

János Kemény PhD¹**Some Lessons of Counterinsurgency in South Vietnam – The Phoenix and Phung Hoang Programs****Abstract**

The Vietnam War is commonly known as an unsuccessful counterinsurgency campaign. The history of the war however contains many interesting programs and theoretical programs, one major problem of which is the subject of the current article. As President Nixon decided to drastically reduce the scope of US involvement in the war, counterinsurgency programs had to be rethought and transferred to the South Vietnamese. This article aims to show the theoretical and practical problems of such transfers.

The article consists of two main parts. In the first part, the reader will be introduced to the so-called Viet Cong Infrastructure (VCI), which was the shadow government structure, that gave the “invisible” backbone to the insurgency in the South. The second part will cover the establishment of the Phoenix Program, which had a parallel program in South Vietnam called Phung Hoang. These programs by their concept were intended to promote cooperation between various

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COUNTERINSURGENCY

agencies, all of them had its role to play in the counterinsurgency effort, or as it was called back then, in the pacification. The author will use the term “pacification” in the article, as this was the term for the functions exercised by the organizations mentioned in this article at the time of the war.

The Phoenix and Phung Hoang programs have important lessons for today’s operational environment. It required cooperation between the many agencies of two nations against a determined enemy, which had outside support.

Although other interesting initiatives took also place in the realm of counterinsurgency and counterterrorism during the Vietnam War, the current article will focus on the Phoenix and Phung Hoang programs. The article will try to give a picture about the functions, successes and shortcomings, and the legacy of the Phoenix and Phung Hoang programs.

Viet Cong Infrastructure

The National Liberation Front (NLF) or more commonly known as the Viet Cong was in no sense an unorganized bunch of ideologically motivated average citizens. Douglas S. Blaufarb writes about the organization: *“it was not merely an insurgent force, but also a political movement and a government with all the essential arms, often on a reduced scale, but nevertheless remarkably complete. It was in fact fully developed competing*

COUNTERINSURGENCY

*sovereignty, vying with the GVN [Government of Vietnam] for the loyalty and resources of its population.*²

An intelligence memorandum of the CIA from 1967 states: “*The Communist insurgency in South Vietnam is basically a triumph of organization. The Communists’ efficient, flexible, tightly disciplined and – most important – locally-rooted organization has been carefully built up over a long period of time. Through an intricate network of provincial and district committees, the organization is geld together and is able to maintain the insurgency’s essential base at hamlet and village level.*”³ The document goes on to detail, how the success of the insurgency depends on the success of the VCI, and how attacking the VCI would be a great problem for the insurgents.

The Phung Hoang Advisor Handbook defines VCI “*as the political and administrative organization through which the Viet Cong control or seek control over the South Vietnamese people.*”⁴ The handbook goes on to list the parts of the VCI:

- control structure of the People’s Revolutionary Party (PRP), up to the level of the Central Office for South Vietnam (COSVN)

² BLAUFARB, Douglas S. (1977): *The Counterinsurgency Era: U.S., Doctrine and Performance 1950 to the Present*, The Free Press. p. 98.

³ The Intelligence Attack on the Viet Cong Infrastructure, Intelligence Memorandum, 23 May, 1967 p. 1.
https://www.cia.gov/library/readingroom/docs/DOC_0000479126.pdf

⁴ Phung Hoang Advisor Handbook, Headquarters United States Military Assistance Command Vietnam, 1970. p. 2
<http://cgsc.contentdm.oclc.org/utills/getdownloaditem/collection/p4013coll9/id/287/filename/288.pdf/mapsto/pdf/type/singleitem>

COUNTERINSURGENCY

- administrative apparatus of other front organizations such as the Provisional Revolutionary Government (PRG) with its subordinate organization and the National Front for the Liberation of South Vietnam

In plain and simple words, the Handbook notes: *“The VCI is the communist shadow government which provides money, recruits, supplies, intelligence and support to VC military units.”*⁵ Its final objective is to become a viable alternative to the administrative apparatus of the South Vietnamese Government.

The hierarchy between the party and the NLF was also clear cut: the party committees controlled the NLF committees, as the party committees chose NLF leaders. The NLF was a convenient front for the Northern leadership to mask their leadership, according to Mark Moyar.⁶

The VCI had many important roles in supporting the guerrilla units and later the main force units and also had important tasks of its own. The most important functions, which the VCI carried out, were:

- intimidation or removal of government workers, security officials and government supporters (including assassinations if deemed necessary);

⁵ Phung Hoang Advisor Handbook, Headquarters United States Military Assistance Command Vietnam, 1970. p. 2.

⁶ MOYAR, Mark (2007): *Phoenix and the Birds of Prey: Counterinsurgency and Counterterrorism in Vietnam*. Bison Books. p. 13.

COUNTERINSURGENCY

- organizing the population under VC control (recruiting villagers into mass organizations, which was a potential first step for later recruitment into the armed roles);
- taxation of the population (food and money, both of which served the war effort directly);
- logistics (transportation of food, weapons and ammunition);
- intelligence and counterintelligence.⁷

The VCI cadre could be put into two main categories: legal and illegal cadres. The legal cadres resided in government held territories legally, as they hid their connections with the NLF. Legal cadres performed many important tasks, including spying on other locals, government officials etc. Illegal cadres were the ones actively and openly working for the NLF.⁸

There are no exact numbers about how many communist cadres made up the VCI. According to Mark Moyar, the most accurate estimate for the year of 1967 came from the CIA, and they were only able to put the number somewhere between 80 000 and 150 000.⁹ (The assessment for the VCI does not include main force units or guerrilla units, this estimate shows how many cadres were estimated to work in the shadow government apparatus.)

Stuart A. Herrington, a former Phoenix adviser described the situation in one of the contested villages, Hiep Hoa, where he worked, tellingly: *“by night, disciplined Communist political*

⁷ MOYAR, Mark: op. cit. 14-16.

⁸ MOYAR, Mark: op. cit. 16-17.

⁹ MOYAR, Mark: op. cit. 11.

COUNTERINSURGENCY

*officers explained over and over to the villagers the realities of their “plight”, while during the day, government civil servants laid down barrages of anti-Communist exhortations. [...] both sides equally demanded the loyalty of the peasants.”*¹⁰ Herrington goes on to argue, that in the contested villages the locals had little choice other than to play to both sides, until they saw someone getting the upper hand, in which case they truly pledged support for the winning side.¹¹ By remaining active and engaging the population in villages and hamlets nominally under the control of the Saigon regime, the VCI was conducting vital activities for the insurgent side. It was a concentrated effort to undermine the legitimacy of the Saigon government.

It is also important to note, that members of the VCI were not considered by South Vietnamese to be members of the enemy military force, so they weren't eligible for prisoner of war status.¹²

Cooperation among US agencies and with the South Vietnamese

With the deployment of US ground forces, intelligence requirements changed, as the military was focused on the big unit

¹⁰ HERRINGTON, Stuart A (2004).: *Stalking the Viet Cong: Inside Operation Phoenix: A Personal Account*. Presidio Press. p. 50.

¹¹ Herrington, Stuart A.: *op. cit.* pp. 50-51.

¹² HOANG, Ngoc Lung (1984): *Intelligence*, U. S. Army Center for Military History. p. 88.

<http://cgsc.contentdm.oclc.org/utills/getdownloaditem/collection/p4013coll11/id/805/filename/806.pdf/mapsto/pdf/type/compoundobject/cpdtype/monograph/how/805>

COUNTERINSURGENCY

war. The fight against the so called main force units required tactical intelligence, which meant that the formulation of intelligence requirements focused on the order of battle, the exact dislocation, weaponry, manpower of enemy units etc. and collection of data about the supporting infrastructure was deemed low priority.

Cooperation between the two allies, the US and South Vietnam, was on many vital topics suboptimal, and all sides shared some of the blame. In the intelligence field, on the US side, there was an intensive competition between the military and civilian intelligence agencies. On the Vietnamese side, there were a lot of agencies competing with each other.

At the beginning, the main problem was of course the status of forces, and the prohibition at tactical level of sharing intelligence information, but these were solved by agreements, the most important of which was the agreement between the commander of MACV and the South Vietnamese Chief of the Joint Chiefs of Staff on 27 September 1965.¹³

An important factor was, that due to legal problems, the South Vietnamese side handled all prisoner and defectors in operations, which meant, in this very important HUMINT aspect, the US side totally depended on the South Vietnamese partner.¹⁴ (Of course on the technological front, for example, the roles were reversed.)

There was also a question of priorities. For the US agencies, especially for the military, the first and most vital task was to

¹³ HOANG, Ngoc Lung: op. cit. p. 80.

¹⁴ HOANG, Ngoc Lung: op. cit. p. 81.

COUNTERINSURGENCY

defeat the organized units of the enemy operation in South Vietnam. The counterinsurgency campaign however, was neglected for quite a long time, and was also belittled by many commanding officers in the US armed forces, considered of secondary importance, and was also ironically called sometimes, the "other war".

Until 1966 the lowest level for intelligence coordination in pacification matters was at the provincial level, which was too high to guarantee an effective effort against the VCI.¹⁵

Cooperation among South Vietnamese Army, the ARVN and police forces was also complicated. For example, prisoners taken by South Vietnamese police forces in the III. Corps were often taken over by the military for interrogation, but the military refused to share the information acquired through the interrogation. A further great inhibiting factor for building effective intelligence information gathering organizations was the widespread corruption in the country, which served as a disincentive for local elites, as such information gathering organizations would be able to uncover the corruption and the people profiting from it.¹⁶

¹⁵ AHERN, Thomas L. Jr. (2001): CIA and Rural Pacification in South Vietnam, Center for the Study of Intelligence. pp. 285-286. http://nsarchive2.gwu.edu/NSAEBB/NSAEBB284/3-CIA_AND_RURAL_PACIFICATION.pdf

¹⁶ AHERN, Thomas L. op. cit. p. 293.

COUNTERINSURGENCY

The Prelude to the Phoenix and the Phung Hoang Programs

The first step in the process of creating a coordination mechanism for pacification was the establishment of the District Intelligence and Operations Coordination Centers (DIOCC). The DIOCC system grew out of a provincial level initiative, which aimed to unify the intelligence efforts of the CIA, the Military Assistance Command-Vietnam (MACV) advisors, Marine advisors and those of the South Vietnamese. The immediate improvements, which the DIOCC brought along in the pacification efforts motivated higher echelons to replicate the concept in other parts of South Vietnam. The DIOCC format had also a unique feature: it had at its disposal a Provincial Reconnaissance Unit (PRU), which worked as an action arm, for the DIOCC.¹⁷

The PRU was an earlier CIA initiative. It was originally called Counter Terrorism Teams, and the idea was to copy enemy tactics and use them against the structure of the VCI. The PRUs were under CIA command, which was a necessary change over the original concept.¹⁸ The Counter Terrorism Teams were originally under the direction of the province chiefs. Although the units were highly qualified, the results were uneven, as the provincial leadership tended to misuse the teams, on many occasions. Where the units were employed as intended, they targeted, and usually killed VCI cadre successfully. The program grew fast and it was difficult to manage, and also, in the US it had a negative effect in the media. So, the program was renamed,

¹⁷ AHERN, Thomas L. Jr.: op. cit. pp. 286-287.

¹⁸ MOYAR, Mark: op. cit. p. 38.

COUNTERINSURGENCY

and transformed into slimmer format.¹⁹ Later however, the PRU structure was transferred into the ARVN, against the intentions of the CIA, as the CIA leadership wanted the PRUs to be integrated into the South Vietnamese police force. The integration was deemed a necessary step, as the activities of the PRUs became public, sometimes in negative connotations and the CIA wanted to deflect the fact of its sponsorship and command of the PRUs.²⁰

Shortly after the DIOCC reorganization, the CIA station promoted a new organizational effort, called VC infrastructure collection and exploitation (ICEX), which would reach down to the district level. The ICEX initiative was an effort by the CIA to get a deeper role in the intelligence operations of the pacification effort, but was intended to be operated with MACV. The program was approved by MACV in June 1967.²¹

In December 1967 the South Vietnamese side undertook the integration of its efforts against VCI, calling it Phung Hoang, after a mythical bird. The US side chose to mimic the Vietnamese by renaming ICEX into Phoenix, after a mythical bird from Greek mythology. The two programs differed, as in the Vietnamese one the military had the leading role, while in the US program the police was the leading force. This discrepancy was eliminated when the two programs were integrated in 1968.²² The South Vietnamese Presidential Decree 208a-TT/SL (1 July, 1968) established the Phung Hoang program, designating the South Vietnamese Minister of the Interior as the Chairman of the

¹⁹ BLAUFARB, Douglas S.: op. cit. p. 211.

²⁰ AHERN, Thomas L. Jr.: op. cit. p. 300.

²¹ AHERN, Thomas L. Jr.: op. cit. pp. 287-288.

²² AHERN, Thomas L. Jr.: op. cit. p. 289.

COUNTERINSURGENCY

Central Phung Hoang Committee.²³ The considerable delay was due to the fact, according to a South Vietnamese author, that South Vietnamese side found it difficult to frame the program and find a lead agency for the operation.²⁴

Phoenix and Phung Hoang

As the Phung Hoang Advisor Handbook, issued to U.S. advisors, clearly states: “The intent and aid of the Program is to utilize existing civilian and military agencies (police, paramilitary, and military forces) in a systematic and coordinated effort to destroy the Viet Cong Infrastructure throughout Vietnam.”²⁵ This meant better coordination in intelligence collection, analysis, dissemination, exploitation and military use, and also the effective intelligence handling of the captured prisoners.²⁶

The Phung Hoang coordination centers based their databases on the information of the cooperating agencies: the National Police, the Popular Forces/Regional Forces, ARVN, Chieu Hoi, National

²³ Phung Hoang Advisor Handbook, Headquarters United States Military Assistance Command Vietnam, 1970. p. 5
<http://cgsc.contentdm.oclc.org/utills/getdownloaditem/collection/p4013coll9/id/287/filename/288.pdf/mapsto/pdf/type/singleitem>

²⁴ TRAN, Dinh Tho (1980): Pacification, U. S. Army Center for Military History. p. 66.

<http://cgsc.contentdm.oclc.org/utills/getdownloaditem/collection/p4013coll11/id/1409/filename/1410.pdf/mapsto/pdf/type/singleitem>

²⁵ Phung Hoang Advisor Handbook, Headquarters United States Military Assistance Command Vietnam, 1970. p. 3
<http://cgsc.contentdm.oclc.org/utills/getdownloaditem/collection/p4013coll9/id/287/filename/288.pdf/mapsto/pdf/type/singleitem>

²⁶ TRAN, Dinh Tho: op. cit. p. 66

COUNTERINSURGENCY

Police Field Forces, Vietnamese Information Service, the Military Security Service, and Rural Development Cadre.²⁷ The organizational structure of the Phoenix and Phung Hoang programs was organized from the level of corps down to the level of district, with the administrative leaders being the chairmen, and the National Police leaders being committee secretaries.²⁸

Although there was officially no action arm for the program, and formally many forces could act on information gained from the program, the PRUs were considered to be the most effective forces. However, Popular and Regional Forces, Special Police and other forces would also participate in the attack on the VCI.²⁹

The Phoenix Program was not exclusively a CIA program, as manpower issues would have made this impossible. The command in charge of the pacification program, and working under MACV, was the Civil Operations and Revolutionary Development Support (CORDS) program. Although entrusted with civil operations, the manpower of CORDS was largely drawn from the US military.

Phoenix worked best at provincial level while the CIA was in charge, because CIA officers had usually some leverage over participating South Vietnamese agencies and thus were able to motivate their counterparts, to contribute their intelligence

²⁷ Phung Hoang Advisor Handbook, Headquarters United States Military Assistance Command Vietnam, 1970. p. 3
<http://cgsc.contentdm.oclc.org/utills/getdownloaditem/collection/p4013coll11/id/1409/filename/1410.pdf/mapsto/pdf/type/singleitem>

²⁸ TRAN, Dinh Tho: op. cit. p. 66.

²⁹ TRAN, Dinh Tho: op. cit. p. 70.

COUNTERINSURGENCY

information to the common pool. Also, CIA officers could contribute the information what the Agency was able to collect. On the lower levels, where more CORDS advisers were involved in the process, the process was not as successful. The efficiency of the program could be inhibited by local leaders, who could order some agencies not to participate in the Phung Hoang Program.³⁰

The CIA transferred the program to CORDS and the South Vietnamese in 1969, and after that, the efficiency of the program declined, and never reached the original level. On one side, CIA motivation to contribute information to the program declined, and the CORDS advisers couldn't fill the void left by their CIA counterparts. Also without the motivation of the CIA advisers some of the participating South Vietnamese agencies lessened their contribution to the program. At the same time, the leadership role of the ARVN increased, and they were less interested in attacking the VCI and more interested in tactical information in order to fight the big unit war. In some cases however cooperation with US military units grew better, as some of the new advisers had good contacts with the US military and this in turn initiated information exchange between the local Phoenix center and US military units. Exactly the opposite happened with the ARVN. Although South Vietnamese leadership assured its US partners about the importance of the Phung Hoang program, in practice they didn't urge province chiefs and other leaders to focus their energies on making Phung Hoang work, as they

³⁰ MOYAR, Mark: op. cit. pp. 133-134.

COUNTERINSURGENCY

thought, they had more important work in helping the conventional war effort.³¹

After the de facto departure of the CIA, the classic problem of information sharing between agencies emerged. Many officers in the leadership of South Vietnamese police, military and intelligence agencies didn't see the value of the effort, as their counterparts were perceived to have become reluctant to share their information about the enemy. This perception along with the fear of compromising sources because of the efficient hostile intelligence efforts, made information-sharing a very difficult thing to do for the majority of participants. The Phoenix and Phung Hoang structures thus became inefficient, and the situation didn't change until CORDS decided to rebuild the program in 1971. The new lead agency was the Special Police, which was supported by the CIA, and thus, with renewed CIA involvement it was hoped that the program could be reinvigorated. This time however, the CIA wasn't as much interested in attacking the VCI, as it had refocused its efforts on other fields, so the quality of the cooperation didn't increase significantly.³²

The Theoretical Process According to the Handbook on the Protection of People against Terrorism

The Hungarian Mission of the International Commission of Control and Supervision obtained a document with this title and translated it into Hungarian. Dated 1974, it provides a

³¹ MOYAR, Mark: op. cit. pp. 135-137.

³² MOYAR, Mark: op. cit. pp. 137-141.

COUNTERINSURGENCY

comprehensive look into how the South Vietnamese authorities viewed the practical problems of dealing with the Viet Cong Infrastructure. The Handbook was printed in support of the Phung Hoang program, covers various topics, including the organization of Phung Hoang, arrests and detentions, interrogations and arraignments etc. The document covers the role of local security structures in the whole process.

The document lays considerable emphasis on due process. It covers which institution on what legal grounds can initiate searches, arrests of suspects and for how long they can hold them, citing South Vietnamese laws and directives.³³ This however often was not the case in practice. The South Vietnamese security forces had a reputation of extrajudicial killings, and in the earlier Diem era, this often happened with official sanctions.³⁴

The handbook describes the administrative infrastructure, which was put in place in order to help the traditional administrative structures. These structures were intended to help traditional police and prosecutorial agencies and were based mostly on the traditional local power structures. With the Prime Ministerial order of 5 June, 1970, the so called Local Control Commissions were established. These commissions consisted of local dignitaries, and were entrusted with helping the ARVN when it operated at the village, and also had an important role in handling detainees, who were captured by the ARVN. If there was evidence, that the

³³ ÁBTL A-3257. Kézikönyv az emberek terrorizmus elleni védelmére. 1974. pp. 2-6.

³⁴ TRAN, Dinh Tho: op. cit. p. 72.

COUNTERINSURGENCY

captured person was innocent, the Commission could set the person free. The leaders of the village had the opportunity to step up and express their support to people they thought were innocent. Those who were deemed dangerous by the Commission would be turned over to the police force (this was sometimes problematic, as in some villages no classic police structure existed, so in practice, the detainees had to be transported to the next major settlement, so the police could take them into custody). The Local Control Commission was at all times under the direction of the military commander operating in the area.³⁵

When a military operation was conducted in a larger area, the Regional Control Commission had to exercise the same role as the Local Control Commission at the village level. This body had to decide who could be considered as a POW or as a “terrorist”, and it had to transfer them accordingly to the proper authority. As a coordinating body, the Phung Hoang center had to cooperate closely with the Regional Control Commissions in this process of proper identification of the detainees.³⁶

After the capture, the ARVN military unit had to interrogate the detainee as soon as possible, in order to gain information of tactical or possibly strategic importance. People who were found innocent should have been released by the unit immediately, while the others should have been turned over to the Control Commission. The Control Commission had 48 hours to determine who was not innocent, and a further 1-3 days to turn them over to

³⁵ ÁBTL A-3257. p. 8.

³⁶ ÁBTL A-3257. p. 9.

COUNTERINSURGENCY

the proper authorities, with the necessary evidence for the prolongation of their detention. The police had to inform immediately the prosecutor's office about the transfer, and had 30 days to collect factual evidence for the prosecution. After the 30 days expired, local leadership and the prosecutor had to review the evidence, before transferring it to the Security Committee, which would ultimately decide about indicting the detainee. If it deemed the evidence compelling, it had 1-7 days to produce an indictment. If the process took longer, the Security Committee had to inform the Interior Ministry and ask for a prolongation of the process.³⁷

The interrogation of the detainees was conducted by a specialized Interrogation Commission. Its role was to determine the true identity and the past of the detainee, check the information received from other authorities and interrogate the detainee. Its final task was to array the documentation of the evidence. This documentation was also presented to the detainee, who had the right to submit a complaint with the help of an attorney.³⁸

In accordance with an order of the Prime Minister, every detainee had to be released, if it was determined, that they didn't constitute an immediate threat to national security or to the society. This included communist sympathizers, who acted under coercion. A detainee also had to be released, in case of effective cooperation with the authorities. The decision had to be initiated by the police

³⁷ ÁBTL A-3257. op. cit. pp. 9-10.

³⁸ ÁBTL A-3257. op. cit. pp. 10-11.

COUNTERINSURGENCY

and had to be forwarded to the Ministries of Justice and Interior respectively.³⁹

The ultimate goal in the process is to determine, if the prisoner played any role in the Viet Cong Infrastructure. If it was proven a prisoner was indeed a member of the VCI, the file compiled for the prosecution had to be transferred to the Phung Hoang committee, with every piece of information available. The committee in its turn contacted the proper agencies and also started its own interrogation process in order to gain more information from the detainee.⁴⁰

Detainees, according to the roles they played in the VCI, were split up into three categories:

- a. all members of the communist party, regular or temporary, including the members of the provisional government, and members of the National Liberation Front;
- b. all communists, who aren't in leading positions in the National Liberation Front, the National Front for Democracy and Peace and the People's Liberation Committees;
- c. people whose activities are good for the communists, but don't hold leading positions, regardless if they act voluntarily or under coercion.⁴¹

The Security Commission has the right to release anyone from category "C" if they pledge to refrain from anti-government

³⁹ ÁBTL A-3257. op. cit. pp. 11-12.

⁴⁰ ÁBTL A-3257. op. cit. pp. 13-14.

⁴¹ ÁBTL A-3257. op. cit. pp. 14-15.

COUNTERINSURGENCY

activities, and if a local dignitary acts as a guarantor. The detainee must also be able to show, that he or she has changed and must be ready to reenter South Vietnamese society. In any case, the Security Commission has to show leniency to the members of category “C”, who only supported the communists.⁴²

If the detainee is found guilty and sentenced to prison or reeducation camp, the handbook makes clear, that the sentence can be lengthened, if the prisoner doesn't change his or her communist world view or his actions in support for the communists only come to light after his or her sentencing.⁴³

The handbook also covers the measures deemed necessary after the release of the prisoners. After the prisoner has pledged allegiance to the country, he or she has to be transported back to the original place of residence. It is the duty of village officials to control if the former prisoner is really trying to reintegrate into society. If possible, a local dignitary should act as a guarantor for the former prisoner. People chosen by the police force also have to report on the progress, which has to be compiled into a file by the police force. For a period determined by the authorities, the former prisoner has to show up at the police station regularly. If the released prisoner wants to move away from the original address, he or she has to ask for permission from the local authorities. If a former prisoner breaks the rules, he or she can be rearrested and sentenced to the same sentence, which was originally imposed on him or her.⁴⁴

⁴² ÁBTL A-3257. op. cit. p. 19.

⁴³ ÁBTL A-3257. op. cit. pp. 19-20

⁴⁴ ÁBTL A-3257. op. cit. pp. 22-24

COUNTERINSURGENCY

Efficiency

There are some limiting factors that make the analysis of the efficiency of the programs difficult. The fact, that many members of the VCI were taking part in the 1968 Tet Offensive, and suffered high casualties, makes it more difficult to assess the efficiency of the Phoenix and the Phung Hoang programs, and of the pacification effort in general.

Another factor is that a huge part of the intelligence cooperation and sharing took place beyond the frames of the Phoenix and Phung Hoang programs. The agencies, having better relations or arraignments, and thus having higher trust in each other, often planned and carried out their own operations against the VCI. For example, the CIA, after withdrawing from Phoenix, had arrangements for information sharing with the pacification agencies it supported.⁴⁵

It is also difficult to give an exact impression on how efficient the programs were, because the effects of their missions were difficult to track. For example, VCI neutralization didn't only mean killing or capturing VCI cadres, it also meant discrediting the VCI in the eyes of South Vietnamese villagers, or making VCI cadres feel that they were betrayed by their superiors.⁴⁶

It makes the task even more difficult, that the Communist side often termed every military action conducted against VCI as

⁴⁵ MOYAR, Mark: op. cit. pp.142-143

⁴⁶ AHERN, Thomas L. Jr.: CIA and Rural Pacification in South Vietnam, Center for the Study of Intelligence, 2001, p. 303
http://nsarchive2.gwu.edu/NSAEBB/NSAEBB284/3-CIA_AND_RURAL_PACIFICATION.pdf

COUNTERINSURGENCY

“Phoenix program”, even if it had nothing to do with it. This factor is probably one of the reasons, why the Phoenix program has an enduring myth.⁴⁷

The complicated process of dealing with the prisoners, which was in major part administrative in nature, also had its deficiencies at the local level. It is however questionable, if such a structure is ideal to replicate in other conflicts.

Therefore, it is impossible to tell, how many VCI cadres were neutralized (killed, captured or rallied to the government side) thanks to Phoenix and Phung Hoang programs, but most of the estimated figures in all categories are mostly in the thousands or even tens of thousands.⁴⁸

Negative Press, Legacy

On the South Vietnamese side, the lessons are also numerous. One of the interesting aspects was the issue of lawfulness. The highest written legal source for South Vietnam, the constitution states in Article 4: “(1) *The Republic of Viet-Nam opposes communism in every form. (2) Every activity designed to propagandize or carry out communism is prohibited.*”⁴⁹ The constitution also guaranteed all basic rights to its citizens (Article

⁴⁷ MOYAR, Mark: op. cit. p. 246.

⁴⁸ MOYAR, Mark: op. cit. pp. 235-236.

⁴⁹ Constitution of the Republic of Viet-Nam, Vietnam Newsletter issued by the Office of the Permanent Observer of the Republic of Vietnam, 1967, p. 2.

http://vietnamproject.archives.msu.edu/download.php?file0=http://spartanhistory.kora.matrix.msu.edu/files/6/32/6-20-101-116-UA17-95_000284.pdf

COUNTERINSURGENCY

2) and will “*protect freedom, the lives, property and honor of every citizen*” (Article 6).⁵⁰ Article 7 guarantees the rights of individuals in case of arrest, stating, that “*No citizen can be tortured, threatened or forced to confess. A confession obtained by torture, threat and coercion will not be considered valid evidence*”.⁵¹ Although the handbook detailed above lays great emphasis on these and other principals, it is important to note, that the South Vietnamese often didn’t live up to their own legal standards. American advisers were sometimes aware of beatings, water torture or the use of electroshocks in the interrogation process.⁵² Although nothing seems to indicate the widespread use of these methods in joint operations, some political actors back at the US were more than willing to use these allegations and overgeneralize them.

Articles, such as “This Phoenix is a Bird of Death”, published in The New York Times in 1971, claimed, that South Vietnamese President Nguyen Van Thieu was using the program to eliminate his political opponents. It also claimed that the numbers killed thanks to the program are huge and highly inflated. The article also described how opposition was building against the program from the ranks of opposition members of Parliament, and also

⁵⁰ Constitution of the Republic of Viet-Nam, Vietnam Newsletter issued by the Office of the Permanent Observer of the Republic of Vietnam, 1967, p. 2

http://vietnamproject.archives.msu.edu/download.php?file0=http://spartanhistory.kora.matrix.msu.edu/files/6/32/6-20-101-116-UA17-95_000284.pdf

⁵¹ Constitution of the Republic of Viet-Nam, Vietnam Newsletter issued by the Office of the Permanent Observer of the Republic of Vietnam, 1967, p. 2

http://vietnamproject.archives.msu.edu/download.php?file0=http://spartanhistory.kora.matrix.msu.edu/files/6/32/6-20-101-116-UA17-95_000284.pdf

⁵² MOYAR, Mark: op. cit. pp. 90-91.

COUNTERINSURGENCY

claimed it was inefficient.⁵³ A significant part of the negative press is attributed to the effect of the testimony of Kenneth Barron Osborn, who was an enlisted soldier with 149th and the 525th Military Intelligence Groups, and claimed in congressional testimony that the Phoenix program was killing prisoners in large numbers. His assertions were picked up by the anti-war activists, providing new arguments for the anti-war movement. According to Mark Moyar's research however, Osborn's testimony is mostly exaggerated or false.⁵⁴

The Phoenix Program was in some quarters viewed as an uncontrolled effort by the US and South Vietnam and it targeted not only the enemy, but also killed and imprisoned non-Communist political opponents of the Thieu regime and contributed to other human rights' violations, such as torture, extrajudicial (or unsanctioned) executions etc. Because the program was classified official refutation was impossible and impractical. The negative picture emerging about the Phoenix program was further undermining US involvement in the war politically at home.

Conclusion

There are many interesting and important aspects, which these programs can offer for today's intelligence efforts, when dealing

⁵³ PETERSON, Iver (1971): This Phoenix is a Bird of Death. The New York Times. July 25 1971

<http://www.nytimes.com/1971/07/25/archives/vietnam-this-phoenix-is-a-bird-of-death.html>

⁵⁴ MOYAR, Mark: op. cit. pp. 93-95.

COUNTERINSURGENCY

with non-state actors. The first, and most important is, that the “shadow government” infrastructure is as important to attack as the armed groups themselves. As General Tran Dinh Tho writes in his book, *Pacification: “The GVN [Government of Vietnam] had no choice than proceed with the program of eliminating the VCI, which would be equated with a military force in terms of destructive effectiveness.”*⁵⁵ It is difficult to comprehend, why this coordination effort was initiated only years after the US troops engaged NLF and the North Vietnamese troops. This shows the political nature and difficulties of such operations.

As stated already, the further analysis of the Phoenix and Phung Hoang programs can be a useful source for learning about the difficulties of two allies, who have to engage in a counterinsurgency effort, and what needs to be done and what needs to be avoided to create a sharing environment between competing agencies from different countries. The bottom up innovation, which gave rise to the two programs is an interesting example of the lessons learned process, and should be encouraged also in today’s conflicts. Also, the Phoenix program has important lessons about the question of actionable intelligence, and its exploitation. The use of the PRUs as an action arm was certainly not without precedent, as the French counterinsurgency theorist Roger Trinquier has described a similar model in his book *La Guerre Moderne (Modern Warfare)*, first published in 1961. It was however a successful application of theory, which needs further analysis.

⁵⁵ TRAN, Dinh Tho: op. cit. p. 73.

COUNTERINSURGENCY

Nevertheless, the case of the Phoenix program is also a case where the political connotations are well worth to remember. An important program against insurgent infrastructure, when misrepresented in the media, can be as much as a political hindrance at home for an ally as much as a militarily worthwhile undertaking in the host nation. The Phoenix program became a catchword for a host of counterinsurgency programs and initiatives, which in turn created a myth around it. But thanks to the many myths around it, the usefulness of the initiative was largely discarded in the analysis, as it seemed to be a tainted part of the war effort. Also, after the war a strong narrative emerged, which argued, that the counterinsurgency efforts were only secondary to the conventional war effort, so this factor also discouraged the honest review of the program.

The two programs have relevant lessons to today's counterterrorism and counterinsurgency theoreticians and practitioners, who have to conduct their work in a foreign environment. But other elements of the counterinsurgency effort in Vietnam War also need to be further analyzed as many of the innovations were allowed to be forgotten after the war, such as the training of locals by the Civil Irregular Defense Groups (CIDG) or the integration of civil-military effort by the Civil Operations and Revolutionary Development Support (CORDS) just to name two examples.

COUNTERINSURGENCY

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