In a Complex Struggle P.O.W. Became Pawn

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By JOHN W. FINNEY
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WASHINGTON, Feb. 12—With the first release today of American prisoners in Vietnam, Washington and Hanoi began the final act of a lengthy drama in which the prisoners became pawns in a political and military struggle.

Apparently it is a drama each side plans to play right down to the last man. The Communist side will not release all prisoners until it sees the United States withdrawing all its troops from South Vietnam. And the United States will not remove all its forces until it is certain that all the prisoners are being released by the Communist side.

This link — defined in the Vietnam peace agreement and the accompanying protocols — underscores the way in which the international code on humanitarian treatment of prisoners, set forth in the 1919 and 1949 Geneva conventions, was overtaken in this war by political considerations.

For North Vietnam the prisoners became hostages to be used to force the United States into political concessions in South Vietnam. But critics of the Johnson and Nixon Administrations felt that the prisoners were used by the United States in turn as pawns to justify military actions and negotiating positions.

In the history of modern wars—with the possible exception of the Korean War, which also ended in a truce—never has such political use been made of prisoners. The Korean truce was held up for several weeks by political disagreement over whether prisoners should be repatriated to their homelands against their will.

A Complicating Element

While the issue of American prisoners was resolved relatively quickly in the Korean negotiations, it complicated the negotiations between the United States and North Vietnam and became a highly emotional aspect of the debate on the war at home.

The first effort to make political use of the prisoners was by North Vietnam, which in 1966 threatened to try captured American pilots as war criminals. By 1969 the North Vietnamese had backed off this threat, but in the process, intentionally or not, they had raised a legal point—whether they were obliged to conform to the Geneva conventions, which they had signed. They had withheld approval of Section 85, which provides that prisoners classified as war criminals are entitled to the same protection as others.

Through diplomatic channels the State Department—which had set up a special prisoner office under the direction of Frank Sieverts, a Foreign Service officer—repeatedly sought international inspection of the prisoner camps, a requirement of the Geneva conventions. Hanoi refused to admit the International Committee on the Red Cross, a Swiss group that it viewed as pro-Western. Not until the peace agreement was signed did the North Vietnamese consent to Red Cross inspection.

Hanoi also declined to comply with a provision requiring the submission of an official list of names. Instead, starting in 1969, it submitted unofficial lists through such channels as the Committee of Liaison, an antiwar coalition and Senators Edward M. Kennedy and J. W. Fulbright, both critics of the war. The United States refused to accept the lists as official or complete, but in the end they proved to be fairly accurate.

As the controversy over the prisoners intensified, the United States seized upon North Vietnam's refusal to comply fully with the conventions as proof that the prisoners were being maltreated.

Hanoi's Intentions Clearer

Early in 1968, according to State Department officials who have been following the prisoner question, it became apparent that North Vietnam was intent on using the prisoners as hostages.

From then on, in the view of Administration officials, the prisoners became an increasingly political issue, with their release inextricably linked by both sides to the withdrawal of American forces.

That the Communists were demanding a political price became evident, but the price was not clearly defined.

In mid-1971, when the Vietcong presented a peace plan, it seemed to some that the Communist side would agree to release the prisoners in return for a firm commitment by the United States to withdraw all forces from the South. That, at least, was the impression that several American politicians and journalists got from talking with Communist representatives.

Then, as the Administration had all along contended would happen, the Communists' price was raised. Perhaps, as Administration officials suspect, North Vietnam concluded that the prisoners were worth more than just a troop withdrawal. At any rate it became evident that the price included the end of American support for the Saigon Government and acceptance of a coalition government in South Vietnam.

The Nixon Administration's policy on the prisoners also changed, partly in response to the Communists but also for domestic political reasons.

The Johnson Administration had maintained silence, on the theory, according to officials, that quiet diplomacy rather than publicity was the best way to obtain the prisoners' release.

'Decision to Go Public'

Early in 1969 the Nixon Administration, which had just taken office, decided "to go public" on the prisoner issue—a course recommended to the President by his Secretary of Defense, Melvin R. Laird, architect of the plan for Vietnamization and troop withdrawal and a shrewd student of Congressional moods.

Testifying before the Senate Foreign Relations Committee in November, 1970, after the dramatic but unsuccessful American raid on the Son Tay prison camp in North Vietnam, Mr. Laird, himself a former Representative, said the object of the new policy was "to bring world opinion to bear on the North Vietnamese" to provide better treatment of the prisoners and to release them.

At a Pentagon news conference in May, 1969, he had suggested that the prisoners were being maltreated and called for their prompt release.

In the course of a concerted publicity campaign, the astronaut Frank Borman was sent around the world to publicize the prisoners' plight. Presidential proclamations were issued establishing "national weeks of concern." With the encouragement of Senator Robert J. Dole of Kansas, chairman of the Republican National Committee, the National League of Families of Prisoners and Missing in Southeast Asia was formed.

In April, 1971, President Nixon declared that the North Vietnamese "without question have been the most barbaric in the handling of prisoners of any nation in history."

Humanitarian Basis Stressed

Administration officials insist that the decision to carry the issue to the public was motivated by the humanitarian considerations. As evidence that the campaign was successful, the officials note that, starting in 1969, the North Vietnamese began to supply prisoner lists and permitted the men to send out mail. Another factor may have been that the United States stopped bombing North Vietnam late in 1968.

Increasingly, any humanitarian motivation was overtaken—whether deliberately or not is still unclear—by political considerations. As the American force was reduced, the Administration placed even more emphasis on the prisoners, forging the link between release and withdrawal. President Nixon declared in February, 1971, that the United States would maintain a residual force in South Vietnam until all the prisoners were free.

Critics of the Administration objected that the more the issue was publicized, the greater became the hostage value of the prisoners. The Administration rebuttal was that the link between release and withdrawal had been established by the Communist side.

The prisoner issue was useful to the Administration in keeping domestic critics of the war on the defensive. Every time a Senate dove would propose withdrawal, a supporter of the Administration would protest that such a course would "let American boys rot in Communist prison camps."

The prisoners became such an emotional issue indeed, that with the exception of John Sherman Cooper, Republican of Kentucky, no Senate dove dared offer a proposal requiring troop withdrawals that did not also specify release. In Senator Cooper's view the doves had been maneuvered into playing into the Administration's hand, since neither it nor North Vietnam was prepared to accept release as the sole condition for ending the war.

Mansfield Move Defied

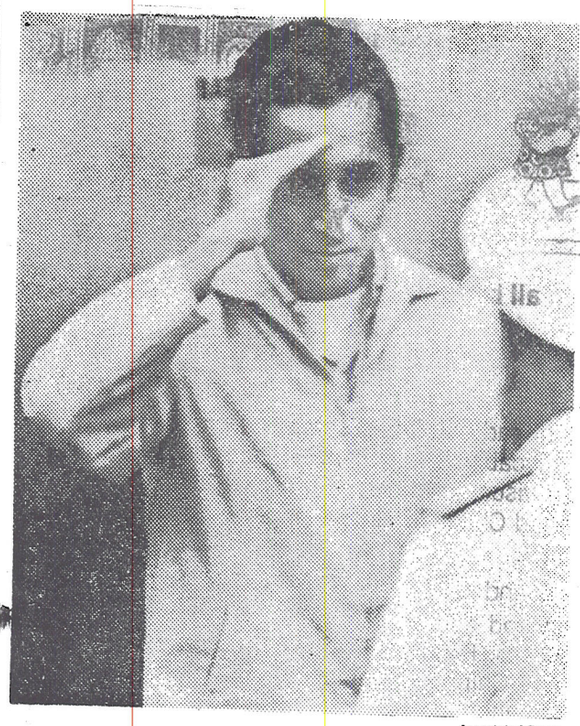
That became evident in the fall of 1971, when the Senate majority leader, Mike Mansfield of Montana pushed through a declaration that it be national policy to withdraw American forces from Indochina by a firm deadline, subject only to release of the prisoners. Mr. Nixon announced that he would ignore the move, explaining that his goal was a negotiated settlement that would provide not only for release but also for a cease-fire throughout Indochina.

The Mansfield proposal proved to be the high-water mark for the Congressional doves. As the Presidential election approached, Senator George McGovern, Democrat of South Dakota, and others would periodically raise the charge that the President was using the prisoners to justify continued involvement in the war. But the doves were never willing to push the matter too forcefully lest it boomerang.

For a time the league of families was a potent political force, allied with the Adminis-

tration in dramatizing the prisoner issue. League officials were sought for Congressional testimony and were granted access to the White House. The league was supplied with mailing lists by the Republican National Committee, and relatives of captives were encouraged to go on what proved to be futile trips to Paris to get information from the North Vietnamese representatives there.

Toward the end a split developed in the original hawkish league, with a faction protesting that the prisoners were being used to justify continuation of the war. At about that time the Administration began to modulate its publicity campaign.



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On his arrival at Clark Air Base, Navy Lieut. Comdr. Everett Alvarez Jr. saluted Adm. Noel A. M. Gayler, Commander in Chief of the Pacific. Commander Alvarez was taken prisoner in August, 1964.