic and educational interests they represented. Moreover, several of the more influential factions (the U.B.C., as the most obvious example) remained completely detached from the proceedings.

The personality of those involved in the discussions was reflected in qualitative as well as in quantitative terms. Firstly, the preponderance of the narrow range of interests represented by

the participants (most of whom were members of the urban elite) led to a situation whereby a number of crucial issues such as the question of land reform and of guarantees for the welfare and security of the rural masses, were largely overlooked. Secondly, there arose the problem of the rather dubious qualifications of many of those taking part insofar as legal, and even political, matters were concerned.

Admittedly, a number of general points which were frequently discussed during the initial sessions (eg., a modified presidential system, a bicameral legislature, a Supreme Court, and Inspectorate, and a decentralized local administration, to cite only the more obvious) were incorporated into the draft by the Drafting Committee. But most of the contributions of these parleys were limited to gross generalizations or to idealized and oversimplified suggestions which seldom took into account any of the real problems of the political situation in South Viet-Nam--and which thereby undoubtedly only increased the Assembly's confusion.

For the charge of incompetence was levelled at the deputies themselves as well as at the debaters. Indeed, their inexperience in dealing with the highly technical and politically delicate problems which arose at this time was emphasized by the fact that the Assembly body had not yet outlined any general program or even decided on the principal points to be embodied in the draft. The members of the P.A.C., in particular, were thereby severely handicapped in their attempts to act as effective leaders of the various debates. Of course, many of the failings of the early stages of the public debate could be attributed to the limitations in time, funds, and personnel with which the delegates were confronted, and which prevented them from devoting as much attention to the problem of their relationship with their constituents as they insisted they hoped to do. At times these limitations were unavoidable. At

others, however, they were simply the result of the deputies' enormous concern with their standing vis-à-vis the N.L.C.

Yet what seemed to many critics a futile effort at applying a Western innovation to an Asian situation did appear, in several respects, to enhance the status and role of the Assembly as an independent representative body. The measures taken by the delegates to create favorable conditions for a constructive dialogue with the other Nationalist political forces were, at least in principle, viewed by the more optimistic political observers as proof that the Assembly understood the process of representative government--even better than did the N.L.C.

Furthermore, the first phase of the debate made another important contribution insofar as it encouraged a less inhibited response to the constitutional proceedings on the part of a number of articulate Nationalist interest groups. That these organizations (such as the students, the trade unions, and the Saigon City Council--which were subsequently joined by others) took their involvement seriously was evidenced by the initiative taken by their leaders to convene a number of sessions in order to debate a specific problem which arose as the deliberations progressed. In other words, as a kind of self-appointed guardian of the public welfare, these forces contributed to expanding the scope of the discussion, both in terms of issues and of interests.

At the same time, however, although taking the liberty of involving themselves in the Assembly's work, these groups nevertheless conformed to certain standards of political participation (i.e., in organizing official delegations, public seminars, and in drawing up petitions and manifestos). Of course, certain changes in the draft (such as the guarantees of workers' rights) were conceded by the Assembly as a result of these demands. Generally speaking, however, the debate frequently seemed largely an exercise in poli-

tical diplomacy, confined to the relatively formal political schema within which the delegates themselves functioned. The gap between the sophisticated political entity and the traditional political process persisted.

The third phase, ushered in by the Supreme Being incident, differed significantly from the previous two. First of all, the emphasis of the dialogue was shifted from a rather theoretical discussion (albeit one with recognized political overtones) on the precepts of the Constitution, to a much more vital issue (at least as far as the elements of the Nationalist movement were concerned): access to power in the new Republic. For this reason, the period was also characterized by a greatly intensified response and effort on the part of the disparate political factions to adapt to the changes in the governmental system wrought by the founding of the Assembly.

That the dichotomy between the formal nature of the institution and the political realities of the country still existed was clearly demonstrated by the Roman Catholic campaign. Yet, at the same time, the prospect of the forthcoming elections did suggest that the gap could be narrowed. Indeed, the renewed political awareness on the part of a whole range of socio-political interest groups further attested to this potential. To what extent the Nationalist movement was in fact either willing or able to exploit this "rap-prochement" and thus to participate in a newly institutionalized political forum, was determined by the events of the next six months.

CHAPTER FIVETHE PRESIDENTIAL AND SENATORIAL ELECTIONSOF SEPTEMBER 3, 1967

The promulgation of the Constitution on April 1, 1967, was hailed by its sponsors and creators as the most significant political event in the history of the South Vietnamese Nationalist movement since the Revolution of November 1, 1963. Yet, as suggested by the outcome of the public debate, the events which transpired between March, 1966, and April, 1967, comprised only one facet of the institutionalization process. The most important implications of the N.L.C.'s decision to permit the drafting of a national Constitution could obviously be measured only after the document's legal and political innovations had been duly formalized as the working order of the GVN political system for some time.

Both for reasons of the limited scope of this paper and of the contemporary nature of the period in question, a detailed analysis of this lengthy process cannot yet be undertaken. Nevertheless, an insight into the general political tenor of the Second Republic (as well as into the more relevant political effects of the Constitution on the Nationalist movement) was afforded by virtue of the fact that as an integral part of the Constitutional Experiment, the N.L.C. had promised to sanction the holding of national elections in September and October, 1967. Consequently, within six months after the formal adoption of the Constitution, those individuals and interest groups legitimately responsible for its application and enforcement as the law of the land would be chosen by

the GVN electorate. It is with these elections--and more important, to what extent they represented a significant realignment of power within the Nationalist movement--that the following chapters are concerned.

As shown in Chapter IV, once the Assembly had completed its task of drafting the document, the problem of access to political power in the GVN was, for the plethora of interest-oriented Nationalist political factions, no longer a theoretical issue, but a very real possibility. Indeed, the interests of the deputies themselves also shifted from the problem of guaranteeing certain constitutional rights and of establishing a legally-based and balanced system of government to that of broadening their own influence in order to be assured a role in the newly-enlarged political forum.

Already by the middle of April it was reported that of the 117 deputies, some sixty-four intended to stand as senatorial candidates, some thirty-five as candidates to the Lower House, and three as presidential or vice-presidential candidates.¹ Consequently, the lack of interest of many of the deputies in the proceedings of the Assembly (which had begun to cause grave concern during the final stages of the constitutional drafting period), developed into a serious problem at this time, with significant implications for the character of the actual deliberations.

In addition to the deputies' attitude, another important change in the nature of the Provisional Legislative Assembly (or the P.L.A., as the Assembly was henceforth known) was also discernible. Because the Assembly members were responsible for drawing up the electoral code (and thereby, for determining the basis of the electoral campaign and even of the vote itself), the role of the institution as a legal entity within the GVN hierarchy was greatly dramatized. While the importance of the delegates' new task was

clearly appreciated by the aspiring presidential, senatorial and Upper House candidates both within and outside the Assembly, it was of particular interest to those elements who represented the status quo. For them, the elections represented not so much an opportunity to achieve a long-aspired entrée into the political life of the Government as a very real challenge to the political influence they had enjoyed for nearly twenty-four months.

For this reason, the internal dialogue initiated at the outset of the deliberations on the draft Constitution was to continue throughout the interim period (ie., from the time of the promulgation of the Constitution to the date of the elections). This phase of the debate, although highly relevant to the deputies' progress on the draft laws, was expressed in a much more subtle manner than had previously been the case, however. Unlike the earlier sessions (when, on a number of occasions, a fairly sizeable number of articulate delegates had combined their forces to contest the generals' demands), during the interim period, the poor attendance of the deputies--and especially of the more outspoken members--considerably weakened their influence in the P.L.A.

The lack of cohesion of the opposition elements was further emphasized by the emergence of an important coalition with strong pro-Government sympathies. The predominance of this group, the Democratic-Alliance bloc (formed by the merger of its counterparts during the discussion on the minimum age of the future presidential candidates), was clearly reflected in the composition of the new Secretariat, elected on April 14; its members succeeded in instating their colleagues in half the important positions on the fourteen-man governing body.²

Consequently, it was by means of this bloc rather than by any direct intervention that the generals were able to make their influence felt in the P.L.A., and thereby, indirectly, on the nature

of the deliberations. By the same token, the GVN authorities were able to influence the Assembly's proceedings to a much greater degree than were the dozens of aspiring candidates also outside the institution, whose final decision to stand in the elections would likewise depend to a large extent on the regulations set down by the deputies.

The Electoral Laws

In his speech of April First, General Thieu had asked that the draft electoral laws be completed by the end of that month. Yet, partly as a result of the delay caused by the "Supreme Being" controversy and by the reorganization of the P.L.A. Secretariat, and partly, once again, as a result of their concern with their public image, the deputies did not begin work on this task until April 28.³ Despite the urgency of their undertaking, already at this time the attendance at the debates had begun to fall sharply; frequently as many as half of the total membership were absent, and by the end of any given session, even more. As suggested above, this facilitated the adoption of a number of provisions in the presidential electoral law, in particular, which (judging from the attitude of the Assembly as a whole during the previous months of often heated debate) might otherwise not have been passed.

The provisions in question were, of course, those which appeared to favor a priori the position of the de facto military authorities as opposed to that of their civilian contenders in the electoral campaign. First of all, as a result of the delegates' approving the "recommendation" of the generals that the vote be held early in September,⁴ the opportunity of lesser-known civilian presidential candidates to make their positions known to the rural electorate would be considerably curtailed. Moreover, the period during which the deputies themselves would continue to exercise

legislative powers was thereby reduced to a minimum.

Secondly, in defining the presidential qualifications, the P.L.A. decided that in addition to anyone who had shown "pro-neutralist or pro-Communist" tendencies, "those military men or Government functionaries who have been either discharged or forced to resign from their posts" would also be automatically disqualified as prospective nominees. This provision would undoubtedly apply to a number of ill-fated Nationalist personalities who had been the political casualties of the numerous Government change-overs in the Republic since November, 1963.⁵

Thirdly, the important issue of the status of Government officials (which might have posed severe restrictions on the campaign of any one of the incumbent generals) was also eliminated with surprisingly little debate. Although military personnel and civil servants would be required to "apply for a long-term leave without salary" during the campaign, high-ranking officers and top officials were to be exempt from this provision--on the grounds that their resignation would "endanger the state of the nation".⁶ Consequently, even though the ruling general who stood as presidential candidate would be on leave from the Army (which, at least in theory, was already the case), he might retain his position in the Government, and thus have access to a whole range of unique logistic as well as political advantages during his campaign.

Further limitations on the candidacy of any oppositionist, non-military presidential aspirant were suggested by the deputies' decision to schedule the campaign from August 3 to September 3--a single month, and to require each ticket to deposit a "guarantee" of some 200,000 piastres.⁷ Even more significant was the P.L.A.'s approach towards resolving the decisive question of the percentage of votes necessary for a valid election. Despite considerable opposition within the Assembly, the Drafting Committee's proposal

that the slate polling the largest number of votes be declared duly elected was approved on May 8.⁸ Consequently, while the "opposition" vote would undoubtedly be splintered among the various civilian slates (as already at this time, at least a dozen civilian lists were rumored to have been organized), a single military candidate would, in a sense, stand unopposed.

The deputies' approval of a clause stipulating that all aspiring candidates would be required to obtain the "introduction" of at least thirty elected "representatives of the people" (ie., members of the P.L.A., the Saigon City Council, or provincial or municipal councils) in order to be eligible to stand in the election also provoked a good deal of controversy, both within and outside the Assembly. For once again, barely a month after the Supreme Being incident, the militant Roman Catholic leaders publicly accused the P.L.A. of attempting to secure a "monopoly" in nominating presidential candidates, and threatened to demonstrate their disapproval of the deputies' "spirit of irresponsibility".⁹ This time, however, a majority of delegates remained firm; after voting against amending the provision, the fifty-nine article draft was completed on May 14, ratified three days later, and then submitted to the N.L.C.¹⁰

While the generals were occupied with examining the draft presidential election law, the P.L.A. turned its attention to the task of drawing up the Senate regulations. One of the most important aspects of the organization of this election had already been determined by the Constitution: Senators were to be elected on a national rather than a local basis, and as slates rather than as individuals. Yet, despite the commendable intentions of this system (ie., to induce the formation of coalition lists which, it was hoped, would serve as a potential basis for nascent political parties, as well as to discourage "local interest" candidates), once

again, certain measures approved by the deputies suggested that its application would probably be more advantageous to those candidates associated with the authorities rather than those opposing them.

First of all, the delegates voted to establish a sixty-member Senate comprised of the representatives of the six most popular ten-member lists standing in the election. Their endorsement of a maximum number of lists and a maximum number of Senators would doubtless encourage a large number of candidates to stand in the election, and thereby contribute to an even greater splintering of the civilian vote.¹¹ As in the case of the presidential electoral law, the P.L.A.'s decision to limit the campaign to one month, and to require a substantial deposit by each list (with a sum of only some five million piastres allotted by the Government for campaign expenses), was expected to pose additional problems for the civilian opposition candidates. For the latter would have neither sufficient time to visit all forty-four provinces, nor, with few exceptions, access to sufficient funds to finance the transportation and other necessary costs for such an undertaking.¹²

The one issue on which the position of the deputies did differ considerably from that of the N.L.C. was the proposed date of the Senate election. Although the generals had already made clear their intentions to schedule the vote for early September, on May 19, the P.L.A. moved to postpone these elections until December 17; by the same token, the Lower House would be elected one month after the Senate at the earliest, rather than in September or October. The delegates would thereby remain in office at least until the end of 1967, and possibly until early 1968--ie., for an additional ten to twelve months, rather than for only five or six, as advocated by the Junta.

The generals' reply was not long in coming. On May 27, just

after the P.L.A. had initiated the final debate on the Senate electoral law, they were informed by the Chief of State himself that the N.L.C. opposed the revised dates of the Senate and Upper House elections. Indeed, in order to avoid the creation of a "political vacuum", as well as to promote "an economy of blood for the soldiers", Thieu advocated that the presidential and senatorial elections be held on the same day. He also stated his objections to the inclusion of Article Ten (on the candidates' endorsement) as "unconstitutional" and an "unnecessary limitation of the political rights of the citizen".¹³

Although the P.L.A. had undoubtedly anticipated the N.L.C.'s opposition to the issues in question, the situation was then further complicated by the fact that the deputies were unable to agree on the nature of Thieu's message (ie., if it was intended simply as a recommendation or whether it was meant to be an actual veto). Not until mid-June (nearly two and a half months after the discussion on the presidential electoral law had been initiated), was the issue finally resolved. After much debate both within the Assembly and between the deputies and the N.L.C., the P.L.A. members acquiesced.¹⁴ September 3 was approved as the date for the presidential and the Senate elections, and the controversial Article Ten was rescinded.

By this time, the deputies had completed their preliminary discussions on the Lower House draft electoral law. In addition to approving the establishment of a 137-member body, comprised of candidates standing as "individuals from separate constituencies no larger than provinces", the deputies decided to reserve a number of seats for the ethnic minorities of South Viet-Nam in order to assure them a certain representation within the highly diversified legislature.¹⁵ Once again, the problem of the date of these elections caused some concern; although early in June the P.L.A. had

voted to schedule the elections for December 17 instead of during the early part of 1968, this date was later changed to November 5. Finally, after the forty-four article draft law (approved by the P.L.A. on July 11) had been submitted to the N.L.C. for promulgation, on August 1 it was announced that in accordance with General Thieu's request, the vote would be advanced to October 22, 1967.¹⁶

While the attitude of the deputies towards the task of drafting the electoral laws had often seemed desultory, their approach to the problem of drawing up a code regulating the press and the organization of political parties appeared even less inspired. The completed preliminary draft of the press code (of which one of the most significant provisions, Article Twenty, stipulated that during the presidential campaign only those articles "harmful to personal honor and security of national defence" might be censored) was not submitted to the P.L.A. for discussion until the end of June. Then, after several weeks of inconclusive debate, on August 10, the Assembly suddenly announced that as the deputies could not even muster a quorum on the issue, the sessions would be disbanded until after September 3.¹⁷ As the First Vice-Chairman Nguyen huu Thong explained, although the delegates regretted that the code would thus remain incomplete, by this time they were either already busily campaigning, or were just "not very interested" in legislative affairs any more.¹⁸

Pre-Campaign Politics

Indeed, for the past several weeks, the political manouvering staged within the Assembly building had been overshadowed by the hectic activity outside the P.L.A. This period--particularly from mid-June until the latter part of July--was to prove crucial to the course of the forthcoming vote. For (as was the case in the elections of September 11, 1966), although the presidential and

Senate campaign were not officially opened until August 3, by the beginning of that month, not only the candidates, but the issues, and to a certain extent, even the balloting itself had been largely predetermined.

This situation resulted primarily from the nature of the elections as a sophisticated political exercise, organized and controlled by the Government, in order to determine which Nationalist elements were legally to represent the GVN electorate. For although the actual electoral campaign was focused more on personalities than on policies, the prospect of a national vote did pose a very fundamental political issue in view of the fact that it represented a challenge to those individuals defending the status quo by those seeking to substitute an alternative polity. This issue, of course, was that of military versus civilian rights.

The threat of such a confrontation of interests was certainly not a new element in South Vietnamese politics. Yet, it was particularly relevant at this time. For while most of the civilian aspirants insisted that the only way to "reinstate democracy" was to reinstate civilian rule, the generals were quite obviously convinced that the future of the anti-Communist struggle (political as well as military) depended on the role of the Armed Forces as the vanguard of national unity.¹⁹

Much of the recent politicking had been inspired by the sudden decision of a large number of civilian personalities (most of whom had been uninvolved in GVN politics for some time) to stand as presidential candidates. Already in mid-February, some six civilian presidential tickets had reportedly been formed. This number steadily increased during the subsequent weeks; as many as thirty-two political figures were mentioned as possible candidates for the nation's highest office alone. The fact that such an impressive number of South Vietnamese had decided to participate in

the election was considered by some as proof of a genuine and wide-spread interest in the campaign. At the same time, however, it was equally a reflection of the highly splintered Nationalist political forum of the country, and of the absence of any broadly-based "rice-roots" political organization which could assure a given candidate the support of a fairly large cross-section of the electorate.²⁰

In contrast to the splintered civilian factions, the military--at least initially--had been regarded as a highly cohesive and well-disciplined political force. In fact, such was not the case. For once the authorities were diverted from the task of preserving their actual power to the acquisition of power by vote, the "khaki party", like the civilian groups, was confronted by a variety of formidable threats--from within its ranks as well as from without. It was through their approach to resolving these problems that the real basis of the elections as "fair and free" was decided.

The first concern of the generals was naturally that of the organization of the military ticket itself. Despite their initial reluctance to admit their intentions, the probability that either Thieu or Ky would stand as presidential candidate had, of course, been assumed since the initiation of the Constitutional Experiment. By the end of March, however, although each promised to endorse the other's decision to stand as representative of the Armed Forces, both men had begun to devote serious attention to building up a personal following. This greatly encouraged speculation of the intensification of a long-standing rivalry between the flamboyant Prime Minister and the much more reserved Chief of State--a rivalry that had surfaced on numerous occasions in the recent past, and most notably, during the N.L.C.-Assembly confrontation in mid-March.²¹

Although the two generals denied rumors of an impending split,

the tension was further exacerbated when Ky launched a number of well-calculated maneuvers obviously designed to strengthen his chances of winning the candidacy and to tighten his control on the election apparatus.²² Finally, four days after General Cao van Vien, the Minister of Defence, announced that the Armed Forces Council would not (as had been anticipated) select any one military candidate as its official representative--but that the decision would be left to the two generals themselves,²³ on May 12, Ky publicly stated that he would stand for the presidency.

The Prime Minister's declaration by no means resolved the conflict. For although Ky implied that his decision had in fact been approved by General Thieu,²⁴ he had evidently underestimated the latter's determination; some ten days later, the Chief of State's Office confirmed reports that Thieu himself would also stand for president.²⁵ While this unexpected impasse provoked a good deal of consternation in both official American and ARVN political circles, neither general was deterred by the prospect of the other's candidacy. Indeed, encouraged both by the direction taken by the P.L.A. in its deliberations on the presidential electoral law and by the apparent inability of the civilian elements to organize any sort of cohesive opposition movement, the two generals began preparing for the elections in earnest.

During the next six weeks, Ky, in particular, virtually dominated the South Vietnamese political scene. Indeed, in his enthusiasm, he not only maintained a firm hand on the application of press censorship, but unabashedly declared that if a "pro-Communist or neutralist" civilian won the election, "I am going to fight him militarily. In any democratic country you have the right to disagree with the views of others."²⁶ His obvious infringement of the electoral law provoked a loud outcry from the civilian candidates, who protested strongly against what they termed "open and

unfair electioneering" before the campaign had even been officially opened.²⁷ The American Mission (which had until this time taken considerable pains to assure its detachment from the campaign) was also reported to have attempted to put a halt to Ky's unethical behavior. Moreover, the generals of the Armed Forces Council once again felt obliged to intervene.

On June 27, both Ky and Thieu reaffirmed their decision to stand, and announced their respective choices for vice-presidential candidates.²⁸ Then, on June 30, to the considerable surprise of everyone (no less of Ky himself), after three days of acrimonious meetings, the A.F.C. announced that the Prime Minister had decided to step down, and that he would stand as vice-presidential candidate on the military ticket headed by General Thieu. Apparently, the members of the Council, concerned by what Thieu condemned as "improper campaigning" by his colleague, had decided to rally behind the Chief of State and thereby compel Ky to abandon his plans to stand for the presidency.²⁹

But although Ky's capitulation seemed to have averted the development of a real crisis within the Army ranks, the generals were confronted by yet another serious challenge to the "unity of the Armed Forces"--this time posed from without. Already in April, rumors had begun to circulate in Saigon that General Duong van Minh was planning to return from political exile in Bangkok to stand in the presidential race. As one of the most popular Nationalist personalities and a Southerner who could command support in the heavily populated Delta, among the militant Buddhists, and within the rank and file of the Armed Forces, he would doubtless be a serious contender in the campaign. Indeed, although the Junta persistently denied these reports, and even implied that Minh's reentry would not be permitted on the grounds that his presence in South Viet-Nam would pose a "threat to security",³⁰ on July 1,

the P.L.A. announced that it had approved Minh's preliminary application as one of seventeen joint presidential slates.³¹

The results of the P.L.A.'s preliminary screening posed still another serious problem for the Junta: the possible candidacy of Ky's former Minister of Economy, Au truong Thanh. Unlike Minh, Thanh enjoyed no real political following. The challenge he presented was due rather to his decision to campaign on an issue which he referred to as "the dearest and oldest aspiration of the whole Vietnamese people: to end the war".³² Convinced that a military victory was impossible, Thanh advocated both an immediate bombing halt and direct negotiations with the N.L.F. As the Government had so far not only strongly opposed an end to the bombing but had tenaciously refused to recognize the existence of the Front (much less any possibility of engaging the latter in peace negotiations), it appeared that Thanh's program might indeed, as he contended, "give the voter a real choice", by transforming the election into a genuine national referendum.

Not surprisingly, the generals' response was almost immediate. On July 5, one of the members of the Democratic-Alliance bloc filed a petition with the P.L.A. Electoral Committee demanding that Thanh be eliminated as presidential candidate "because he is a Communist".³³ Two days later, a national police spokesman charged that he had belonged to neutralist-pacifist organizations in the past, and had played an active role in a "Communist intellectual proselytizing committee" in Saigon.³⁴ Although Thanh bitterly denied these allegations as part of a "smear campaign" inspired by the Junta in order to discredit him as a prospective candidate,³⁵ the generals' dilemma was neatly resolved a fortnight later. On July 19, the P.L.A. announced that on the basis of the recommendation of the Special Electoral Committee, seven of the original seventeen presidential tickets had been invalidated; listed among

the disqualified slates were both the Thanh/Huyen and the Minh/Lieng tickets.³⁶

As a whole, the remaining ten civilian presidential and vice-presidential lists were represented by a collection of middle-aged, middle-class Saigon conservatives, who, with three possible exceptions--the Tran van Huong/Mai tho Truyen slate, the Phan khac Suu/Phan quang Dan ticket, and the Ha thuc Ky/Nguyen van Dinh slate--appeared to be largely dependent on a small personal following rather than on any relatively influential political organization for support.³⁷ Yet even these three lists would obviously be unable to claim as widespread popular support as the Minh ticket would have done.

Indeed, the equivocal political status of these politico-communal interest-oriented spokesmen seemed to be emphasized to an even greater degree when contrasted to the now consolidated Thieu-Ky slate. For although it had initially been assumed that the military representative would stand with a civilian vice-presidential candidate in order to demonstrate what Thieu himself had termed the "need for military-civilian cooperation",³⁸ the compromise ticket had significantly polarized the character of the election, leaving the civilian candidates to face an even more formidable opposition than anticipated.

Nor did this imbalance of forces lie solely in terms of the disproportionate ratio of civilian to military candidates. In sponsoring the elections, the latter were naturally aware that they had committed themselves to an undertaking which would be considered highly ambitious in any developing Third World nation, much less in one ravaged by war. At the same time, however, both the generals and their opponents doubtless realized that their task would be greatly facilitated by the degree to which the administrative and political life of the country had become mili-

tarized as a result of the constantly expanded war effort.

The extent to which Thieu and Ky would be able to influence both the execution and the outcome of the vote in their dual role as the representatives of the single military ticket and as the nation's ruling authorities had already been clearly demonstrated. Indeed, as a result of the recent events, it was argued that the vote, despite the best intentions of all concerned, would prove less a demonstration of popularity than of power. By the same token, in view of the impressive political advantages to be enjoyed in the campaign by the generals,³⁹ the problem of the elections being "rigged" seemed more an academic question than a real threat.

The Official Presidential Campaign

On August 3, the presidential campaign was formally opened. Despite the impressive electoral activities scheduled by the Election Committee, however, it was generally agreed that as far as the issues of the campaign were concerned, the candidates would have little opportunity to outline their views in detail to the electorate.⁴⁰ In fact, although during the joint televised rally of August 3, several of the candidates did touch on the subject of the war, shortly thereafter, it became evident that the principal issue dominating the speeches was that of the campaign itself.

This situation arose from what was subsequently referred to as the "Dong Ha incident". On August 6, following a series of apparently accidental organizational oversights, the first joint rally, scheduled for Quang Tri, ended in a complete fiasco for the civilian candidates--who returned to the capital without having delivered a single word of their speeches.⁴¹ Greatly incensed, the following day the civilians demanded that the GVN officials accept the responsibility for the events at Dong Ha, and announced that they would boycott the campaign until their demands were met. Despite

the Government's efforts to appease them, the impasse continued for ten days before the civilians reluctantly agreed to discontinue their protest--even though they were unable to force the generals to acquiesce to any of their principal claims.⁴²

Finally, on August 16, the civilian candidates set out for Bien Hoa, the first stop on their greatly abbreviated campaign schedule. While most of the twelve rallies were sparsely attended, and while the candidates (with few exceptions) confined their remarks to vague generalities rather than to any concrete political program, nevertheless, the campaign still continued to attract considerable attention both at home and abroad. This was largely due to the fact that the civilian nominees seemed less concerned with emphasizing their political and administrative qualifications than with drawing attention to what they claimed were a whole series of serious misdemeanors instigated by the military candidates in order to "sabotage the campaign"---or, as one vice-presidential aspirant expressed it, to "transform the election into a legalization of the present Government".⁴³

Probably the most outspoken critic of the Thieu-Ky list was Truong dinh Dzu. Although the obstreperous lawyer had initially attracted little interest as a serious civilian contender, Dzu received a good deal of publicity at this time as a result of his fierce opposition to "these dictatorial militarists", as he referred to the generals.⁴⁴ Even more important were those charges leveled by the former Prime Minister, Tran van Huong. In view of his reputation as a man of considerable integrity and probity, Huong's accusations (coupled with threats to withdraw from the race unless the alleged excesses were immediately brought to a halt) seriously reflected on the credibility of the campaign.⁴⁵

The generals did attempt to impress upon the civilians that they too were sincerely concerned about guaranteeing a fair elec-

tion. These assurances, however, were undoubtedly intended less as a response to the other presidential candidates than as a reply to their critics outside South Viet-Nam. For already on August 11, as a result of the confusion arising from the well-publicized civilian boycott, a dozen American Senators had charged that the elections were being turned into a "fraud, farce, and a charade" by the Junta.⁴⁶ Less than a week later, one of these Senators called for a four-week postponement of the vote to give the civilian candidates "a real chance" and to restore public confidence in the electoral process.⁴⁷

The tension brought about by these charges and counter-charges was further intensified by the fact that the generals, despite their conciliatory remarks, continued to take an uncompromising stand against potential opposition elements. In addition to widespread political arrests,⁴⁸ shortly before the elections, three vernacular dailies were suspended for "indefinite periods" for having published "articles favoring the Communist line".⁴⁹ The campaign thus ended on as nearly discordant a note as it had begun. For although during one of the final rallies even Huong conceded that the last two weeks of the electoral activities had "unfolded normally" (if only because of the candidates' timely denunciations of Government abuses), he then directed his attention to the problem of "cheating at the polls".⁵⁰

Given the general emphasis of the military and civilian nominees, respectively, on the need to preserve stability in order to permit them to accomplish their projected programs, and on the past and present shortcomings of the Junta, the recent electioneering seemed to have contributed little towards any real dialogue between the aspiring candidates and the electorate as a whole. Nevertheless, during this period (and for the first time in many months), some meaningful communication appeared to have been estab-

lished between the various joint presidential slates themselves. For in addition to the usual platitudes on social justice and democracy, a number of highly relevant issues had also been brought to the foreground.⁵¹

Of particular significance was the fact that the campaign provided an impetus for the first public debate on the issue of peace. While none of the candidates, for obvious reasons, took as firm a stand on the problem as had Thanh, nearly all the major contenders did speak openly about the possibility--and even the necessity--of ending the hostilities; Dr. Dan, Dzu (who was referred to throughout the campaign as the self-styled "white dove" candidate, by virtue of his slate's symbol and his fairly comprehensive four-point peace plan), and even Huong advocated resolving the struggle by political rather than by military means.⁵² Indeed, this was very likely one of the most important factors influencing Thieu's sudden announcement on August 11 that he himself would attempt to initiate a bombing halt within ten days of his inauguration, should he be elected.⁵³

The Senate Campaign

While during the weeks prior to September 3 both the press and Vietnamese political observers focused their attention primarily on the personalities involved in the presidential campaign, at the same time a good deal of less publicized but equally important political activity was undertaken in preparation for the Senate elections, scheduled for the same date. Those individuals aspiring to seats in the newly-instituted legislative body--expected to function as a sort of training ground for future leaders and a forum in which national policy would be debated--were confronted by many of the same, and indeed, even more formidable problems than were the presidential nominees.

Prime Minister Ky's oft-quoted reference to the Senate election as a "national lottery" did in fact seem a valid remark in view of the electoral system outlined in the Senate electoral law. For given the limited appeal of the existing political factions in South Viet-Nam, organizing any slate which could draw nationwide support from the greatly splintered communal interest groups would undoubtedly prove no small task. The mechanics of the election further complicated the situation. With access only to limited resources and lacking an effective campaign base, most of the lists would be obliged to concentrate their campaign activities around urban centers, and would thus have little contact with the rural electorate.⁵⁴ The latter, on the other hand (of whom at least one million were illiterate), would be required to choose six among scores of unfamiliar slates.

Moreover, the character of both the candidates and of the issues (or rather, lack of issues) also inhibited the possibility of the Senate election functioning as a real national poll. Initially, the prospect of this race focusing on the question of genuine political alternatives had indeed seemed quite feasible; among the sixty-four slates expected to participate in the campaign, two lists allied with Thich Tri Quang were reportedly intending to stand on a peace platform similar to that espoused by Thanh. Yet, once again, by ruling to disqualify these lists on the basis of their "pro-neutralist tendencies", the Central Electoral Committee effectively eliminated the discussion of any "ideological" concerns.⁵⁵ As in the presidential campaign, considerable conflict did arise among the senatorial candidates themselves over the issue of military versus civilian interests.⁵⁶ Nevertheless, as one of the nominees himself stated, due to the elimination of the outspoken opposition elements, "winning is purely a matter of organization".⁵⁷

In light of the precedent established by the Assembly election of September 1966, and the earlier national elections of the First Republic, it was not surprising that the vast majority of the 480 senatorial candidates--most of them professionals or businessmen--were representative of a variety of elite, urban-oriented interests. Moreover, nearly as many were North Vietnamese refugees as were native-born Southerners. With few exceptions, they were also largely political unknowns.⁵⁸ In this respect, the Senate election--although in theory a highly sophisticated method of determining which of the various Nationalist interest groups would be seated in the Upper House of the Second Republic--hardly seemed likely to deviate to any appreciable degree from the accepted norm of politics in South Viet-Nam.

Yet, at the same time, the Senate campaign was important in affording an important insight into the workings of the GVN political system, and especially, into the effects the possibility of a realignment of power had on the various political organizations and factions of the Nationalist movement. As shown in Chapter IV, much of the intense political maneuvering begun already in the spring of 1967 had been inspired by the attempts of a number of senatorial aspirants to reactivate and reorganize groups with which they had once been affiliated, and to reassert a degree of political discipline over the membership of these organs. Others, themselves unassociated with any particular faction, had sought to join forces with the members of a ticket which enjoyed the support of one if not several organizations.

A third approach to the problem of building up a political base was that of forming a new group. Probably the most ambitious example of the "party-slate" idea was the "Toan Viet" (All Viet-Nam) Front, comprised primarily of Hoa Hao, Cao Dai, VNQDD, and Young Democrat elements. This coalition differed significantly from many

of the other South Vietnamese political organizations both in terms of the largeness of its composition and in the attitude of its leadership, who were enthusiastically committed to transforming their Front into a permanent political party as well as actively campaigning for Senate seats. Yet as far as the political platform of the Front was concerned, its founders admitted that they had formed the group to win power rather than to champion any particular political cause, and therefore had intentionally limited their policy remarks to broad generalizations in order not to alienate any of its members.⁵⁹ In this respect, the Toan Viet seemed to have been expressly modelled after many of its ill-fated predecessors.

As a whole, the forty-eight senatorial tickets represented most of the highly diversified and well-established religious, regional, ethnic and professional interests which at one time or another had attempted to exert their influence on South Vietnamese politics. Some of the lists were composed of the representatives of a number of different factions or socio-ethnic groups.⁶⁰ Others were dominated by the members of a single political or professional interest group,⁶¹ while a few were associated with one or more relatively prominent GVN politicians or civic leaders.⁶²

To what extent these loose coalitions would have any lasting effects on the eventual reorganization of the GVN hierarchy was, of course, a moot point. For the conglomeration of communal interests frequently characterized the members of a given slate as well as the slates as a whole. The paucity of ideological content of the campaign and the limited possibility of the candidates to make their views known to the electorate were also expected to increase the chances of the winning slates being comprised of a random selection of national interest groups who would probably be lacking any real legislative cohesion once seated in the National

Assembly.

Moreover, it seemed unlikely that the president-elect would be able to depend on a working majority in the Senate. For although several of the forty-eight lists were rumored to be associated with the various presidential candidates,⁶³ even these slates were identifiable only by a symbol which was similar rather than identical to that of their sponsor. Indeed, like the civilian presidential nominees, by September 2, many of the senatorial candidates were undoubtedly facing the prospect of the election with as much trepidation as optimism.

The Elections of September 3, 1967

On September 3, some 4,877,085 South Vietnamese, or 83.7% of the electorate, went to one of 8,821 polling stations to choose seven among the fifty-nine ballots each of them was handed--one presidential and six senatorial lists.⁶⁴ The outcome of the presidential election--conducted with little interruption⁶⁵--was largely as forecast: the Thieu-Ky ticket ranked first over the ten civilian contenders, six of whom had not even scored ten percent of the vote. Yet these results did reveal a number of unexpected features.

First of all, instead of the anticipated 40% (or even the "fully 65%" of the vote, as Ky had once predicted⁶⁶), the generals received only 34.8%. As the voting turnout represented only about one third of the total population of South Viet-Nam, and as Thieu had polled only one third of this number, as President, he would indeed speak for a very small percentage of the inhabitants of the country.⁶⁷ Secondly (and even more surprising), ranking in second place, with 17.2% of the vote, was the "white dove" candidate, Truong dinh Dzu.

Although considered the most popular civilian ticket, the Suu/

Dan list had claimed only 11% of the total vote, which (by virtue of the support of several Buddhist factions, among them apparently that of Tri Quang) was concentrated largely in I Corps.⁶⁸ The election returns were even more disappointing for the Huong/Truyen ticket. Despite their optimistic predictions, their slate ranked fourth, with a mere 10% of the vote; only in Saigon did the list win a plurality.⁶⁹ The remaining civilian candidates, with a few minor exceptions (eg., the Ky/Dinh ticket, although polling only 7% of the total vote, did rank third in Central Vietnam), had been even less successful.⁷⁰

Both Suu and Huong, and possibly Ha thuc Ky, would have undoubtedly attracted a much larger percentage of the votes had it not been for the unanticipated popularity of Dzu, who placed first in four provinces and second in twenty others. Although his success was attributed by some to his recent vitriolic attacks on the generals as well as to his modified peace proposals, in fact, the civilian candidates had only been able to reach a relatively small portion of the electorate during the campaign--whereby only a fraction of the voters would have been aware of his personal political convictions. Consequently, it seemed likely that in the provinces, especially, his symbol (the white dove of peace) had been the primary attraction.⁷¹ At any rate, the implications of the split civilian ballot, as well as of the P.L.A.'s decision to oppose a run-off election, were clear.

While certain aspects of the presidential vote caused some surprise and concern in Saigon, the Senate election provoked considerably more speculation, and even dismay. The announcement of the final results (preceded by a good deal of confusion due first to delayed reports from the provinces and subsequently, to certain alterations made in the list of elected slates⁷²) revealed that a large number of the candidates of four of the six winning

tickets were Roman Catholic. Moreover, the majority of the members of one of these lists, in addition to several candidates of the other slates, had formerly been active in Diem's Cao Lao Party--although this organization had played virtually no role in Nationalist politics since the 1963 Revolution.

As predicted, the Farmer-Worker-Soldier Slate of General Tran van Don polled the highest number of votes, ranking first in twenty-three of the fifty voting districts.⁷³ In second place, however, stood the Lily Slate, composed primarily of Southern Catholic laymen and former Diemists.⁷⁴ In third place ranked Nguyen gia Hien's Bright Star Slate, which featured North Vietnamese Roman Catholic refugees and members of the LLDDK; followed by the predominantly Can Lao Vietnamese Sun list of Major-General Huynh van Cao; and finally, by the fourth Catholic slate, headed by Tran van Lam.⁷⁵ In sixth place was the Dai Viet Cach Mang ticket of Nguyen ngoc Ky; by virtue of its association with Ha thuc Ky, this list was the only one of the six which was considered by some as openly opposed to the Government.⁷⁶

In the past, the Catholic groups had taken a consistently strong anti-Communist line, and had also supported the N.L.C. in its efforts to quell the disturbances incited by the militant Buddhists. At this time, however, it was not clear to what extent the President-elect (albeit himself a Roman Catholic convert) would be able to depend on their cooperation in the future in promoting his policies. The outcome of the Senate election was undoubtedly particularly disappointing for General Ky, who had, reportedly, been counting heavily on a sympathetic Senate to strengthen his relatively subordinate position as Vice-President.

The significant Catholic-Can Lao victory thus clearly exposed the organizational, and in a sense, political weaknesses of their Nationalist political competitors. Not only the splintered fac-

tions of the long-established Nationalist parties, but even more important, the newly-organized broadly-based political organs (such as the Toan Viet), had all proved unable to rally their forces as effectively as had the Catholics. Indeed, Nguyen gia Hien (spokesman for the Bright Star Slate) himself explained the unprecedented success of his group as simply the result of "the extreme division of our opponents".⁷⁷

Conclusion

Initial reports of the election results naturally encouraged a great deal of discussion both in Saigon and in Washington as to the implications of the vote regarding the ostensible objectives of the polling exercise--ie., to rally the people behind a government which (by virtue of its broadly based authority) would be capable both of disproving the N.L.F.'s claims to legitimacy and of resolving the war. Yet, for many South Vietnamese, the outcome of the September 3 election posed a much less hypothetical and even more urgent problem. The presidential and senatorial votes represented the culmination of several months of intensive preparations for the institutionalization of politics in the Second Republic. But although in its various stages this process had been legally formalized (most notably through the drafting of the Constitution and subsequently, of the electoral laws), it still reflected a critical lack of a representative consensus.

During the course of the electoral campaign, as a result of certain alleged and some very real inconsistencies committed or condoned by the disproportionately powerful military, a number of formerly influential Nationalist leaders and even whole factions had become increasingly frustrated by what appeared to be their political impotence. Indeed, their concern about the pos-

sibility of their being decisively alienated from the political forum (ie., an access to power), seemed to have been realized by the victory of the generals, as presidential and vice-presidential candidates--and also of the Roman Catholic-Can Lao contingent in the Senate body.

The newly-elected GVN spokesmen did indeed represent a serious imbalance of forces within the Nationalist movement--an imbalance most acutely felt by the defeated presidential candidates and by those most sensitive to the presence of the Catholic minority in the Upper House, as a threat to their own political influence in the future. They, in particular, did not feel that the transformation of the government of the Republic from a self-installed military junta to a properly elected and instituted authority could be considered complete.

Having been defeated in the actual elections--whereby their opportunity to gain a direct entrée into the GVN hierarchy had been sacrificed, the dissident elements were to resort to other means to impress upon the winning candidates that their success was not yet an established political fact. By the same token, the process of the formalization of the political hierarchy in the Republic thus entered into still another (and in a sense, even more critical) period than that of the recent elections. It is with this final phase that the concluding chapter is concerned.

CHAPTER SIXTHE CONCLUDING STAGES
OF THE CONSTITUTIONAL EXPERIMENT

While American officials were lavish in their praise of the September 3 vote as "free and fair", their remarks were the subject of considerable dispute. In fact, it was widely contended that the significance of the balloting as dramatic and visible proof of the arrival of democracy and responsive government in South Viet-Nam had been greatly over-emphasized in Washington and in Saigon. Western political observers attributed what they criticized as the unwarranted stress and publicity of the elections partly to the Americans' failure to judge the proceedings on local standards and partly to their determination to appease anti-war feeling in the United States.¹

Even more significant was the dissension which arose from various elements of the South Vietnamese Nationalist movement itself at this time. As shown in the preceding chapter, already during the course of the campaign, some of the more vociferous critics of the Saigon regime had argued that the expected military victory would contribute little to stabilizing the tenuous political situation in the Republic. Rather, they contended, the generals' election would only give further impetus to the undercurrent of discontent, which, during the past several months, had been broadened and intensified by the controversial attitude and behavior of the GVN authorities.

Indeed, Thich Tri Quang's prediction that the election would be followed by "an explosive three months" was to prove less hypo-

thetical than the American and GVN officials had naturally hoped.² On September 4, even before the official results had been compiled, Suu revealed that seven of the ten civilians had lodged a protest with the P.L.A. against the "fraudulent" vote. Nor did they confine their protest to this formalistic challenge. At the same time, it was also announced that the defeated presidential nominees had decided to join forces to form a political opposition movement.³

The position of the dissidents was greatly strengthened by a number of developments which transpired during the next several days. First of all, they were doubtless encouraged by reports of a wide range of alleged irregularities in the elections--which cast further doubts on the already somewhat dubious mandate of the generals.⁴ The prospect of an intensification of the political rivalry between Thieu and Ky afforded the protesters a second reason for optimism.⁵ For the first to benefit from any real conflict arising between the newly-elected executive officials would naturally be those same individuals who had recently been defeated in the presidential race.

Third and even more crucial was the fact that the civilians' sense of frustration and of alienation was evidently shared by certain other Nationalist factions as well. These elements not only objected to what the disheartened presidential nominees referred to as the illegal assumption of power by the generals. Equally important, they seemed greatly concerned by the disequilibrium of power within the Nationalist movement resulting from the radical shift of political authority in favor of the Roman Catholic-cum-Can Lao minorities in the Senate.

Once again, foremost among the disconcerted political groups ranked the militant Buddhists. Highly incensed by the elimination of their partisans from the Senate race and by Thieu's decision to sign the Vien Hoa Dao charter, shortly after the elections their

spokesmen had announced that they would take "all necessary measures to insure our success and our survival".⁶ Not surprisingly, as during the unrest of the spring of 1966, the Buddhists' accusations were supported by a second highly politicized group, the students of South Viet-Nam.⁷

The civilian candidates seemed well aware of the need to join forces with these dissident factions in order to organize a viable united opposition front. Consequently, while continuing to direct a well-publicized barrage of criticism against the election procedure, they set about initiating a series of less newsworthy but politically significant contacts with the Buddhists and student activists, as well as with a number of disappointed senatorial nominees. By September 14, the defeated presidential candidates apparently felt that they had been able to consolidate sufficient strength to enable them to take a much more direct line of action; at this time, the newly-founded "Democratic Front" was formally introduced.⁸

Although the generals had done little to counter the charges pressed by the protesters, with the appearance of the new Democratic Front, they doubtless realized that the opposition forces might constitute a genuine threat. Given the fact that the executive leaders were no longer acting as representatives of a self-installed military junta, but as elected spokesmen of the GVN electorate, their access to a whole range of constitutionally-derived legal and political prerogatives assured them a highly advantageous position in the dispute. Yet, in attempting to cope with the concerted challenge posed by the nascent opposition movement, they still resorted to many of the frequently unnecessarily severe tactics exercised in the past. Indeed, in acting to quell the unrest by suppressing its manifestation rather than by recognizing the need to resolve its fundamental causes, the generals themselves played a significant role in the subsequent development of the protest.

Having attempted to deprive the movement of its publicity, by tightening the relaxed censorship regulations, the authorities launched a campaign to silence the potential opposition leaders. Rumors that Truong dinh Dzu, the second most popular presidential nominee and the Democratic Front's spokesman and founder, had been supported in the election by the N.L.F. began circulating in the capital shortly after September 3. Then, on September 11, Dzu received a summons to appear in court to answer to a series of charges of fraud and embezzlement which had originally been lodged against him some four years earlier.⁹ Moreover, on September 22, shortly after troops in DaNang and Hue had been alerted as a precaution against the growing unrest in these cities, Au truong Thanh, the ill-fated presidential aspirant, was apprehended by General Loan.¹⁰

Despite the military leaders' efforts to put down the incipient unrest, the situation continued to deteriorate. This was partly due to what seemed to be a realization of the civilian candidates' anticipation of the development of a political struggle within the Government hierarchy itself, and of the effects this internal conflict would have on the N.L.C.'s ability to deal with the Democratic Front movement. For at this time, both Ky and Thieu still appeared intent on expanding their own power base--each at the other's expense.¹¹

In fact, by the third week in September, this rivalry had increased to a point where it not only facilitated, but in a sense, directly promoted the activities of the protesters. On September 24, the first of a series of massive anti-Government demonstrations were staged both in the capital and in Hue and DaNang.¹² Because up until this time all public protests had been prevented by the officials, it was mooted that Ky and his aides had now decided to allow the dissidents to voice their opposition to Thieu's election

with the hope that the President-elect would thus be compelled to concede to the former Prime Minister's demands.

The September 24 demonstrations were thus recognized as a significant indication of the extent to which the political infighting of the executive branch was to impede the establishment of a new administrative and political working order. Equally noteworthy, these protests reflected an important shift in the attitude of the leadership of the anti-Government forces themselves--and particularly, of the Buddhists. For as of this time, the bonzes took a much more militant (and obviously politically-motivated) stand vis-à-vis the authorities.¹³ Indeed, on September 28, the day before the P.L.A. Special Electoral Committee was to begin its final discussion on the election dossiers, the largest protest march since June, 1966, was staged in Saigon--not by the students nor by the Buddhist lay followers, but entirely by the religious disciples and their leaders.¹⁴

Having publicly committed themselves to an open confrontation with the generals, the Buddhists employed many of the same tactics used by the founders of the Democratic Front movement to strengthen their position. By directing their accusations primarily against General Thieu, rather than against both the President and Vice-President-elect, they undoubtedly hoped to further exploit the tension between the two executive officials. At the same time, this approach was probably intended as a means of encouraging Ky to continue to allow the organization of protest demonstrations.

Secondly, the Buddhists relied on their strongly nationalistic, almost xenophobic appeal as a means of rallying popular support. Indeed, their image as genuinely representative spokesmen of the Vietnamese people was further emphasized by their ability to capitalize on what appeared to be a recent resurgence of anti-American sentiment in South Viet-Nam.¹⁵ For it was generally recognized that a

serious anti-American campaign might prove highly effective in affording a sort of common emotional unity for opposition groups which otherwise had few mutual objectives. By the same token, it was one of a limited number of issues which would almost certainly provoke a response from many Vietnamese unassociated either with the students, the politicians, or the militant bonzes.

By September 29, the protests had reached a point of near-hysteria. The Government, in turn, responded by taking equally provocative measures to stifle the unrest. The center of Saigon was barricaded in order to prevent the Buddhists from assembling before the Independence Palace (where Tri Quang was staging a sit-down protest), and several student leaders were arrested. Finally, the authorities again sought to undercut the opposition forces not only by discrediting their militant civilian spokesman, Truong dinh Dzu, but by simply eliminating him from the political scene. While en route to the Assembly to attend the opening session of the P.L.A.'s decisive debate on the validation procedure, the obstreperous lawyer was apprehended by the police and taken into custody.¹⁶

The Validation of the Election Results

GVN officials were undoubtedly justified in assuming that much of the violent agitation had been timed to coincide with the final debate of the validation of the presidential elections.¹⁷ Although this step was generally considered to be primarily a formality, the recent activities of the deputies (a majority of whom were reportedly actually opposed to recognizing Thieu's victory)¹⁸ had obviously provoked considerable anxiety among both GVN and American officials. Indeed, rumors that the nineteen-member P.L.A. Special Electoral Committee intended to recommend that their colleagues invalidate the vote were confirmed on September 29, when the former decided to suggest that the election results be annulled due to "a

pattern of fraud".¹⁹ Six hours later, the Assembly convened to act on the Committee's recommendation.

On October 1, while inside the P.L.A. the delegates continued their debate, outside, the entire South Vietnamese police force, reinforced by squads of riot-control police, stood guard. Evidently Ky had decided to put an end to his tacit encouragement of the unrest before his forces lost complete control. Yet tension increased, largely due to rumors that during the preliminary voting, a majority of deputies had decided to support the recommendation of the Special Committee.²⁰ Encouraged by these reports, the following day the protesters consolidated their adherents in a final effort to impose their will upon the P.L.A.--and clashed with hundreds of armed police in one of the most fierce confrontations to date.²¹ Indeed, only a few hours before the Assembly was scheduled to take the decisive vote, the whole electoral process appeared to be on the verge of collapsing.

Yet once again, at the last possible moment, the rebel deputies conceded to the authorities. Shortly before midnight, and by a very narrow margin, the Assembly members voted to validate the results of the presidential election.²² Few political observers were genuinely surprised by this sudden switch of policy, however--despite the earlier and apparently resolute intentions of a majority of P.L.A. delegates to oppose the results on the grounds of the impressive number of irregularities uncovered by the Committee's examination. As in the case of the electoral laws, the screening of the joint presidential and senatorial tickets, and in several instances, of the Constitution itself, while strongly opposed to the military authorities' position, the deputies were only too well aware of their own limitations. For the generals not only enjoyed the legal prerogatives of power; even more important, they represented the most effective political force in the country.²³

The P.L.A.'s final decision naturally posed a serious dilemma both for the leaders of the Democratic Front and for the student dissidents, given that their main claim to the right to act as spokesmen for the Vietnamese people--the fact that the September elections had been "rigged"--had been rejected by the deputies. The Buddhists, however, did seem determined to continue their anti-Government campaign, contending that the events of October 2 had no effect on what they insisted was their primary grievance: the issue of the charter. But despite their militancy at this time, it was evident that the strength of the opposition forces was rapidly ebbing.²⁴ Indeed, after initiating several futile attempts to force the authorities to meet their demands, on October 10, Tri Quang abandoned his lonely thirteen day vigil outside Independence Palace, and declared that he was finally ready to give the N.L.C. the opportunity to "realize its promises".²⁵

The Buddhists' unexpectedly conciliatory attitude appeared to have been induced by a variety of circumstances. First of all, the bonzes obviously realized that despite the recent manifestation of strength by the various dissident elements, the latter could in fact command the allegiance of only a fraction of the population. This was doubtless due primarily to the fact that both the Democratic Front and the Buddhist protest movement had been similarly limited in scope, motivated more by a negative reaction to the exaggerated politico-communal sentiments bared by the September elections than by any viable political program.²⁶ Moreover, although relying on highly controversial means to crush the disturbance, the authorities had once again successfully outmanouvered their political rivals, at least for the present.

Yet, in spite of the obvious shortcomings of the anti-Government campaign, Tri Quang was undoubtedly encouraged by a number of developments which suggested that his protest effort had in fact

yielded certain tangible and much more positive results. While failing to realize his long-term objectives (ie., to forestall Thieu's assumption of power), he had been able to achieve several of his more immediate concerns. Firstly, although the P.L.A. had voted to validate the presidential election returns, their deliberations clearly revealed that a substantial number of deputies supported the demonstrators' charges of a fraudulent vote--and thereby served as a warning to the Government that the political issues at hand had not yet been adequately resolved.

Secondly, and equally significant, the Government had been compelled to admit their mistake in attempting to isolate the militant Buddhist faction by recognizing Tam Chau's moderate branch as the official Buddhist Church. Although the issue of the charter had not yet been settled, for the first time in nearly three months the authorities seemed ready to seriously consider Tri Quang's demands in order to arrive at a compromise solution acceptable to all concerned. Furthermore, the Buddhists had apparently been able to capitalize on the wider ramifications of the religious dispute. For while the charter did represent a legitimate grievance of the militant bonzes, it also had served as an opportune means of reawakening the political consciousness of the Buddhist following as an antidote to the Senate elections.

By the same token, the bonzes' concern with directing the protest towards secular as well as spiritual ends had evidently been motivated by more than their understandable objections to the establishment of the Roman Catholic-Can Lao-dominated Senate. While the Buddhists had remained largely uninvolved in the recent electoral campaigns, in view of the outcome of the September 3 votes, the An Quang religious leaders realized that unless they could impose their influence on the one remaining elected institution--the Lower House--they would be completely alienated from the Government hier-

archy. Consequently, it appeared reasonable to assume that much of the Buddhist agitation had been intended as a means of insuring the bonzes an entree into the October 22 election--in terms of their proper candidates as well as of public sympathy for their representatives and partisans.²⁷

The Lower House Elections

Indeed, both the potential threat to the stability of the new regime posed by the religious activists and by the continuing dissension among the recently-elected officials themselves was somewhat alleviated (or rather, diverted) at this time by the prospect of the Lower House election. This vote--the fifth within fourteen months--attracted considerably less attention than had the previous exercise on September 3.²⁸ Yet, as suggested above, the balloting was of special importance for certain factions in that it represented the last opportunity (at least for the next three years) to re-establish some sort of balance of forces within the Nationalist movement. Not surprisingly, as a result of the recent protest, the Lower House campaign witnessed the unprecedented participation of the militant Buddhist contingents and their radical left-wing associates.²⁹

The Buddhists' enthusiasm seemed to have a considerable effect on the attitude of a number of other groups--most notably the Roman Catholics and the military authorities--towards the possibility or even the desirability of playing an influential role in the pre-electoral activities. Their somewhat unexpected lack of concern with preparing for the vote was, of course, probably attributable partly to the fact that their interests were already well-protected by the Senate and the executive branch. Nevertheless, as one of Thieu's aides was reported to have admitted, due to the anti-Government agitation, "a public endorsement by the General would get our

choices defeated, so it's not worthwhile".³⁰

Despite the seemingly somewhat subdued approach of these particular elements, the challenge of the forthcoming vote did induce a positive response from a variety of aspiring South Vietnamese politicians. The significance of the fact that for the first time, an electoral campaign was to allow the expression of such a broad range of ideological considerations--from the Trotskyite left to the extreme right--was reflected in the number of actual candidates who decided to stand in the election. Of some 1,650 individuals who originally announced their candidacy, some 1,240 were approved by the Central Electoral Committee.³¹

In other respects, however, the prospective representatives were as suspect as their Senate colleagues in their claims to speak for the nation as a whole. Once again, the vast majority of Lower House nominees were middle-aged, urban bourgeois; nearly half were North Vietnamese refugees, and few enjoyed a nation-wide political reputation.³² The fact that each Representative was to be elected by his local constituency rather than on a national basis suggested an additional barrier to the creation of a fairly homogeneous and widely representative legislative body. Indeed, due to the elite socio-professional characteristics of the candidates, in addition to their preoccupation with provincial issues rather than with national policy, the electoral campaign itself was widely regarded as a "lackluster affair".³³

The actual voting on October 22 was similarly staged without much of the drama of the preceding election. Only some 4.3 million voters, or 72.9% of the electorate, cast their ballots; in the capital, a mere 57.8% turnout was recorded.³⁴ Nor did the N.L.F. (having largely ignored the pre-election activities) make any real effort to disrupt the polling exercise. As predicted, most of the diverse and complex political groups active in GVN politics were

represented in the 137-member House by anywhere from twenty to half a dozen individuals. Moreover, the fact that nearly half the seats had been won by soldiers and civil servants was recognized as additional evidence of the highly influential role of these Government employees in the political life of the country.

Yet, in another sense, the vote was highly significant to the democratization process. Unlike any election held in the Republic since her independence in 1954, these returns reflected not only the various socio-religious, regional, ethnic, and professional interests of the Nationalist elite, but their purely political credos as well. Granted, virtually none of the elected candidates could claim to have sprung directly from the illiterate and uneducated South Vietnamese who comprised the large majority of the population. Nonetheless, the diversity of ideological convictions professed by the Representatives suggested that the established sociological, class, and even purely political qualifications upon which power in the Republic had hitherto been determined were not as sacrosanct as they had long been assumed to be.

By recognizing the equal political rights of certain communal interest groups previously excluded from the GVN administrative hierarchy because of their admitted anti-Government sentiments, the October 22 balloting acknowledged the infusion of a potentially radical political innovation--a legitimate opposition force--into the static and greatly restricted governmental system. At the center of this nucleus would doubtless figure the militant Buddhists; nearly a dozen of the bonzes' associates standing in the election (including both Ho huu Tuong and Nguyen thong Nho) had won seats in the new legislature.³⁵ Their influence would probably be strengthened by the support of a number of affiliates of the Phuc Mien group. Although unsuccessful in the Senate race, the Southern Nationalists (among them the former Assembly deputy Ly

qui Chung) claimed a similar number of seats.³⁶

At the opposite end of the political spectrum ranked many of the soldiers and civil servants who themselves comprised a majority of the candidates elected to the House.³⁷ The pro-Government Democratic-Alliance group, whose spokesmen had recently played such an influential role in the P.L.A., had likewise succeeded in securing at least twelve seats. Yet both the Farmer-Worker-Soldier faction and the Roman Catholic activists had proved much less strong than in the Senate vote, gaining only some ten and fifteen seats, respectively.³⁸ Among the approximately thirty to forty "independent" Representatives whose allegiance was still unsure were the Hoa Hao, the Cao Dai, the VNQDD, and the Dai Viet adherents--each forming groups of between five and ten members.

The nature of the political composition of the lower legislative body thus seemed to mark some movement towards a more representative approach to government than had previously been possible, or rather, permitted.³⁹ Still, as in the case of the new Senate, the political behavior of the House as a whole was difficult to predict at this time. The effectiveness of the opposition faction would, of course, depend both on the degree of cohesiveness and coordination of its own members and of the advocates of a decidedly pro-Government line.⁴⁰ By the same token, the impact of this branch on the other GVN institutions would undoubtedly depend to a large degree on the ability of the Representatives to withstand the debilitating effects of internal splintering and to rely on compromise solutions as an accepted mode of operations. Obviously, the increased diversity of interests would not necessarily contribute to the smoothness and ease of government in the Second Republic.

The Transition

The future role of the House, as well as of the Senate and the

other legislative and judicial organs created by the Constitution, would also naturally be greatly dependent on the attitude of the new executive authorities. A definite pattern of working relationships between these various branches was, of course, not immediately discernible. Yet within a fortnight after the October 22 election, most of those aspects indicative of the political and ethical nature of the new regime had been determined. For while many of the decisions taken at this time--such as the composition of the President's Cabinet and the general outlines of Government policy--would doubtless be altered and revised in the coming months, they were both historically and politically significant as a reflection of the authorities' initial approach to the problems of constitutional government and as an insight into the motivations of those exercising power in the Second Republic.

In addition to the various difficulties confronting any newly-elected executive on the eve of inauguration, the Thieu Government faced a number of formidable obstacles which stemmed from the particularly complex political situation in South Viet-Nam. For the generals were obliged to cope not only with the threat of a renewal of popular political discontent (particularly on the part of the Buddhists),⁴¹ and the fact that several of the previously influential civilian politicians were evidently unwilling to serve in the new GVN hierarchy,⁴² but also with the prospect of limited ministerial talent and an inefficient civilian bureaucracy. Moreover, Thieu's ability to exercise effectively his full constitutional powers as chief of state would evidently depend on his success in convincing his restive Armed Forces colleagues--and especially Prime Minister Ky--of the necessity of relinquishing much of the power they had accumulated during the past two years.

Indeed, just as the increasingly strained relationship between the President and Vice-President-elect had proved an important stim-

ulus to the development of the extra-parliamentary opposition movement, so was it to influence the formulation and execution of policy during the interim period. The impact of this discord on the officials' behavior was clearly reflected in their ambivalence towards a variety of reforms recently proposed by the Junta--and in several instances, at the admitted insistence of their American sponsors. Thieu did promise to enact measures to streamline the civil service, to ameliorate mobilization procedures, and to initiate a comprehensive military purge. Yet, it was naturally recognized that the ultimate success of the programs would depend on the close cooperation of the two generals and their respective aides and colleagues after the October 31 inauguration ceremony.⁴³

Even more important were the effects of the internal dissension on the new administration's approach to nation-building in the Republic in regards to the formation of the new Cabinet. The American officials, especially, were evidently greatly disappointed by the generals' decision to appoint Nguyen van Loc as Prime Minister.⁴⁴ For this choice had obviously been dictated less by the lawyer's political and administrative capabilities than by his qualifications in terms of a variety of "balance factors"--ie., by his representing civilian, Buddhist, and Southern interests in the executive branch. Furthermore, the fact that Loc was recognized as a close political ally of General Ky was regarded as evidence of some sort of forced political compromise between the two executive leaders, probably to the effect that in return for the privilege of naming the chief minister, Ky would withdraw some of his other demands.

By the same token, the twenty-seven member Cabinet presented by Loc on November 9 reflected a number of similar political motivations--and limitations. Comprised primarily of individuals associated with the previous military government, the Cabinet seemed

one of "technocrats" who possessed a certain bureaucratic competence rather than of "politicians" who might command any real political status. Indeed, although Thieu appealed to the ministers to form themselves into a strong government in order to "win the support of the people for a creative solution to the war", not a single significant opposition personality figured among the newly-appointed Cabinet members.⁴⁵

Nor did Loc's first formal "program of action", introduced on November 15, suggest that a new era of comprehensive and revolutionary political innovations and policies had been initiated. Despite the fact that the Prime Minister touched on a number of significant proposals and stressed the need for social and economic reform, as a whole, his program was regarded as less an exposition of priorities than a review of the gamut of desirables. Few passages of the six thousand word document were devoted to any definite remarks on those problems (such as corruption, warlordism in the four Corps regions, and disaffection among the various interest factions of the Nationalist movement) which in the past had proved the most fundamental sources of discontent--and thereby, a further stimulus to the expansion of the N.L.F. infrastructure. Nor did the plan seem to offer any cogent ideal which might make real political competition with the N.L.F. possible.⁴⁶

Both chronologically and politically, Loc's policy declaration represented the culmination of some eighteen months of concentrated efforts by the GVN authorities to restructure the legal as well as political foundations of the Republic. The significance of this plan of action was particularly striking when compared with a similar document issued by the N.L.F. Central Committee some two months previously, on the eve of the GVN presidential elections. Such a comparison seems especially relevant to an assessment of the Saigon program in view of the fact that the Front's platform, the

first issued since its establishment in December, 1960, had obviously been timed to coincide with the founding of the Second Republic.⁴⁷ For this reason, the September 2 plan was widely recognized not only as the response of the Resistance Forces to the Constitutional Experiment, but also as an alternative solution to resolving the problems confronting the two rival political organizations in their struggle for the "hearts and minds" of the South Vietnamese people.

Although Loc's program had been drawn up several weeks after the N.L.F. declaration, it was as a whole modest in comparison. First of all, while the Thieu-Loc administration could hardly be considered a government of national unity, the N.L.F. plan--like its effective historical model, the Viet Minh platform of 1946--laid particular stress on the necessity of consolidating all national interests (with the exception of a few "irreconcilable elements") under a large united front. At the same time, the Resistance program was astutely socio-democratic, nationalist, and gradualist rather than radically socialist insofar as its political philosophy was concerned; its drafters had taken obvious pains to appeal to as wide a range of interest factions as possible by promising something for everyone.⁴⁸ Equally important, the document also envisaged the elimination of the recently created GVN structures and a repetition of the constitutional drafting procedure, this time on the basis of a N.L.F. version of "democracy-building".

While it may be argued that many of the provisions of the September 2 declaration were intended primarily as propaganda, Loc's program, in contrast, appeared to be a much less serious effort to recognizing and resolving the crucial issues directly related to the direction and outcome of the war. Indeed, in this respect, the GVN plan seemed to reflect many of the political shortcomings and general lack of confidence of the newly-instated Nationalist offi-

cials. Given the limited scope and content of the Prime Minister's proposals, it seemed highly unlikely at this point that the authorities would prove more effective in attracting either the middle class or the peasants into any kind of meaningful relationship with the central Government than they had in the past. For these reasons, many political observers criticized the November 15 program as both a continuation of discredited policies and as an anticlimax to the highly-publicized process of democracy-building in the Republic.

Conclusion

The implications of the Constitutional Experiment as a whole were obviously much broader than those of the GVN policy declaration itself. In many respects, however, they seemed equally negative. The approach towards the institutionalization of politics in the Republic had been widely criticized both within and outside South Viet-Nam for a whole range of unrepresentative and even unethical features sanctioned by its instigators and proteges. As shown by this thesis, many of these charges did appear to be legitimate. Indeed, because at this time the recently inaugurated officials seemed more concerned with maintaining a firm hold on their respective claims to power than with the evident need to join forces in an attempt to plan and execute a series of revolutionary reforms, the less constructive features of the recent exercise were further accentuated.

Yet, not only the sponsors, but (judging from the recent N.L.F. program) the opponents of the Saigon Government as well, were acutely aware of the extent to which the events of the past eighteen months had influenced the development of the nation-building process in South Viet-Nam, and would doubtless continue to do so in the future. The first and most obvious consequence of the Consti-

tutional Experiment was the actual establishment of an elected national government. While lacking many of the prerequisites necessary for the formation of a genuinely viable and representative administration, the executive heads of the GVN (who were to enjoy at least the legal prerogatives of an independent authority) would thus be able to play a much more important role in the future of the Republic than had their predecessors.

Secondly, the structural basis of the legislative and judicial as well as the executive branches had been reorganized as an integral part of a governmental hierarchy which from 1963 onwards had been composed largely of ad hoc advisory committees and politically impotent councils. These institutions were expected to perform at least a two-fold function. While broadening the scope (and thereby the effectiveness) of the central administration, they might also serve as a means of expression and of political participation for the diverse socio-political interests within the Nationalist community. In addition to the nearly thirty-member executive body, there were the Senate, Lower House, Supreme Court, and special advisory councils to provide an opening for at least an additional 250 South Vietnamese into the upper echelons of the official government organization.

The staffing of these institutions thus implied an important quantitative change in the power structure of the GVN in that the participation in the decision-making and executing process was expanded, at least theoretically, from that of a small group of generals to a constitutionally-based legislative, judicial, and executive system. The possibility of this new and broadened establishment encouraging a meaningful, qualitative shift in the exercise of power (ie., the representation of a wider cross-section of national interests as well as a simple numerical expansion) remained uncertain at this stage, however. Indeed, the recognition of Com-

munism "in any form" was expressly prohibited in the Constitution itself. Yet, in view of the outcome of the Lower House election, it seemed evident that in some cases the Government officials could be persuaded to define these terms in such a way as to permit the entree of a token group of "radical" politicians into the political forum.

The nature of the Lower House membership also suggested a third highly significant political development resulting from the Constitutional Experiment--one which had occurred not so much because of, as in spite of the generals' approach towards realizing their plan of action. This was the redirection of the expression of certain Nationalist interests, and the reorientation of the political objectives of their proponents. In the past, these groups (and particularly those avowedly hostile to the military authorities) had been compelled to confine their political activities almost wholly to a kind of extra-parliamentary agitation. Their exclusion from the official forum had led to frequent and serious dissension within their ranks, and at the same time, furthered the stranglehold of a small minority of individuals over the governmental machinery.

As early as the spring of 1966, however, when the generals finally acquiesced in the popular demand for the organization of the election for a constituent assembly, this situation had begun to undergo certain changes. Seeking to meet the challenge posed by the prospect of a constitutionally-based national government, a plethora of Nationalist factions became actively engaged in what was, for most of them, a new kind of political participation. Rather than directing their energies outwards, towards the streets (where for many months most major political issues had been decided), their leaders--with a few noteworthy exceptions--turned their attention inwards, towards strengthening their respective

organizations and enlarging their political support. Several more ambitious individuals even attempted either to consolidate a number of splinter groups or to found a new political organization, rather than to depend on the loosely-organized, fluid groupings which had long dominated the GVN political arena.

This innovative process, which continued throughout the period of the drafting of the Constitution, reached its climax several months before the national elections of September and October, 1967. As shown in Chapter V and above, only a small number of these groups were successful in establishing their partisans and representatives in the various contested executive and legislative seats. Others, and especially the Buddhists, even failed to consolidate their own forces, much less participate in the electoral race as an organized political entity. Yet in the final stages of the electoral procedure, the Buddhists as well managed to mobilize their forces in order to pressure the Government into allowing their representatives to stand in the Lower House election, and to win enough popular support to insure the success of these candidates.

Once again, in theory, the prospects for the continued channeling of Nationalist politics into a constitutionally-derived system of governmental institutions appeared quite favorable. The principle of a recognized opposition had not only been established and even encouraged by the Constitution; it appeared to have been effectively legitimized by the election of the anti-Government spokesmen to the Lower House. Until this time there had existed virtually no rules to regulate the activities of either the Government or of the opposition forces. Now, however, the latter were guaranteed equal political rights within as well as outside the official hierarchy, by virtue of the freedoms of speech, assembly, and press, laid down by the Constitution.

Compared with their immediate predecessor the National Constitu-

ent Assembly, the newly-elected legislative bodies, and especially the Lower House, seemed to reflect considerable progress in the incorporation of a broad range of Nationalist interest groups into the GVN polity. The September 1966 elections had not only excluded all "Communist and pro-Communist" elements, but had been boycotted by the militant Buddhists and some of the Roman Catholic factions as well. Yet, in retrospect, although the Assembly deputies had represented only a fraction of the political interest groups active in South Viet-Nam at that time, they too had made a number of significant contributions to the process of the stabilization and institutionalization of politics in the new Republic.

First of all, the Assembly had set a political precedent by virtue of the fact that it represented the first legitimate, elected entity to confront the Junta on what was (at least as far as the deputies were concerned) an equal basis. In addition to completing the draft Constitution, and even more important, the delegates had opened up a way for the expression of a variety of political sentiments and criticism never before discussed in a legal, public forum. The presence of a number of influential and respected Nationalist spokesmen within the Assembly (such as Phan khac Suu, Dr. Phan quang Dan, Tran van Van, and Dang van Sung, among others), also contributed to the effectiveness of the group as a whole in the GVN political arena.

The military leaders, for their part, had responded to the deputies' challenge on a number of occasions by attempting to exert undisguised pressure on the Assembly and thereby ensure their own preponderance over the constitutional procedures. The conflict which arose over the legality of Article Twenty-One of the Electoral Code was one obvious example of the generals' determination to retain firm control over the institution. Nevertheless, the delegates had incorporated into the draft Constitution at least a modified version

of several important limitations to the incumbents' political prerogatives--eg., the interdiction of active military personnel from elected political positions; the election of local government officials (albeit only after the first term, and with the omission of the level of the district as a legal regional entity); and above all, the transitional provisions, which extended the Assembly's mandate until the national elections.

On the whole, a fair number of political observers seemed to agree that the April Constitution did contain the germ for a progressive, viable nation. Although Communism in its various forms was explicitly outlawed, a wide range of civil rights were carefully defined by the document. So were the provisions for more extensive legislative powers than those enjoyed by any previously elected body in the Republic. Indeed, most of the criticism of the Constitution was directed towards certain important omissions rather than to any specific legal or political contradiction. The deputies' decision to ignore the issue of agrarian reform was one of the most unfortunate examples of their political irresponsibility. For, rather than take a definite stand on this crucial problem, the drafters had simply advocated "raising the standard of living of rural citizens and especially helping farmers to have land for cultivation" (Article Twenty-One).

The impact of the democratization process on Nationalist politics had been further enhanced and broadened by the local village and hamlet elections in the spring of 1967. Admittedly, most of the political parties--and even many less-structured religious and regional groups--had shown little interest in these polling exercises. Yet, the political activity induced at the lower levels of the GVN administrative organization by the prospect of selecting one's immediate leadership for the first time in several years had undoubtedly contributed to renewing the political awareness of some

elements of the South Vietnamese electorate. The fact that, during the thirteen months between September, 1966, and October, 1967, some five national elections were organized, distinguished this period as the most politically active year since the founding of the Republic in 1954.

As a result of the implementation of most of the basic features of the Constitutional Experiment, not only had the scope of political participation been expanded, but the foundation for a representative government had been laid--complete with legal checks on the different governmental branches as well as on the prerogatives of the powerful military contingents. Yet, it was equally obvious that continued progress towards a successful realization of the nation-building program in the Republic could by no means be considered guaranteed at this time. Indeed, in several respects, the recent political innovations actually suggested an extra incentive to forces which could well pose a serious threat both to the stability of the new government and to the concept of national unity.

The preponderance of the Roman Catholic-Can Lao contingents in the Senate body, as well as in its official hierarchy, was widely considered as one of the more obvious examples of a source of future unrest.⁴⁹ The heterogeneous but constitutionally powerful Lower House was also regarded by some as a potentially unwieldy or unmanageable political entity.⁵⁰ Even within the executive branch, a possible political conflict was suggested by the uncertain relationship between the ruling executive authorities as well as by the continued presence of a number of formerly influential military officials both within and outside the GVN establishment, at the local as well as national level.

In addition to the problems posed by the nature of the component elements of each of the various institutional entities, their relationship with one another would also count significantly in

the ultimate success or failure of the Constitutional Experiment. Some of the more obvious questions raised in this context were the extent to which the legislative and judicial branches would be capable of exercising their full constitutional powers, and, to what degree they would be susceptible to the influence of the executive authorities as a result of a lack of information and funds due to the demands of the war effort. It was also debatable as to how many policy decisions would be determined through manipulation by the Government rather than through open legislative procedures.

The relations between the elected officials and the opposition would prove an equally significant problem. The House election did suggest an important step forward in the establishment of a recognized opposition element. But judging from the Buddhist unrest instigated after the October 22 election, even this advance seemed to represent only a tentative alternative to the style of political behavior in the new regime rather than a definite direction of political activities towards the channels of a legal structure of governmental institutions. The continued existence of the nascent opposition force would naturally depend both on the attitude of government officials towards safeguarding its constitutional rights and to the ability of the opposition members themselves to meet the challenges related to the general political instability and fissiparous tendencies encouraged by the war.

Both the exercise of political freedom in the Second Republic and the effective operation of the various institutional provisions and guarantees outlined by the Constitution would be determined to a large extent by the application of these theoretical and legalistic innovations to the Vietnamese political system itself. The lack of established political parties would obviously pose a particularly serious problem to the articulation of a political dialogue

between the administration and the electorate. Nor had any significant political forces developed as a result of the often frantic political activity associated with the recent elections.

The Hoa Hao, Cao Dai, Dai Viet, and VNQDD factions, which had made little attempt to enlarge their political base during the campaigns, remained virtually unchanged. The Toan Viet and several of the other relatively broad coalition groups founded shortly before the elections seemed already on the verge of disintegration. Even the civilian opposition front, the Democratic Front, was silent. So were the campaign organizations established by Tran van Huong and Suu and Dan, although according to their founders, these groups had initially been expected to transform themselves into permanent political organizations after the balloting.

The Roman Catholic leaders as well, although obviously boasting a much more disciplined following than their secular political rivals, would undoubtedly continue to have difficulty in organizing a cohesive political base in a country dominated by Buddhists. Even the latter, despite their recent demonstration of strength, had failed to fuse successfully the splintered factions within their organization, and thus seemed obliged (at least for the present) once again to retreat from the political forum into the pagoda. Lacking both power and patronage, these diverse groups would most probably remain largely preoccupied with struggling against what almost appeared to be an innate susceptibility of Vietnamese political associations to internal dissension and fragmentation.

A stagnant and inefficient civilian bureaucracy, a corrupt and ineffective military administration, and the constant pressures of the war on the Government and on its constituents would also weigh heavily on the tenuous balance of forces which, for the moment, purported to speak for the Vietnamese people. Nor would the creation of a viable government of national unity depend merely on the authori-

ties' ability to deal with these problems in order to enlist the active support and participation of the factionalized interest groups of the country. The political survival of the GVN spokesmen would also be determined by the extent to which they proved themselves capable of resolving an even more formidable dilemma--that of bridging the ever-widening gap between Saigon and the great majority of the population living in the hamlets and villages of South Viet-Nam.

For the political behavior and response of the war-weary peasants had long been conditioned by a number of considerations even less tangible than those which motivated the politically active groups and factions represented in the capital. Not only did the rural masses lack an articulated political, social and economic leadership at the local level. They were obviously unfamiliar with those principles of individual freedoms upon which, in theory, was founded the sophisticated GVN polity. Their acceptance of a monolithic power structure, social harmony and an economically static existence, tempered by the traditional mores of the ancestor cult, could evidently only be challenged by a genuinely revolutionary political alternative--such as that envisaged by the N.L.F. policy declaration of September 2.

These and similar considerations and contradictions appeared especially impressive in view of the fact that the outcome of the presidential elections, in particular, suggested more of a formal than an actual change. For this reason, one of the most crucial questions raised by the Constitutional Experiment was to what extent those individuals in supreme power who had been unable to initiate any really effective military, administrative, social or economic reforms--while exercising the arbitrary authority claimed by the military Junta--would be able to resolve these same problems through the much more complicated methods of parliamentary govern-

ment. Herein lay the real test of faith as well as the key to the final assessment of the Constitutional Experiment and the institutionalization of politics in the Second Republic.

NOTESCHAPTER ONE

1. Preamble to The Constitution of the Second Republic of Viet-Nam, April 1, 1967 (Official Constituent Assembly Publication; Saigon, April, 1967).
2. For a survey of the politico-legal foundations of the Constitutional Experiment, see Appendix.
3. The importance of this consideration, clearly understood by the Vietnamese Marxists, is discussed in Joseph Buttinger, Viet-Nam: A Dragon Embattled (Volume II, London: Pall Mall, 1967), pg. 764.
4. By 1951, when the Communist Party was officially reformed, it boasted some 365,000 members. According to Buttinger (Ibid., pg. 771), "Never in the modern history of Viet-Nam...had any other political party succeeded in gaining even as much as ten percent of such organized strength".
5. It should be noted that in addition to the Army, the Air Force (under the direction of Air Vice-Marshall Nguyen cao Ky) had also come to play a major role within the Armed Forces, largely as a result of the increasing importance of the air war after February, 1965. For the sake of convenience, unless otherwise specified, the term "ARVN" has been used to include the various branches of the military in their role as a Nationalist political organization.
6. The VNQDD, modelled on the Kuomintang, was founded in Hanoi in 1927 by Nguyen thai Hoc; the Dai Viet, a pro-Japanese organization, was established in 1942.
7. Daily Telegraph (London), May 4, 1966.
8. The Dai Viet were split into at least five factions, including the old Dai Viet, the Dai Viet Duy Tan, the Tan Dai Viet, and the Dai Viet Cach Mang. The VNQDD were also divided into several subgroups, of which the most influential, the Ky Dang Bo, was based in Central Viet-Nam.
9. The Montagnards, scattered throughout the sparsely populated central highland regions which comprised nearly two-thirds of the land area in the South, were represented by some two dozen tribal nations--indigenous Southerners as well as North Vietnamese refugees. The traditional racial animosity between the ethnic Vietnamese ("lowlanders") and these highlanders had been one of the principal motivations for the latter's joining forces to form an organization known as FULRO (French acronym for "United Front for the Struggle of Oppressed Races"), which claimed to represent thirty-five different tribes in demanding autonomy within South Viet-Nam. Although politically active in the recent past, the Montagnard spokesmen were to play a relatively minor role in the

events associated with the Constitutional Experiment, however.

The Chinese numbered about 830,000 at this time, with half a million residing in the Saigon suburb of Cholon and the rest concentrated largely in the Delta, where they controlled much of the rice trade. Some 400,000 ethnic Cambodians also numbered among the inhabitants of the Delta, especially in the south-west provinces of the country.

10. Other professional interest groups which had been active after the 1963 Revolution included the Employers' Association; the Industry and Craft Confederation; the Confederation of Workers; the Press Council and the Publishers' Association; the Journalists Union; the Bar; the Associations of Pharmacists, Physicians, Architects, and Engineers and Technicians; various women's organizations, and even the Boy Scouts.
11. The student population of some 20,000 was largely concentrated in the Universities of Saigon, Hue and Dalat (founded as a private Catholic college); two recent additions were the state university in Can Tho and the Buddhist Van Hanh University, in the capital.
12. The movement, a strange melange of Buddhism, Christianity, folk religions, and Taoism, counted among its saints Christ, Hugo, Mohammed, Joan of Arc, and even the Duke of Wellington.
13. Part of the Cao Dai movement had joined with the National Liberation Front before 1965, although the Tay Ninh branch seemed fairly adamant about continuing to function as a "third force".
14. Of these, two main elements traditionally dominated the numerous but less important branches--Mahayana and Theravada Buddhism. The former and more predominant type (also known as the "Greater Wheel") was largely a religion of sects. Recognized throughout Viet-Nam, its present leadership seemed particularly influential in the Center. The followers of the more orthodox and less assertive Theravada (or Hinayana or "Smaller Wheel") Buddhism were concentrated primarily in the Mekong Delta, and included many ethnic Cambodians.
15. See Appendix for biographical data on Thich Tri Quang and Tam Chau.
16. Other prominent Buddhist personalities were Thich Thien Minh (the forty-five year old practitioner and chief organizer of the U.B.C., regarded as the lieutenant of the Tri Quang faction); Thich Quang Lien (another militant activist who, after completing his studies at Yale University had returned to Viet-Nam to lead a number of neutralist campaigns before being appointed Director of Social Affairs of the U.B.C.); Thich Ho Giac (the chief Buddhist chaplain in the ARVN and probably the most effective orator among the U.B.C. leaders; generally considered as an associate of Tam Chau); and Thich Thien Hoa (the Deputy Chairman of the Vien Hoa Dao and one of few Southerners powerful in the movement).
17. The term "Buddhist" has often given rise to considerable confusion because of its political as well as religious connotations. The most politically active elements of the Church remained a small but vociferous minority, with little or no influence on the vast majority of the religion's disciples. Again, for convenience,

"Buddhist" has been used in this paper to designate the politically conscious few--both bonzes and lay partisans--rather than the mass following.

18. The original membership of the U.B.C., in addition to the Northern and especially Central Vietnamese Mahayana elements, included one small sect of Vietnamese Theravadas and a number of Southern Mahayanists--although a split subsequently developed between the Vien Hoa Dao and the Xa Loi faction (known as the Buddhist Studies Association), led by Mai tho Truyen (see Appendix). Other unaffiliated groups included the ethnic Chinese (Mahayana) of Cholon, the ethnic Cambodians (Theravada) of Saigon and the Delta, and the Hoa Hao sect (with the exception of its Cambodian members, who later supported the militant faction of the U.B.C.).
19. Observer Foreign News Service (London), February 7, 1966.
20. The Buddhists had been particularly incensed by the number of important Government positions held by the Catholics; among the 123 members of the National Assembly, for example, the latter held some twenty-seven seats.
21. At this time, Thieu reiterated his confidence that the next year would be one of great progress and of "development of political activities among the masses as first steps towards the building of democratic institutions, from the lowest level to the highest one..." (Viet-Nam Press, English edition, November 1, 1965).
22. According to Viet-Nam Press (November 20, 1965), the Cabinet had met to study preparations for the establishment of a basis for democratic institutions in November; a USIS Circular (London edition, November 2, 1967) reported that on November 17, the War Cabinet announced a program of constitutional reform, with a constituent assembly as the central feature.
23. Cited in New York Times (NYT), January 16, 1966. This program, based on the principle that a "democratic regime should begin with a democratic constitution", was introduced during the Second Armed Forces Congress, attended by some 1,500 officers. The five-point plan was outlined in Viet-Nam Press, January 15, 1966.
24. Viet-Nam Press, op. cit. The seminars were to include city and provincial council members, members of political parties, trade unions, and students--in order that "the preparation of the future constitution would be the preoccupation of the whole people, not just of a minority".
25. Ibid.
26. The names of eighty members chosen by the N.L.C. were announced on January 28; see Viet-Nam Press, January 29, 1966.
27. The conference, attended by Vietnamese and American heads of state and their advisors, had been called to chart the course of "the other war". Government proposals for a new constitution were dramatized in the "Declaration of Honolulu", as one of the four principal goals of the Saigon administration. See Viet-Nam Press, February 11, 1966.
28. A series of incidents revealing "muffled political expression"

of a desire for "legal" civil rule before the two-year deadline were instigated by groups of Roman Catholics already in early January; see, for example, NYT, March 30, 1966. Also by early February, a group known as the Luc-Luong Phat-Giao had been organized by Buddhist laymen in Hue. The aim of this faction, supported by Tri Quang, was allegedly that of creating a force capable of counter-balancing the Communists after a negotiated settlement had been concluded. See "Viet-Nam; The Crisis of March-April, 1966", an unpublished chronology of major events by Dr. Ralph Smith; University of London, October, 1966.

29. General Thi had for some time been regarded as Ky's principal rival in the Armed Forces. Accused of "warlordism" in I Corps (the northernmost of the four military regions into which the country was divided), he had not only refused to prevent anti-Government activities there, but at times had even refused to execute or to accept orders from the N.L.C. Moreover, Thi had publicly attacked the Prime Minister's policies, and had criticized Ky for being too close to the Americans.
The March 10 vote (8 to 0 in favor of Thi's dismissal, with two abstentions) was first announced two days later; apparently Thi had voted for his own withdrawal, for "health" reasons. (See Smith's "Chronology", op. cit.)
30. See NYT, March 13, 1966, for Tam Chau's four-point manifesto. Demonstrations were launched in Saigon and in Hue on the following day, when the first Struggle Forces were formed; on March 19, Chau made his first public appeal for elections.
31. Two days earlier, in what was interpreted by many as a display of his lack of strength, Ky had declared that DaNang was "already controlled by the Communists" (NYT, April 6, 1966).
32. The Buddhist delegates boycotted the Congress. Moreover, of the some 170 representatives of various socio-political groups invited to attend the session, only some seventy participated, according to Viet-Nam Press (April 12, 1966). Dr. Phan quang Dan (see Appendix) was nominated chairman.
33. Other Buddhist claims recognized by the N.P.C. included convening within ten days a body to draft an electoral law and to organize the election, and the N.L.C.'s issuing a decree stating that those who had protested against the Government would not be punished. See NYT, April 14, 1966; and Viet-Nam Press, April 15.
34. Viet-Nam Press, April 14, 1966.
35. E.L.D.C. members included representatives of the Buddhist, Catholic, Cao Dai, and Hoa Hao factions (each with two delegates), in addition to several notables and legal experts, and fifteen members of local elected councils. A number of official Government "observers" also attended the sessions (Ibid., May 7, 1966)--which were boycotted by the Buddhist delegates after the May 15 attack on DaNang.
36. Ky's remark, made on May 7, was cited in NYT, May 8, 1966.
37. Of the 800 invited, some 600 attended the N.P.A.F.C. sessions; included among them were representatives of all religious faiths (excluding the militant Buddhists, who once again boycotted the

proceedings), local elected councils, youth organizations, political parties, trade unions, the civil service, university and student associations, the press, and the Armed Forces. See Viet-Nam Press, May 22 and 25, 1966.

38. The ten civilian members were: 1. Dr. Tran van Do (Minister of Foreign Affairs); 2. Dr. Pham huu Chuong (a former member of the High National Council, in 1964); 3. Pham Khoang (professor and member of the VNQDD); 4. Dr. Nguyen luu Vien (Deputy Prime Minister under Tran van Huong and Vice-President under General Khanh); 5. Tran van An (Chairman of the E.L.D.C); 6. General Van thanh Cao (member of the E.L.D.C. and retired Cao Dai general); 7. Nguyen van Huyen (member of the E.L.D.C. and former member of the High National Council); 8. Nguyen ngoc Tran; 9. Quang huu Kim; and 10. Huynh van Nhiem.

Although the militant Buddhists were not represented among these ten, two nominal lay Buddhists, two Catholics, two Cao Dai and two Hoa Hao had been chosen. Seven of them originated from either Saigon or the Delta.

39. The P.A.F.C. (to be composed of some sixty civilians and twenty military delegates) was to advise the Government on "political, economic, cultural and social matters"; it could be dissolved in toto or any of its members dismissed by the N.L.C. at will. Permitted to meet no more than six days a month, and only in secret, its members were to submit confidential reports to the Prime Minister. See NYT, June 16, 1966.

40. The DaNang protesters were silenced by the end of May, albeit at the cost of some seventy-six dead and 540 wounded. On June 20, Tri Quang was arrested; two days later, the bonze was taken to Saigon, and thereby effectively isolated from his following.

41. The draft law was promulgated as Decree Law Number 21/66 ("The Organization of the Election for the National Constituent Assembly") and as Decree Law Number 22/66 ("Procedures for the Election of the N.C.A"), reprinted in News from Viet-Nam (South Vietnamese Embassy Publication, London), July 15, 1966.

Among those recommendations accepted were the convention of the Assembly fifteen days after the election (Article 8, Decree 21/66); the drafting of the Constitution within six months (Article 16); the promulgation of the draft within thirty days of this date (otherwise it would become automatically effective; Article 20); scheduling the election for September 11 (Article 2, Decree 22/66); and the elimination of those working "directly or indirectly (for) Communists or pro-Communist neutralists or involved in activities advantageous to the Communists" (Article 10).

42. Article 21, Decree 21/66.

43. Article 22, Same.

44. According to the NYT (June 25, 1966 edition), on June 24, General Ky stated that the elections for a National Assembly would be held during the summer of 1967.

45. Article 12, Decree 22/66. This system, formerly utilized by the French (who referred to it as "list voting") would operate in the following manner: in a multi-member constituency, all candidates must stand as slates comprised of as many names as seats to be filled, with the rank of each candidate on the slate spe-

cified; seats would be awarded on a modified proportional representation basis. For example, in the case of four slates of five candidates each, in a district with five seats, if one list received sixty percent of the vote, the first three names on this list would be declared elected. Two additional seats would go to the candidates at the head of the next most popular slate or slates. As the first representative of a slate would thus have a sort of premium, in theory, he was to be the most popular and respected candidate.

46. The seating allotment was covered by Article 3, Decree 22/66. Only 108 of the 117 deputies would be elected; nine delegates, representing the ethnic minority groups in the country, would be selected in accordance with tribal customs.

Article 5 stipulated that the names of the candidates for the September election must be presented by July 11 at the latest--only three weeks from that date.

47. Article 17, Decree 21/66.

48. Articles 19 and 20, respectively.

49. NYT, July 2, 1966.

50. The new ministers included Dr. Nguyen Luu Vien (Second Deputy Prime Minister), Nguyen van Truong (Minister of Education), Nguyen van Hung (Minister of Labor), General Nguyen bao Tri (Minister of Information and Psychological Warfare), Dinh Trinh Chinh (Minister of Pacification), and Tran minh Thiet (Minister of Justice).

Ky insisted that the realignment had been initiated to promote efficiency rather than an expression of policy--and indeed, had been planned for some two months already (see, for example, NYT, July 13, 1966). Nevertheless, because the new ministers were either Catholic or former members of the Tran van Huong administration (which had been brought down by rioting Buddhist mobs in January, 1965), it seemed unlikely that they would show any sympathy for the religious dissidents at this time.

51. General Thi had been replaced by General Nguyen van Chuan, who had subsequently sided with the Buddhists and was thereby ousted on April 8. General Ton That Dinh, shortly after assuming the vacant position, had himself followed suite; he was dismissed on May 16, when General Huynh van Cao was named to the post.

52. A wide range of "Struggle Forces" had sprung up throughout South Viet-Nam by mid-March; the most important of these were the Luc-Luong Thanh Nien Phat Giao in Saigon, the Luc-Luong Nhan Dan Tranh Thu Cach Manh in DaNang and Hue, and the Luc-Luong Tranh Dan Cach Mang, again in Hue. On April 9, the formation of the Uy-Ban Lanh-Dao Luc-Luong Phat-Tu Viet-Nam ("Executive Committee of the Vietnamese Buddhist Forces"), designed to coordinate Buddhist activities towards overthrowing the Government, had been announced in Saigon. Thich Minh acted as chairman, and Ho Giac served as vice-chairman. See Smith's "Chronology", op. cit.

Major demonstrations were staged not only in Saigon, DaNang and Hue, but also in Nha Trang, Pleiku, Banmethuot, Dalat, and Quang Ngai. While the students formed the core of most of these protests, teenage boys, and even children of twelve or thirteen, (rather than the Buddhist faithful), had also played a particularly active role.

53. At one point, according to the NYT (June 10, 1966), the coastal highway stretching between Hue and DaNang was blocked off for thirty miles.
54. During the course of the unrest, the militant Buddhists had divided their attention between decidedly anti-American demonstrations and public appeals to Ambassador Lodge and President Johnson to "intervene" on behalf of the South Vietnamese people. The bonzes' hostility increased considerably after the attack on DaNang, however; at this time, a local U.B.C. spokesman summed up their position by declaring that "in the end the responsibility for this is with the Americans, because the Government used all the American aid and American weapons to attack the people". (Ibid., May 17, 1966).
55. Ibid., April 10, 1966.
56. In early April, the generals had contended that from fifty to seventy percent of the Struggle Movement and the associated organizations were subject to influence or even control by the National Liberation Front. See New York Herald Tribune (European edition--subsequently referred to as "NYHTe"), April 4, 1966. This theory, of course, was the justification for Ky's sending troops to DaNang.
57. Indeed, shortly after the Government's attack on Danang, assistance had been publicly offered the Struggle Forces by the N.L.F.; in an unprecedented move, the Liberation Radio had announced that the Front and its Armed Forces "will readily serve as support for you and your compatriots...(to) quench the flames of anger burning in the hearts of compatriots in DaNang and Hue". (See NYT, May 20, 1966). While openly sympathetic to the Hue faction of the U.B.C., already in April the Communists had accused Tam Chau of being "an American spy in a monk's cloak" (Nhan Dan cited in Le Monde, April 17, 1966). Also, a GVN report dated April 8 alleged that on March 2 (?12) a N.L.F. document was captured in Binh Dinh province which urged cadre to profit from the crisis by interjecting Communist slogans in the demonstrations and by making propaganda, especially against "Can Lao members" (the former Diemist party). See Smith's "Chronology", op.cit.
58. See footnote 28, on the formation of the Hue-based Luc-Luong Phat-Giao, as one example of the Buddhists' seemingly anti-Communist outlook.
59. This attitude was summed up by Tri Quang in mid-April, when he declared: "As the world may know, we are oppressed by two pressures--the Communists and the Americans...In the face of such monopolization and control, we must regain our right of self-determination, the right of electing a National Assembly". Cited in NYT, April 20, 1966. (Note: "Constituent assembly" and "national assembly" were used interchangeably by the Buddhists, for, at least as far as they were concerned, this body was to be transformed into a national assembly, or even to enjoy legislative powers at the same time the Constitution was being drafted).
60. According to the Saigon vernacular Tu Do (cited in Smith's "Chronology", op. cit.), already on April 8 the Hue-based demonstrators disassociated themselves from the Vien Hoa Dao faction--although at this time it was unsure if their move was intended simply as a political manouvre or a definite political split.

61. Although the prospect of the Buddhists' winning the election figured prominently throughout "the troubles" as an important consideration in the organization of this vote, it remained a disputed point as to what extent either the U.B.C. or their rivals actually believed they would be capable of such. First of all, even in Central Viet-Nam, the Struggle Movement appeared to be confined largely to urban centers. Secondly, it seemed doubtful that the bonzes really expected a fair election to be held, especially in the rural areas of South Viet-Nam.
At any rate, Buddhist voting strength had initially been estimated at some forty percent of the vote (see NYT, May 31, 1966, for example); even after the debacle at DaNang, Dr. Phan Huy Quat, the former Prime Minister, was quoted as saying they would probably be able to control about thirty percent (cited in Ibid., June 11). Others, however, among them Dr. Phan Quang Dan, put this figure at closer to ten to fifteen percent (Ibid., May 31).
62. See, for example, NYT, March 20, 1966, concerning the Catholics' modified position vis-à-vis the Buddhist dissidents.
63. Ibid., April 9, 1966. Throughout this period, the Catholics insisted that in order to bridge the transition to a civilian government, a referendum rather than an election should be organized; they contended that the latter option was "quite impossible" in view of the security conditions of the country--not to mention the expected Buddhist victory in such an election.
64. The Catholic Citizens' Bloc was first introduced on April 11; according to Smith's "Chronology" (op. cit.), its membership consisted largely of the affiliates of a similarly-oriented group previously known as the Cong-Giao Dai Doan Ket.
65. The Front (also known "The Citizens' Religious Front") later changed its name to the "Council of Revolutionary People's Front of National Union", once the attention of the opposition had shifted to the question of boycotting the election.
66. NYT, August 20, 1966. Until May, Father Quynh had been one of the principal spokesmen for the LLDDK; apparently, due to his close association with the U.B.C. leaders, he was subsequently isolated from the Catholic movement. As an alternative to the election, the Front proposed the immediate formation of a provisional civilian government, responsible for organizing a national poll. See Ibid., July 13, 1966.
67. The Front's leaders did claim that in addition to Roman Catholic and U.B.C. members, also represented were the General Buddhist Association (Xa Loi faction), the Hoa Hao, Cao Dai, Protestants, and various political groups, including the Southern chapter of the VNQDD, the National Revolutionary Council, the National Union Front, and the Saigon Student Congress. See communique of July 9, cited in Le Monde, July 13, 1966. Only the U.B.C. officially supported the Front, however; the other organizations maintained that their members were acting independently.
68. Thich Thien Hoa and Tri Quang, cited respectively, in NYT, July 29 and August 4, 1966.
69. The most significant of these changes was Tam Chau's replace-

as Secretary-General of the Vien Hoa Dao by the somewhat more militant Thich Thien Hoa, on July 23. Ten days earlier, Chau had announced his plans to quit his post for two months for "health reasons". See NYHLe, August 14, 1966.

70. Although the word "boycott" was not actually used in the official communique of August 13, the Buddhist faithful were "reminded" that "a refusal to vote was the right of a citizen of a democratic country". Ibid. In fact, rumors of such a step had been circulating for some time, especially since the promulgation of the electoral decree laws.

CHAPTER TWO

1. See Chapter I, pages 21-22 for a discussion of the electoral decree laws. By means of a "non-voluntary" registration system (ie., voting formalities were completed by local Government officials--who themselves were responsible to and often politically dependent on the central military authorities--rather than by the prospective voter), the total of eligible voters was reported to have been set at 5,289,752. See Viet-Nam Press, May 16, 1966. This figure represented about 70% of an estimated potential electorate of some 7.5 million adults in the country as a whole. The registration procedures not only enabled the GVN officials to check effectively the attempt of any politically unorthodox Vietnamese to participate in the election, but were criticized as facilitating a variety of voting anomalies, such as the double vote, absentee votes, or "votes" by fictitious or even deceased persons.

Provincial officials and military appointees were also to take an active part in the actual casting and counting of the ballots by organizing two committees (one responsible for supervising the voting and the second, for tallying the results) in every poll under their jurisdiction (Articles 30 and 38). Finally, according to Article 6, military personnel and civil servants "on mission" would be permitted to vote wherever stationed at the time of the election without having registered in advance. In this way, an impromptu Government decision to post GVN employees in a politically contested area in order to assure a more favorable vote (a fairly common practice in the past) would be easily justified.

2. The obviously broad interpretation of Article 10 was left to the initial discretion of a seven-member local electoral committee (Articles 15 and 16); further investigation would then be undertaken in Saigon by a nine-member central council (composed exclusively of GVN administrative and judicial officials, according to Article 17). While candidates disqualified at the local level might make an appeal to this central board, the latter's decision would be final.

The use of the complicated method of "slate voting" (see Chapter I, page 22) was expected to function as yet another precaution against the election of a "pro-Communist or neutralist" candidate. For many of the aspiring deputies probably felt that if one of their colleagues was considered politically unacceptable, and thereby disqualified from the original slate, the authorities would be less inclined to agree to the substitution of an alternative candidate than to eliminate the entire list.

3. According to Article 7 (Decree 21/66), "a deputy is considered to have automatically resigned if he ceases to have all the conditions stipulated for a candidate by the Electoral Law".
4. Indeed, even the mildest critics of the electoral proceedings expressed concern that the greatest danger was not so much that the generals would force the election of candidates amenable to their policies, as that the provincial and district chiefs would be over-enthusiastic in their interpretation of the official directive to "convince" the citizens of their obligation to vote--if only to assure their own political standing.
5. See "Ground Rules of the Election", JUSPAO Election Brief (official American Mission publication, Saigon), August 2, 1966.
6. See Daily Telegraph (London), April 15, 1966, for remarks by Ambassador Lodge which reflected his "openly pessimistic" attitude in regards to the election. One American official (cited in Observer Foreign News Service, op. cit., March 28, 1966) intimated that although Ky's concessions had averted political pandemonium, these measures--and especially the election--represented a "major set-back for American political planners" in light of the severely limited time schedule.
7. For example, early in May, Ambassador Lodge declared: "We know that an election held under disorderly conditions...can create dangers...But I don't know how...you can move ahead without running some risks". Cited in NYT, May 3, 1966.
8. Article 19 (Decree 22/66) provided for the organization of a central electoral council (composed of one representative of each ticket), to be responsible for determining such aspects of the campaign as the number of posters and the use of radio facilities.
9. According to Article 25, a maximum of eight piastres per elector in one-member districts and of twelve piastres per elector (or a total of 200,000 piastres per list) in multi-member constituencies would be allotted.
10. These measures were discussed in Le Monde (August 27, 1966) and in the JUSPAO Election Brief, op. cit.
11. These figures were cited by General Thang, the Minister of Rural Development, as reported by NYHTe, August 6-7, 1966.
12. Ibid. American sources (see JUSPAO Brief, August 23, 1966) contended that "about half" had been thus disqualified, however.
13. Of these, 141 individuals were contesting some thirty-one single-member seats, and 121 lists (composed of 403 candidates) were competing for seventy-seven seats. The remaining nine seats were reserved for ethnic minority representatives, who would be elected by tribal custom.

Apparently, some thirty-six appeals had been made to the central committee, of which nineteen were recognized. Nine candidates were reportedly eliminated because of "Communist or pro-Communist tendencies". See NYT, August 15, 1966. This relatively small number suggested that either the "neutralists" had decided not to present themselves as candidates or that they had been disqualified by the local boards. In fact, there remained some confusion about the number of prospective deputies actually qualified; to-

tals of 568 (Ibid., September 11, 1966) and of 539 (JUSPAO Brief, op. cit.) were also cited.

14. He was Phan khac Suu, who had served as Chief of State in the Tran van Huong administration. Other fairly prominent figures were Dr. Phan quang Dan, Tran van Van, and Dang van Sung (see Appendix). Many of the more outstanding Nationalist leaders, such as Dr. Phan huy Quat and Tran van Huong (both former Prime Ministers), declined to stand in the race.
15. Indeed, the VNQDD publicly refused to form a coalition with any other Nationalist party in order to promote their respective representatives in the election. See NYT, August 15, 1966.
16. See Chapter I (pages 11, 27) for a discussion of these groups.
17. Among the prospective deputies were ninety-nine teachers and professors, ninety-seven civil servants (active or retired), ninety-four businessmen and industrialists, seventy-seven provincial and municipal councilmen, fifty-one professionals (eg., doctors, lawyers, journalists, etc), and thirty-two "farmers" and landowners. Eighteen were women. JUSPAO Brief, op. cit.
18. Reports of controversial politicking by the generals did frequently appear in the foreign press; the local papers were still subject to a sort of ad hoc censorship, despite the authorities' promise to lift these restrictions during the campaign.
19. While some of the civilian candidates (among them Phan khac Suu) predicted that any admittedly pro-Government contestant would be defeated in the election, others (such as Dang van Sung) estimated that as many as eighty of the 117 seats would be filled by N.L.C. supporters. See Straits Times (Malaysian Edition), August 18, 1966.
20. The lack of interest in the electoral activities was evident already on the second day of the campaign, when in Gia Dinh, thirty-five candidates from seven slates spoke before a crowd of only about seventy-five adults. The following day, a rally in Saigon was actually postponed due to a lack of spectators. See, for example, NYT, August 28, 1966; and NYHTE, August 30, 1966.
21. It should be noted, however, that these rallies and public speeches constituted only one aspect (and often, one of the less decisive) of the campaign. Much of the real politicking was centered around the little-publicized distribution of posters and leaflets. Even more important were the intensive efforts made by the candidates and their sponsors to win the support of the influential leaders of a variety of interest groups (such as trade unionists or village notables), who, in turn, could then be relied upon to guide their political faithful in the election.
22. The GVN estimates (cited in NYHTE, August 29, 1966) were based on the turnout in the most recent national election, held on May 30, 1965, when a number of provincial council members had been chosen; of approximately 4.7 million eligible voters, some 3.4 million (or 73%) had cast their ballots at this time. The local press (eg., Saigon Post, September 11, 1966) suggested 60% as a more probable figure. Among the more pessimistic forecasters was Phan khac Suu, who implied that as Viet-Nam was so "victimized", the militant Buddhists might easily "subvert" the re-

maintaining confidence of the people. Suu was cited in Straits Times, (Malaysian Edition) September 10, 1966.

23. The initial estimate had been placed as high as 83%, according to Le Monde, September 13, 1966; the official total of 80.8% was cited by General Thang on September 12 (NYT, September 13).
24. Ibid. The American Mission's response was only somewhat less jubilant; U.S. officials declared that the surprising turnout probably represented the "single greatest achievement" of the present regime during its fifteen months in office. See JUSPAO Brief, op. cit., September 14, 1966.
25. In Hue, an 80% turnout had been recorded, and in Thua Thien province, some 70%; with 89% in DaNang, and 80% in Quang Ngai province. See NYT, September 12, 1966.
26. During the twenty-four hours prior to the close of the polling stations, on the GVN side, some twenty-six were reported killed and 100 wounded, as opposed to eighteen killed, three wounded, and fifteen captured from the N.L.F. forces--figures which were considered relatively "normal". Ibid., September 13, 1966.
27. According to The Hindu (New Delhi, September 13, 1966), in a conversation with the Mayor of Vung Tau, Tam Chau declared that he himself would have voted had he not been ill.
28. These figures were cited by General Thang, according to whom the number of invalid ballots in the country as a whole was some 2%. NYT, September 15, 1966.
29. The N.L.F. boycott had first been publicly announced on July 25, according to Le Monde (July 28, 1966 issue, citing North Vietnamese press reports). Shortly after the voting turnout was officially declared in Saigon, the Front charged that there was no need to wait for a report of the election results: "We know who figures in the list of Assembly members because the Americans and their puppet South Vietnamese Government made it up two months ago". Liberation Radio broadcast cited in Morning Star (London), September 13, 1966.
30. The N.L.F., ridiculing Ky's contentions that more than five million had registered to vote, declared that the official figure of a four million turnout "could not be reached even if it included babies, children, and the 300,000-odd U.S. and satellite troops" because "the Saigon Government has only temporary control over four million people". Ibid.; see also NYHTe, September 17-18, 1966.
31. These figures were cited in NYT, September 13, 1966. In terms of Corps regions, the fewest number of votes had been cast in the northernmost province of Quang Tri, and the largest, in the central III Corps area--where several important military installations were concentrated.
32. The lowest turnout in the country was recorded in one of the Saigon precincts. Foreign observers and the some 550 journalists covering the election generally contended that the voting they had witnessed seemed fair. Yet few of them had ventured beyond the most secure areas--where, by the same token, the voting percentage had often been less impressive than in the out-

lying regions. Indeed, given the obvious efforts by the N.L.C. to popularize the election, it was argued that many voters, and especially those in the rural areas, had doubtless hesitated about abstaining. Moreover, the approximately 600,000 members of the Armed Forces and the 100,000 civil servants had evidently contributed greatly to swelling the number of poll-goers.

33. These figures were again cited by General Thang (NYT, September 15, 1966; see also Straits Times, September 19, 1966). Eighty-four percent of the voting cards had been distributed to voters in Saigon and Gia-Dinh, and eighty-five percent to those registered in the provinces. Consequently, in the Saigon-Gia-Dinh area, for example, the sixty-nine percent of the registered voters who cast their ballots represented eighty-two percent of those possessing voting cards. In the country as a whole, of the some seventy percent registered, only about 59.5% had ever received voting cards, whereby a mere fifty-six percent of the adult population of the South had actually voted.
34. The military personnel included twenty active and two retired Armed Forces officers; seventeen deputies were currently employed as Government functionaries, and two others were retired civil servants. Twenty-one were provincial or municipal councilmen, and eight were members of the Army-People Council (according to Viet-Nam Press, October 13, 1966, the latter had their assignment to the A.P.C. ended on October 12, by a decree signed by Thieu). Also elected were twenty-three businessmen and twenty-two educators (including three university professors), eight lawyers and judges, three physicians, seven "farmers" and landowners, and five "political advisors".
 Note: unless otherwise specified, all biographical data may be attributed to Viet-Nam Press (Special Edition of September 18, 1966, "Temporary Results of the September 11 Assembly Election") and to an official (declassified) American Mission document ("the Constituent Assembly"), compiled by JUSPAO (Saigon, October, 1966).
35. Some fifty-five deputies had entered secondary school; forty-six had continued with their studies, either in a military academy, in a school of pedagogy, or in a university. At least thirty-two claimed to hold a university degree, and three, a doctorate.
36. Article 3 (Decree 22/66) stipulated the following seating allotment: twenty-six deputies from the C.M.R. (Capital Military Region, including Saigon and the surrounding province of Gia-Dinh); seventeen from I Corps; twenty-eight from II Corps (including twenty Vietnamese and eight Montagnards); sixteen from III Corps; and thirty from IV Corps (twenty-six Vietnamese and four Khmer representatives)--for a total of 117.
37. Of the thirty-eight former refugees (twenty-seven of whom were from North Viet-Nam, and five from North-Central Viet-Nam), seventeen were also Catholics (see footnote 42); five of these delegates had been supported in the electoral campaign by the LLDDK, and three by the C.C.B. Political parties had sponsored another eight (three Dai Viet, two VNQDD, two Vietnamese Socialists, and one Radical Democrat); the GVN had reportedly backed at least two; and the Veterans Association, one.
38. Fifteen of the Southern deputies had been backed by the Hoa Hao

of the Cao Dai (see footnote 43), six by the Phuc Mien, two by Roman Catholic organizations, and three by the Government and/or ARVN.

39. Fifteen of the seventeen deputies from I Corps had been supported either by the VNQDD or the Dai Viet. Conversely, of the twelve Assembly members affiliated with the VNQDD, nine were from I Corps; and of the nine Dai Viet, six were from the same region. With the exception of two Northern refugees, all seventeen were natives of Central Viet-Nam.

The principal VNQDD faction, the Ky Dang Bo, was further divided into "Vo Trang" ("Young") and "Tran Hoang" ("Old") sub-groupings. Tran Hoang, of Quang Ngai province, was the best known of the VNQDD associates; he claimed to have founded his provincial branch (which bore his name) in 1946. Other particularly active Party members were Vo Bao (also from Quang Ngai), who represented the Vo Trang faction and was currently serving as deputy secretary-general for party affairs of his provincial committee; and thirty-one year old Do Ai, of DaNang city. Having worked with the Party since 1954, Ai was deputy secretary-general of the VNQDD DaNang city committee.

The Dai Viet were represented by at least two factions, the Tan Dai Viet and the Dai Viet Cach Mang. The latter's most noteworthy affiliate, Professor Tran Dien of Thua Thien province, was widely acclaimed as a long-standing Party leader. The brother-in-law of the Party's chief, Ha thuc Ky, he was currently a member of the Hue University teaching staff.

40. The ethnic minorities were represented by two North Vietnamese Montagnard refugees and six Southern Montagnards, one Cham, four Khmer, and three Chinese deputies (the latter all from the CMR). Two of the Montagnards had been backed by FULRO; the others all appeared to have stood as independents.

41. Only two of the forty-two nominal Buddhists seated in the Assembly had reportedly been supported by the moderate wing of the U.B.C. in the election. A possible seven had been backed by the VNQDD factions, three by the Dai Viet, two by the Phuc Mien, and one by the GVN.

42. At least seven Catholic deputies had probably been sponsored by the LLDDK, and five, by the CCB--which in some cases had cooperated with various other organizations (eg., ARVN, the GVN, and in one instance, the Revolutionary Dai Viet) in order to promote its affiliates. Three had been assisted by the Phuc Mien, and two, by the Revolutionary Dai Viet. The Catholic Church itself had allegedly supported an additional two deputies.

One of the most prominent Catholic activists was Bui van Giai, of DaNang, who was also a Dai Viet sympathizer. A second, Le thanh Chau, had been elected secretary-general of the Dalat LLDDK executive committee in June, 1966; and a third, Lt. Nguyen minh Dang, from Long Khanh province, was then serving as "political advisor" on the LLDDK Central Committee.

43. Half of the ten Hoa Hao deputies elected had apparently been sponsored either by the local of the central Hoa Hao hierarchy; in cooperation with various other interest groups (eg., the Phuc Mien and the Cao Dai, in which cases regional rather than religious interests had evidently induced the temporary alliance), the sect had supported some twelve delegates, or about ten percent of the total membership. Three Cao Dai had won seats.

Among the more active Cao Dai members figured Vo thuong Kinh, from Phu Yen province; Kinh had served as deputy chairman of a Catholic-VNQDD-Cao Dai "anti-Communist alliance" during the recent Buddhist unrest. The two most prominent Hoa Hao activists were Le phuoc Sang and Lt. Col. Le quang Liem (see Appendix), who had stood on the same slate (publicly backed by the Hoa Hao Central Leadership Committee) in the An Giang election. On September 13, Liem and Sang had been elected chairman and secretary-general, respectively, of the "Hoa Hao Deputies' Bloc", composed of ten Hoa Hao and two sympathizers.

In addition to these various politico-religious affiliates, eight Confucianists and one Protestant had also been elected.

44. Of the Assembly as a whole, the average age was forty-one, and the median age, forty. Nearly two-thirds of the deputies were under forty-five (ie., thirty-nine were in the twenty-five to thirty-four year old group, and thirty-six in the thirty-five to forty-four group). The remaining membership was divided between twenty-six delegates in the forty-five to fifty-four category, and sixteen in the fifty-five to sixty-four group.
 45. Allegedly, about one half of the Armed Forces officers were Roman Catholic, and a somewhat lesser proportion (possible a third) were Northerners. About half the Catholics in South Vietnam were also refugees from the North; and important sectors of the economy were dominated by bourgeois Northerners. This "inter-interest" cooperation has been discussed by Jean TAILLEFER in his article "Les Elections au Sud-Vietnam" (France-Asie, Vol. XXI, No. 3; Spring-Summer, 1967), page 456.
 46. In addition to approximately one fourth of the Southern deputies who were Roman Catholic, at least a third were associated with the Hoa Hao; five were disciples of a moderate Buddhism, and four, of Theravada Buddhism.
 47. With the exception of Dr. Dan, who was from Gia-Dinh, these delegates were all from the Saigon constituencies (see Appendix).
 48. The inauguration ceremony was held on September 27 (see Chapter III, page 59). Prior to the election of the permanent Secretariat, the interim administrative structure was headed by an acting Chairman, sixty-four year old Nguyen va Luong (the eldest member of the Assembly, and a Southern Buddhist from Phuc Long province) and by an acting Secretary-General, twenty-five year old Nguyen huu Hiep (the youngest member, a Roman Catholic teacher from Tuyen Duc province)--both of whom had stood as independents in the election. In addition, a "Special Commissariat for Administration" was formed to execute various initial formalities; Nguyen van Tuong (himself not a member of the Assembly) was appointed as Special Commissioner. See Viet-Nam Press, October 11, 1966.
- The first order of business was the validation of the elected deputies. This process was completed by a twenty-five-member committee, chosen by lots, by October 23. According to Noi San Quoc Hoi (Vol. I; official Assembly publication, October, 1966), pg. 25, the election of some twenty deputies had initially been contested.
49. The composition of the I.R.D.C, elected during the second plenary session, clearly reflected the predominance of certain interest groups within the Assembly. First of all, nearly half of

the fifteen committeemen were either Roman Catholic and/or Northern refugees. The ethnic minority deputies also won two seats. Four of the members (over one quarter of the total) were ARVN officers, one of whom had allegedly been sponsored by the ARVN in the election. A fifth deputy, Truong tien Dat (who received the second largest number of votes of the fifteen), had apparently stood as a GVN-sponsored candidate (see Appendix). The most popular committee member, Nguyen van Hoi (a civil servant from Phong Dinh province), had probably been sponsored by the C.C.B.; he was subsequently named chairman of the I.R.D.C. More than half of the fifteen claimed to hold a university degree, and the younger deputies were once again in the majority--although few of them claimed any administrative experience. Membership listed in Noi San Quoc Hoi, op. cit., pg. 48-49.

50. The Internal Regulations were comprised of thirteen chapters divided into ninety-seven articles (Noi Quy, official Assembly publication, October, 1966). See Viet-Nam Press, October 11 and October 23, for a summary of these debates.
51. Ibid., October 26, 1966. On the first ballot, the most votes were received by Suu (forty-six), Tran Dien (Thua Thien province), Nguyen ba Luong (Phuoc Long), Tran van Van (Saigon), and Nguyen qui An (Gia-Dinh), in that order. The second poll gave Suu a total of sixty-one votes, over Dien's forty-four, and Luong's nine.
52. In light of the increasingly vocal stand taken by the younger deputies, the election of Suu (who represented the "old guard") over five other candidates was regarded by some as the result of a deliberate consensus. In other words, with the retired agricultural engineer serving as a non-controversial choice, the delegates would be able to avoid a major floor battle at the outset, and thus set about their work. This interpretation was supported by the importance of the younger elements of the Assembly in the subsequent elections.
Suu's responsibilities as Chairman were outlined in Chapter IV of the Internal Regulations.
53. The remaining seven Secretariat positions were filled during the afternoon session of October 26 (see Viet-Nam Press, evening edition, October 26, 1966). In addition to Dat (who was to act as a liaison between the deputies and the N.L.C.--a particularly important responsibility in light of his apparently close ties with the central authorities), Le quang Liem (An Giang) was elected First Deputy-Chairman; Nguyen van Dinh (Saigon), Second Deputy Chairman; Nguyen huu Luong (Tay Ninh) and Thach Sung (Chau Doc), the two Deputy Secretary-Generals; and Mai duc Thiep (Kien Tuong) and Tran van Phien (Quang Ngai), as "Questors". See Appendix for biographical data. The Secretariat's responsibilities were also outlined in Chapter IV of the Internal Regulations.
54. The five deputies were Liem, Dat, Phien (also a Tan Dai Viet sympathizer) and Thiep, and Sung, respectively. Of the remaining three delegates, two were educators (Dinh and Luong), and one, an agricultural engineer (Suu).
As candidates for the Secretariat offices, these deputies had probably received support not only from the various interest groups they represented; five of them (with the exception of Liem, Phien, and Suu) had served either on the Validation Control

Committee or on the elected I.R.D.C. This fact may well have accounted for their prominence among the other less known delegates, and thus facilitated their election.

55. Considerable dispute arose over this question (with several deputies contending that the bloc system would only encourage further splintering within the Assembly), which was only adopted after a number of heated debates. See Viet-Nam Press, October 16, for a summary. Prior to the formalization of the blocs, rumors abounded concerning the creation and subsequent dissolution of numerous groupings, of which both the numbers and membership vacillated enormously even from day to day. Thoi Luan (cited in JUSPAO Press Release: a daily news round-up published by the American Mission, Saigon; hereafter referred to as JUS/PR --October 18, 1966) reported the formation of eleven groups, for example, while Xay Dung (reprinted in JUS/PR, October 19) reported that only four were active recruiting. The election of the Secretariat apparently had considerable influence on the activities of these groups; according to the Viet-Nam Guardian (Saigon, October 31, 1966), after October 26, at least two blocs disintegrated (one of them being the impressive "24/24" group, which had even drawn up a draft constitution by this time), and the number of "independents" was also greatly reduced.
56. Indeed, one Saigon daily, Thoi Dai (reprinted in JUS/PR, November 15, 1966) contended that not only was the Dai Chung bloc representing Government interests, but that its members even intended to "subjugate" some Assembly activities.
57. See Appendix for Ngai's political background. Two deputies were appointed his assistants: Col. Dam van Quy and Captain Nguyen duy Cung. The former, a thirty-nine year old Northern refugee Montagnard, had apparently received some support from the VNQDD in the Tuyen Duc election; Capt. Cung, a thirty-four year old physician who had been commissioned into the ARVN Medical Corps in 1965, had stood as an independent in the Binh Thuan election. Other members of the bloc's secretariat, introduced on October 30, included Maj. Ngo van Nham (a Northern Buddhist, also serving in the ARVN Medical Corps and supported by the GVN in the Binh Duong election) as Secretary-General; Nguyen huu Hiep (see footnote 48) as Deputy Secretary-General; Trinh quang Vinh (a Northern Buddhist, and a dentist by profession, who had stood as an independent in the Saigon election) as Treasurer; and Hoang xuan Tuu (a Roman Catholic convert and civil servant, backed by the Revolutionary Dai Viet in Quang Tri) as Commissioner. Professor Tran Dien (see footnote 39) was named one of the bloc's four "advisors", according to Viet-Nam Guardian, op. cit.
58. See Appendix for data regarding Hop. The positions of Deputy Chairman and of Secretary-General were also assigned to two Northerners: Dr. Vu Ban and Lt. Nguyen minh Dang. Thirty-six year old Ban, who had resumed his private medical practice after retiring from the ARVN Medical Corps in 1965, had probably been sponsored by the Veterans Association in the Gia Dinh election. Twenty-eight year old Lt. Dang (see footnote 42) had been supported by the LLDDK in the Long Khanh election. Huynh thanh Duc (a Northerner backed by the C.C.B. in the Gia-Dinh vote, and an industrial engineer by profession) was appointed

Deputy Secretary-General; and Pham dinh Hung (a Southern Confucianist currently employed by the Minister of Justice, who backed him in the Binh Duong election), as Chairman of the Research Committee.

59. See footnote 43 and Appendix for data on Sang, Liem, and Sung. The latter, although noted for his frequently "independent" attitude vis-à-vis the authorities, had been affiliated with the Northern Dai Viet faction in the Saigon election.
60. Chung (see Appendix) had served as an official in the Ministry of Youth in 1966, at which time he had evidently been associated with Vo long Thieu, the Minister of Youth and unofficial leader of the Phuc Mien proto-party. The members of this bloc not supported in the election by the group had stood as independents, with two noteworthy exceptions: Do Ai, the single bloc member from I Corps (see footnote 39) and a VNQDD affiliate; and the III Corps representative, Do huu Quang, who had reportedly been backed by moderate Buddhist elements.
Despite the obvious Southern-Nationalist tendencies of the group as a whole, Chung contended that "South" in this context was intended to include "the whole free land from the Seventeenth Parallel southwards". Quote in Cong Chung (reprinted in JUS/PR, October 19, 1966).
61. The four internal subcommittees were all organized during the fifth plenary session, on November 4; the voting procedure and the responsibilities of the committee members were outlined by Articles 38 and 54-58 of the Internal Regulations. See Ban Tin Hang Tuan (official Assembly publication; No. 1, November, 1966), pg. 5-6 for membership; also Viet-Nam Press, November 5, 1966.
The Assembly budget was voted during the seventh plenary session; see Viet-Nam Press, November 18 and 19, 1966. Although the high salaries (40,000 piastres per month per deputy, as per Decree Number 339, signed by Thieu on December 6, according to Le Viet-Nam Nouveau, December 12, 1966) were criticized by some, it was generally agreed that the financial status of the Assembly would permit most of the delegates to devote their entire efforts to the "noble and rightful cause of the people" and thereby to be less vulnerable to the influence of strong vested interests. A detailed discussion on the budget may be found in the Saigon Daily News ("The Economist's Corner"), December 27, 1966, the source for the above quote.
62. After studying various constitutional formulas, the members of the C.D.C. were to draw up a draft document which would subsequently be presented before the entire Assembly for discussion. According to Article 51 of the Internal Regulations, one representative was to be allowed for every three bloc members: the Dai Chung thus selected fifteen, the Lien Minh nine, the Dan Chu six, the Phuc Mien four, and the Independents, six. See Ban Tin Hang Tuan, op. cit., pg. 5. Included were nine active or retired Armed Forces personnel, three civil servants, six provincial or municipal councilmen, eleven educators, five members of the legal profession, three businessmen, and two landowners. Fifteen had stood as independents, while the various factions of the VNQDD counted six affiliates, the Dai Viet and the sects, three each, and the Phuc Mien, only one. At least three appeared to have been supported in the election by military interests, and six, by the Catholic minority groups.

63. Chau (see Appendix) had been challenged by Pham dinh Hung (Dan Chu bloc) and Dang van Sung (Lien Minh). See Viet-Nam Press, November 6, 1966. The other members of the C.D.C. Secretariat, selected by the Committee itself, were Pham dinh Hung and Huynh thanh Duc (both from the Dan Chu bloc), as Deputy Chairman and Secretary-General, respectively (see footnote 58). The forty deputies were then divided into six sub-groups, the most important of which was the ten-member research committee.
64. The last nation-wide election (presidential) had been held on April 9, 1961, when Ngo dinh Diem was elected to a second term of office.

CHAPTER THREE

1. The deputies were obviously most concerned by Thieu's remark that the Government would "send suggestions to you which we deem useful and constructive to contribute in the drafting of a constitution for the nation, by mingling with you in the spirit of the respect for the people's rights". The Assembly spokesman, Chairman (pro-tem) Nguyen ba Luong (who, like his colleagues evidently took this to mean that the generals would have no compunctions about intervening in the actual drafting procedure), immediately countered by declaring that although the deputies were ready to receive "constructive ideas" from the N.L.C., "we are determined to withstand all pressures that seek to control or compel us to betray national interests". The speeches were reprinted in Viet-Nam Press, September 27, 1966; see also an article by Ton that Thien (editor of the Saigon Viet-Nam Guardian) in Straits Times, op. cit., Oct. 20, 1966.
2. See Chapter I, page 22 for a discussion on the Decree Law provisions. This issue had been unofficially discussed during the inaugural session itself, according to Assembly spokesmen (see Press Conference Brief of January 10, 1967; official Assembly publication). Although first formally raised during a discussion on the draft regulation in mid-October, due to a procedural technicality, further discussion on the matter was postponed pending the establishment of the Secretariat and the C.D.C. See Viet-Nam Press, October 26, 1966.
3. Two members from each bloc, headed by Chairman Suu, comprised the "Assembly's Special Committee Struggling for the Amendment of Decree Law 21/66", organized on November 10. Ibid., November 11, 1966. During the debate, the more outspoken deputies (among them Tran van Van, Dr. Dan, and Le thanh Chau) had demanded that "all outside pressures be fended off from tampering with the Constitution"; some of the speakers reportedly contended that the Assembly should either ignore the N.L.C.'s ideas about the draft or should resign if the Junta refused to abolish the Decree Law. See Saigon Daily News and Viet-Nam Guardian, November 9, 1966.
4. After an initial period of studying the constitutions "of a number of advanced countries" and "considering the aspirations of the people", the C.D.C. was to present the main structure of the Constitution to the entire Assembly membership for approval; the actual Constitution would then be drafted by the C.D.C. on the basis of this outline; and finally, the Assembly would

again meet in plenary sessions to discuss and approve the final draft before presenting it to the N.L.C. for promulgation.

5. This "public relations campaign" will be discussed in Chapter IV. The atmosphere of mistrust and suspicion fostered by these generally petty incidents encouraged a number of rumors which further exacerbated the relations between the deputies and the generals. Particularly damaging were allegations of attempts by the N.L.C. to guarantee themselves votes in the Assembly in return for either political or financial recompensation. See NYT, November 24, 1966, for example. Although many of these tales were dismissed as malicious gossip, there did seem to be some truth to others; indeed, in mid-November, twenty-nine members of the Dai Chung bloc spoke out against "undue official pressure" and "unfair military interference". These GVN employees, who were then officially "on leave" from their military or civil service posts, were reported to have signed a petition requesting permission to resign in order to be assured the freedom to express their opinions in the Assembly. See article in Thoi The, reprinted in Viet-Nam Guardian, November 19, 1966; and Chinh Luan, in JUS/PR, November 20-21, 1966.
6. Concerning Article 20, the deputies contended that as a popularly elected body, they had the right to exercise full constitutional powers, whereas the Chairman of the N.L.C. did not, and therefore should not be permitted to veto the draft. See Ban Tin Hang Tuan (op. cit., Number 2, pp. 7-12) and Viet-Nam Press (November 18, 1966) for the additional changes advocated by the Assembly delegation. The most significant of these was the proposed extension of the deputies' mandate after the promulgation of the draft, the right to supervise the enforcement of the Constitution, to draft the electoral laws, and to "represent the people so as to resolve national important problems along with the National Directory".
7. Viet-Nam Press, op. cit. No action was taken by the N.L.C. until early December, although even then the generals' decision was not publicized.
8. Like the Constitution of the First Republic, the new draft appeared to be a curious amalgamation of Western constitutional and legal precepts. Its drafters were by no means lacking models on which to base their work; in particular, the examples of the constitutions of the United States, of the French Fifth Republic, of South Korea, and of the Philippines were frequently referred to by the Drafting Committee. As a general rule, however, the 1956 Constitution reflected the influence of the French to a much greater degree than did the current document, which, not surprisingly, seemed to be oriented more along the lines of the American model.

Furthermore, the new draft frequently added a special twist to measures adapted from the first Constitution. Some of these modifications were undoubtedly intended as a precaution against the development of an autocracy like that fostered by the First Republic. Most of them, however, could be attributed to more immediate concerns--eg., the rigors of the war situation and of the Communist threat, the chronic internal administrative and political disunity, and the problem of underdevelopment. Even more important were those measures adapted by the deputies which were doubtless motivated by less altruistic reasons--ie., as a

result of the purely political influences they had to contend with, or, as the case may have been, to enjoy. The fact that the delegates were well aware of their privileged (albeit temporary) position in the Nationalist political hierarchy increased their confidence and determination to exploit the situation to the fullest. Evidently, this could only be done at the expense of the incumbent military authorities--who (in the eyes of many of the deputies) had, since the November Revolution, directed the political war with the N.L.F. as a simple military operation, and who had, in the course of the repeated escalations, seriously compromised the status of the other Nationalist elements in South Viet-Nam. It was largely in the context of what might be termed the "political needs" of the Constitution that the three-way approach towards revitalizing a "balance of power" was thus applied.

9. A series of some fifteen fundamental rights and four obligations were approved at this time. Like those of the 1956 Constitution (which had enumerated a fairly wide range of civil liberties--although the authorities, justifying their actions by the exigencies of the war, had frequently grossly and arbitrarily disrespected many of these provisions), they embodied the guarantees stipulated in both the French and the American Bills of Rights, and formed an integral part of the document rather than of the preamble or amendments. Included were provisions concerned with "individual freedoms", such as the "freedom, lives, property and honor of every citizen", protection from arbitrary arrest and detention; the traditional "spiritual freedoms" of the press and of association, of religion and education; and such "social freedoms" as the right to work, to strike, to own property, and to receive assistance from the state.

In addition to the conventional, classic rights and duties proposed by the C.D.C., several new innovations were also incorporated into the draft. These included the right of workers to participate in the management of their firms (especially in matters concerning working and living conditions); the right to receive assistance from the state in securing private property; and the right to engage in nonviolent political opposition--as well as the controversial "military in politics" clause. Suggestions overruled at this time included the promise of special attention to peasants and urban workers, as well as to military personnel, in securing private property, and a series of guarantees for minority groups. (See Saigon Post, November 30, 1966).

10. Granted, the clause as voted did not stipulate in detail which positions would be subject to these terms, whereby there did remain the possibility that only the most important positions would be affected.
11. Loan revealed that his prisoner, one-eyed Vo van En, had confessed to belonging to the "Regiment for the Liberation of the Capital"; that he had been with the N.L.F. for three years; and had been sent to Saigon only a week previously on his first mission.
12. The dominant figure behind the Phuc Mien bloc, Van was also recognized as the "strongest rallying figure" behind the Southern faction in the Assembly during a recent cabinet crisis (ie., in early November, half a dozen Southern ministers, including the prominent Minister of Finance, Au truong Thanh, resigned from Ky's Cabinet in protest of "police state" tactics employed by the Prime Minister's Northern colleagues--especially General Loan).

Moreover, he had reportedly stated many times that as chief of state, he would direct a civilian government which would deaccelerate the war. Indeed, according to one particularly sympathetic article in the Viet-Nam Guardian (December 8, 1966), Van was considered "one of the major driving forces keeping the 117-member Assembly from becoming a rubber-stamp law-making body for the Government...(by) reminding the deputies that they, not the Government, were elected and as such were the only true representatives of the people".

13. Indeed, while the GVN authorities unequivocally denounced the incident as a "Communist crime", and as proof that "the terrorists fear democracy and will not reject any cowardly means whatsoever to try and split the ranks of Nationalist fighters" (Ky cited in Saigon Daily News, December 8, 1966), in Hanoi, the "Thieu-Ky clique" was denounced as the real criminals. Nhan Dan article reprinted in Le Monde, December 13, 1966.
14. The Assembly seemed particularly disconcerted by the fact that the reports of the assassination were subjected to heavy and seemingly arbitrary censorship. In fact, less than a week after the incident, two of the three English-language dailies (the Saigon Post and the Viet-Nam Guardian) were actually suspended for having "reflected doubts" on the recent events.
15. This committee was to be composed of the same twelve deputies who formed the "Decree Law Committee". The communique (reprinted in Saigon Daily News, December 9, 1966) referred to Van's murder as "a supreme tribute to the entire Assembly in its destiny of fighting to build the foundations of democracy, freedom and goodwill in the country".
16. The Junta agreed to the formation of the committee on December 12, the day after Van's funeral. Ky suggested, however, that the deputies invite a member of the Army-People Council to collaborate with them "so that this special committee might collect the greatest possible number of opinions...in order to dissipate all the rumors spreading confusion among public opinion to the detriment of national solidarity". See Viet-Nam Press, December 15, 1966.
17. Saigon Daily News, January 11, 1967. The accused pleaded innocent, contending that his comrade had fired the fatal shot. Although Van's widow reportedly made an appeal for clemency on En's behalf, no further details were forthcoming.
At the end of January, Van's seat was filled by the elderly Southerner and former publisher Huynh hoi Lac.
18. As Suu himself remarked, "Those who have ordered the death of Mr. Van have made a terrible miscalculation, for it has only contributed to unite the Assembly more than anything else". Cited in Saigon Daily News, January 16, 1967.
19. If asked to cite the main preoccupation of the Assembly during the discussion on the form of government under the new Constitution, the majority of deputies would doubtless have answered: a separation of powers. The 1956 Constitution had also made an attempt at creating a "balance" of power similar to that associated with the American (rather than the French) model; the fact that the President of the First Republic had nonetheless enjoyed much broader privileges than either the legislative or

judicial branches was allegedly inspired by a concern with preserving the continuity of the state. More probably, it resulted from the role played by the executive himself in drafting the Constitution. At any rate, the deputies were determined not to let this state of affairs repeat itself.

Ironically, however, while aiming to meet the needs of the nation, and at the same time to limit certain powers formerly enjoyed by the executive, the delegates placed such heavy emphasis on a strong legislative branch that (as some irate critics contended) a virtual "dictatorship of the legislature" was created. Indeed, even many of the more conventional provisions dealing with the right and responsibilities of the executive, judicial, and special institutions were linked with an astutely worded clause, which afforded the future National Assembly yet another opportunity to exercise their prerogatives and influence.

20. Little serious consideration was given the option of a parliamentary rather than a presidential form of government, for it was generally agreed that only in a country where a two-party system was already well-established could the former type prove successful. Furthermore, the adoption of a presidential regime (which combined the persons of chief of state, chief executive and national leader) seemed particularly appropriate in an administrative system permeated by the Confucian concept of the role of the head of state as a combination of "nhan" (human-heartedness) and "nghia" (righteousness). At the same time, however, the majority of deputies still seemed reluctant to place all the executive power in the hands of a single individual. Consequently, rather than adopting a pure presidential system, the Assembly decided on what was termed a "mixed-presidential system" as the best means of deterring a dictatorship: by establishing the office of prime minister in addition to that of president and vice-president, important limitations could be placed on the power of the chief executive. For the latter would thus be held responsible not only to the electorate, but also to the National Assembly, by virtue of the presence of a prime minister.
21. In other words, the president, after nominating a prime minister, would then designate members of the government (cabinet) on the proposal of the latter. The president would have the power to dismiss either part or the whole of this government, either "on his own initiative", or, more significantly, "upon the recommendation of the National Assembly". For the legislative branch was to exercise the unprecedented right to dismiss the prime minister, and to dissolve the cabinet "partly... (at the demand of more than half of the deputies) or in bloc" (at the demand of two-thirds of the Assembly).
22. The rights and duties of the executive were not discussed until the third phase of the drafting procedure (see footnote 47). As the question of the office of vice-president was not discussed until after the Assembly had adopted the mixed presidential system (ie., president and prime minister), considerable debate arose over the necessity of establishing this third executive position. Finally, in what was hailed another "historic first", the delegates agreed to elect a vice-president as an assistant to the president and as his legally elected successor, should the chief executive be absent from office.
23. In order of increasing size, the local administrative units were

the commune (village), the canton, the district, and the province. The commune (xa) was further divided into hamlets (ap). The implications of the deputies' decision to extend the principle of a "just separation of powers" to the workings of the lower levels of government, and to elect (rather than to appoint) the deliberative organs as well as the heads of the executive agencies of some of these local units (ie., the village, the province, the municipality, and the prefect), seemed particularly important when viewed in the context of both the traditional and current status of the lower echelon governmental institutions.

The key to understanding the system of local government which had prevailed in South Viet-Nam for hundreds of years lay in the proverb "phep vua thua le lang" ("imperial orders give way to village customs"). This concept of communal autonomy had taken root as far back as the Sixteenth Century, when the centrally appointed xa quan (or village mandarin) had been replaced by the xa truong (village leader), who acted as a coordinator between the village and the representative of the imperial authority, the district chief. At the same time, by means of an elected council of village elders (or hoi dong ky muc), the inhabitants of the xa themselves had assisted in the control of some local affairs (eg., the maintenance of public order and the collection of taxes necessary for the operation of the state). Indeed, by the end of the Le Dynasty, the commune was the only legal local entity with which the central government dealt. While "village customs" were not actually able to bloc "imperial orders", the latter were limited to a stipulation of the ends desired, and the xa exercised the right to determine the means by which these ends could be realized.

Although the principle of village autonomy was generally respected under French colonial rule, during the struggle for independence, the traditional administrative system was seriously dislocated at all levels (provincial and district as well as the village). Consequently, after 1954, the authorities of the newly-founded Republic attempted to initiate a variety of measures designed to halt this deterioration--albeit at the cost of a reorganization of the long-accepted form of local government. Among these provisions was the controversial Decree Number 57A, which stipulated that village officials would no longer be popularly elected, but would be appointed by the province chief. The ordinance recognized the continued right of self-government of the xa, but as it made no provisions for the organization of the local governing bodies, the villagers were generally left to their own devices in this respect.

The status of the commune was further modified in 1962; under the Strategic Hamlet (Ap Chien Luoc) Program, strictly local government at the hamlet (ap) level was no longer left to the discretion of the territorial administration. It was hoped that the chronic problem of village administration could thus be simply bypassed--ie., that the ap chien luoc would not only displace the old village hierarchy as a vehicle for political and social change, but that it would also achieve the ideal of autonomy that previous regimes had allowed the village. This trend was subsequently strengthened by Decree Law 45/NV, passed on May 3, 1963, which stipulated that the communal council was to be elected by indirect suffrage rather than by universal direct suffrage (ie., its membership would be chosen by secret ballot by the members of the administrative councils of the ap, who themselves were elected by direct universal suffrage). Under the successive post-Revolution military governments, when the "New Life Hamlet Program" (Ap Tan Sinh) was established, except for the fact that the

province chief was granted a number of additional powers (by Decree Law 203/NV, of May 31, 1964), the situation remained generally the same.

Insofar as the system of local government at the other administrative levels (ie., the province, the prefect, and the municipality) was concerned, this too had undergone considerable change. The traditionally elected provincial councils, first suspended in 1943, were reinstated during the First Republic; in fact, they did not function after 1956. Following the 1963 Revolution, some attempt was made to decentralize provincial administration (ie., the practice of electing the provincial councils was reinstated, although provincial and district chiefs continued to be representatives of the central government). In 1964, the GVN authorities decided that members of the Saigon City Council (Prefectoral Council) and of the municipal councils should also be elected by direct and secret universal suffrage, and that their powers should be expanded beyond those of a simple advisory council. The executive officials were still appointed by the central government, however.

In addition to this significant trend towards a realignment of the center of interest of local administration away from the xa and towards the ap, a second tendency was also discernible during the course of the First Republic. As a result of a general manpower shortage, the effects of conscription, the security crisis, and the increasing importance of the Armed Forces in national affairs, vacancies in the territorial administration at every level of local government began to be filled by army officers. By 1963, only five of the more than forty provinces of South Vietnam were administered by local civil servants; by 1966, the militarization of the local administration was almost complete, at the district as well as the provincial level. Yet rather than strengthening the administration, as this policy had been intended to do, the problems of factionalization and incompetence were only exacerbated. First of all, the military aspect of the officials' duties was emphasized at the expense of the civil-administrative aspect. Secondly, not only did few military appointees have any training in public administration, but the majority of them were usually transferred to another position before they were able to gain sufficient experience (much less any real interest) in their post. The local military officials were also extremely vulnerable to the enormous powers exercised by the division and Corps commanders, who were themselves ex officio government delegates. Given the key importance of provincial and district administration vis-à-vis the central government in a country at Viet-Nam's stage of development, this state of affairs was regarded as particularly alarming by many observers--including a majority of the Assembly members.

The deputies justified their proposed changes in the local administrative system as necessary to provide a basic democratic structure, to reconcile the demand for efficiency of the central government with the need for the independence of local unity, to provide opportunities for the population to participate directly in administrative affairs (ie., to build democracy at the rice roots level), and to prevent a dictatorship. See Viet-Nam Nouveau, December 20, 1966, for a summary of these arguments, both pro and con. In fact, although apparently inspired once again by the American example, the Assembly did not advocate extending this local autonomy as far as federalism, for the regional units would not have their own legislatures. Moreover, the delegates bypassed the level of the district--which, in many respects, was as important as the province in terms of a nation-wide application of pol-

icy. Further modifications were proposed during the final debates on the draft; see footnotes 49 and 59.

24. The weak and ineffective National Assembly of the First Republic could provide little inspiration for the deputies in their attempt to revitalize and to strengthen the legislative branch; consequently, the American model again served as a primary source of ideas. A bicameral system (rather than the former unicameral legislature) was endorsed in order to "thoroughly safeguard legislative procedures and help extend the deputies' rights to represent the people...(to) prevent the centralization of legislative powers into a single body, and...(to) strengthen the cooperation between the legislature and the executive". Viet-Nam Press, December 22, 1966. The deputies ignored suggestions that a special place be reserved for the military in one or the other of the legislative chambers, as well. See footnote 44 for duties and responsibilities, discussed at a later date.

25. Although the 1956 Constitution had recognized the necessity of respecting the independence and the equality of the judiciary in relation to the executive and legislative branches, this third power had in fact been neither separate nor equal. Functioning primarily as organs of inquiry or of judgment, the courts had thus differed from the police and security services more in theory than in practice. The fact that the Diem Constitution also failed to stipulate the conditions of removal or appointment of the judges had further emphasized the arbitrary nature of this branch, especially at the local level.
 The new draft sought to remedy this situation (ie., to secure public order and to defend the rights and interests of the individual against possible encroachments by the state or by other citizens) by investing an independent judiciary power in a Supreme Court, as well as in a Judiciary High Council. See footnote 50 for the duties and rights of this branch.

26. Ky also took advantage of the occasion to reveal that the N.L.C. had decided to call upon the Army to implement a "revolutionary" new scheme of rural pacification in order to assure political stability and security at the lowest levels of administrative government. See The Prime Minister's Address to the Constituent Assembly, official Assembly publication, December 23, 1966; also Saigon Daily News, December 24, 1966. The Assemblymen were well aware of the fact that by thus broadening the role of the Armed Forces in national affairs, the generals' control of the allocation of political prerogatives within the Government hierarchy would undoubtedly be strengthened--as would their position in the dialogue.

27. These advisory Bodies were both modelled after the National Economic Council of the First Republic, which itself had functioned much like its French counterpart (albeit with considerably fewer prerogatives). See footnote 53.

28. NYT, December 28, 1966. A special police investigation was ordered to determine the guilty parties. Nothing was reported in the local press until January 16, when police sources revealed that a teenage "Viet Cong terrorist" had been seized as a suspect in a hamlet just north of Saigon on January 11. The following day, however, it was reported that the Police Directory had denied reports of this arrest; no further details were made available to the public.

29. The generals justified the decision to retain their veto power primarily on the grounds that as the two Decree Laws 21/66 and 22/66 formed the legal basis for the September election, the N.L.C. was "bound by the duty to respect the will of the great majority of our people...Any change in the Decree Laws would make us unworthy of the confidence placed in us by the electors throughout the country". See Assembly Press Conference Brief, January 10, 1966, op. cit.; Viet-Nam Press, December 28, 1966.

According to the NYT (December 24, 1966), in the message the Junta also specifically rejected the suggestion put forth by the deputies that the Government retire after the Constitution had been promulgated, and that the Assembly be allowed to direct the national elections in 1967.

30. The contents of the letter had reportedly been common knowledge for at least a week. Apparently the message was to have been delivered some time ago, but was delayed first by Van's assassination and then by the Assembly's determination to resist the N.L.C.'s efforts to subdue the controversy which followed the murder. Caught off guard by this dissension, the Government had thus decided to hold the letter until the situation had improved.
31. In contrast to the Diem Constitution, which had made no provisions for the establishment of political parties and the rights of their membership, the new draft devoted an entire chapter to this problem. Considerable controversy arose over these provisions, however, for few delegates agreed on the role of political parties in the future regime, or on the prerogatives they should enjoy. Indeed, in view of the persistent factionalism and political turmoil in the Republic, it was not surprising that a number of delegates contended that political parties in South Viet-Nam did not meet the necessary requirements to deserve special recognition by the state. Although the deputies were thus unable to decide on what should constitute these fundamental requirements (ie., although such considerations as a democratic statute, 30,000 members with established records, the means of functioning, and at least one newspaper were among those suggested, it was eventually decided to leave this task to the future legislature), they did agree to recognize the principle of the free organization of political parties, as well as the "vital role" of these parties in a democratic system. Furthermore, once again inspired by the American example, the Assembly approved the idea of "encouraging" the development of a two-party system. They also adopted a clear statement of the right of non-violent political opposition under the new regime--although the fact that any form of Communist opposition was to be automatically excluded from the political arena largely negated the seemingly progressive implications of this clause.
32. A proposal for the establishment of an Inspectorate (or Giam Sat Vien) had initially been rejected on December 23, largely on the grounds that it would overlap with the judiciary branch--and would be incapable, at any rate, of performing its enormous task. According to the provisions adapted on December 29, although an independent organ, the Inspectorate was not envisaged as a fourth power (like the "Control Yuan" of the Republic of China, for example); rather, it owed its prerogatives and status exclusively to the Constitution. The establishment of a similar control body in Viet-Nam could be traced back as far as the imposing Imperial Court (or Imperial Control Institute: Ngu Su Dai), although the Constitution of 1956 had not followed this traditional practice.

At the present time, an "Inspectorate" was functioning under the provisions of the Provisional Charter of June, 1965; it was essentially a Government product, however, whose members were all appointed by the central authorities. See footnote 51.

33. Saigon Post, December 30, 1966. The oath was taken at Suu's suggestion. At the same time, the deputies also decided to hold a press conference to publicly state their position on the issue of the Decree Law.
34. This "Ethnic Council" would function much as the previously approved economic and cultural councils (see footnote 27); these provisions were probably adopted to mollify the ethnic minority deputies, whose demands for a special article in Chapter I (concerning the rights and duties of the citizen) guaranteeing the rights of the South Vietnamese ethnic minority groups, had been overruled.
35. At this time it was announced that the issue of the Decree Law would be set aside in order to permit the deputies to devote their full attention to the drafting of the individual provisions of the Constitution. Nevertheless, taking advantage of the solemnity of the occasion, twelve members who had been absent at the December 29 session took up their colleagues' pledge of solidarity, thus bringing the total number of those who had taken the oath to over the two-thirds majority needed to form a quorum.
36. Dinh, the Second Vice-Chairman, declared that the conference had "no other purpose than to present before public opinion at home and abroad a struggle for the independent basic foundations of the Assembly". Press Conference Brief, op. cit.
37. During the course of the conference, Dinh had stated that the Secretary-General of the N.L.C., General Pham xuan Chieu, had privately promised Suu that "there will be no problem of amending the draft Constitution". (Saigon Post, January 13, 1967). His argument was seconded by other deputies, who were quoted as saying that "we believe the N.L.C. will not make use of its veto power...Chieu has almost promised it". (Ibid., January 11, 1967).
38. Interview in Le Viet-Nam Nouveau, January 12, 1967. It may, of course, be argued that had Chieu actually made such a statement (which may well have been the case), he would naturally have felt compelled to retract it in order to avoid compromising the position of the N.L.C. But at the same time, his vehement reaction obviously further increased the tension between the deputies and the generals.
39. The January 19 session was called after three postponements; at this time, the remaining five Assembly members pledged themselves to defend the Constitution. The nine-chapter draft had been drawn up by the forty members of the C.D.C. (assisted by seventeen volunteers) on the basis of the general outline previously voted--these fifty-seven deputies were split into nine sub-committees, each of which was responsible for drafting a single chapter.
40. Article Four read: "The Republic of Viet-Nam opposes Communism under any form whatsoever. Any action which aims at propagandizing on behalf of Communism or implementing Communism is absolutely forbidden". This clause was regarded as one of the most important of the draft, as it would weigh heavily upon the fundamen-

tal political character of the new Constitution--not only in the context of Nationalist politics, but also in terms of the position assumed by the future leaders and lawmakers of the Republic vis-a-vis the Viet Cong insurgents.

41. During this week-long debate (January 21 to 28), considerable dispute also arose over the question of the right of religious organizations to have a voice in politics and the equality of all religions (Article 9). The omission of this latter principle in the first Vietnamese Constitution was regarded by some as one of the primary reasons for the subsequent persecution and religious rivalry which contributed enormously to the overthrow of Diem. Although the Assembly ruled out the question of the possibility of the adoption of a national religion (Article 9, Paragraph 2), a majority of deputies (forty-eight to thirty-six) voted to strike out a proposed clause stipulating that "religions are forbidden to carry out positions of political authority". See Saigon Daily News, January 24, 1967. The question of additional guarantees for workers' rights to strike (Article 16) was also hotly disputed; see Chapter IV, pages 91-92).

Insofar as the issue of press censorship (Article 12) was concerned, the only restrictions mentioned were that publications should not be harmful to individuals or national defence; nor should they violate decency and morality. The censorship of movies and plays would still be permitted. Shortly thereafter, it was reported that Thieu had asked the Assembly to abrogate the press clause on the grounds that "censorship of the press, etc... is indispensable in war-time". See Tieng Vang, reprinted in JUS/PR, February 1, 1967.

42. During the session of January 27, described as the stormiest to date, a number of Army officers vehemently argued that this clause (Article 23, Paragraph 2) would deny a large group of citizens their democratic rights. Because a similar prohibition was already found in the disciplinary code of the Army, they contended, the article would be wrongly understood as an attempt to "put pressure on the Armed Forces". One ex-military officer presented this case quite succinctly when he declared that "The honorable deputies are sitting here in peace and do you know to whom you are indebted? Telling the military men to stay away from politics is insulting them!" (Saigon Post, January 28, 1967). The final vote on this provision was fifty-five of eighty-two pro. It was also decided that military personnel, if elected to an official post or appointed to a Government position, would be obliged either to resign from the service or to take "leave without pay".

The civilian deputies' concern was doubtless increased by the fact that on January 26, Thieu had been quoted as saying that although the military might turn over the reins of power to a civilian government "within this year", even once the war was over, the role of the Army in the "political field" would be "much more enhanced"; "The...Armed Forces will always stand by to protect the people". (Ibid., January 26, 1967). Indeed, the intensity of feeling generated within the Assembly by this issue was suggested by the withdrawal of twenty-one members of the pro-Government Dai Chung bloc from the group, allegedly in protest of the bloc leader's vote in favor of the clause.

43. That is, on February 15, the Assembly conceded that should the legislature's recommendation to dissolve the Cabinet be rejected by the President, a vote of three-fourths of the total number of

Representatives and Senators would be required to overrule his veto--a majority which would be all but impossible to attain.

44. First of all, the future National Assembly differed from its predecessor of the First Republic in respect to its mandate. While the 1956 Constitution provided for a three-year term (which had been extended to four years by a constitutional amendment passed in June, 1962, in order to avoid holding elections in time of war), the new Constitution stipulated a four-year term for the Lower House (Article 31), and six years for the Upper Chamber--with half of the members re-elected every three years (Article 33), as was the practice in the American Senate. See Chapter V, pages 114-115, for the composition and qualifications of members. Secondly, the new body would enjoy much broader powers (Articles 39-42, 46). Laws were to be enacted by means of a legislative procedure very similar to that practiced by the American Congress (Articles 43-45): a proposed law must be passed by both Houses; a "joint conciliating council" could be convened in case of a disagreement between the two chambers. See footnote 47. The Assembly was to be informed by means of boards of inquiry set up in the legislature and by regular, frequent contacts between ministers and standing committees. The deputies also paid particular attention to the problem of guaranteeing the rights of the future legislators (Articles 37-38); for although certain safeguards had been recognized by the first Constitution, these had frequently proved either inapplicable or ineffective. Among the parliamentary immunities adopted at this time was the freedom from arrest or even from pursuit because of statements made in the Assembly; only if caught in the act of committing a misdeed might a legislator be detained. Prosecution or the restriction of liberties of a member of the National Assembly could be overruled by a legislative veto, even in case of flagrant violation of the law. The future legislators were also assured the right of keeping secret the origin of documents they presented before their colleagues, and of refusing confiscation of these documents by any authority whatsoever. As an additional means of protection, it was decided that the Assembly members would not be allowed to hold a public office, or to sign business contracts with any Government agency during their term of office.
45. Tu Do and Tien Tuyen, reprinted in Viet-Nam Guardian, December 8, 1966. See Chapter II, pages 51-52 for the composition of the two component blocs. Le phuoc Sang (see Appendix) headed the coalition.
46. Considerable confusion resulted over the latter provision; although it was in fact deleted from the draft at some point during the final review, a similar measure was subsequently introduced by the deputies during the course of the deliberations on the electoral law. See Chapter V, page 113.
47. Like the chief executive of the First Republic, the future President would be elected by universal suffrage, on a joint ticket with the Vice-President (Article 52). He would also enjoy the right to represent the nation in foreign affairs, to accredit foreign ambassadors, to appoint Vietnamese emissaries abroad, and to ratify international treaties after legislative approval; to confer decorations and exercise clemency; to act as supreme commander of the Armed Forces; to promulgate and execute laws passed by the legislature, while exercising a veto power; to appoint senior civilian officials; to determine national policy; and to

preside over the Council of Ministers (Articles 59-62).

The most significant differences between the executives of the First and Second Republics, in addition to the presence of a Prime Minister in the new regime (Article 58), were found in the duration of the presidential mandate (shortened from five to four years, and subject to only one re-election rather than two; Article 52) and in the emergency powers to be exercised by the President. Although both documents stipulated that he might declare a state of emergency "in one or many areas", or rule by decree (the infamous Articles 44 and 98 in the 1956 Constitution), the deputies had attempted to lessen the possibility of a subsequent curtailment of the legislative and judicial powers. For example, they decided that once the President had signed a decree law declaring a state of alert or emergency, or had instituted a curfew in either part of the whole of the nation under "special circumstances", the National Assembly would be convened within a period of not more than twelve days--to accept, modify, or reject the President's law. Furthermore, should the Assembly reject or modify the law, the exceptional measures already applied would either be terminated or altered immediately (Article 64). Nor would the new President have the right to sign "orders in council" in case of an emergency (as per Article 41 in the 1956 Constitution); these decrees, recognized as duly-legalized measures, had in some cases even modified the provisions of certain existing laws. The presidential veto power was also somewhat restricted. Formerly, when the chief executive vetoed a bill presented by the National Assembly, the latter had been obliged to muster a vote by three-fourths of its membership in order to overrule the President. According to the new draft, only an "absolute majority" would be necessary (Article 45).

The large budgetary powers enjoyed by the former President (whereby he might enact his proposed budget by decree if the Assembly had not approved it within the statutory deadline) were likewise considerably reduced. Instead of having access to one-fourth of the proposed budget each quarter pending its ratification by the Assembly, he might spend only one-twelfth of the previous budget, during an unspecified time (Article 46). The future President would not have the power to call referenda even "with the consent of the Assembly" (Article 40 of the 1956 document). Furthermore, he could only appoint heads of diplomatic missions and university rectors (Article 59)--and not all senior civilian and military officials, as during the First Regime (i.e., the promotion of generals was to be decided by the Armed Forces Council).

The actual duties of the Vice-President were simply to preside over the special councils (eg., the Culture, Economic, and Ethnic Councils); he was to have no other function in the Government (Article 66). Like the American Vice-President, should he himself (having assumed the office of President as a result of the latter's death, resignation, impeachment, or serious prolonged illness) step down from the presidency, he would in turn be replaced by the Chairman of the Upper House (Article 56). The rights and duties of the Prime Minister were obviously much broader than those of the elected Vice-President. They included the direction of the Government and all organs of national administration, and responsibility before the President for the application of national policy (Article 67). The Prime Minister could be called before the legislature to defend Government policy (Article 63). A final safeguard against the misuse of executive authority (applicable to all members of the National Assembly as well) was the provision which prohibited all executive officials, including

members of the Cabinet, from taking on any function (retributive or otherwise) in the private sector; nor would their spouses be allowed to sign a contract or bid with a public organ (Article 68).

48. The objections were outlined in a letter from Thieu to Chairman Suu, reprinted in Viet-Nam Press, February 24, 1967. The N.L.C.'s actual arguments were not publicized at this time.
49. The initial impact of the adaption of the decentralization provisions was somewhat modified by a number of measures approved at this time. First of all, the "organization and regulation of local administration" was to be "prescribed by law" (Article 70). Secondly, the central Government would be reserved the right to dismiss local leaders in case the latter violated the Constitution, the laws, or national policies (Article 75), as well as to appoint two officials to assist each mayor, province chief, and village chief on administrative and security matters (Article 74). Furthermore, at the village level, village chiefs might be elected by the communal councils from among their own membership (Article 71)--and thereby avoid repeated elections to replace village chiefs who had been assassinated by the N.L.F.
50. The Supreme Court (obviously modelled after its American namesake) thus boasted considerably broader legal as well as political prerogatives than those of its predecessor of the First Republic, the Constitutional Court; the new body would also be responsible for supervising the election of the President and Vice-President (Articles 81-82). Financially independent (Article 83), the Court was to be composed of from nine to fifteen professional judges or lawyers (who had at least ten years experience in the judiciary), chosen by the Assembly and designated by the President. Their term of office would be six years (Article 80).

Moreover, the deputies approved the principle of a clear delimitation of power between prosecuting and presiding judges, with the former under the control of the Supreme Court and the latter, of the Ministry of Justice (Article 78). In order to assure the conduct of an independent trial, conditions under which a presiding judge could be relieved of his function were enumerated (Article 79). As an additional precaution, further problems concerned with the status of the judges were to be determined by a Judiciary High Council (Article 84). This body, modelled after the French Conseil Supérieur de la Magistrature (as was its predecessor of the First Republic, the High Council of the Judiciary--although the latter had been notoriously ineffective), was itself to be composed of judges elected by the whole judiciary. The Council was to exercise the right to determine questions related to the appointment, promotion, transfer, and necessary disciplinary sanctions against judges (i.e., to eliminate executive interference from judicial proceedings).

The third judicial organ, the Special Court (described in Chapter VI, "Special Institutions"), was assigned functions similar to those of the former Special Court of Justice (itself closely modelled on the French Haute Cour de Justice); its members would be primarily concerned with trying impeachment cases of the nation's highest authorities "in cases of treason or other high crimes". Composed of five Deputies and five Senators (rather than fifteen, as had been the Special Court of Justice), the Special Court was to be chaired by the President of the Supreme Court (Article 86). Like the First Republic Court, it was obviously designed as a political rather than as a judicial body

(in view of its membership of ten parliamentarians and only one magistrate), and would only be convened when necessary (Article 87).

51. The control powers vested in the Inspectorate included the right to inspect and to investigate all acts harmful to national interests (be they perpetrated by public functionaries or by private citizens); to audit any public or semi-public enterprise; and to check the personal wealth of any public official up to the President (Article 88). In order to safeguard the independence of the institution, the Inspectorate was to be composed of between nine and eighteen members, of which a third each would be designated by the National Assembly, the President, and the Supreme Court (Article 90). According to the draft provisions, the Inspectorate would be empowered to "propose" disciplinary sanctions against any guilty person, and to "request" that he be tried before a "competent court" (Article 89). In other words, the body would have no judicial prerogatives of its own, but would be obliged to depend on the final decision of the administration or of a court. Despite these limitations, the deputies argued that the organ would play an important role in reducing the chronic ills of corruption in Vietnamese society by virtue of the fact that it had the power to publicize all findings of its investigations. Furthermore, its members would have an autonomous budget, and be given statutory powers to set up their own organization (Article 91).
52. The Armed Forces Council (which had also been bypassed by the first Constitution) was to be responsible primarily for advising the President on military problems, and especially on the promotion, transfer, and discipline of servicemen of all ranks (Article 92).
53. One third of the membership of each council was to be designated by the President, and the other two-thirds elected by related organizations (ie., for the Culture and Education Council: representatives of public and private cultural and educational organizations, parents and students associations, and youth organizations (Article 94); for the Economic and Social Council: economic, social, commercial, and industrial organizations, as well as trade unions, cooperatives, and farmers associations (Article 96); and the Ethnic Council: by ethnic minority groups (Article 98)--for a four year term. It was thus hoped that the councils would not only function as a stabilizing element on national policy, but that they would also encourage the participation of the general public in the debate on a variety of problems with which they were concerned.
54. Dr. Dang van Sung, cited in Viet-Nam Press, March 8, 1967.
55. Articles 99 and 100; regulations "governing political parties and political opposition" were to be "prescribed by law" (Article 102).
56. As approved by the deputies, the provisions for amending the Constitution (which closely resembled the American procedure), were considerably less complicated than were those of the 1956 document. Instead of the necessary approval of three-fourths of the total number of deputies "voting in person on a roll-call vote" (Article 92 in the 1956 Constitution), the future National Assembly, convened in a joint session of both Houses, would

simply approve the amendment by a two-thirds vote of the combined total number of legislators (Articles 103-105). This would then be promulgated by the President, following the ordinary legislative procedures (Article 106).

57. See footnote 6.

58. The transitional provisions of the 1956 Constitution had been concise and easily applicable, involving little more than a simple transformation of the previously instated executive and legislative organs into those institutions established by the new Constitution. For upon the promulgation of the document, the National Assembly (elected to draft the law of the land of the First Republic) had performed the duties of the legislative branch, while the President (already elected the previous year) took on the duties of the chief executive. Insofar as the new draft provisions were concerned, in accordance with Decree Law 21/66, the deputies did approve the investiture of the recently-established executive rights in the N.L.C. and the Central Executive Committee during the transitional period (Article 111). They also agreed that all existing courts would be permitted to continue to exercise their present powers until the new institutions could be established (Article 112). On the other hand, the delegates further strengthened their own position as a constituent assembly-cum-national assembly (Articles 109, 110, 113) by stipulating that they might retain their legislative powers for as long as another eighteen months--in view of the length of time to be allotted for preparations for the various elections and for the founding of the above-mentioned institutions (yet another concern which the first Constitution had omitted, with unfortunate consequences). The election of the President and Vice-President was to be held within six months of the date of promulgation of the Constitution (Article 115); the election of the National Assembly, and the organization of the Supreme Court and of the Inspectorate, within twelve months from the date the first President took office (Article 116); and the establishment of the other institutions, within a period of two years from the date of the inauguration of the first National Assembly (Article 117).

59. Article 114.

60. The N.L.C.'s letter, addressed to Chairman Suu and dated March 9, was reprinted in Viet-Nam Press, March 11, 1967.

61. The seven principal objections (reiterated in a six-page memorandum sent to the Assembly the following day, reprinted in Ibid., March 18, 1966) were based primarily on the argument that the legislature would exercise rights which were "at variance" with the principle of a balance of power, or that the disputed articles were "not consistent with the present realities of the country". Insofar as the transitional provisions were concerned, the generals demanded that these be "shortened to the minimum"--although they added that the Directory, empowered to establish fundamental structures of the nation within three to six months, would "invite Assembly deputies to join in fulfilling this task".

62. The 117-word Preamble was designed primarily as an "expression of confidence in the nation's past and in its future", in the "realization of the true situation of the country", and of "the responsibilities of the Vietnamese people before history".

63. On March 17, eighty-seven of the ninety-eight deputies present voted to retain Article 21, concerned with the right of workers to participate in the management of their firms; the full text of the recently revised Article 41, on the motion of censure (see footnote 43), and Article 69, which dealt with the principle of a local separation of powers (see footnotes 49 and 59) --both by a unanimous show of hands--as well as Article 79, on the appointment of lawyers to the Supreme Court (instead of judges, exclusively, as advocated by the N.L.C.). The other changes made were limited to minor working details such as the question of filling a vacancy in the National Assembly, and on a single phrase in the Preamble (see Chapter IV, pg. 98 ff.) See Viet-Nam Press, March 18 and 19, 1966, for a summary of the debates.
64. Saigon Post, March 20, 1966.
65. The N.L.C. communique was reprinted in Saigon Post, op. cit. This approval was considered to be the real test of the incumbents' position on the Constitution, given that the Armed Forces Council vote would be more or less a formality. That the generals' agreement had not been easy to attain was suggested by the fact that the final decision to accept the draft was preceded by a five-hour "marathon session". Reportedly, Prime Minister Ky had been most concerned about reaching a compromise solution with the deputies--probably to reinforce his status with the Assembly in view of his intentions to stand as presidential candidate. It was he (rather than Thieu, who took a much less conciliatory stand) who had initiated a number of recent unofficial Assembly-N.L.C. sessions to discuss the more controversial aspects of the draft.
66. According to Dr. Dan (cited in NYT, March 19, 1967), the deputies had been informed that the generals wanted to have the finished document in hand to show it to President Johnson in Guam. Indeed, the issue of the Constitution was given considerable publicity during the course of the conference by both the Americans and the Vietnamese.
67. Dr. Dan, cited in Saigon Daily News, March 23, 1967.
68. The official quoted was General Nguyen bao Tri, the Minister of Information and Open Arms; see Viet-Nam Press, March 28, 1967. A three-point communique, issued at the close of the seven-hour session, stated that the decision had been taken as proof that the "Armed Forces Council as a whole wanted to show its willingness to build democracy and that the Armed Forces does not follow the path of dictatorship". The declaration also set the date for the presidential--and the Senate--elections for September 1, with the members of the House to be chosen on October 1. Finally, it was reported that the A.F.C. had reasserted their confidence in the N.L.C. "in their responsibility to lead the nation and particularly to maintain stabilization to bring about the democratic institutions as scheduled". (Ibid.)
69. In contrast to the festive atmosphere of the ceremony (ie., thousands of leaflets declaring that the Constitution would "create the necessary conditions for the people to win over Communist aggression" were dropped over the 5,000 to 10,000 spectators attending the elaborate formalities), Thieu's remarks were remarkably restrained. Mentioning the newly-promulgated Constitution almost in passing, he reserved most of his comments for what ap-

peared to be a defence of the role of the N.L.C. in recent events. Indeed, the Chief of State insisted that the Junta had decided to accept the document in toto "because of our respect for democratic principles and the prestige of the Assembly elected by the whole nation, rather than a response which may prove ineffectual, and--which may be even more dangerous--a response which may jeopardize the political stability and the national struggle against Communism, aggravate the internal dissensions which can only profit the enemy of the nation". Thieu's speech was reprinted in Saigon Post, April 3, 1967.

CHAPTER FOUR

1. These three phases (ie., the initial Assembly-inspired contacts with a number of Nationalist interests outside the institution, the response of the latter to the constitutional drafting procedure, and the less direct but far more important effects of the very presence of the Assembly on the course of political development in South Viet-Nam) did not constitute a series of chronologically independent incidents or trends. Rather, they occurred intermittently and often simultaneously throughout the period in question. Due to the complex character of the debate itself, in order to clarify the predominant features of these interrelated aspects, the following discussion has been organized on the basis of an analysis of each of the three stages in the order presented above. Having examined the fundamental elements of these different approaches to political involvement and participation, the implications of the role of the Assembly as a political force in Nationalist politics may then be more effectively related to the general framework of the Constitutional Experiment.
2. In addition to offering moral (and financial) support to the victims of a number of natural disasters (eg., during the inaugural session itself, a "Flood Relief Committee" was hastily improvised in response to reports of severe flooding in the western provinces of the country), the deputies publicly supported various anti-Communist and anti-pacifist campaigns--among them that initiated by the Roman Catholic "For a Just Peace Committee", in late February (see Chapter IV, page 98). Several more symbolic issues were likewise seized upon by the delegates as a means of expressing their solidarity with their constituents--such as their campaign to transfer the Assembly headquarters from the Lam Son building on the grounds that its former function as the meeting place for President Diem's legislature (and before that, as a French theater) might raise some "uncomfortable" implications about the character of the new institution. See Saigon Daily News, October 7, 1966.
3. On one occasion, in October, the Assembly Secretariat publicly contested reports that the deputies had requested family allowances, weapons, and trips abroad. See Viet-Nam Press, October 22, 1966. Indeed, during the debate on the Internal Regulations, one of the deputies (himself the editor of a leading Saigon newspaper) advocated that the Assembly take strict measures against those papers publishing "ill-intentioned articles" about the delegates' activities. See Mien Nam, reprinted in JUS/PR, Oct. 22.
4. Dinh thanh Chau, the Chairman of the C.D.C., made this remark during the press conference of March 22 (cited in Chinh Luan, re-

printed in JUS/PR, March 23, 1966.

5. These delegations included a South Korean contingent in October, the Ambassador of the Philippines in November; the Chairman of the Japanese Economic Federation and a group of Canadian industrialists and parliamentarians in March; and five British M.P.'s in April.
6. For example, in December, the Chairman of the Nationalist Chinese "Asian People's Anti-Communist League" was invited to speak before the deputies. In February, a five-member Assembly delegation was sent to Taipei (its success duly reported by the Saigon Chinese dailies); and in mid-March, a second tour, this time to Korea and Japan as well as Formosa, was organized.
7. The Americans appeared to follow the same policy. Moreover, none of the various Vietnamese-American conferences and summit meetings held during this period were attended by the deputies, even in an unofficial capacity.
8. See Chapter II, page 54.
9. This communique was issued by the Assembly Secretariat on November 10, according to Viet-Nam Press, November 15, 1966.
10. Both of these sessions were reported in Viet-Nam Press, October 10, 1966.
11. Ibid., November 23 and 25, 1966.
12. Le Viet-Nam Nouveau, December 6, 1966.
13. General Don, the Association's President, was subsequently to play an active role in the Senate campaign (see Chapter V, page 132). The session was reported in Saigon Daily News, December 6.
14. See Viet-Nam Press, November 26, 1966.
15. Saigon Daily News, December 2, 1966.
16. In addition to a poll on the preferred form of executive leadership, in early January a team of deputies were sent to tour the principal cities and towns in Central Viet-Nam to seek public opinion on the controversial problems of the minimum age of the presidential candidates and the election of local administrative officials. (See Saigon Post, January 19, 1967--heavily censored). This, of course, was a prime example of the deputies' resorting to their "mandate" to further their position in the struggle with the generals.
17. See Chapter III, pages 66 and 67. The meeting, held on December 2, was reported in Than Chung (reprinted in JUS/PR, December 4, 1966) on the following day.
18. Reportedly, a group of Central Vietnamese had made a plea to the Assembly to "intervene with the Government" to eradicate corruption and oppression "raging" in these provinces. See Tu Do (reprinted in JUS/PR, January 20, 1967).
19. Chinh Luan, reprinted in JUS/PR, January 24, 1967. Condemning the draft as a "hodge-podge...out-dated document that insulted

- labor", the "Action Force" demanded that all workers be assured the right to set up trade unions and to strike (Government employees not excepted). They also attacked the deputies for their lack of concern for the rural masses, complaining that although the peasants comprised eighty percent of the population, only seventy-nine words in the draft were related to the problem of their welfare.
20. Saigon Daily News, January 26, 1967. While the Assembly refused to alter its position on the referendum issue, Suu welcomed the "Action Force's" suggestions and reiterated that the deputies would be equally pleased to hear from "any citizens in the country". Article 16, on workers' rights, was approved by eighty-four of the eighty-five deputies present on January 25.
 21. Le Viet-Nam Nouveau, February 3, 1967. The students contended that the first point would give too much power to the local authorities, and thereby endanger national unity; and that the dominance of the National Assembly would lead to unavoidable conflicts in the future. The delegation was also urged to promote the establishment of a control power in order to prevent top officials from accepting bribes.
 22. Viet-Nam Press, March 6, 1967. Over fifty notables attended this session, in addition to an Assembly delegation.
 23. Saigon Daily News, March 16, 1967. The fact that the Union leaders took advantage of the gathering to complain strongly about the GVN economic authorities lent some credence to their concern with the deputies' behavior; although allegedly financed by Ky, the Union thus appeared less inspired by possible intervention by the central authorities than otherwise might have been the case.
 24. Approximately some thirty-six newspapers (including twenty-four Vietnamese, three English, two French, and seven Chinese) were published daily at this time. Although the most popular dailies boasted a circulation of fifty to sixty thousand issues per day, the majority of them only printed about 5,000 editions.
 25. This remark (from an editorial in Tieng Vang, reprinted in JUS/PR, October 12, 1966) was seconded by the daily Binh Minh (Ibid.), which concluded that "no matter what the results, these seminars are worth encouraging, because the various views expressed there will help the deputies to size up the people's desires".
 26. As one of the English-language dailies enthusiastically commented (Saigon Daily News, "On the Assembly Line" series, February 20, 1967), these sessions were important "because the attendances at both meetings could be said to represent a large body of public opinion", and that especially the law students "could be trusted to voice pertinent opinions about the draft Constitution".
 27. As the Dai Chung (reprinted in Viet-Nam Guardian, December 3, 1966) wryly commented, if the deputies really believed (as they frequently had claimed) to have been elected by the people by virtue of their program set forth during the electoral campaign, did they now "want to confess that they know nothing about constitutions?"
 28. See, for example, Binh Minh, reprinted in Saigon Daily News, De-

ember 30, 1966. Nor did the general deportment of the deputies escape the attention of the press, which duly reported any verbal clashes and bitterly complained about the persistent absenteeism.

29. The deputies were accused of abusing their mandate by their "unilateral" decision to extend their term of office and thus to receive additional financial recompensation for work which had been completed. The one exception appeared to be that of Song, which demanded: "How could the people raise their voice if the Assembly was disbanded? Our national future would then fall into the hands of the N.L.C. Our people would not like this. So, the Assembly must stay on beyond the transition period to fill up a political vacuum..." (Reprinted in JUS/PR, January 25, 1967). Incidentally, Song itself was "disbanded" by the Ministry of Information not long thereafter.
30. During an interview with one Assembly member, the author was told that a price must be paid before a deputy could express his views in print. Furthermore, according to this individual, personal antagonisms might well be aired in editorial columns, if not on the front page.
31. A selection from an editorial in the French-language Viet-Nam Nouveau (December 7, 1966) was an example par excellence of this lack of understanding. Having criticized the deputies for their pretentious and indecisive debates, the article continued: "Will we adopt the Communist system of government or the democratic system?...If we adopt the second, we have only to compile the constitutions of the United States, of England, of France, and even of Australia, West Germany, and Nationalist China, and then to choose--or to "variegate" in order to elaborate ours...Isn't the thing...as easy as that?"
Of course, a number of dailies did recognize the importance of drafting a constitution designed to "meet the needs of the actual situation of the country". Yet, even they often seemed unwilling or unable to give serious coverage to the public debate or to the actual Assembly deliberations; reports of the sessions were frequently inexplicit and incomplete--or even incorrect.
32. Indeed, in agreeing to sanction the establishment of the Assembly, the generals had naturally been aware that this institution--open as it were to criticism by the press and by the public--would operate in precisely this way, attracting the energies and grievances of the impetuous Nationalist opposition forces which in the past had been directed towards the Independence Palace. Not surprisingly, while making no attempt to interfere with the delegates' meeting other South Viet-Namese political elements to exchange views on the Constitution and on the role of the Assembly in national affairs, they seemed greatly reluctant to support the deputies when the latter were challenged by the various dissident groups.
33. Sanctioned by Decree Laws Numbers 198 and 199, signed by Ky on December 24, 1966, "Phase I" of these elections--to be held in some 984 "safe" villages (about forty percent of the total) and in some 4,608 (or thirty-three percent) of the hamlets of the country--were scheduled for five Sundays between April 2 and 30 (village) and between May 14 and June 11 (hamlet). The elected village councils, composed of from six to twelve members (depending on the size of the village), would take from the central Gov-

ernment the responsibility of choosing the village chief (who would himself serve as the executive head of the council), and then function as the local deliberative body, with control over the village budget, among other things. Hamlet chiefs would be elected in hamlets with over 3,000 inhabitants. As previously, anyone suspected of either "neutralist or leftist tendencies" was disqualified as a voter or as a candidate. A 77.6% turnout for the village elections, and 78.7% in the hamlet elections was reported. See Charles A. Joiner, "South Viet-Nam: Political, Military and Constitutional Arenas in Nation-Building", Asian Survey, Number 1 (January, 1968), pages 67-68; also NYT, "Backgrounder to the Elections", January 7, 1967; Saigon Post, March 27, 1967. The Decree Laws were reprinted in News from Viet-Nam, op. cit., March 28, 1967 (Special Edition).

34. According to Saigon Daily News (April 5, 1967), one of the more influential Nationalist "parties", the VNQDD, had publicly urged its members not to stand for the contested seats for fear that they would be targets of Communist assassination attempts.
35. See Ibid., for an interesting analysis of the electoral politicking.
36. Chau's message was reported by Thoi The (reprinted in JUS/PR, March 21, 1967). The Preamble (see Chapter I, page 1 for the final version) had originally read: "The people of Viet-Nam must assume its responsibility before the Supreme Being and history..." The Diem Constitution was as follows: "...Conscious that our people is ready to receive all currents of progress with a view to perfecting before the Almighty and before humanity its mission..."
37. The actual motivation for this action can only be mooted. While the fact that on March 28 a U.B.C. spokesman announced that the Buddhists would not boycott the forthcoming presidential elections, as they had in September, 1966, naturally gave rise to a fair amount of speculation about some sort of political arrangement between the Assembly and the U.B.C., this seemed unlikely. For despite the presence of a number of deputies who were nominal adherents of the Buddhist faith, there were neither spokesmen nor militant lay leaders from the U.B.C. seated in the Assembly--whereas the bonzes' most determined political rivals, the Catholics, were represented en force in the institution, by a strong and articulate contingent. See Chapter III, page 75, for the N.L.C. demands.
38. When challenged by Catholic leaders and journalists to explain their motivations, the deputies reiterated that the change had been made in conformance with the Assembly's procedural regulations and had been taken deliberately and freely without any outside pressure. Nor was it in any way to infer that the Constitution had an "atheistic" character, as the article in Chapter II, on the citizen's rights, plainly spelled out the religious freedoms to be enjoyed by all. See Saigon Post, March 23, 1967.
39. On March 31, only twenty-four hours before the ratification ceremony was to be held, several thousand Catholic demonstrators marched to the Assembly carrying placards denouncing the deputies as having betrayed the voters and warning them that the people would be more cautious as to how they cast their votes in the coming election. They insisted that Chairman Suu "reconsider" the revision of a number of other clauses in the draft, and that, rather

significantly, the election of the President and of both houses be held immediately.

40. This task was somewhat facilitated by certain logistical considerations (ie., the important concentrations of Roman Catholics in a number of villages and Catholic refugee "rehabilitation" centers in the Saigon and Gia Dinh areas) as well as by the relatively well-organized Church hierarchy, which permitted the priests to exercise a much more efficacious control over their followers than could the Buddhists.
41. This strategy was recognized by Quynh himself (see Appendix), as a means of allowing other religions to take part: "Otherwise people might misconstrue the Supreme Being as a Catholic monopoly". See interview with Saigon Bao, reprinted in Saigon Post, April 4, 1967. Among the principal elements of the Front figured the influential C.C.B. (now under the direction of Secretary-General Father Tran Du), the LLDDK, the "Natural Spiritual Association of Bahais of Viet-Nam", and the "Central Organ of Catholic Struggle" (whose spokesman, Nguyen minh Dang, was a member of the Assembly). The Front's demands were echoed by similar interest groups, such as the ARVN Catholic Chaplaincy Directorate.
42. Indeed, their objectives seemed to have been realized by March 31; at this time, having presented their demands to Chairman Suu at the Assembly, the marchers continued on to the Independence Palace, where they met with Prime Minister Ky. As expected, although Ky stressed that the N.L.C. intended to remain uninvolved in the conflict, he made no effort to discourage the protesters. In fact, he declared that as far as he was concerned, there should be "no difficulty" in reinstating reference to a "Supreme Being" in the Preamble--although this would be the task of the deputies alone. See Saigon Daily News, April 1, 1967. It was speculated, moreover, that the generals' recent decision not to ask for a second reading of the draft and to have it promulgated in its original form was inspired partly by this very consideration--ie., to leave the delegates to bear the full brunt of the protest. See Chapter III, page 77, for the N.L.C.'s stand on the ratification issue.
43. Organized at Suu's suggestion, this session was attended by ten deputies and nineteen religious spokesmen; although the leading Catholics were present, along with representatives of minor Buddhist factions, and the Cao Dai and Hoa Hao, none of the U.B.C. leaders invited had replied.
44. On March 31, Suu had told the protesters that the Assembly would "make some change in the wording of the Preamble of the Constitution...if it is still legally possible" (Saigon Daily News, op. cit.). This was rejected by the deputies by a vote of sixty to nineteen (Ibid., April 7, 1967). Although increasingly militant in demanding that the problem be "satisfactorily resolved", the Catholics reiterated that they had no intention of boycotting the election. Indeed, by this time it was speculated that their criticism of Suu was also intended to discredit his intentions to stand as presidential candidate (given that his pro-Buddhist sympathies were well-known), as well as to discredit him as Assembly Speaker.
45. The new Proclamation ("The Assembly declares its faith in the "Sacred Being" worshipped by all religions"), completed only on April 9, was voted the following day by fifty-five of eighty-one

deputies present. Ibid., April 11, 1967.

46. Secretary-General Tran Du (C.C.B) was cited in Tu Do (reprinted in JUS/PR, April 15, 1967). The LLDDK (which claimed some 100,000 affiliates at this time, although this hardly seemed credible), also revealed that its leadership was planning to convene a general assembly in June to elaborate its "stand on the national vote".
47. At this time, the VNQDD publicly recognized the Party's need for "general area reconstruction plans", and began to prepare for a Fourth National Congress in early June (details in Doi Thaoi, in JUS/PR, April 11, 1967). The Tan Dai Viet, reportedly engaged in a concentrated drive to reorganize their severely splintered party, decided to support candidates for the future Assembly (Saigon Daily News, April 22, 1967); while the Confederation (claiming some 400,000 members), having set up a "Committee for the Citizens' Activities" during its general conference held early in the month, made similar pronouncements about its intentions to nominate candidates in order to "safeguard the interests of the working classes" (Saigon Post, April 25, 1967). The Can Lao affiliates, allegedly supported by a number of wealthy businessmen, were expected to be the most affluent ticket (see Cong Chung in JUS/PR, April 29, 1967).
48. The Vietnamese Socialist Party held an "extraordinary meeting" on May 5 to discuss the selection of candidates from its ranks (reported in Tieng Vang, in JUS/PR, May 7-8, 1967); the N.I.A. Association not only encouraged its membership to stand in the Assembly election, but also decided to organize a "Committee of Information and Relations" to study "electoral problems" (Chinh Luan, in JUS/PR, May 23-24, 1967). The New Vietnamese Nationalist Party held a conference to study the "democratic struggle" and the presidential election (Mien Nam, in JUS/PR, May 21-22, 1967); while the Cao Dai convened a similar congress at the Tay Ninh Holy See in order to "examine its affairs" (Tieng Viet, in JUS/PR, May 27, 1967).
49. The V.A.A. then claimed to represent some 500,000 veterans (according to Quyet Tien, in JUS/PR, May 23, 1967). The ARVN Catholic Chaplaincy sponsored a national congress to examine its "current affairs" (Ibid., June 7, 1967); and the A.F.Y.G. (allegedly sponsored by Ky), urged its members to "actively assist in the presidential electoral campaign" (Tien Tuyen, in JUS/PR, June 4).
50. During its Fourth National Congress in early June, the VNQDD officially adopted a policy of "open struggle in the political field with other parties to form a 'national united front'" (see Doi Thaoi, in JUS/PR, June 7, 1967). The first coalition was comprised of branches of the Social Democratic Party and the Great Viet-Nam People's Party, in addition to a number of prominent VNQDD figures (details in Saigon Post, May 11, 1967); the second included elements of the Social Democrats, the People's Revolutionary Council, and a "Reconstruction" group (Cong Chung in JUS/PR, April 26, 1967); and the third was based primarily on a merger of VNQDD and Dai Viet factions (Cong Chung, op. cit., Apr. 22).
51. The "Electoral Front" (later known as the Farmer-Worker-Soldier Front) was rumored to be planning to present three tickets for the Senate vote and twenty-six candidates for the Lower House by the beginning of May (see, for example, Ibid., May 11, 1967).

The "Republican-Democrats" (or Dong Cong Hoa Dan Chu Viet-Nam), was founded by Bui ngoc Phuong, an aspiring presidential candidate, at the end of April (see Saigon Daily News, April 27, 1967). The "People's United Front", comprised predominantly of Hao Hao and Cao Dai elements, staged a plenary session on May 10 to nominate its candidates (Saigon Post, May 9, 1967); the formation of a "Journalists Ticket", depending largely on the support of a number of religious factions, was announced shortly thereafter (Cong Chung, in JUS/PR, May 21-22 and June 2). The student group was tentatively organized by factions from the University of Saigon and the Buddhist Van Hanh University in early June (Chanh Dao, in JUS/PR, June 4, 1967).

52. Thich Thien Hoa was elected Chairman of the An Quang faction, and Chau, of the Vien Hoa Dao group.
53. This charter was drawn up to replace that drafted at the first "unity convention" of January, 1964 (see Chapter I, page 14). Apparently Chau presented the draft to the N.L.C. early in 1967; Thieu signed the document on July 18, although this was not revealed until July 28.

CHAPTER FIVE

1. See, for example, Cong Chung, reprinted in JUS/PR, April 15, 1967.
2. See Chapter III, page 71, for a discussion of the formation of the Democratic-Alliance bloc. Although the bloc's Chairman Le phuoc Sang (who was then rumored to be planning to stand as Vice-President on the same ticket with one of the generals) withdrew at the last moment as a contestant for the chairmanship of the Assembly, he was elected a member of the E.L.D.C. and Chairman of the subcommittee responsible for drafting the presidential electoral law. The election of the P.L.A. Secretariat was reported in Viet-Nam Press, April 15, 1967.
3. As during the regular drafting period, the deputies devoted considerable time to planning and executing a variety of formalities clearly inspired by their desire to evoke widespread public support for their role as representative spokesmen of the GVN electorate. In addition to proposing the organization of a series of provincial tours by teams of delegates to "explain the Constitution to the people", on April 12, a delegation was sent to Quang Tri province to inspect the damage inflicted by a combined N.L.F.-North Vietnamese attack on an outpost situated near the Demilitarized Zone. The deputies also appealed to the N.L.C. for the release of "those who participated in the struggle for the organization of elections to the National Assembly", and for the abolishment of press censorship (Saigon Daily News, May 3, 1967).
4. During the session of April 29, September 10 had been approved as the date for the presidential election; on May 2, this was changed to September 3. Viet-Nam Press, May 3, 1967.
5. Indeed, a particular significance was attached to this clause (Article 11) in view of rumors then circulating in the capital that General Duong van Minh (who, after playing an important role in the November 1963 Revolution, had been barred from the country in 1965 by General Khanh; see Appendix) hoped to return from Bangkok to stand for the highest national office. See pages 120 ff.

Other presidential qualifications were enumerated in Article 53 (Paragraphs 1,5) of the Constitution. The most important of these included "Vietnamese citizenship from the day of birth" (whereby those Vietnamese who had been French citizens even prior to 1945 would be disqualified); and "Residence in Viet-Nam for at least ten years up to the date of the elections" (with the important proviso that "time spent abroad on official assignment or in political exile is considered as residence in Viet-Nam"--although it was not specified if "exile" imposed by the present regime would be covered here).

6. Article 17. The proviso was supported primarily by the Democratic-Alliance bloc on the basis of Article 111 of the Constitution (ie., during the transitional period, the N.L.C. and the Cabinet were to continue in power until the first President and Vice-President take office). Suu, who had already announced that he would stand as President, was one of the strongest opponents. See, for example, Saigon Daily News, May 5, 1967.
7. Whereas the prospective military candidates were already fairly widely known to the rural Vietnamese as a result of the innumerable official provincial tours as heads of state, lesser known civilian politicians would doubtless be able to contact only a small percentage of the electorate during this period. Moreover, according to Article 21, in addition to the initial deposit (approximately \$1,600), each presidential list would be granted only some ten million piastres (about \$83,000, or two piastres per voter) in order to cover all campaign expenses; a Government candidate would naturally have much larger funds at his disposal. Finally, any ticket failing to win more than one tenth of the total vote would be required to reimburse the Treasury for the money spent by the electoral committee during the campaign.
8. The May 8 vote was, in fact, hotly contested by a number of delegates (among them Sung and Suu), who tried unsuccessfully to force the adoption of an amendment specifying a minimum percentage of votes and/or a second balloting--as was the practice in the French Fifth Republic. See Saigon Daily News, May 9 and 17, 1967. Although opposing Article 24 on the grounds that a "victory" without a relatively high number of votes could neither ensure the confidence of the people nor disprove the N.L.F.'s charges that the Saigon regime was lacking in support, they were naturally aware of the fact that by stipulating a minimum vote (ie., thirty percent) to be obtained by the winning candidate, a civilian vote (when combined in a second ballot) might prove sufficiently strong to defeat the military representative.
9. According to the disputed Article 10, Paragraph 7, each "popular representative" would be permitted to recommend only one candidate. A group of Catholic demonstrators actually broke into the Assembly to protest against this "undemocratic" article.
10. Little debate arose over the remaining articles, concerned with certain guarantees against voting irregularities, the validation and announcement of the election results, and reclamations for violations of the electoral law. The draft was ratified by fifty of only sixty deputies present, according to Viet-Nam Press, May 17, 1967.
11. Article 33 of the Constitution stipulated that the new upper house was to be comprised of "from thirty to sixty members", and

each list "from one-third to one-sixth of the total membership of the Senate". In order to simplify the electoral procedure, the delegates might well have decided on a sixty-member Senate comprised of the representatives of three lists of twenty candidates each, for example, or a thirty-member Senate comprised of the representatives of three lists of ten each.

The E.L.D.C.'s recommendation that each voter be allowed to choose only one slate was recognized as a means of further enhancing the advantage of any slate with a broad base of support and a well-organized campaign machine (such as a military or GVN-sponsored ticket) over that of a slate with strong but regionally limited support (as was the case of the majority of the communal-oriented opposition elements). The "one-voter, one-slate" provision was eventually revised to allow each voter to select six slates or tickets (ie., sixty candidates), however.

12. The deposit amounted to about \$900 (100,000 piastres), while some \$41,000 would be allotted to cover expenses. Slates not obtaining three percent of the total vote would be obliged to reimburse the Treasury for expenses incurred. Finally, in addition to those requirements enumerated in the Constitution (Article 32, Paragraphs 1, 3-4: "Vietnamese citizenship at birth...or for at least seven years...or for at least five years counting up to the day of the election"; "draft status in order", etc.; and Article 34: "citizens thirty years of age by election day..."), the P.L.A. approved a residence requirement of three years prior to the date of the election.
13. Saigon Post, May 29, 1967. Thieu also complained that the postponement would contradict the "common aspiration of the people for the speedy establishment of all democratic institutions". In regards to Article 10, he contended that this provision might lead to some form of "political monopoly", "for there may be the case of a collusion among most popularly elected representatives that may be conducive to the nomination of a single ticket".
14. Although the generals insisted that the request had been intended as a "contribution of an idea" rather than a veto (Ky cited in Tuyet Tien, in JUS/PR, June 2, 1967--in answer to the P.L.A. demand for clarification), the matter was resolved only when the oppositionists relinquished as a result of a boycott threat by Sang's Democratic-Alliance bloc. The presidential and senatorial electoral laws were promulgated by the N.L.C. on June 15.
15. According to Article 31 of the Constitution, the House was to be comprised of "from 100 to 200 Representatives". The requirements were enumerated in Article 32; these were the same as for the Senate, with the exception of the minimum age (ie., twenty-five). The P.L.A. decided that any province or city with a population of 50,000 or less would elect one Representative; constituencies with a greater number of voters would elect an additional Representative for every 25,000 voters. Both the Khmer and the Montagnards were reserved six seats each, and the Cham and North Vietnamese Montagnard refugees, two each.
16. The Lower House electoral law was subsequently promulgated by the N.L.C. on August 21.
17. Admittedly, particularly in regard to the press code, the deputies' task was not easy. Despite the principle of the "freedom of the press" outlined in Article 12 of the Constitution, the Min-

istry of Information still persisted in imposing restrictions on the local dailies. Moreover, on May 16, Ky announced that he intended to maintain firm control over the press even during the campaign, on the grounds that "the aims of the election are to march toward the unity of the people, not to create dissension or to divide unity". See Saigon Daily News, May 18, 1967. On at least three occasions the P.L.A. did appeal to the N.L.C. to reconsider this censorship policy--and even encouraged the representatives of the local press to contribute their own ideas to the drafting committee on the subject in order that the approved code might be "comprehensive and equitable".

The decision to adjourn was taken with only forty-six deputies present, according to NYT, August 11, 1967. On another recent occasion, only thirty-three had attended the debate.

18. Ibid.

19. While Thieu had been quoted on numerous occasions as "anticipating...turning power over to the civilians", he had qualified these statements by adding that the role of the Army would still be "far from diminished", and indeed, that the military was the "basis" for the nation. See, for example, Saigon Daily News, March 18, 1967. Ky's position on this issue was even more outspoken. On April 8, he reportedly declared before a group of officers that "If power were entrusted to the civilians, the Communists would control the country in twenty-four hours". Cited in Le Monde, April 11, 1967.

20. Rather than pooling their resources and putting up a single candidate to represent their various interests, several of the more active factions insisted on sponsoring one of their own members (eg., Nguyen ngoc Huy from the Tan Dai Viet Party, Trinh quoc Khanh from the VNQDD, and Ha thuc Ky from the Dai Viet Cach Mang). Similarly, a number of "independent" politicians who lacked even the support of one of these narrowly based political interest groups, hastily attempted to organize their own political machine (eg., Bui ngoc Phuong with his "Republican Democratic Party of Viet-Nam", and Dr. Tran kim Tuyen with his "Popular Republican Party").

21. See footnote 65, Chapter III.

22. In addition to undertaking a series of provincial tours, Ky made numerous widely-publicized speeches in which he promised to expand land reform, to crack down on corruption and raise pay and increase benefits of civil servants and soldiers. He was even reported to have engineered an "opinion poll" to determine which of the generals was the more popular, as part of what appeared to be his double-strategy--ie., while reiterating his intentions to "step aside" if his senior were to stand for the presidency, he obviously hoped to be able to prove to Thieu that the latter's candidacy would be a futile effort.

23. Vien, who was also Chairman of the Joint General Staff, declared that this decision had been taken to "avoid disunity", as the Armed Forces "is not a political party". See interview with Viet-Nam Press, May 9, 1967. It was also speculated that the A.F.C.'s move had been motivated by the generals' concern about saving face if a military candidate should be defeated. At any rate, the May 8 announcement was regarded as another point in Ky's favor, as the Council probably would have supported General Thieu.

24. On May 14, Ky reportedly stated that before publicly announcing his decision to stand in order to "complete our mission", he had conferred with Thieu--who told him to go ahead if he should find he could "meet the required qualifications" and should deem it necessary to serve in this manner. See Saigon Post, May 15, 1967.
25. U.P.I. reports that Thieu was attempting to organize a broad political front to support him (published on May 18; see Saigon Daily News, May 19, 1967, for example) were confirmed on May 21. The general did not officially confirm his candidacy until June 14, however.
26. Ibid., May 14, 1967. Even Thieu complained that he had been a "victim of General Tri's censorship" (the Minister of Information and a close associate of Ky), after the announcement of his candidacy was reduced to a single sentence in several Saigon dailies. (Thieu's remark, made on June 26, was cited in Le Monde, July 1).
27. See, for example, NYT, June 15, 1967.
28. Thieu had already officially filed with the P.L.A.; Ky had not. There was some confusion as to their actual choices for Vice-President, however. Thieu apparently selected Trinh quoc Khanh (earlier cited as a possible VNQDD nominee for president, a Southerner and a little-known provincial politician), although Nguyen hua Le (a Hoa Hao leader) was also mentioned. Ky, on the other hand, chose Nguyen van Loc (see Appendix), rather than, as previously speculated, Le phuoc Sang or Dr. Nguyen van Tho (a Southern Catholic dentist, currently serving as Minister of Education).
29. The A.F.C. meeting was called on June 28, ostensibly to discuss the problem of General Minh's candidacy. Although the events which transpired during these three days remained unclear, it appeared that the subject of the military ticket was first brought up on June 29. Initially, the A.F.C. as a whole reportedly advocated that the best way to resolve the conflict was to compel both generals to relinquish their Government positions while campaigning and to form an interim "caretaker government" (with Lt. Gen. Chieu as Secretary-General and Dr. Nguyen luu Vien as Prime Minister). By June 30, however, Thieu had evidently been able to consolidate support to a point where he felt confident enough to refuse to concede; a crisis was averted only when Ky (who by then sensed that his position was untenable), capitulated. In fact, the Prime Minister continued to insist that he had not been pressured into withdrawing, but had acted only "for the good of the nation", and out of "patriotism and unselfishness". Cited in NYT, July 1 and 4, 1967.
30. Indeed, on June 28, the A.F.C. was reported to have voted to refuse the General's request to be readmitted into South Viet-Nam on the grounds that his presence would be "especially not beneficial to our Armed Forces" (Ky spokesman cited in Ibid., July 2, 1967). Preparations for Minh's campaign were initiated early in June by his wife and his vice-presidential running mate Tran ngoc Lieng. Lieng had resigned as Ky's minister of Social Welfare in October, 1967, to protest against "police-state tactics". (See footnote 12, Chapter III).
31. Ironically, Minh's dossier was complete except for a "draft status certificate", although the P.L.A. voted to overlook this

technicality in view of the fact that the Government had simply refused to issue the document. All approved lists would then be screened by a central electoral council (chaired by the chief judge of the Court of Appeal), and certified by the P.L.A. on July 19. See NYT, July 1 and 2, 1967 for details.

32. Le Monde, July 2-3, 1967. Although the forty-two year old economist (see Appendix) had doubtless anticipated the furor his audacious policy would provoke in official Government circles, having already jeopardized his candidacy (by choosing to reveal his position at this early date rather than awaiting the opening of the official campaign), he subsequently charged that the Thieu-Ky ticket was "illegal", and challenged the Government's "partisan use of censure". See Ibid., July 7; and NYT, July 4, 1967.
33. The deputy was Diep van Hung, according to NYT, July 9, 1967.
34. An official Government press conference was convened on July 7, at which time police officials revealed that Thanh would be called in for interrogation, although no specific charges were made. See Le Monde, July 9-10, 1967.
35. Outraged, Thanh condemned the Government's move as "psychological warfare", and declared that Ky had "ample opportunity" to review his record before naming him to the Cabinet. See NYT, July 9 and 11, 1967. Interestingly enough, on July 2, the economist had been attacked by the N.L.F. as well, for "playing into the Americans' hands". (Radio N.L.F. broadcast reported in Le Monde, July 4, 1967).
36. The anti-Thanh charges were again pressed by Diep van Hung. Minh's candidacy was opposed as a "security risk", although the actual debate focused more on the question of his running mate, Tran ngoc Lieng, who was a French citizen from 1950 to 1955. Also eliminated were Ly dai Nguyen/Vu dinh Manh, Tran thuong Nhon/Nguyen van Hung (this slate, eliminated in the preliminary vote, had been permitted "reconsideration"), Hoang chu Ngoc/Tran van Xuyen, Nguyen dinh Luyen/Tran van Thoan, and Luu quan Hong/Nguyen minh Hai--all on the grounds that they lacked "substantial following". See Viet-Nam, Yesterday and Today (official Viet-Nameese Embassy publication, London), August, 1967; pg. 20.

Although the P.L.A. thus upheld the Junta's objections to the candidacies of both Thanh and Minh, the session was not without some drama. As a result of the decision by the Special Electoral Committee (irritated by what its members felt to be the disinterest of the generals in the proceedings) to recommend neither accepting nor rejecting the Thieu-Ky slate, the military had staged a day-long demonstration of discontent. Indeed, ^{during} the nine-hour plenary session of July 18 (attended by General Loan and several armed bodyguards, who closely scrutinized the voting procedure), the military ticket was approved only after a lengthy discussion on possible violations of the "leave of absence" provision of the electoral law by the generals. See NYT, July 19; Le Monde, July 20, for details.

It was subsequently reported that Ly van Hiep (one of the Assembly representatives on the central electoral council), had placed his resignation with the P.L.A. at the end of this month, contending that the committee had been so pressurized by the Junta during the screening of the presidential and senatorial lists that it was unable to execute its task. See NYHTE, August 11, 1967. Due to the curtailment of the P.L.A. sessions on August 11, how-

ever, all action was blocked on this petition.

37. At this time, the Huong/Truyen slate was considered to be the most attractive. The former (still widely respected for his achievements as Prime Minister from October 1964 to January, 1965), was expected to be favored both by the Catholics and in the Delta, from where he originated--as did his corunner, an influential Buddhist lay leader. The Suu/Dan list also featured two eminent Nationalist politicians, who had played a leading role in the Assembly. Both Suu (a Cao Dai) and Dan counted some Buddhist factions among their supporters. The Ky/Dinh ticket would probably be able to attract a fair percentage of the vote in Central Vietnam as a result of the former's association with the Dai Viet Cach Mang Party. To a lesser extent, Khanh would doubtless depend on the fragmented VNQDD for some support. The average age of the presidential candidates was fifty-seven; four were Northerners, three were Central Vietnamese, and three, Southerners. See Appendix for additional biographical information.

Several possible reasons were suggested to explain the insistence of the minor candidates on standing, despite the fact that they were evidently aware of their being unable to win even ten percent of the vote. In addition to a certain "social eminence" gained by their candidacy, some of them probably hoped that the publicity would afford additional support for future elections. It was also mooted that they had been encouraged by the generals and their aides--as sort of a "tactical step" (ie., to further splinter the civilian vote).

38. NYT, May 12, 1967.

39. Unlike the civilian contenders (who were to depend on a variety of limited regional and religious elements for their support), the military candidates derived their strength from their obvious affiliation with the Army (as the largest and best-disciplined Nationalist force) and from their control of the political machinery of the GVN--virtually the only two organizations which could boast a chain of command reaching down to the hamlet level in all areas under Government control. Indeed, the Army alone was estimated to represent some 1.5 million votes (ie., 600,000 servicemen in addition to their adult dependents). The generals would thereby enjoy considerable organizational and logistical advantages over their opponents, such as easy access to transportation and communication facilities, and to Government funds for political ends. By the same token, they would be able to employ the resources at their disposal to elicit the support of influential members of the various fringe minority groups (eg., Montagnards, Chams, Chinese, Catholics, and even the moderate Buddhists) more effectively than could the other presidential aspirants--by promising to institute certain long-advocated reforms, should they be elected to office. See NYT, September 4, 1967, for an interesting article entitled "Chicago Politics in the Mekong", describing this campaign strategy based on "pragmatic political deals and the quiet exercise of unchallenged power".

The question of American support, albeit implicit, was another important consideration in the impact of their campaign. Granted, American officials frequently stressed that their only concern was that the elections be "fair", and that they would naturally work with whomsoever might be elected in September. Yet, as far as the civilian politicians were concerned, this policy was "tantamount" to support for the generals in view of the close relationship between the American Embassy and Independence Palace. Moreover, as

discussed above, those provisions in the electoral law which had already proved favorable to the authorities would undoubtedly further the latter's position during the campaign itself. Finally, even if the generals had sacrificed the advantages of incumbency, it was speculated that lower echelon military officials might nevertheless attempt to influence the vote in favor of their superiors--if only to protect their own positions.

40. While some twenty-two joint public appearances had been scheduled, these would be limited to the most populated provincial capitals and cities (ie., no municipality of less than 20,000 inhabitants nor any highland town were included in the itinerary). Moreover, rigid time limits were imposed on the speeches and four scheduled broadcasts. Finally, despite Ky's announcement on July 19 that his Government had decided to "abolish most press censorship during the campaign" (NYT, July 20, 1967), censorship on articles "affecting national security" would continue. At the same time, if dailies published pieces judged "too far out of line", either censorship would be reimposed, or newsprint supplies curtailed. In fact, several editors later admitted that the most inflammatory remarks made by the civilian candidates against the Government were "toned down" or simply deleted. See, for example, NYT, August 13, 1967.
41. The eighteen presidential and vice-presidential candidates undertaking the trip to the northern-most province had arrived at the deserted Dong Ha airport only to discover that local Government officials (who insisted they expected them to land at another airport) had failed to provide transportation into Quang Tri city. The candidates then returned to DaNang to seek assistance from the Corps commander. But as the latter was either unable or unwilling (as the civilians contended) to cooperate with them, late that afternoon they were obliged to return home. The fact that neither Thieu nor Ky had accompanied the group (but had staged their own "non-political rallies" in Saigon) increased the irate civilians' suspicions that the incident had been a deliberate attempt by the generals to "sabotage" their campaign.
42. Although it may be questioned to what extent the civilian candidates were motivated by their own frustration at their apparent inability to organize a campaign machine as effective as that of the generals (rather than by any real conviction on their part that the August 6 incident had arisen out of a "Government conspiracy"), they were doubtless preoccupied by a number of genuine grievances at this time. Their mistrust of the authorities' intentions to limit the election as a fair test of national consensus seemed to have been increased by a number of ill-chosen remarks made by the Prime Minister, as well as by rumors that the generals (and particularly Ky) were busily plotting to perpetuate their "collective government" by organizing a "Military Affairs Committee". See, for example, Ibid., August 2, 9, 10, 1967.
At any rate, their decision to abandon their boycott was probably due less to Thieu's persistent contentions that the Dong Ha incident had been due solely to an "inadvertent technical error" than to their realization that they had already sacrificed a good deal of valuable time. It was also rumored that pressure had been exerted on both the civilian and military candidates by worried American officials, who were anxious to establish some sort of *modus vivendi*.
43. Mai tho Truyen, cited in Times (London), August 16, 1967. These

alleged infractions included the intimidation of civilian campaign workers and the unfair use of Government facilities by the generals' campaign organization; the military candidates' relying on their position to make their appeal to the voters (ie., only on two occasions did one of them participate in the rallies); attempts by military and GVN authorities to pressure local officials and to influence the voters to assure support for the generals' ticket; and issuing two voting cards to soldiers. The generals were also attacked for failing to eliminate corruption within the Armed Forces and to realize other promised reforms; they were blamed for poor Government services, high prices, and even for the haphazard organization of some of the rallies. Thieu, in particular, was criticized for signing the Vien Hoa Dai charter, whereby Chau's faction was recognized as the official representative of the U.B.C. (see Chapter IV, page 103); Ha thuc Ky and Truong dinh Dzu were particularly outraged by this move.

44. NYT, September 2, 1967. Already at this time, Dzu was reportedly engaged in organizing a civilian protest with representatives of the militant Buddhists in an effort to demand the generals' resignation.
45. On August 15, Huong had revealed that he was considering withdrawing from the race. At the same time, he also stated that he would no longer admit to the possibility of his working with the generals should they be elected--despite earlier rumors that he might serve as Thieu's Prime Minister. See Ibid., August 16, 1967.
46. NYHte, August 12, 1967. The protesting Senators (led by Robert Kennedy and Jacob Javits, of New York) contended that "improper electoral procedures" were undermining the base of American involvement in South Viet-Nam. Some fifty-seven Representatives raised similar objections.
47. Senator Javits cited in NYT, August 18, 1967. The Saigon generals promptly responded by arguing that the American politicians "simply have the coming American elections in mind" (Thieu cited in Ibid., August 26, 1967).
48. Rumors of the detention of numerous "political suspects" by the authorities (which had begun to circulate in the capital early in June), were confirmed in mid-August. At this time, Vietnamese security officials announced that with the assistance of the CIA, they had been able to break "three major Communist subversion rings"; in addition to some 100 suspected agents already arrested, a number of prominent intellectuals, businessmen, and even Government employees--among them Thanh and "several" senatorial candidates--were to be interrogated after the September election. See Christian Science Monitor, August 21, 1967; and Le Monde, September 3-4, 1967, for additional arrests made on September 2.
49. On September 2, a Government spokesman announced the suspension of Than Chung (regarded as an organ of the militant Buddhists) and Sang. Like the vernacular Dan Du (closed on August 14), their editors were accused of publishing articles "sympathetic to the enemy". See NYT, September 3, 1967. In fact, this announcement was made less than two hours after General Thieu had assured a group of international observers that there had been "complete freedom of speech and complete freedom for the press" during the campaign. Ibid.

50. See NYT, September 1, 1967.

51. Phan quang Dan, in particular, spoke out strongly in favor of a comprehensive land reform program, declaring that it was this problem, and not "Communism", which was the real "issue of the Vietnamese war" (Ibid, August 20, 1967, for example). Both he and Suu advocated a revised conscription system and a reformed Armed Forces, and along with the other civilian candidates, discussed the role of the United States in the war. Generals Thieu and Ky, for their part, likewise proposed a reorganization of the military forces, and reiterated the necessity of establishing the democratic institutions outlined in the Constitution.
52. On August 3, both Dan and Dzu had opened their campaign by advocating negotiations with the N.L.F. and an end to the bombing of the North, although they subsequently modified their positions. Dan's less conciliatory stand seemed largely due to Suu's insistence on dealing with Hanoi rather than the Front. Dzu (although admitting the need to parley with the N.L.F.) also ruled out direct negotiations; he did, however, advocate talks with Hanoi, a bombing halt, the admission of both North and South Viet-Nam to the United Nations, and a referendum on the reunification of the two halves of the country. The most extreme position on the "peace issue" was taken by Dr. Pham huy Co, who appealed for victory at all costs, "even with the introduction of one, two, three, four, five and more million American troops". Saigon Post, September 1, 1967.
53. The Chief of State's reluctance to outline a detailed program for negotiations (in addition to Ky's vehement opposition to any cessation of the bombing) did encourage speculation that he had been inspired more by the apparent need to undercut his opponents' proposals than by any real personal convictions. Yet, at the same time, Thieu thus contributed to broadening discussion on a subject which only a few weeks earlier (judging from Thanh's unfortunate experience) had been considered almost seditious.
54. In addition to limited Government funds, each list would be allowed only twenty minutes on radio and ten on television during the one month campaign. Indeed, it was reported that even the best organized lists were without representatives in half of the forty-four provinces, whereby the success of most of the rural campaigning depended on the cooperation of friendly local notables.
55. The screening results were announced on July 21 by the electoral committee (comprised of leading lawyers and judges); some four of the original sixty-four slates had already withdrawn from the race of their own accord. One of the two "peace" slates was headed by Ho huu Tuong (a leftist writer, professor, and the vice-rector of the Buddhist Van Hanh University, who had been condemned to death in 1962 for his "pro-neutralist" sympathies); the other featured both Tuong's son and Nguyen duy Tai (the doctor who ran the clinic where Tri Quang had been confined during his "house arrest" for several weeks in 1966). The other slates were eliminated on technical grounds; with one exception (a "Trade Union list", which had been expected to run strongly), they were comprised largely of political unknowns. See Viet-Nam, Yesterday and Today, op. cit., September, 1967.
56. This dispute was provoked primarily by rumors that the Junta had decided to support six slates--although the selection had appar-

ently not been made by Thieu and Ky themselves, but by individual members of the Military Affairs Committee. On August 24, in response to this alleged threat, half of the 480 candidates met in Saigon to protest what they referred to as the "Government's scheme". See Le Monde, August 26, 1967.

While during the course of the campaign most of the candidates did touch on the problem of "peace" (although not surprisingly, none of them considered negotiations with the N.L.F. as a desirable or even feasible means of resolving the conflict), they were mainly concerned with the problems of "social justice" and the evils of corruption.

57. Nguyen ngoc Linh, spokesman for the Toan Viet coalition, cited in NYT, August 14, 1967; see footnote 59.
58. Of the original 640 candidates, some 286 were Southerners, 279 Northerners, and 156 Central Vietnamese. Of the qualified forty-eight tickets, eighty-five percent of the candidates were from Saigon. Indeed, probably the only thing most of them had in common with the vast majority of rural voters were their campaign symbols, carefully chosen to appeal to the peasant population (eg., sheaves of rice, buffalos, padi fields, etc.).
59. The Toan Viet held its first national congress in early August, at which time it claimed some 400 members representing "all levels of the population and all regions". See the Times, August 16, 1967. The coalition was founded by a group of young Saigonese, working on the assumption that through their combined efforts, their three "coconut tree" slates (each carefully comprised of an equal number of the component elements of the organization) might succeed in polling as much as one fifth of the national vote. See NYT, op. cit., for interview with Nguyen ngoc Linh (the director of the semi-official Viet-Nam Press and a close associate of Ky), the Front's spokesman.
60. For example, a slate headed by Nguyen quy Bao (Chairman of the Saigon City Council) included two Chinese, one Cao Dai, and a young deputy from Hue. It was not uncommon to find a North Vietnamese refugee, a Southern Buddhist, a military officer, a civil servant, and a representative of an ethnic minority--all listed on the same ticket.
61. Among these figured Vu quoc Thuc's "University Professor slate", the strongly pro-Government Lotus slate of the Cao Dai Lt. Col. Kim Khanh, the "Journalists ticket", the predominantly Hoa Hao slate of Pham ba Cam (earlier associated with the "Committee for Revolution and Democracy), the Vien Hoa Dao sponsored list of Son thai Nguyen, and the Phuc Mien opposition ticket headed by Mme. Tran van Van. Of particular interest were several lists organized by the formerly influential Can Lao affiliates, among them the Vietnamese Sun ticket of Maj. Gen. Huynh van Cao. See Chapter IV, footnotes 47-51.
62. These included the "Farmer-Worker-Soldier Alliance" (headed by Gen. Tran van Don and listing Gen. Ton that Dinh, Dang van Sung, and the FULRO leader, Ksor Rot); Tran van Do's "Caravelle" slate; and the "Great National Solidarity slate" (featuring two Assembly members, La thanh Nghe and Le phuoc Sang).
63. At least one third of the total were linked with presidential slates. Anywhere from half a dozen to seventeen were reportedly

allied with one or both generals; Suu and Dan were apparently supported by two or three; Huong, openly by three (including Mme. Van's ticket); Ha thuc Ky, by at least one Dai Viet list; and Dzu, by the "Revolution slate".

64. According to General Thieu on September 2, some 5,853,251 were registered (cited in NYT, September 3, 1967). The invalid votes totalled less than four percent, it was subsequently revealed.
65. Only three polls were forced to close early because of terrorist harassment, and some fifty-four incidents were recorded. Indeed, one of the most extensive security operations ever organized had been launched for the occasion, with the quasi-totality of GVN forces and large numbers of American troops strategically positioned to guard against the expected N.L.F. attacks.
66. Ky was cited in NYT, August 20, 1967. Thieu had forecast forty percent, adding that "an even larger percentage will make it easier for the next government to rule the country" (Ibid, Aug. 26).
67. The official voting results (by province and by candidate) were reprinted in Chinh Luan, September 8, 1967. The combined votes of the three leading civilian candidates alone represented some 155,033 more than the figure claimed by the Chief of State; together with the other seven candidates (who had received some 1,282,249 among them), the civilians had won over three million votes, or 1,437,282 more than the generals.

As a whole, the strength of the military ticket (which won a plurality in forty-two of the fifty provinces and autonomous districts) clearly reflected the superiority of the generals' campaign organization over that of their civilian opponents. The generals had derived their major support from the Delta, inhabited by a third of the electorate, and from the sparsely populated central highlands of II Corps. Moreover, as a testimony to the effectiveness of their campaign strategy, they appeared to have polled the greatest percentage of votes in regions in which large military installations and/or ethnic minorities were concentrated. For example, in the central highlands, votes from soldiers, Montagnards, and Catholic refugees had assured them from as much as four to nine times as many votes as the nearest contender.

By the same token, the civilians had posed the greatest threat to the generals in those areas where the latter's political machine had been less successful in making inroads: in Saigon and in DaNang (the second largest city), in the five provinces of I Corps and in several provinces bordering on the Cambodian frontier. For although the ten civilian candidates had been unable to overcome many of the difficulties posed by their lack of public exposure and their failure to build up a nation-wide campaign organization, they won a plurality in six provinces and in three cities in every Corps region with the exception of II Corps.

68. Ranking second in the five northern-most provinces, Suu and Dan polled a majority of votes in the cities of Hue and DaNang and in the province of Thua Thien. Nor had they proved as strong in the Delta as expected. In fact, in Dan's own Gia Dinh province (where he was not only a member of the Provincial Council but had maintained a free medical clinic for several years), his slate only came fourth. Their inability to rally an opposition vote was attributed largely to Suu's attempt to restrain Dan's initial eagerness to encourage negotiations with the N.L.F.

69. Indeed, although General Minh himself had publicly endorsed the former Prime Minister as "the man most worthy of the position of Chief of State" (cited in the Hindu, August 28, 1967), the two Southerners lost to the generals both in the Delta as a whole and even in Huong's own village in Vinh Long province. Evidently, the ticket had suffered from the popularity of Dzu and Ha thuc Ky as well as from the bargaining abilities of Thieu and Ky in the South.
70. Ky's success in Central Viet-Nam was evidently due to the fact that the Dai Viet Party was still able to exert some political influence in this area--which appeared to have been the case (although to a lesser degree) in the Delta as well. Nguyen dinh Quat polled a mere 6.2%, although he did stand in fourth place in II Corps and had been able to win a considerable percentage of votes in I Corps; Vu hong Khanh ranked third in Quang Nam province, a VNQDD stronghold; and the Hiep/Truyen list also appeared to have been able to command some support in Binh Dinh.
71. During the rallies, the civilian candidates had spoken to some 40,500 people at the most, out of five and a half million registered to vote. Indeed, Dzu won the largest number of votes in provinces where military operations were especially concentrated, and was strong in five other provinces where important engagements had been held in recent months: he ranked first in Quang Ngai province in I Corps; in Binh Duong, Hau Nghia, Tay Ninh, in III Corps; and in Kien Phong, in IV Corps. In all cases the generals ranked second. In each Corps region except I Corps, the lawyer ranked in second place; he also won strong votes among the Hoa Hao and the Cao Dai.
72. Although Tran van Lam's slate was originally listed among the six winning lists on September 6, shortly thereafter it was reported to have dropped from fifth to eighth place, with a loss of 54,000 votes. Ba Cam's Hoa Hao list was substituted, with no explanation. At any rate, after waging a vigorous twelve-day campaign, Lam succeeded in having his slate restored to the original position; that of Cam was simply dropped.
73. Don's slate won nearly 300,000 more votes than the second most popular list. His victory was apparently due to his personal popularity as well as to his ability to use former military acquaintances as volunteers; the ticket had been endorsed by the principal South Vietnamese trade union shortly before September 3. See News from Viet-Nam, op. cit. (Special Bulletin, "The Second Republic"), pages 10-11, for complete Senate results.
74. The Lily slate (with 631,616 votes) was headed by Nguyen van Huyen (see Appendix). Comprised largely of members of the C.C.B., among the more prominent Lily candidates figured Tran huu Phuong (the former Minister of Finance and the Chairman of the National Bank) and Le van Thong (the former President of the Veterans Association). The ticket had reported been supported by several Catholic bishops and former Diemists.
75. The Bright Star slate polled some 600,720 votes; apparently it had been supported by many of the 600,000 Catholic refugee voters in the Saigon area. (See Appendix for all Senate slate heads). Cao's ticket claimed 569,975 votes; the General had been a Diem supporter, and was ousted from his post in 1966--as was another member of the ticket, General Nguyen van Chuan (another former I

Corps commander). The conservative list also included a close associate of Ngo dinh Nhu, Nguyen manh Bao (prominent in Nhu's Confucianist Studies Association). The Vietnamese Sun list (with 553,720 votes) featured seven former Diemist officials, in addition to the former President of the 1959 National Assembly; Tran van Dung was the best-known of these (a leading Diemist minister in the early days of the Republic; he later fell out with Nhu's relations, although the Nhu-Diem funeral was organized by him).

76. The Ky ticket won 553,632 votes. Included among the sixty Senators were at least thirty-five Catholics, eleven former Assembly deputies (of whom five were members of the Ky ticket) and the following professional interests: nine military officers (retired) and one ARVN captain (on leave); five former Cabinet ministers, six businessmen and industrialists; six doctors; and twenty "professionals" (eg., teachers, engineers, lawyers). Two were women, and twenty-seven, North Vietnamese.

Several of the initially favored lists did either make a strong showing locally or ranked closely behind the six winning slates. Yet, with the exception of Don's ticket, none of those headed by important Government personalities or those apparently supported by the generals had been able to poll the necessary votes. The relatively poor showing of the military interests in the Senate was probably due largely to the fact that the authorities themselves had been unable to consolidate their support for any given lists. With the generals thus divided, the concentrated efforts of the cohesive Catholic groups had paid off handsomely. In the predominantly Roman Catholic province of Bien Hoa, for example, their slates ranked first, second, third, and fourth.

77. Daily Telegraph, September 7, 1967.

CHAPTER SIX

1. The N.L.F. and Hanoi were naturally even more outspoken in their denunciation of the whole electoral procedure; already in July the Central Committee of the Front had condemned the proceedings as "nothing but a fallacious political maneuver of the American imperialists and the Thieu-Ky clique aimed at putting a layer of legal and democratic varnish on the rotten puppet power of Saigon". (The N.L.F. document was published by the North Vietnamese press on July 31, according to Le Monde, August 2, 1967). Moreover, although authorities in Washington conceded that one of the most obvious implications of the election results was the primacy of the issue of peace for the Vietnamese people, and hinted that they considered it "likely" that the new Government in Saigon would take a serious view of peace maneuvers in the future (see, for example, NYT, September 5, 1967), both the N.L.F. and Hanoi adamantly rejected the possibility of the elections contributing in any way to a move in this direction.
2. Tri Quang's threat was repeated several times prior to September 3; see NYT, September 2, 1967, for example.
3. The civilian candidates' determination to upset the newly-elected authorities was doubtless due primarily to the fact that they regarded the generals' victory as both a direct confrontation of interests (ie., of civilian as opposed to military rule) and of generations, in political terms as well as in terms of age. For the "angry old men" of Saigon, the election results had confirmed

their worst fears. Not only had they failed to realize what might be their last opportunity to reimpose their influence on the Nationalist political scene; they had been replaced by young men (in uniform) whose political behavior reflected little of the solid Confucian values of the elder statesmen.

The formation of an opposition front had been rumored already in late August. At this time, the nominees cited examples of widespread "Government chicanery", such as a shortage of ballots, soldiers with several voting cards, inconsistent vote tallies, and the use of false ballots. Indeed, Dzu contended that "two-thirds" of Thieu's 34.8% had been obtained "by fraud", and that "without cheating, he would have had ten percent of the vote". See NYT, September 5; Le Monde, September 6, 1967. Neither Huong nor Ha thuc Ky were among the seven protesters; although the former's position was already well known, it was rumored that the latter hoped to be offered a position in the new Government, and thus had decided to refrain from joining his colleagues in challenging the generals.

4. By September 10, it was reported that the P.L.A. had agreed to investigate at least fifteen complaints. Moreover, representatives of twenty-five losing Senate lists apparently also intended to demand that the elections be pronounced invalid and that a new vote be held. Reports of "extensive fraud" of up to 500,000 votes--in addition to hundreds of thousands of votes produced by pressure exerted by the Government through military personnel and civil servants, were circulating. See NYHTe, September 22, 1967, for example.
5. Earlier speculation that the forced compromise solution of June 30 had contributed little to resolving the problem of the rapidly deteriorating relationship between the two generals had been supported both by their rare joint public appearances during the electoral campaign and by their obviously conflicting views on the issue of a bombing halt. Already in July, Prime Minister Ky had reportedly been actively engaged in strengthening his position within the Armed Forces (largely by means of the formation of the so-called Military Affairs Committee; see Chapter V, footnote 42) in order to assure himself a more active role in the new Government than that envisaged by the Constitution. Moreover, rumors that his decision to stand down as presidential candidate had been negotiated only on the understanding that if elected, he would play a leading role in the formation of the new Cabinet (and especially in the selection of the Prime Minister), were recognized as an additional cause for concern. The tension was further increased as a result of the admitted determination of General Thieu to maintain undisputed control over the executive branch in the future.
6. NYT, September 6, 1967; the remark was made by Thich Huyen Quang. See Chapter IV, page 103, for the charter issue, and Chapter V, page 127, for the elimination of the Senate candidates. The intensity of anti-Government feeling within the militant branch was evident by mid-August, when the bonzes had accused the Junta of "plotting to suppress and destroy" Buddhism. (*Ibid.*, August 15, 1967). These charges were reiterated during a "non-political" convention held on August 24 to protest the signing of the charter. The generals' relatively weak showing in the five provinces of I Corps was also regarded as evidence that the Buddhists were attempting to reexert their influence in their former stronghold of Central Viet-Nam.

7. Like the religious leaders, by the end of August a number of student organizations had publicly denounced the "rigging of the elections". Soon after the balloting results were announced, they took even more dramatic steps to express their discontent. On September 12, several hundred students of the Faculty of Medicine walked out of their entrance examinations in protest; at the same time, student leaders appealed to their followers to join in a march to the P.L.A. on September 13 (when the deputies were to reconvene to consider complaints of alleged infractions in the recent vote). Indeed, representatives of the militant An Quang Buddhists were reported to be expected to participate in this demonstration--which was, in fact, prevented by the authorities.
8. The Front, headed by Phan khac Suu (although Dzu was evidently the motivating force behind the group), was comprised of six of the ten defeated civilians--again with the exception of Huong and Ha thuc Ky. According to its spokesmen, the organization had been created as a means of expression for "all citizens who do not want to be oppressed by the government of a minority"; they claimed to represent some 1.5 million voters. Apparently, also included were members of the "Popular Movement of Struggle for Democracy", composed of thirty defeated senatorial candidates. See NYT, Le Monde, September 15, 1967.
9. Evidently, a remark made by Prime Minister Ky during the official electoral campaign about his intentions to "lock the scoundrel in a cage at Independence Palace" had been more than a figurative gest. (Ky cited in NYT, August 25, 1967). Dzu, for his part, dismissed these allegations (which, although dropped by Diem in 1962, had subsequently been reopened before the presidential campaign) as an attempt by the Government "to destroy me because I am popular". See NYHTe, September 14, 1967. In fact, on September 15, instead of appearing in court--where he was condemned in absentia to a total of nine months in prison--he attended a meeting of the protesting students at the Faculty of Medicine.
10. According to the police chief, Thanh had simply been called in for questioning about certain recently captured N.L.F. documents which alluded to "dealings" with him; no specific charges were lodged, and the economist was released the following morning. Nevertheless, the Government's decision to free him was undoubtedly motivated less by their own goodwill than by the insistence of American officials, who were naturally concerned by the effects of this seemingly arbitrary arrest on international public opinion.
11. Although on at least two occasions the so-called Council of Generals had met in an attempt to resolve a variety of problems (including the selection of a Prime Minister), they had been unable to reach any meaningful decision. The Thieu-Ky split had apparently been further aggravated by Loan's arresting Thanh. For while General Thieu was reportedly strongly opposed to this move, the police chief's action had doubtless been supported, if not sanctioned, by Ky.
12. The protesters, most of them students, demanded new elections and the formation of a transitional government during the interim period, the postponement of the Lower House election--as well as a halt to the bombing of the North and the withdrawal of American troops. See, for example, Le Monde, September 26, 1967.

13. Initially, although loudly supporting the protests of the civilian presidential candidates, the militant bonzes had also reportedly been actively engaged in attempting to find a compromise formula in order to settle their differences with both Chau and the Government officials. Evidently discouraged by the generals' refusal to respond to their demands and suggestions, the Buddhists thus decided to openly challenge the Government. That they were inspired as much by politics as by religion in their protest was confirmed on September 24, when, a few hours after the demonstration, Tri Quang convened a press conference to outline the Buddhist position. In addition to reiterating his charges against Thieu's signing the Vien Hoa Dao charter, he publicly attacked the Roman Catholic-dominated Senate for the first time. Moreover, after announcing his solidarity with the "heroic campaign of the students", he echoed the mot d'ordre of the Democratic Front by denouncing the recent elections as "fraudulent". Indeed, the possibility of the bonzes' considering seriously forming a sort of ad hoc alliance with the other dissidents was clearly suggested by the fact that seated beside Tri Quang on the speakers' platform was Truong dinh Dzu himself. See NYT, September 25, and Le Monde, October 15-16, 1967, for an interesting article on the motivations behind the Buddhist protest campaign.
14. At this time, obviously aware that the revived force could no longer be ignored, General Thieu attempted to parley with Tri Quang, who was leading the demonstrators. The two spokesmen were unable to arrive at any sort of agreement, however; indeed, once it became clear that Thieu would not agree to the immediate invalidation of the charter (the principal claim put forth by the religious dissidents), Tri Quang responded by launching a sit-down protest in front of the Independence Palace. Moreover, it was announced that several bonzes had volunteered to immolate themselves in order to combat the Government's intransigence.
15. This renewed hostility towards American involvement in the war (and especially towards what was denounced as "interference" and "domination" of Vietnamese internal affairs) had apparently been triggered off by the student protests. For in opposing the elections, they had naturally also directed their attacks on the foreigners who were felt to be responsible for the September vote. These accusations had subsequently been reiterated both by the civilian presidential candidates and by the editorial writers of several Saigon dailies as well. See Le Monde, September 17-18, 1967, for excerpts.
16. Dzu had refused to comply with a summons issued on September 27, ordering him to appear before the Saigon Court the following day (this time, ostensibly for questioning on his alleged remarks "defaming Vietnamese judges and calling into question the judicial system", according to NYT, September 28, 1967), until the P.L.A. had made a decision on the election returns. The fact that no specific charges were lodged against him lent additional weight to speculation that the Government merely intended to isolate the impetuous lawyer until the Assembly had concluded its deliberations. After being held incommunicado for five days, he was finally released early on October 5--only to be placed immediately under house arrest.
17. The electoral law stipulated October 2 as the deadline for the validation of the presidential vote. The results of the Senate election had already been ratified on September 18 by the Special Committee.

18. During a preliminary poll held on September 13, fifty-six of some eighty deputies present had reportedly voted against confirming the results. See, for example, Telegraph, September 14.
19. This decision, with sixteen votes in favor, was based on a four week investigation, which revealed "detailed and persuasive evidence" of electoral irregularities in more than half of the some 8,000 polling stations. See Le Monde, October 1-2, 1967.
20. The deputies agreed with the Committee's recommendation that of some twelve charges, the following were of sufficient importance to necessitate the annulment of the election: Ky's threat to oppose a "neutralist" civilian government (See Chapter V, page 119); the "improper" use of radio and television by the generals; instances of two voting cards issued to soldiers; the counting of ballots and handling of ballot boxes; and the shortage of ballots. See NYT, October 1 and 2, 1967, for example.
21. Ignoring the ban on political demonstrations which had been imposed the previous day, some 200 students reportedly struggled with the police; over 500 Buddhists assembled around Tri Quang (then beginning the fifth day of his protest sit-down) to stage a "prayer meeting". In addition to renewing their threats of immolations, the militant Buddhist spokesmen even accused the Government of having attempted to bribe the deputies into validating the election returns.
22. Of the 106 deputies voting, fifty approved the validation and forty-three opposed it; one abstained (Suu, who resigned the following day in protest), and four ballots were invalidated. Viet-Nam Report (op. cit., Number 6), November-December, 1967. The actual balloting was by no means secret; each deputy was called to vote on a platform placed just beneath the loges where General Loan and his bodyguards sat--from which vantage point they were able to see if the deputies chose the "valid" or "invalid" balloting box.
23. Consequently, while willing to risk their own political well-being by publicly contesting the vote, the deputies confined their show of discontent to that of a token protest (ie., to issuing a sort of unofficial warning to the Junta that it had exceeded the limits of its power in isolated cases). As a number of Assembly members themselves were reported to have privately admitted on September 30, in spite of the legal strength of their case, politically they simply could not afford to take such a drastic measure as to actually reverse the election results. See NYT, October 1, 1967, for example.
24. On October 3, Tri Quang declared that he would maintain his vigil outside Independence Palace until the charter had been revoked; three days later, he launched a hunger strike. Two immolations were also reported during this time. The student leaders, emboldened by the militant Buddhists' adamant stand, also began to reorganize their forces. The authorities, however, were able to frustrate the latter's plans to stage new anti-Government demonstrations--largely by imprisoning over thirty student leaders. Moreover, as early as October 3, reports had begun circulating that Tri Quang was attempting to reach a compromise with his adversaries. In fact, on October 8, the Buddhist leaders postponed a protest march--ostensibly simply due to the fact that the generals had promised to resolve the controversy "in

the near future". See Le Monde, October 8-9, 1967.

25. NYT, October 11, 1967. See footnote 27.
26. While the militant Buddhists had been able to generate considerable support from their immediate disciples, like the civilian dissidents, they had been lacking a mass following. The Democratic Front leaders, in particular, had evidently failed to organize a widely-based program which might have enabled them to effectively challenge of at least to have set the pace for the newly-elected executive officials. By limiting their protest to the issue of the election returns, they seemed to have been speaking more for themselves than for the some 1.5 million voters they claimed to represent. Lacking both access to political office and a real power base, already by October 3, the founders of the Front seemed to have retired from the political scene. Suu had resigned from the P.L.A., and both Dan and Huong seemed relatively immobile politically speaking. Dzu, of course, was still being held by the police; indeed, despite his success in the election, there was evidently little respect for him in traditional political circles, and consequently, small chance that he would prove an effective leader in the future.
27. That the Buddhist leaders had first shown signs of willingness to join forces with the Democratic Front almost immediately after the Government had announced (on September 12) that a number of Tri Quang's allies had been eliminated as prospective nominees in the forthcoming vote by the local electoral committees, seemed more than a coincidence. Equally noteworthy, on October 2 (when the militant Buddhist demonstrations reached their climax), the P.L.A. suddenly decided to reverse this decision and to allow the disqualified candidates to stand in the October 22 vote. The importance of the Assembly's move, which had undoubtedly been taken upon the "recommendation" of the Government authorities themselves, was emphasized by the fact that listed among the requalified candidates was Ho huu Tuong, who had previously been eliminated from the Senate race on the basis of his "pro-neutralist tendencies" (See Chapter V, page 127). Not surprisingly, shortly thereafter, on October 10, Tri Quang ended his sit-in protest--although he did hasten to add that as the Buddhists had learned from past experience that the Government not uncommonly breaks its word...we shall remain ready to resume our struggle". NYT, op. cit.
28. This was largely due to the fact that not only would the elected Representatives play a lesser role in formulating national policy than their colleagues in the Senate, but the House elections appeared to be even more complicated than were those of its counterpart. Indeed, because the Representatives were to be elected from some fifty-three separate constituencies rather than on a nation-wide basis (as in the case of the Upper House), the balloting seemed in some respects more a matter of local rather than of national concern.
29. Apparently at least thirty militant Buddhist-sponsored candidates were planning to stand, although the radicals, in particular, had been ostracized from political activities for nearly a decade. Among them figured Ho huu Tuong and several former student leaders (eg., Nguyen truong Nho and Le huu Boi, all standing in the first constituency of Saigon); their political plat-

form was basically anti-Government, anti-American, and anti-war.

30. NYT, October 20, 1967. Admittedly, at least one of the more successful Upper House slates, the Farmer-Worker-Soldier coalition, was reportedly attempting to exert its influence on the Lower House as well, by endorsing some eighty candidates. Yet, the Roman Catholics were apparently making only tentative efforts to seat their representatives in the lower legislative body--and the Government authorities also seemed hesitant about endorsing any particular slate.
31. In other words, an average of nearly nine candidates would contest each of the 137 seats. This ratio was superior even to that of the Senate race, in which some 480 candidates had vied for only sixty seats. In Saigon, in the first constituency, as many as ninety-one aspirants were contesting five seats.
32. Only seven candidates described themselves as "laborers", and sixty-one as "farmers". Some 240 were civil servants, 195 teachers, 550 businessmen, 150 soldiers, and fifty-two former Assembly deputies. As there were no residency requirements, a majority were from Saigon. The average age was fifty. About 600 were North Vietnamese refugee, and 601, Southerners. The rest originated from Central Viet-Nam.
33. During the campaign (held from October 6 to October 21), the candidates were reportedly primarily concerned with the usual social reforms--although there was some echo of Dzu's peace platform by the militant Buddhists, and some anti-Government platforms. Few candidates seemed avowedly pro-Government.
34. This was the lowest turnout of the five national elections, although the GVN officials viewed the vote as "satisfactory", according to sources from the Special Commission for Administration, cited in Le Monde, October 24, 1967.
35. Among the Tri Quang allies from outside the capital figured Lt. Col. Tran ngoc Chau (whose popularity had led to his winning in Kien Hoa province by a near three to one majority vote), and Pham xuan Huy (a university lecturer and former student leader from DaNang). A total of some forty-six Buddhists were elected, including six ethnic Cambodians and thirteen Hoa Hao.
36. Fifty-nine Southerners had been elected, as opposed to thirty-two Northerners, forty-four Central Vietnamese, and two unknown. The opposition Democratic Front candidates, however, suffered an important defeat; only one of their representatives was elected.
37. Thirty Representatives were active or retired members of the Armed Forces, and twenty-seven, active or retired civil servants. In addition, eight elected city and provincial council members, and two village chiefs had won seats, as had seven former province chiefs (all ARVN majors or colonels). While the Government apparently exerted little pressure in the election, a number of candidates had reportedly boasted of receiving funds from Ky.

Other professional interests included twenty-seven educators, nineteen former Assembly deputies, seven doctors (three of whom were serving in the Army Medical Corps), seven businessmen, four "farmers", two lawyers, and one journalist, pharmacist, economist, author, and student. The median age was thirty-nine (as opposed to forty-nine, in the Senate). Sixteen representatives of

ethnic minorities had been elected (according to the provisions in the electoral law): six Cambodians, six Montagnards, two Chams, and two Chinese. See News from Viet-Nam, op. cit.

38. The Catholics were nonetheless evidently somewhat encouraged by the fact that one of their most popular spokesmen, Nguyen khac Tan, had been elected from Bien Hoa province. Tan, a lawyer, had defended the ARVN major who commanded troops which fired on Buddhist demonstrators in Hue in 1963. A total of some thirty-five Catholics were elected to the House; as none of them had campaigned on an open Can Lao ticket, it was uncertain at this time if any members of the "old regime" had won seats.
39. Of particular significance, the relatively representative mosaic of interest groups in the House was recognized as an important impetus to the future role of the Ethnic, Cultural and Economic Councils, whose members were to be appointed by the National Assembly. Especially if Vice-President Ky proved an effective Chairman of these advisory bodies, they might provide the framework for a liaison (historically absent in the GVN hierarchy) between the central regime and the affected constituencies.
40. Due to the general lack of coherence of the membership, it appeared likely that (at least in the short run) the soldiers and civil servants would probably have more opportunity for political maneuver than would the "proto-parties" represented by the 137 members. Similarly, the well-established tradition of "personal politics" would doubtless prevail during the first session--with the Representatives more preoccupied by the problem of competing for the loyalties of Thieu and Ky, and vice-versa, than by the need to encourage any substantial development of influential political parties.
41. The militant Buddhists, in particular, were obviously still in a rebellious mood; although the bonzes had succeeded in making their presence felt in the House, the fact that the issue of the charter remained unsettled gave rise to a new wave of Buddhist enmity towards the military leaders. Within twenty-four hours after the polls had been closed, protests were renewed in Gia Dinh and in the Delta town of Can Tho (the site of an immolation staged during the October 22 voting). On October 29, however, before the combined Buddhist-student forces were able to instigate a second massive demonstration, the authorities moved quickly and with force to disperse the dissidents. Thereafter, the bonzes were obliged to limit their protests to issuing bitter communications denouncing the "betrayal" by Thieu. Two additional immolations were also reported--one on October 31, only a few hours before the inauguration ceremony, and another, on November 1.
42. Huong's public announcement in mid-August that he would no longer consider working with the generals, should they be elected to office (see Chapter V, page 124), was considered particularly discouraging. For due to his prestige as a Nationalist spokesman, the former Prime Minister was regarded as the one candidate who might be able successfully to bridge the gap between the civilian and the military forces by participating in the new Government.
43. Although on October 16 it was reported that the first stage of a comprehensive military purge had been completed, the importance of this anti-corruption campaign seemed rather equivocal in view of speculation that it had been motivated as much by

purely political reasons as by a desire to revitalize and reform the Government agencies. Similarly, in his two well-publicized speeches of October 11 and 31 (at which time first the new Senate body and then the executive officials and the Lower House Representatives, respectively, were formally inaugurated), Thieu stressed the need to eradicate corruption and to reform the civil service, to expand agrarian reform, to educate the masses and to construct a democratic tradition. Yet, most of these remarks were confined to the usual broad policy aspirations rather than to any concrete interpretation of the ways and means of realization. (Speeches reprinted in NYT, October 12 and November 1, 1967). Nor did the authorities seem any more inspired insofar as their promised peace proposals were concerned. Although Thieu finally announced on October 31 that he would "open the door widely to peace and leave it open" in initiating his previously outlined bombing halt proposals, he insisted that this move be conditional on the demonstration of "similar goodwill" by Hanoi (ie., a cessation of infiltration into the South and an end to aggression in the D.M.Z., etc; see NHYT, November 1). The North Vietnamese promptly responded by charging that the President's proposition could be answered "only with guns". (Nhan Dan, article of November 2, reprinted in Times, November 3).

44. Loc's appointment was confirmed on October 31. According to Thieu's spokesman, the President had also considered Nguyen van Bong (the Director of the N.I.A.), Nguyen luu Vien (Deputy Prime Minister), and Dr. Tran van Do (Minister of Foreign Affairs). Loc (see Appendix) had little political experience--and virtually no political following.
45. NYT, November 9, 1967. See News from Viet-Nam, op. cit., pages 18-22 for details. The three key positions (Minister of the Interior, of Pacification, and of Defence) were held by members of the Ky Cabinet, all of whom had been promoted the previous week to the rank of lieutenant general. The omission of any opposition politicians seemed particularly significant in view of reports that the American Mission had earlier encouraged Thieu to invite Suu and Huong, among others, to participate in the new Government and thereby facilitate a balance of forces between civilian and military interests. Ha thuc Ky had also reportedly been actively seeking an appointment to the new administration, as had Phan quang Dan, according to some sources.
 Due to the rather ambiguous political nature of the Cabinet as a whole, although most of its members were civilians and a bare majority of them Southerners (ie., only four were military officers, as opposed to nine under the 1965 regime), the Government did not seem to represent any real broadening of interests. Because of this fact, it was speculated that the ministers would probably operate more on the basis of the sources of power accessible to them by virtue of their association with either Thieu or Ky, or with the other members of the inner military circle, than on any "mandate".
46. The impression of a rather somber plan of action (see NYT, November 15; Le Monde, November 16, 1967) was heightened both by Loc's ambivalence towards the freedom of the press and by his significant omission of any important reference to possible peace initiatives. Particularly serious was the fact that the program appeared to be lacking in terms of specific policies which might finally provide the basis for realizing the proclaimed objections of the democratization process as a whole--ie., of institu-

ting dramatic steps directed towards a complete revitalization of the body politic of the GVN and towards capturing the imagination as well as the positive cooperation of the disparate interest groups which had frequently clashed in the Nationalist political arena.

47. The N.L.F. program, drafted in August, was officially presented by the Front's Secretary-General, Huynh tan Phat, at an extraordinary congress held on September 2, 1967.
48. See Front National de Liberation du Sud Viet-Nam: Documents. (South Viet-Nam: Editions Gia Phong, December, 1968), pages 53-88. The protection of all participating groups by a "national union government" was assured. The principal points of the 8,500 word program included a guarantee of social security; ethnic and religious freedoms; the purchase of land for equal free distribution to peasants; the confiscation of American and "puppet" property (although the right to ownership of private property was also assured); equal rights for women; loans on low interest terms from a state bank; the protection of business by customs; the restriction of foreign imports; and the prohibition of foreign manufacturers of goods produced by indigenous industries. In regards to the peace issue, a policy of "victory" was advocated--i.e., to continue the war and at the same time, to construct "an independent, democratic, peaceful, neutral and prosperous South Viet-Nam". Reunification was presented as a gradual, long-range objective. The program was thus expected to have particular appeal for the members of the opposition movement, including the Buddhists, intellectuals, students, and some politicians.
49. The predominance of the Catholics in the Senate had been further enhanced first by the formation of the "National Social Democratic" bloc (Quoc Dan Xa), headed by Huynh van Cao and composed of nineteen Senators belonging to Cao's Vietnamese Sun list and Nguyen gia Hien's Bright Star slate. (A "Revolutionary Workers and Peasant" bloc, headed by General Don and composed of nineteen members of the Farmer-Worker-Soldier ticket and of Nguyen ngoc Ky's Dai Viet Cach Mang list was also reported). Secondly, the religious activists also made a strong showing in the Senate Secretariat election. On December 22, Nguyen van Huyen (leader of the Catholic Lily slate) was voted Chairman, with Hoang xuan Tuu (from the D.V.C.M. list) as First Deputy Chairman, and Nguyen gia Hien (LLDDK) as Second Deputy Chairman. See News from Viet-Nam, op. cit., (No. 2, December 27, 1967), pages 4-5.
50. The pattern of influence in the House was less clear. On January 18, the former Assembly member Nguyen ba Luong was chosen as Chairman. Pham huu Giao (Bien Hoa province) was elected Secretary-General; Duong van Ba (Bac Lieu), First Deputy Secretary-General; Le tai Hoa (Long An), Second Deputy Secretary-General; Tran van Phien (Quang Ngai, another former Assembly member--see Appendix), Third Deputy Secretary-General; and Nguyen van Chuyen (Khanh Hoa) and Doan dinh Huong (Binh Dinh), Auditors. Luong, a Buddhist (see Appendix), was not affiliated with any particular political organization. With the exception of Phien (a Tan Dai Viet affiliate), the others were also either "independents" or little-known provincial politicians. Ibid., (No. 6, January 24, 1968), pages 1-2.

APPENDIXES

A SURVEY OF THE POLITICO-LEGAL FOUNDATIONS
OF THE CONSTITUTIONAL EXPERIMENT
FROM NOVEMBER 1, 1963 TO JUNE 19, 1965

On November 1, 1963, the nine-year Personalist rule of Ngo Dinh Diem came to its violent end. That evening, Major-General Duong van Minh, the Chairman of the newly-established "Military Revolutionary Council" (M.R.C.), signed Provisional Constitutional Act Number One, which acclaimed the founding of a new era of revolutionary and representative government. In fact, Act Number One was only the first in a series of provisions, declarations, decrees, conventions, and charters which, during the subsequent months, involved various civilian and military groups in an intricate web of provisional committees, councils, congresses, cabinets--and coups. It was within this complicated framework, dominated by a persistent power struggle between the military and the splintered civilian elements of the Nationalist movement, that the politico-legal contest of the Constitutional Experiment was determined.

In the process of establishing themselves as the de facto and de jure authorities of the GVN, the generals of the M.R.C. were initially preoccupied with eliminating the principal legal (as well as moral) foundations of their predecessor. Contending that the Diem regime had "betrayed the sacred interests of the entire people", and that its institutions were "corrupt" and "anti-democratic", the new leaders dissolved the National Assembly (elected on September 27, 1963), and abolished the Constitution of October 26, 1956. In its stead, they introduced the Provisional Constitutional Act of November 4, which invested sovereign power in the M.R.C. "pending the revision of the Constitution". The authority of the Chief of State was to be assumed by the Chairman of the M.R.C., while the executive and legislative powers (albeit, with the exception of "matters related to the national budget...financial legislation...(and) national defence and security") would be delegated to a provisional government--approved by the M.R.C. and organized by a prime minister chosen by the latter.

For although the generals reiterated their convictions that the most effective weapon against Communism was democracy and liberty, they declared themselves equally convinced of the necessity of adopting a form of democracy "consistent with the discipline required by a nation at war"; political power could only be transferred to a popularly elected government "when the situation permits". Thereby,

they set an important precedent, which was religiously observed by the succeeding leadership councils, committees and commissions--their brief existence and prolific numbers attributable, perhaps, to this very same "necessity".

The Executive Board of the M.R.C. was then hastily assembled. Headed by the Chief of State and Council Chairman, General Minh, the members of the Board were predominantly from bourgeois Cochinchinese families--although they displayed very little homogeneity in other respects. Few of the members had occupied a position of command at the time of the coup; in addition to a general lack of expertise, only one had been active in politics before he had entered the Army. As Vice-President and President of the Council, Minh appointed Diem's Vice-President and a Southern Buddhist, Nguyen ngoc Tho. With the approval of the M.R.C., Tho introduced a provisional government comprised of fifteen ministers and secretaries of state--again, few of whom were recognized as political personalities of any standing.

In order to satisfy the demands of the diverse civilian groups which had supported the Revolution, on November 6, the M.R.C. decreed the establishment of a Council of Notables. In theory, the some sixty Council members (selected by the M.R.C. from "circles representing all national tendencies and walks of life") were to enjoy the right to "submit opinions and all constructive proposals" (albeit only on "all questions regarding the system of private ownership and fundamental liberties", and only during four annual thirty-day sessions). In practice, any real influence would depend on the generals' cooperation. Several well-known veteran political figures and professional leaders were seated on the Council when it was finally convened on January 1. Yet, the fact that neither the peasantry nor the trade unions were represented further emphasized the nature of the body as a group of "notables" in the old colonial sense, one limited both in approach and in objectives. Moreover, although the Council did serve as a sounding board for prominent citizens, its members soon launched into a series of lengthy discussions and debates which left them little time for their principal task--to determine the procedure for drafting a new constitution.

Not surprisingly, the initial "decompression" period was followed by signs that the revolutionary élan was wearing thin. Tho's government of bureaucrats was widely criticized, as was Tho himself, as a survivor of the old regime. Indeed, in view of the number of alterations within the Government at all levels which had consisted largely of switching about former Diem administrators, the M.R.C.'s decisive

demunciation and abrogation of the 1956 Constitution seemed almost ludicrous. Dissatisfaction with the new Government and with the generals was intensified by the fact that their policies reflected the same "functional anti-Communism" which best described their personalities rather than any revolutionary spirit. Although over sixty political parties had sprung up to jostle for favors and power, political activity was rarely encouraged. Consequently, as the authorities became increasingly preoccupied with the dissension within the M.R.C. (as well as between themselves and the provisional Government), the student demonstrators launched a new campaign in order to exert their influence within the South Vietnamese political arena. General strikes (sometimes violent) were staged at frequent intervals. The military situation also rapidly deteriorated, with the Government troops suffering their highest casualties of the year in the month of November.

The first to lose his patience was Lieutenant-General Nguyen Khanh, then Commander of the northernmost I Corps. During the night of January 29, 1964, he executed an "internal purge" in order to quash what he alleged to be a French-neutralist plot. The following afternoon, Khanh was declared the new Chairman of the M.R.C. General Minh agreed to stay on as nominal Chief of State, although a government of "national unity" was formed to take the place of that of Tho, who stepped down from office. The legal foundation of the new Government was based primarily on the Provisional Constitutional Act Number Two, signed by Khanh on February 7. This Act succinctly amended the original decree of November, 1963, by adding to the provision of Article Three ("The authority of the Chief of State will be assumed by the Chairman of the M.R.C.") the phrase "...or delegated to a personality appointed by the M.R.C."--i.e., General Khanh himself, in the capacity as the newly-appointed Prime Minister. His position was reinforced by the provisions of Decree Number Ninety-Nine, signed the following day.

Five months later, Khanh did agree to call together representatives of political groups and independent leaders to create a new code for political parties and to establish "a bridge of understanding between the people and the Government". That their suggestions to alter the governmental structure to the advantage of civilian elements were unheeded only foreshadowed another move by the Prime Minister to consolidate his power, however. Following the Tonkin Bay incident of August 5 (at which time American planes first bombed North Viet-Nam, ostensibly in retaliation for raids on American aircraft

carriers based off the North Vietnamese coast), Khanh apparently believed his position sufficiently secure to risk an attempt to legitimate his authority. Ignoring various drafts for a new constitution (which had reportedly been submitted by diverse civilian groups and legal experts), with the assistance of two jurists he composed a document of sixty-two articles designed to replace the Constitution of 1956. On August 15, the M.R.C. promulgated the "Vung Tau Charter" by a vote of fifty-eight to zero.

General Khanh, now President-elect of the Republic, hailed the Charter as an important step towards founding a legal system of national institutions. By establishing "three democratic institutions" (an independent legislature, an executive branch headed by a president, and an independent judiciary), power would be transferred from the M.R.C., which would retain only its "super-advisory role". Yet, once again, the "present state of emergency" precluded any elections; those responsible for operating the three branches of government would all be nominated by the Armed Forces. Only the President of the Republic would be elected--by the M.R.C.; all 150 members of the National Assembly (of which fifty were to represent the Armed Forces) would be appointed, as would the President of the High Council of Judges. In the name of "national security and social revolution", Khanh apparently intended to transform the regime into his personal dictatorship.

The students surged into the streets in protest. They certainly did not subscribe to the contentions that only the Armed Forces were capable of leading South Viet-Nam to final victory over the Communists, or that the reinforcement of Khanh's personal position was necessary to ensure an efficacious leadership in the struggle. Militant Buddhist cadre soon joined the demonstrators, demanding "revolution and democracy". On August 23, the "Committee for the Salvation of Buddhism in Danger" was formed in Saigon, while similar "National Salvation Committees" sprang up throughout the Republic. Two days later, the M.R.C. not only agreed to abrogate the Charter, but to dissolve itself. In its place, a Provisional Leadership Committee (P.L.C.) was set up, under the direction of three Southern Army officers: General Minh (as Chairman), General Khanh (as Prime Minister), and Lieutenant-General Tran thien Khiem (as Minister of Defence and Commander-in-Chief of the Armed Forces).

According to the Proclamation of August 27, although Decree Number Ninety-Nine of February 8, 1964, was to remain in effect, the main task of the new Government (assisted by an appointed council com-

posed of "revolutionary elements and religious representatives") would be to convene a civilian National Convention within two months. The establishment of the High National Council (or H.N.C., legalized by Decree Number Seven, signed on September 9) did represent the most important commitment made by the Army since the November Revolution to sanctioning a permanent solid legal foundation for the Republic. For the H.N.C. would be responsible for drafting a provisional constitution (which would then be submitted to a popular referendum), for electing the first civilian chief of state and prime minister, and for functioning as a provisional legislature until the establishment of a permanent body.

Before the Council had been formed, however, yet another unexpected upheaval occurred. On September 13, Brigadier-General Lam van Phat (the former Minister of the Interior and self-appointed Catholic spokesman of the anti-Khanh "Military-Civilian Council for National Salvation") moved up from the Delta town of My Tho with his troops to take the capital. Khanh fled to Dalat, and a new crisis seemed imminent. Although the plot was eventually foiled by the timely intervention of a group of "young Turk" officers (among them Air Vice-Marshall Nguyen Cao Ky and General Nguyen Chanh Thi), this incident revealed to what extent the civilian-military, Buddhist-Catholic, and regional rivalries still posed a serious threat to the tenuously-balanced governmental structure.

At any rate, undeterred by the recent confusion, General Minh had continued the discussions on the formation of the H.N.C.; finally, on September 26, he formally introduced the seventeen members who had been designated by various religious and civilian organizations as their representatives. The Council (disparagingly referred to as the "High National Museum" by the press, in view of its members' ages), began work on the Provisional Charter on October 5, under the chairmanship of Phan Khac Suu, a Southerner and long-standing Nationalist politician. The draft was promulgated on October 20, a week before the October 27 deadline.

Despite its temporary nature, the forty-nine article Charter did mark considerable progress towards a gradual transfer of power from the military to a civilian parliamentary regime. National policy was to be planned and executed by a prime minister; while the H.N.C. was to retain its legislative powers until the establishment of the National Convention, at which time it would be transformed into a body similar to the Senate in a two-chamber system (following the precedent set by Diem's first National Assembly). Suu was elected Chief of State by

the Council; he appointed Tran van Huong, the Prefect of Saigon, as his Prime Minister. On October 26, the P.L.A. was dissolved and Khanh's Government submitted its resignation to Suu. Consequently, on November 1, the first anniversary of the 1963 Revolution, the Republic had a civilian Chief of State and a civilian Prime Minister, as well as a provisional Constitution and legislature; a permanent constitution and elections for a permanent legislative branch were expected to be held within three months.

Yet, the gravity of the national situation continued to increase. Although the newly-instated policy directors carried on consultations with various civilian personalities on the formation of an elected government, dissension within the H.N.C. limited its effectiveness. Even more serious was the threat posed from without--once again, by the militant religious leaders. The Buddhists, who greatly resented Huong's decision to exclude their spokesmen from the new Cabinet (as well as the Government's recognition of the U.B.C.'s rival, the General Buddhist Association, as the official Church), instigated a series of massive protest demonstrations on November 22. Although the unrest began to subside in mid-December, at that time another group pressed for a change: the young Turk elements of the Armed Forces. Charging abuse of the H.N.C. by "counter-revolutionary elements", and condemning it for not meeting the two-month deadline, on December 20 a partial coup was staged under the direction of Generals Ky and Thi, and Lieutenant-General Le nguyen Khanh (a close associate of Ky and also a Northerner by birth). Organizational as well as political motives (ie., a rivalry between generations and services, and rumors of a possible counter-coup) had apparently induced the move.

The generals did promise to uphold the Proclamation of August 27 (ie., that the Army would refrain from engaging in politics), and that in view of their "common goal", they would work with the civilians to convene a National Convention within a maximum period of three months. The members of this Convention, chosen or elected on a limited basis, would act as an interim legislature until a permanent constitution had been written and a regular Assembly elected. The October 20 Charter was, in principle, also to remain in force. Yet at the same time, an Armed Forces Council was established on December 18, with General Khanh at its head, to take the place of the newly-dissolved H.N.C. Moreover, four military personalities were added to Huong's Cabinet (among them Generals Nguyen cao Ky and Nguyen van Thieu). In other words, although conceding to the demon-

strators' demands insofar as they promised to continue to support the civilian statesmen, the military once again was in a prime position to assure that the government would be a "revolutionary one worthy of their sacrifices while defending the nation". So long as the civilians, the "rightful" political heirs of the Republic, acted according to the best interests of "national unity" (i.e., unqualified support of the military effort), the Armed Forces would not only tolerate but defend their actions. But should they misconstrue or misuse their prerogatives, the military would feel compelled to intervene and advise them as to the real interests of the South Vietnamese people.

These new developments, however, only further antagonized the Buddhists, who complained bitterly that although Huong had refused to recognize their recent demands, he had accepted the Army coup against the H.N.C. The militant bonzes refused to be placated by the Prime Minister's announcement that elections for the National Convention (composed of some 145 delegates) were to be held on March 21. On January 20, the anti-Government campaign was renewed in earnest. In the confusion generated by the demonstrations, another coup (the fifth since the Revolution) was instigated one week later; on January 27, 1965, the Armed Forces Council abruptly dismissed Huong and designated its Chairman, General Khanh, to "resolve" the conflict. A caretaker Government, composed of Suu (who agreed to stay on as Chief of State) and his Cabinet was declared operative on the basis of the October Provisional Charter. At this time, an "Army-People Council" (A.P.C.) was also founded; its twenty members (including representatives of the four major religions and of notables from the three principal regions of South Viet-Nam, in addition to the representatives of the Armed Forces) were to advise the Government "in all its important decisions".

Not until February 15 was the new Government of national unity introduced--the ninth attempt since Diem's dismissal at forming a government--when Dr. Phan huy Quat (a former Dai Viet affiliate) accepted the Premiership. The Armed Forces Council designated three military officers (one of whom, General Nguyen van Thieu, was named Deputy Prime Minister and Minister of Defence) to the twenty-one member Cabinet, and organized a twenty-member advisory body, the National Legislative Council. Composed of two representatives of the four principal religions, two from each geographical region, and six Army officers (as stipulated by Proclamations Six and Seven, signed on February 17 by General Khanh), this body was to operate

along the lines of the now defunct H.N.C.

But on February 19, still another coup attempt was engineered-- this time, apparently simply in order to replace General Khanh. The dissident elements, led by a Southern Roman Catholic, Colonel Pham ngoc Thao, were in fact defeated when Ky intervened on Khanh's behalf (as he had done in September, 1964). Nevertheless, the following day the A.F.C. reported that in order to assure "national security and stability", they had voted to oust Khanh. Suu appointed Tran van Minh ("Little Minh", as distinguished from "Big Minh"--Duong van Minh) as acting Commander-in-Chief in Khanh's stead. The latter, who was named Ambassador at large, left the country shortly thereafter. Then, on March 6, the A.F.C. announced that it would be disbanded in order to give more freedom to Quat's civilian Government.

The latter's good relations with the military were not paralleled by those with the militant Buddhist spokesmen of the recently founded "National Front for a True Revolution", however. The bonzes charged that Quat spent so much time cultivating the A.F.C. that he was neglecting the religious problem. But when the Prime Minister yielded to a number of the Front's demands, he was attacked by still another group: Father Hoang Quynh and the militant Catholics, who banded together to form a "Central Movement of the Catholic Struggle" to combat the "Buddhist threat". When in early June a Cabinet shake-up revealed the degree to which relations between Quat and Suu had deteriorated, the Catholics took advantage of the situation by launching a protest movement against the Prime Minister. By June 10, the latter was obliged to ask the generals to "play the role of mediators" in the dispute.

To Quat's considerable surprise, the A.F.C. responded by forcing his resignation as Prime Minister. Moreover, on June 12, instead of appointing another civilian to succeed him, the young Turks, now in control of the Armed Forces, decided to assume power themselves. On June 19, 1965, a Provisional Convention was introduced, from which the new regime was to derive its powers. Unlike any of the previous provisional documents, the Convention included no provision for the reestablishment of a civilian government; the only mention of a more permanent legal foundation for the nation was that of Article Twenty-Five: "The present Convention will take effect from the day it is promulgated until a permanent Constitution is issued". At the same time, all previous documents and laws "contrary to the present Convention" (including that of October 20, 1964) were declared invalid.

At the apex of the governmental hierarchy envisaged by the June 19

document was the Congress of the Armed Forces. This body (composed of the general officers of the ARVN, the four Corps commanders and the Special Capital Military District and Division commanders) was charged with establishing a ten-member Directory or National Leadership Committee (N.L.C.). The latter would include a Chairman, a Secretary-General, a Commissioner of the Executive, Minister of Defence, Chief of the Joint General Staff of the Armed Forces, the commanders of the Corps areas and of the Capital Military District. Below it on the organizational tree was a five-member Central Executive Committee (or C.E.C.), comprised of the Ministers of War, Economy and Finance, Cultural and Social Affairs, Foreign Affairs, and Justice--three of whom were military officers. Functioning as a war cabinet, the C.E.C. was to be directed by a Chairman, whose role would be similar to that of a Prime Minister. The real powers would thus be held by the executive officers of the N.L.C.--and especially, by General Nguyen van Thieu (the N.L.C. Chairman and ex officio head of state), by Air Vice-Marshal Nguyen Cao Ky (the Administrative Commissioner and ex officio head of government), and by the Secretary-General (without any public position), General Phan Xuan Chieu. On June 21, 1965, Ky and Thieu were formally installed in their new posts.

PROMINENT PERSONALITIES
IN THE CONSTITUTIONAL EXPERIMENT

- BINH, HOANG CO, Dr.: Democratic-Socialist; Catholic. b. 1909, NVN. Educ. University of Paris (Dentistry). Served briefly as Governor of Tonking under the French colonial administration. Member of Hanoi Council, 1953; went South in 1954. Established Democratic-Socialist bloc, 1964. Member of Saigon Council, 1965. Presidential candidate (with Lien quang Khinh, a seventy-five year old Southern Buddhist landowner).
- CAO, HUYNH VAN, Maj. Gen. (retired): Formerly Can Lao; Catholic. b.? CVN. Loyal Diem supporter; Commander of IV Corps in November, 1963, and briefly imprisoned after the Revolution. Appointed I Corps Commander, May, 1966; ousted, June, 1966, and retired from military service in July. Successful Senate candidate (heading Catholic-Can Lao Vietnamese Sun slate).
- CHAU, DINH THANH: Independent; probably Catholic. b. 1937, Bui Chu province (NVN). Lawyer, High Court of Saigon. Member of Constituent Assembly (stood as an independent in the Saigon election) and Chairman of the Drafting Committee.
- CHAU, (Thich) TAM: Buddhist. b. 1928 (?), NVN. Completed his studies in a seminary in Hanoi, 1946. Vice-President (clergy) of the Vietnamese Buddhist Association, 1951; reportedly active in (Nationalist) Dan Duy Party at this time. President of (anti-Diem) Intersect Committee for the Protection of Buddhism, May-November, 1963. Founding member of the U.B.C., January 1964; appointed Secretary-General of the Vien Hoa Dao (Saigon). Subsequently recognized as the chief spokesman of the moderate Buddhist faction of the U.B.C. (see Quang, Thich Tri).
- CHUNG, LY QUI: Phuc Mien; Catholic. b. 1940, My Tho (SVN). Journalist (weekly Catholic moderate, Buoi Sang). Official in Ministry of Youth, 1966. Member of Constituent Assembly (supported by Phuc Mien in the Saigon election) and floor leader of the Phuc Mien bloc. Successful candidate in the Lower House election.
- CO, PHAM HUY, Dr.: Vietnamese National Revolution Front; Buddhist. b. 1918, NVN. Physician. Leader of the Vietnamese Democratic Party (Paris) and associated with Dr. Phan quang Dan (head of Vietnamese branch of V.D.P.), mid-1950's. Chairman of the VNNRF, 1964. Presidential candidate (with Ly quoc Sinh, a forty-five year old North Vietnamese lawyer).
- DAN, PHAN QUANG, Dr.: Independent; Buddhist. b. 1918, Nghe An province (NCVN); son of a physician. Graduated from the Faculty of Medicine, Hanoi, 1945. Active in Nationalist, anti-Communist organizations since 1939; left North Viet-Nam to serve as political advisor to the Emperor Bao Dai (in China, Hong Kong), 1946-1948. Joined the VNQDD and broke with the Saigon Government, 1948. Traveled widely, continued his studies in Paris (where he founded the Cong Hoa Dang, or Republican Party), and in the United States (Harvard), 1949-54. Returned to Viet-Nam, 1954; arrested for opposition to National Assembly election, 1956. Organized Dan Chu (Democratic) Party, 1957. Successful candidate to the National Assembly, 1959, but election disal-

lowed. Arrested for involvement in abortive November coup, 1960; imprisoned, 1963, but released after the Revolution. Chairman of the Gia Dinh City Council, 1965. Chairman of the National Political Congress; April, 1966. Member of the Constituent Assembly (supported by his own "Rising Sun" group in the Gia Dinh election). Vice-presidential candidate on the Phan Khac Suu ticket.

- DAT, TRUONG TIEN: CCB; Catholic. b. 1933, Thai Binh province (NVN). Graduated (?) from Bui Chu seminary, 1957. Lawyer. Reportedly a member of the Can Lao Party, 1958-63. Judge, 1960-66. Member of the Constituent Assembly (backed by the GVN/CCB in the Bien Hoa election) and Secretary-General of the Secretariat. Successful Senate candidate (Vietnamese Sun list).
- DINH, NGUYEN VAN: Independent; religion unknown. b. 1928, Nam Dinh province (NVN). Teacher. Member of the Constituent Assembly (independent in the Saigon election) and Second Deputy Chairman of the Secretariat.
- DON, TRAN VAN, Lt. Gen. (retired): Independent; Buddhist? b. ?; SVN. Chief of Staff during the Diem regime. One of three leading figures in the November Revolution, 1963. First Vice-Chairman of the M.R.C. Executive Board and Minister of Defence, 1963; ousted by General Khanh, January, 1964. Reprieved by Khanh, September, 1964. Chairman of the Association of Engineers and Technicians, 1966. Headed the most successful Senate slate (Farmer-Worker-Soldier list).
- DZU, TRUONG DINH: Independent (Tan Viet?); Buddhist. b. 1917, Binh Dinh province (CVN); son of an "oriental physician". Graduated from the Faculty of Law, Hanoi, 1942. Active in anti-French organizations; member of the Tan Dai Viet, 1936 onwards. Established law practice in Saigon, 1944 (or 1947?). Contacts with many Vietnamese revolutionaries until this time, including Nguyen Huu Tho. Member of the Saigon Bar, 1954; reportedly associated with Ngo Dinh Nhu, although broke with Diem after 1960. District Director of the South East Asian Branch of the International Rotery Club, 1961-62. Briefly imprisoned for alleged anti-Diem activities, 1963. Second most popular presidential candidate (with Tran van Chieu, a forty-eight year old Southern businessman and the former President of the Saigon Chamber of Commerce, as well as a member of the Tan Dai Viet Party); imprisoned in September.
- HIEN, NGUYEN GIA: LLDDK; Catholic. b. ?, NVN. Engineer. Prominent lay activists in the militant Catholic LLDDK, spring, 1966. Headed successful Senate (Bright Star-LLDDK) slate.
- HIEP, NGUYEN HOA (VAN): Independent; Buddhist. b. 1905, Gia-Dinh (SVN). Former Minister of the Interior. Presidential candidate (with Nguyen the Truyen, a sixty-nine year old Northern chemical engineer, associated with Ho Chi Minh in Paris before WWI, and a member of the Hanoi Council, 1953).
- HOP, PHAM NGOC: Vietnamese Socialist Party; Catholic. b. 1921, Nam Dinh province (NVN). Businessman. Secretary-General of the Saigon City Council, 1965. Deputy Secretary-General of the V.N.S.P. Member of the Constituent Assembly (independent in the Saigon election) and floor leader of the Dan Chu bloc.

- HUONG, TRAN VAN: Independent; Confucian. b. 1903, Vinh Long province (SVN); son of a peasant farmer. Graduated from the Hanoi Normal School, 1926. Teacher in My Tho, 1926-37; school inspector, 1937-45. Chairman of an anti-French resistance organization in Tay Ninh province, 1945; reportedly a member of the Viet Minh National Assembly in Hanoi, although broke with the Resistance and returned South, 1946. Remained aloof from politics until appointed Mayor of Saigon, October, 1954; retired in February, 1955, to protest Diem's autocratic measures. Member of anti-Diem "Caravelle" group, April, 1960; imprisoned, 1962-July, 1963. Reappointed Mayor of Saigon and member of M.R.C. Council of Notables, 1964. Prime Minister, October 1964-January, 1965; resignation forced by Buddhist protesters. Returned to Saigon from Vung Tau, June, 1967, to stand as presidential candidate on the same ticket as Mai tho Truyen.
- HUYNH, NGUYEN VAN: Independent; Catholic. b. 1914, SVN. Lawyer. Member of the High National Council, 1964. Member of the ELDC, May-June, 1966; one of ten civilians named to the N.L.C. (representing Catholic interests), June, 1966. Headed successful Senate slate (Catholic "Lily" ticket).
- KHANH, VU HONG: VNQDD; probably Buddhist. b. 1907, NVN. Prominent in Viet Minh coalition, 1945-46. Former Minister of the State of Viet-Nam. Secretary-General of the VNQDD, which supported him as presidential candidate (with Duong trung Dong, a forty-five year old Southern Hoa Hao businessman).
- KY, HA THUC: Dai Viet Cach Mang; Buddhist. b. 1919, Thua Thien province (CVN); son of a mandarin. Educ. Hanoi University. Forestry engineer. Fought in the Resistance, 1945-46; imprisoned by the French. Prominent in the D.V.C.M. since 1955. Directed (anti-Diem) maquis in Quang Nam province, 1954-56; imprisoned (1957?) until November, 1963. Member of the M.R.C. Council of Notables, 1964. Minister of the Interior in the Khanh Government; resigned in April, 1965. Elected Secretary of the D.V.C.M., December, 1965. Presidential candidate (supported by his Party, with Nguyen van Dinh, a fifty-eight year old Southern Buddhist professor and former Deputy Mayor of Saigon).
- KY, NGUYEN CAO, Air Vice-Marshal: Independent; Buddhist. b. 1930, Son Tay province (NVN); son of a teacher, pro-French mandarin family. Educ. Chu van An Lycee, Hanoi, 1948; Nam Dinh Reserve Officers Training School, 1952. Trained in Morocco, France, 1952-54. Commander of Transport Squadron (Vietnamese Air Force), 1955. Commander of the Air Force, August, 1964. Leading figure in "Young Turk" officer group after September, 1964. Minister of Youth and Sport in Huong Government, January, 1965. Leading founder of the N.L.C., June, 1965; head of the Executive Council, and ex officio Prime Minister. Forced to step down as presidential candidate (with Nguyen van Loc) by the Armed Forces Council; elected Vice-President of the Second Republic, with Nguyen van Thieu.
- KY, NGUYEN NGOC: Dai Viet Cach Mang; probably Buddhist. b. ?, CVN. Engineer. Headed successful Senate slate (D.V.C.M.).
- LAM, TRAN VAN: Independent; Catholic. b. ?, SVN. Chemist. Popular President of Diem's National Assembly, 1956; subsequently lost favor with the regime, and appointed Ambassador to Australia, 1961. Headed successful Senate (Catholic) slate.

- LIEM, LE QUANG, Lt. Col.: Hoa Hao. b. 1920, An Giang province (SVN). Formal military training at Quang Trung Center. Member of Viet Minh guerrilla unit, 1945-48. Chief of Staff in the Hoa Hao Army, 1949-53. Held various military (inspection) posts, 1955-66. Secretary-General of the Hoa Hao Central Leadership Committee of the sect's Security Forces, May, 1966. Member of the Army-People Council, July, 1966. Member of the Constituent Assembly (publicly backed by the Central Hoa Hao organization in the An Giang election) and First Deputy Chairman, Secretariat.
- LOC, NGUYEN VAN: Independent; Buddhist. b. 1922, Vinh Long province (SVN); son of a property owner. Member of the Viet Minh (southwest provinces), 1945-47. Graduated from the Faculty of Law, Montpellier, 1955. Lawyer, lecturer. Although unassociated with any political party, active in humanitarian organizations (eg., Vietnamese Red Cross and the Union of the Rights of Man). Vice-President of the ELDC, May-June, 1966. Member of Army-People Council, July, 1966; appointed Chairman, November. Organized Thieu-Ky presidential campaign. Prime Minister, November, 1967.
- LUONG, NGUYEN BA: Independent; Buddhist. b. 1902, Kien Phong province (SVN). Civil servant (retired 1958) and accountant. Unsuccessful candidate for the National Assembly, 1959 and 1963. Chairman of the Phuoc Long provincial council, 1965. Member of the National Political Congress, April, 1966. Member of the Constituent Assembly (independent in the Phuoc Long election). Successful candidate in the Lower House election; Chairman of the House, January, 1968.
- LUONG, NGUYEN HUU: Cao Dai. b. 1924, Long An province (SVN). Officer in the Japanese-assisted Cao Dai Army during WWII. Schoolmaster of Cao Dai school in Tay Ninh province during the Resistance. Imprisoned for alleged anti-Diem activities, 1957; released in 1959. Official in the Ministry of Reconstruction, 1959-63. Member of the National Assembly, 1963. High school principal after November, 1963. Member of the Constituent Assembly (backed by the Cao Dai in the Tay Ninh election), and Deputy Secretary-General of the Secretariat.
- LY, TRAN VAN: Independent; Catholic. b. 1901, CVN. Former Governor of Central Viet-Nam (Annam) during the French colonial regime. Principal Catholic supporting the Diem-Bao Dai solution. Member of the "Caravelle" group, April, 1960. Presidential candidate (with Huynh cong Duong, a sixty-four year old Southern notable and landowner).
- MINH, DUONG VAN, Maj. Gen. (retired): Independent; Buddhist. b. 1916, My Tho (SVN). Educ. French lycee. Officer in the French colonial army (headed brief and futile anti-Japanese resistance force after March, 1945) until 1952; transferred to newly-founded Vietnamese Army. Prominent in Diem's anti-Binh Xuyen (Delta sect) campaign, 1955; broke with Diem, September, 1963. One of three leading figures in the November Revolution; Chairman of the M.R.C. and Chief of State, November-January, 1964. Nominal Chief of State after January; organized the High National Council, September, 1964. Appointed Ambassador at large by Khanh; exiled to Bangkok, October, 1964. Attempted to return to Saigon to stand as presidential candidate (with Tran ngoc Lieng, a former Minister of Social Welfare in Ky's Cabinet, who resigned in protest in November, 1966), but was disqualified as a "security risk".

- NGAI, NGUYEN VAN: Dai Viet Cach Mang; Buddhist. b. 1934, Quang Tri province (CVN, but Northern family). Some university education. Teacher. Member of the Constituent Assembly (supported by the D.V.C.M. in the Thua Thien election), and floor leader of the Dai Chung bloc. Successful Senate candidate (Nguyen ngoc Ky list).
- PHIEN, TRAN VAN: Tan Dai Viet; Buddhist. b. 1926, Quang Ngai (CVN). Civil servant. Member of the Constituent Assembly (independent in the Quang Ngai election), and member of the Secretariat (Questor). Successful Lower House candidate; Third Deputy Secretary-General of the House, January, 1968.
- QUANG, (Thich) TRI: Buddhist. b. 1924, Quang Binh province (CVN); son of a wealthy peasant. Graduated from Bao Quoc Seminary (Hue), 1945. Instructor in Hanoi seminary, 1946. Returned to CVN, early 1947, when organized the Buddhist Association of CVN; twice arrested by the French during the Resistance for alleged dealings with the Viet Minh. President of the Buddhist Association (CVN), 1955. Prominent strategist of the Intersect Buddhist Committee, May-November, 1963. Founding member of the U.B.C., January, 1964; Secretary-General of the Vien Thang Thong (Hue). Dominant figure in the anti-Khanh National Salvation Committee, August, 1964; in the Buddhist Struggle Forces, spring of 1966; and in the anti-Government protest, September-October, 1967.
- QUAT, NGUYEN DINH: Radical Democrat; Catholic. b. 1917, Ha Tinh province (NVN); son of a "scholar". Industrialist. Advisor to the "Workers Federation", 1950-51. Editor of the Saigon daily Chuong Mai, 1957. Unsuccessful presidential candidate (with the Cao Dai General Nguyen thanh Phuong), 1961. Member of the Constituent Assembly (supported by the Radical Democrats in the Binh Duong election). Presidential candidate (with Tran cuu Chan, a fifty-nine year old Northern Catholic, a professor and former Minister of Education).
- QUYNH, (Father) HOANG: LLDDK; Catholic. b. ?, NVN. Commander of a self-defence militia in Bui Chu and Phat Diem (NVN) during the Resistance. Organized the "Central Movement of the Catholic Struggle" in Saigon, May, 1965, which forced the resignation of the Phan huy Quat Government. Chairman of the LLDDK, 1966. Initially associated with the anti-Buddhist Catholic front organizations during "the troubles"; subsequently active organizer of the "Front of Citizens of All Faiths" (anti-Government), June, 1966. Prominent in Catholic "Supreme Being" protest, April, 1967.
- SANG, LE PHUOC: Hoa Hao. b. 1932, An Giang province (SVN). Graduated from the Faculty of Law, Saigon, 1963. Judge, First Court of Saigon. Active in Hoa Hao Central hierarchy. Appointed Special Assistant to the Prime Minister, June, 1966. Member of the Constituent Assembly (publicly backed by the central Hoa Hao organization in the An Giang election), and floor leader of the Lien Minh and the Democratic-Alliance (coalition) blocs. Unsuccessful Senate candidate (National Solidarity slate).
- SUNG, DANG VAN, Dr.: Dai Viet; Buddhist. b. 1915, Nghe An province (NCVN). Educ. Faculty of Medicine, Hanoi. Unofficial advisor to the Emperor Bao Dai. Leader of the Dai Viet, early 1950's. Member of the Council of Notables, January, 1964. Publisher

of the Saigon daily Chinh Luan, since 1963. Member of the Constituent Assembly (supported by the Northern Dai Viet faction in the Saigon election). Successful Senate candidate (Farmer-Worker-Soldier ticket).

- SUNG, THACH: Independent; Theravada Buddhist. b. 1927, Phuoc Tuy province (SVN). Khmer. Educ. Faculty of Law, Saigon. Police official. Member of the Constituent Assembly (independent in the Chau Doc election) and Deputy Secretary-General of the Secretariat.
- SUU, PHAN KHAC: Independent; Cao Dai. b. 1905, Can Tho province (SVN); son of a farmer. Graduated from the Ecole Nogent (Paris), 1930. Government-employed agrarian engineer, 1930-43. Imprisoned for alleged anti-French (Cao Dai) activities, 1943. Escaped, 1945. Chairman of the Social-Democratic (Cao Dai) Party, 1945. Fought with the Resistance Forces, 1945-48; brief sejour in China, 1949. Returned to Viet-Nam with the Emperor Bao Dai, who passed on to him three ministerial portfolios; resigned to protest French influence, 1950. Minister (Agriculture and Land Reform) in Diem's first Cabinet, 1954. Member of the National Assembly, 1959. Associated with the "Caravelle" group, April, 1960; imprisoned after the abortive November, 1960 coup until the Revolution, 1963. Member of the M.R.C. Council of Notables, January, 1964. President of the High National Council, September, 1964. Chief of State in the Huong Government, October-January, 1965. Member of the Constituent Assembly (independent in the Saigon election) and Chairman of the Secretariat. Chairman of the P.L.A., April-August, 1967. Presidential candidate (with Dr. Phan quang Dan).
- THANH, AU TRUONG: Independent; Catholic. b. 1925, NVN; bourgeois family. Twice Minister of the Economy after 1963; again, in Ky Cabinet, February, 1966. Headed November, 1966 Cabinet rebellion, when resigned. Tax consultant. Disqualified as prospective presidential nominee (with Vu van Huyen, a Saigon businessman), on the grounds of his "pro-neutralist tendencies".
- THIEP, MAI DUC: Independent; Buddhist. b. 1919, Nam Dinh province (NVN). Educ. National Institute of Administration, Hanoi. Civil servant. Member of the Constituent Assembly (independent in the Kien Tuong election) and member of the Secretariat (Questioner). Successful Senate candidate (Nguyen ngoc Ky slate).
- THIEU, NGUYEN VAN, Lt. Gen.: Independent; Catholic convert. b. 1923, Ninh Thuan province (CVN); son of a small land holder. Briefly leader of local Viet Minh youth group, 1946. Entered Merchant Marine Academy in Saigon and transferred to the new Vietnamese Military Academy in Dalat, where member of the first graduating class, 1949. Active military service with the French (including Bien Dien Phu campaign), 1949-54. Promoted Colonel, 1954. Held various staff posts and regional commands, 1954-63. Active role in the November Revolution. Commissioner of the Executive Board of the M.R.C., November 1963-January, 1964. Chief of Staff under the High National Council, September, 1964. Second Deputy Prime Minister in the Huong Government, October-January, 1965. Minister of Defence in the Quat Government, January-June, 1965. Associated with the Dai Viet during this period. Chairman of the ten-member N.L.C., June, 1965; ex officio Chief of State. President of the Second Republic.

TRUYEN, MAI THO (alias Chanh Tri): Buddhist. b. 1905, Ben Tre province (SVN); Confucian family. Civil servant, 1924-60. General Secretary (laity) of the Vietnamese Buddhist Association, 1951-55; Lay Chairman, 1955 onwards. Deputy Chairman, World Fellowship of Buddhists, 1961-64. Secretary-General of the (anti-Diem) Intersect Buddhist Committee, May, 1963; arrested, imprisoned until the November Revolution. Vice-Chairman of the Vien Hoa Dao, January, 1964; subsequently broke with the U.B.C. leaders and withdrew his Southern Buddhist Studies Association (Xa Loi faction). Member of the Council of Notables, January, 1964. Vice-presidential candidate on the Tran van Huong ticket.

VAN, TRAN VAN: Independent; Buddhist. b. 1908, An Giang province (SVN); son of a wealthy landlord. Graduated from the Ecole des Hautes Etudes Commerciales (Paris), 1935. Businessman, landowner. Minister under Bao Dai. Member of "Caravelle" group, April 1963; imprisoned for three years, 1961. Member of the Council of Notables, January, 1964. Secretary-General of the High National Council, September, 1964. Chairman of the Army-People Council, June, 1966. Member of the Constituent Assembly (independent in the Saigon election); assassinated December 7, 1966.

CHRONOLOGY1965

June 12 N.L.C. assumes power.
 June 19 Provisional Convention proclaimed.
 November Reports of Government-initiated proposals for constitutional reform.

1966

January 15 Prime Minister Ky introduces five-point program for constitutional reform.
 January 28 Eighty-member Democratic Building Council introduced.
 February 7-8 Vietnamese-American Honolulu Conference.
 March 10 General Nguyen chanh Thi dismissed as I Corps Commander.
 March 12 Pro-Thi demonstrations organized in Hue, DaNang. Vien Hoa Dao issues four-point communique criticizing the Government.
 March 14 First Buddhist "Struggle Forces" formed; Demonstrations spread.
 March 19 First public demands by the U.B.C. for national elections and an end to military rule.
 March 25 Government agrees to name a ninety-six-member constitutional drafting committee.
 April 5 Troops dispatched to DaNang.
 April 12-14 National Political Congress meets in Saigon.
 April 14 Decree Law 14/66, ordering elections for a constituent assembly within three to five months, signed by Thieu. Catholic "anti-violence" demonstrations instigated.
 April 23 Preparatory Drafting Committee convened.
 May 5 Thirty-two-member Electoral Law Drafting Committee convened.
 May 7 Ky declares that if a neutralist or pro-Communist government is elected, "I and my friends will fight it".
 May 15 Additional troops sent to DaNang.
 May 25 Six hundred-member National People's-Armed Forces Congress meets in Saigon; Thieu agrees to hold the elections on September 11.
 June 6 Ten civilians added to the ten-member (military) N.L.C.
 June 19 Electoral law promulgated as Decree Laws 21/66, 22/66.
 June 20 Hue falls to Government troops.
 July 5 Eighty-member People's Armed-Forces Council convened.
 July 11 Deadline for candidates' registration.
 July 12 Major Cabinet changes initiated.

- August 13 Buddhist boycott condoned.
- August 26 Electoral campaign opened.
- * September 11 Election of members of the Constituent Assembly.
- September 27 117-member Constituent Assembly officially inaugurated.
- September 30 First plenary session.
- October 26 Election of the Permanent Assembly Secretariat.
- October 31 Five Assembly blocs formalized.
- November 4 Four Assembly sub-committees organized.
- November 18 Twelve-member Assembly delegation meets with representatives of the N.L.C. to propose changes in the Decree Law 21/66.
- November 26 Debate on the main points of the draft Constitution opened.
- December 7 Tran van Van assassinated.
- December 23 Ky delivers his "state of the union" message before the Assembly
- December 27 N.L.C. refuses to amend Decree Law 21/66; assassination attempt on Dr. Phan quang Dan.
- December 28 Deputies pledge to defend the "integrity" of the Constitution.

1967

- January 3 Debate on the main features of the draft terminated.
- January 10 First Assembly press conference held.
- January 12 General Chieu denies "agreement" with the Assembly concerning the promulgation of the draft.
- January 19 Debate on the draft provisions opened.
- February 22 N.L.C. informs the Assembly of its objections to various provisions in the draft.
- March 9 Discussions on the transitional provisions opened.
- March 14 First N.L.C.-Assembly discussions on the draft initiated.
- March 18 Deputies put their final approval on the draft.
- March 19 N.L.C. announces its approval of the draft.
- March 20-21 Vietnamese-American conference in Guam.
- March 23 Second Assembly press conference organized.
- March 24 Deputies submit the draft to the N.L.C. for promulgation.
- March 27 Draft approved by the Armed Forces Council.
- March 31 Massive Catholic demonstrations demanding the reinstatement of "the Supreme Being" in the Preamble.
- * April 1 Promulgation of the Constitution of the Second Republic of Viet-Nam.
- April 2 First phase of the village elections initiated.
- April 6 P.L.A. convened.

April 14	P.L.A. Permanent Secretariat elected.
May 12	Ky announces candidacy.
May 13	Ky declares that if a pro-Communist or neutralist civilian is elected, "I am going to fight him militarily".
May 14	First phase of hamlet elections initiated.
May 17	P.L.A. ratifies presidential electoral law.
May 22	General Thieu announces candidacy.
May 27	N.L.C. lodges objections to electoral law provisions with the P.L.A.
June 13	Revised presidential and senatorial electoral laws approved by the P.L.A.
June 15	N.L.C. promulgates revised presidential and senatorial electoral laws.
June 28-30	Extraordinary session of the Armed Forces Council called; Ky forced to step down as presidential candidate and to stand as vice-presidential nominee on the Thieu presidential ticket.
July 1	P.L.A. announces (preliminary) approval of seventeen joint presidential tickets.
July 11	P.L.A. approves Lower House electoral law.
July 18	Thieu ratifies Vien Hoa Dao charter.
July 19	P.L.A. approves eleven joint presidential tickets; General Duong van Minh and Au truong Thanh eliminated as prospective candidates.
August 1	Revised Lower House electoral law approved by P.L.A.
August 3	Presidential and senatorial campaigns officially opened.
August 6	Dong Ha incident.
August 7	Seven of the ten civilian presidential candidates decide to boycott the electoral campaign to protest against the events of August 6.
August 10	P.L.A. disbanded.
August 16	Dissenting civilian candidates resume their campaign.
August 21	N.L.C. promulgates the revised Lower House electoral law.
August 24	Protest meeting staged by dissident civilian senatorial candidates.
* September 2	N.L.F. formally introduces its new program, recognized as the Resistance forces' response to the GVN nation-building process.
* September 3	Presidential, vice-presidential and senatorial elections held; Thieu-Ky ticket wins 34.8% of the total.
September 4	Seven of the ten defeated civilian presidential candidates lodge a formal protest with the P.L.A.
September 12	Announcement of the (preliminary) validation of the Lower House candidates.
September 13	P.L.A. reconvenes to consider alleged voting irregularities.

- September 14 Opposition Democratic Front introduced.
- September 15 Truong dinh Dzu sentenced to nine months in prison on charges of fraud and embezzlement.
- September 22 Au truong Thanh apprehended for interrogation.
- September 24 First massive anti-Government protests staged by student dissidents; Buddhists declare their solidarity with the protesters.
- September 28 Buddhist demonstrations organized to protest the ratification of the Vien Hoa Dao charter.
- September 29 P.L.A. Special Election Committee recommends annulling the election results.
Truong dinh Dzu apprehended and taken into custody.
- October 1 P.L.A. debate on the validation of the election returns opened.
- October 2 Serious riots;
P.L.A. approves validation of the elections;
Validation of Lower House candidates announced.
- October 6 Lower House electoral campaign opened.
- October 10 Thich Tri Quang ends his thirteen-day protest sit-in.
- October 11 Newly-elected sixty-member Senate officially inaugurated.
- * October 22 Elections for Lower House held.
- October 29 Buddhist-student protests crushed.
- October 31 Newly-elected executive officials and 137-member Lower House officially inaugurated;
Nguyen van Loc appointed Prime Minister.
- November 9 Twenty-seven-member Cabinet introduced.
- * November 15 Loc's first formal "program of action" introduced.

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