

19 December 1954

To: Wes Fishel

From: Ed Lansdale

Subject: Provisional National Assembly

1. Have skimmed through the Franco-American and two Vietnamese studies on the Provisional National Assembly. Having only one hour to read, digest, and draw some conclusions, my comments will be only general and cannot help but be "horseback" opinions.

2. I am bitterly disappointed that there is not a clearly depicted method of drawing up a Constitution in any of these documents. All I can see in the Assembly, as depicted, is a sort of makeshift structure and I fear that this makeshift structure is not the strong one needed by the times. The Communists here will not be defeated until the people have definite hope of establishing their own government. In no other way can the Free Vietnamese give a political basis to actions against the Vietminh. And, the Vietnam people will not have their own government until a Constitution so provides. Therefore, drawing up a Constitution is a vital process at this moment of Vietnamese history, and is the main problem which should concern all of us now attempting to help the Vietnamese. How can we get the Vietnamese to draw up a Constitution...and how soon?

3. I am afraid that the powers given to the Provisional National Assembly, in all papers, make it the same sort of obstructionist organ that our own Continental Congress was. My God, doesn't any American read our own history? Why saddle this on helpless people?

4. The "right of interpellation" is a useful gimmick for letting off steam...but might well slow down crash measures, of which there might be plenty soon. I'm afraid that this would sidetrack folks today away from major problems...and I would not be afraid of this if the Assembly was composed of people elected by the people and answerable to them, which this gang won't be. I would prefer the Franco-American paper on this point, if we go ahead with the makeshift structure.

5. The Electoral Decree in the Franco-American paper is not too bad an approach to this problem, which admittedly cannot have a perfect approach. At least it throws a majority into a selective process which comes close to democracy, and would remove the onus of having a hand-picked membership.

6. Is "anti-national" organization or party an euphemism for "Communist"? Hope that this point is well buttoned-up. No Commies.

7. I am not clear on the legal position of the Chief of State relative to either a National Assembly or a Constitution. I understand that he assumed power based upon the lack of an Assembly or Congress. If so, does he then have the power...except by the precedent of past Assemblies...to create an Assembly which might pick another Assembly to write a Constitution, which might possibly contain a provision which takes away his powers, rights, and privileges?

8. The Method of Balloting proposed by the Franco-American paper is clear as mud to me. How clear will it be to any Vietnamese? Cannot there be some details spelled out, which would tell the Vietnamese how to go about this vital process?

9. I like the fiscal aspects of the duties for the Provisional National Assembly. They should start these folks standing on their own feet, helping themselves. But, again, I do not feel that this is of first importance. Of first importance is a Constitution. Is the legal charter talked about in the Franco-American paper a document which tells how to go about drawing up a Constitution? It is damned puzzling to me why the most important question of all is handled with kid gloves or seems to be moot.

10. What are the duties of Vice-Presidents of the National Assembly? Is this merely a political sop? Also, isn't there some other name than President which could be used? There is already a President de Conseil. Won't there be some confusion over a President de l'Assemblee? Minor point.

11. Rule exempting people from another rule re administration functionaries, exempts folks charged with temporary or special mission by the government. Mr Hague or Mr Pendergast would love this one. The administration can give "rewarding" missions to every last member of the Assembly, if such folks start being critical. Easy way to buy off the opposition.

12. Finally, I'm worried about Asian (Vietnamese) reaction to Americans and French being quite so "helpful" in telling them how to go about starting a National Assembly. This is one of the most delicate matters facing us, since it is open to terrific exploitation by the enemy. I still recall that Quezon was most applauded in the Philippines when he told off an American (who was criticizing how the Filipinos built a bridge) that he would prefer a Philippines run like hell by Filipinos to a Philippines run like heaven by the Americans. Vietnamese are far more emotionally nationalistic than the Filipinos. Even if what they are putting together is not too good, they will work hard to make it work if they think it is their own.

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