

# Hanoi Sees POWs as Valuable

By Henry Aronson

For The Associated Press

In late November, 1971, my wife and I were invited to North Vietnam.

The invitation followed my request to study the administration of civilian and military justice in the Democratic Republic of Vietnam, submitted to the DRVN Embassy in Vientiane, Laos.

The visit coincided with our departure from Saigon where I had spent the past 13 months representing servicemen before U.S. military courts.

The day before we were to enter Hanoi, Nguyen Van Thanh, first secretary of the DRVN Embassy in Laos, casually mentioned that my planned study of the justice system in his country "was not possible at this time." No reasons were given.

Thanh informed us that we were invited "because we were persons who are against the war."

The change in focus was bitterly disappointing. Foreigners have had little to no hard information available to them relating to justice as practiced within the DRVN.

## Activities Curtailed

The information which is available — translated newspapers, newly enacted laws relating to crime and the protection of property, and recent speeches of DRVN leaders — strongly suggests that North Vietnam is confronted with increasing problems of morale and discipline within its armed forces and destruction and stealing of property among its civilian population.

I had hoped to compare the

*Is Hanoi likely to release any more American prisoners of war? Is North Vietnam making a big mistake in its interpretation of the antiwar movement in the United States? American attorney Henry Aronson, who has operated the Saigon office of the Lawyers Military Defense Committee to provide civilian counsel to service men, recently spent a week in Hanoi where he had lengthy discussions with leaders of a government-sponsored group dealing with American affairs. In the accompanying article he presents his conclusions.*

approaches of the North Vietnamese to those of Americans in dealing with remarkable similar types of problems. I could make no such comparisons.

Inasmuch as I was not permitted to observe one court, or meet with one judge, practicing attorney, law professor or student while in Hanoi, I can only conclude the obvious — the North Vietnamese presently wish to keep the workings of their justice system a private matter.

This was the first of a number of requests for hard information which was denied us — requests which ranged over a number of subjects including cooperative and private farm output figures, an opportunity to inquire into the status of minority groups within the DRVN, the condition of American POWs, evidence of recent American bombing damage, and an opportunity to meet with rank-and-file soldiers.

In fairness it should be noted that Hungarian and Russian guests confided similar complaints to us — the North Vietnamese apparently are politically impartial in denying information to Communists and non-Communists alike.

## Responsibilities

Specifically, I was given substantial reason to doubt the completeness of the POW list issued by the North Vietnamese, was convinced that no visitors will be permitted to see the pilots, that there will be no further token releases of POWs, and that the North Vietnamese may seriously overestimate the power, influence and momentum of the antiwar movement both in the United States and within the U. S. armed forces in Vietnam.

Our hosts were members and staff of the Vietnam Committee for Solidarity with The American People — CSAP. They were at all times hospitable, solicitous of our needs.

The committee is three years old. Tran Trong Quat, the ranking member we met and the man responsible for overseeing our visit, explained the two major responsibilities of his group.

The first is to educate the North Vietnamese people about America in general and specifically about the differences between "U. S. imperialists" and "American friends" — between the Westmorelands and the Spocks.

The second was described as one of "introducing our people, struggles and tasks to the American people." Regarding this function, Quat noted, "We have not done much to introduce American people to our people — just the antiwar movement." In cooperation with certain American antiwar groups, the committee screens and distributes all mail between POWs and their families.

## Valuable Asset

The Nixon Administration has repeatedly implied that the war would continue as long as U. S. pilots remained in captivity in North Vietnam.

If the North Vietnamese did not realize the enormous negotiating value of the pilots in the past, the Nixon administration's emphasis of the POW issue has undoubtedly brought home to the North Vietnamese the realization that the detained pilots may be their most valuable asset in their negotiations with the United States.

For this reason I avoided detailed discussions of terms of release.

The treatment of the POWs is quite a different matter.

The Nixon Administration has strongly implied that the North Vietnamese are not providing the detained pilots with sufficient shelter, food, clothing and medical care.

To determine the validity of these allegations, I made a straightforward request to visit the pilots and see for myself the conditions of their detention.

If the POWs were in fact well cared for, it would cast doubt upon, and perhaps put an end to, one of the principle justifications claimed by the Nixon administration for prolonging the war.

But I was not permitted to visit the Hanoi Hilton or any other places of detention.

The reasons given for the rejection are important insofar as they tend to indicate a possible failure on the part of U. S. government to anticipate North Vietnamese reactions.

The Son Tay raid provides a graphic example. The well-publicized raid, staged in November, 1970, involved an attempt by U. S. commandos to extricate prisoners thought to be held in the Son Tay camp located 23 miles northwest of Hanoi.

The fact that the camp was empty and no prisoners rescued is not relevant to understanding the Vietnamese reaction. To the contrary, the raid has definitely influenced the North Vietnamese approach to prisoner visitations — even by persons deemed to be American "friends."

## One Visit

Quat informed me that one visit was permitted after the raid — at Christmas, 1970 — "but since that time the United States had declared they will continue rescue operations. We understand Nixon's policy as follows: We must open the door for prisoner visits. If we open the door, he will immediately attack. So how can we open the door again?"

"Nixon tries to divert public opinion from the war issue but we have no way to cope with this action because the thing we realize most is security of the country and also the pilots."

## Safety Jeopardized

After talking with the Vietnamese, I concluded that the

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major accomplishment of the Son Tay raid, U. S. domestic politics aside, was to further jeopardize the safety of the POWs.

Yet, the alternative scenario, averted only because the camp was empty, is more frightening. Had the camp not been abandoned, a loss of life would have been certain. Could the loss of even one American POW's life be justified in the release of others? And what of the prisoners left behind in the event some had been rescued?

## No Releases

Beyond visits, Quat volunteered that the practice of releasing a few prisoners, as was done twice in 1968 and once in 1969, has ended. Each involved the release of three prisoners to representatives of American antiwar groups.

Statements released by the first two groups regarding

the conditions of their imprisonment, in Quat's words, "caused no problem."

Not so for the third group. Quat noted that "these prisoners, when released, told the truth about being well treated while in Hanoi. On the way home they told the same. Back in America they still told the truth. But after a certain time they have told the contrary."

## Insulting

Navy Lt. Robert Frishman, a member of the third group, was quoted in a Dec. 6, 1970, AP news release as stating: "The actual physical thing isn't so bad. I was struck with rocks and had knives jabbed at me and I was slapped around and tied up with ropes on my bad arm."

These statements were characterized as lies and found to be highly insulting by the North Vietnamese. I doubt they will again release prisoners, who they now see as a vehicle for lies and insults, until their conditions for releasing all prisoners are met — namely the ending of the war.

Quat offered a second reason for not releasing addi-

tional pilots until the war is over. "When they are in their country they have again joined the Army to fight again."

Lest he be misunderstood, Quat summarized: "In short, the argumentation of Nixon

is as follows: We have to release the prisoners but once released Nixon uses them to fight again. Nixon wants us to open the doors of the prisons for visitors but he uses prisoners as a pretext to bomb."