

Sorting Out the Stalemate Theories

A RICH CROP of cozy theories has emerged from the post mortem accounts of what went wrong in the Vietnam peace talks. While I do not pretend to know the exact story, I was at least dimly in touch with both sides. So if only to correct the wildest notions, let me try to give a general account of what I think happened.

The starting point is the cease-fire agreement negotiated between Henry Kissinger and Le Duc Tho of North Vietnam in the second week of October. That agreement was possible because each side agreed not to push to the maximum extent the demands that underlay the war.

The North Vietnamese abandoned a part of their demand for a new regime to replace the government of President Nguyen Van Thieu in South Vietnam. Hanoi accepted, as base for a change in government, a commission over which President Thieu had a veto. Hanoi also agreed to release American prisoners though South Vietnamese Communists remained in President Thieu's prisons.

The United States abandoned some of its claim that South Vietnam was an independent, sovereign state. No definitive arrangements were made for withdrawal of North Vietnamese troops from the territory of the Saigon regime. The role of the international commission supervising North Vietnamese compliance with the cease-fire was not spelled out in detail.

BOTH SIDES almost certainly reached the agreement in good faith. Le Duc Tho, at the end of the October session, said: "We have made many armistices, but this is the first time we made peace." On the American side,

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Dr. Kissinger flew to Saigon on Oct. 17 totally confident, despite warning from the intelligence community, that he could win President Thieu's support of the accord. Dr. Kissinger's plan was to fly from Saigon to Hanoi for an initialing ceremony due to precede a formal signing set for Paris on Oct. 23.

President Thieu, as it happened, demanded tighter guarantees of South Vietnamese sovereignty. Dr. Kissinger apparently felt Gen. Thieu's demands could be accommodated in one more negotiating session with Hanoi. On that basis, President Nixon cabled Hanoi his basic acceptance of the terms. Dr. Kissinger gave his Oct. 26 press conference with the statement "peace is at hand."

In the last week of November, when negotiations resumed in Paris, Dr. Kissinger presented amendments to the agreement which specified more precisely withdrawal of North Vietnamese troops, and the role of the international commission. The North Vietnam-

ese sent these terms back to Hanoi through the person of Nguyen Co Thach, a foreign office official who flew from Paris in the last days of November.

In Hanoi, the North Vietnamese leadership apparently concluded that if they were being asked to make concessions on Saigon's sovereignty, they should get something in return. When negotiations resumed on Dec. 4 in Paris, they began tabling some amendments of their own. Among other things, they reopened the issue of the South Vietnamese Communists held prisoner by President Thieu.

DESPITE THESE changes, the American delegation in Paris was convinced, as late as Dec. 9, that an agreement was in the works. Gen. Alexander Haig was sent back to Washington on that date with a proposal offered by the other side for Presidential approval. Dr. Kissinger told people he saw, including French President Georges Pompidou, that the big obstacle was Thieu.

What happened between then and the adjournment of talks on Dec. 14, I do not know. But whatever it was, it was in a negotiating context where the other side was making changes in response to changes sought by the United States.

The right American reaction in these circumstances would have been an American expression of disappointment, and an appeal to the Soviet Union and China for help in nudging North Vietnam. Instead, Mr. Nixon called on the bombers—an action, in my judgment, of senseless terror which stains the good name of America.