

Thieu and Chau

Prosecution of Opposition Deputy Viewed as Naked Display of Power

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SAIGON, South Vietnam, March 5 — The conviction of Tran Ngoc Chau today on charges of pro-Communist activities is the culmination of what independent observers here agree has been the most naked display of presidential power by Nguyen Van Thieu since his election in 1967. The

case, which was finally concluded this afternoon after a number of procedural delays,

raises some serious questions about the future of parliamentary democracy, about President Thieu's tactics with his opposition and the National Assembly, and about the efficacy of the American role.

From the moment President Thieu accused the articulate opposition Deputy of liaison with the enemy five months ago, Mr. Thieu has pressed relentlessly to remove him from the political scene. In the process he has brushed aside the protests of political figures here and in Washington and ignored the entreaties of American officials, including Ambassador Ellsworth Bunker.

Nothing Mr. Thieu has done since his election has stirred more controversy or provoked among the South Vietnamese more unflattering comparisons with the late dictator, Ngo Dinh Diem.

"The whole thing has been a travesty," Tran Van Tuyen, a respected lawyer and former Deputy Premier who served as one of Mr. Chau's defense counsel, said today.

Thieu is acting like Diem in his worst days. This trial was a test case for Vietnamese democracy, and democracy lost."

U.S. Embassy Troubled

The episode has been painful one for the United States Embassy from the beginning.

Mr. Bunker and his associates have been accused by Senator J. W. Fulbright, the chairman of the Senate Foreign Relations Committee, of failing to come to the defense of Mr. Chau, who had close working relationship with United States officials here dating back to the early nineteen-sixties.

Mr. Chau has accused the Americans of betraying him in his time of need despite the

years of cooperation. During the course of his protracted trial he disclosed in detail — with names and dates — the contacts he maintained with members of the Central Intelligence Agency. None of that is the sort of publicity the embassy enjoys.

The Deputy insisted that he had kept the Americans informed of meetings he had with his brother, later convicted as a North Vietnamese intelligence agent, between 1965 and 1968 — meetings for which he has now been sentenced to 10 years in prison at hard labor.

He also said that ranking members of the American mission encouraged him to continue those meetings and asked him to put them in touch with his brother, on two separate occasions.

As far as the embassy is concerned, this last is perhaps the most damaging testimony because it touches a sensitive nerve among many South Vietnamese both in and out of government.

A principal fear held by Mr. Thieu and his associates has been that the United States might deal privately with the

North Vietnamese to achieve a compromise settlement. The testimony by Mr. Chau, accurate or not, has served to confirm their suspicions that the Americans have at least tried to contact the other side without advising them.

Many people here, Americans as well as South Vietnamese, believe that the embassy had a moral duty to acknowledge its role in the case and to stand behind Mr. Chau. They maintain that its failure to do so must inevitably raise doubts among other South Vietnamese who are cooperating with them.

Mr. Chau has come down hard on this point, asking reporters with whom he has spoken: "Is this the way Americans treat their friends? If so, it's a sad fact." The motive behind his question may be self-serving, but his point has not been lost on the South Vietnamese.

Senator Fulbright has accused the embassy of "shrugging its shoulders" over the case despite instructions from Washington to intervene on the Deputy's behalf. Embassy offi-

ciais insist that Mr. Bunker repeatedly urged Mr. Thieu to abandon his campaign against Mr. Chau, arguing that it would inevitably produce a strong adverse reaction in United States public opinion.

One question that will long survive the episode is why Mr. Thieu was so determined to prosecute Mr. Chau in the face of private advice to the contrary and public criticism of his heavy-handed tactics.

One school of thought holds that the President was reacting to complaints by senior South Vietnamese Army officers that he had been overly tolerant of the more liberal members of the National Assembly. Mr. Chau apparently became the target of the officers' wrath in 1968 when he advocated direct negotiations with the Vietcong before the idea was adopted as Government policy.

Mr. Thieu, it is believed, may have been trying to satisfy the complaints and, in the process, discourage further displays of independence by members of the National Assembly.

Theory of Personal Grudge

Another school holds that Mr. Thieu harbored a personal grudge against Mr. Chau, with whom he had once been close, because of the Deputy's increasingly vocal criticism of the Government.

Thieu could never forgive Chau for joining the opposition and working so closely with the Buddhists," an astute South Vietnamese political observer said recently. "By removing him from the scene, he could discourage others who might be considering the same move."

Whatever his motive, Mr. Thieu's campaign against Mr. Chau has reduced his relations with the National Assembly to a new low. Forty-six of the 135 deputies have sent a letter to the Supreme Court protesting the proceedings against their colleague, and a special committee has been formed to investigate.

Finally, the episode raises questions about the efficacy of an American policy that, in the name of stability, encourages a strong executive and then seems incapable of coping with the situation when the executive employs his strength in a troublesome fashion.