

The Theoretical Aspect of Targeted Killings: The Phoenix Program as a Case Study

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One of the measures employed in the war against guerrilla warfare and terrorism is targeted killing, with the primary aim of directly attacking the higher-ranking activists, both military leaders and political cadres, of guerrilla or terror organizations and refraining, as far as possible, from injuring innocent citizens. This article has two purposes. First, it will examine the military theory that supports the mechanism for this kind of activity. Second, it will explain the essential nature of targeted killings as an operational tool, on the strategic and tactical levels, in the war against guerrilla warfare and terrorism. Therefore, we need to see the targeted killing as a warfare model of counterterrorism or counterinsurgency and not as a criminal action.

The reason for combining these two concepts together is because no precise definition has yet been found acceptable to most researchers that distinguishes between a terror organization and a guerrilla organization.¹ Eventually, the definition that will differentiate between the two concepts will be individually and subjectively linked with

¹ Schmidt gives a long list of definitions he had collected from leading studies in the field of terror research. See: Alex P. Schmid, *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature*, (New Brunswick, NJ: Transaction, 1987), pp. 5-152. Robert Kennedy, "Is One Person's Terrorist another's Freedom Fighters: Western and Islamic Approaches to 'Just War' Compared", in: *Terrorism and Political Violence* 11 (1: 1999): pp. 3-4. Jenkins makes a chronological distinction. In his view, guerrilla warfare became terrorism at the end of the 1960s when the guerrilla organizations despaired of this form of warfare and also understood that they would not succeed in obtaining their aims through conventional warfare. See: Brian M. Jenkins, *New Modes of Conflict*, (Santa Monica: Rand, 1983), pp. 7-9.

the cultural, political, and social aspects of one state or another. Therefore, for the purposes of this discussion, the concepts of guerrilla warfare and terrorism will be used concurrently.

The discussion on targeted killings will be carried out through an examination of American actions during the Vietnam War through the Phoenix Program. The article will first deal with the theoretical aspects of the conduct of war against guerrillas / terrorists as devised by the U.S. military forces during the 1960s. The American narrative on this subject was strongly influenced by British military thinking on war against counter-insurgency (COIN) as evidenced in the successful suppression of Communist insurgency in Malaya.² In order to exemplify how theory became practice, I shall make use of the Phoenix Program, the plan for intensive targeted killings pursued by the Americans during the Vietnam War, as a test case.

The Vietnam War and the Phoenix Program can serve as a test case to examine the theories and activities in the sphere of COIN for three reasons. First, it was a highly intensive program. Other countries had used (and still use) the mechanism of this kind of activity but not to the same degree as those of the Phoenix Program. Second, it is possible to make a direct comparison between the COIN theories that were developed in American military thinking and the program itself and, thus, to show that, behind the pattern of this activity, there lies a solid theory.³ Finally, while somewhat trivial, a wealth of documents about the Phoenix Program has been discovered in American archives that allow for an in-depth examination of the program.⁴ This profusion of documentation allows the researcher to enter into the intricacies of a fascinating, and some say dark, world of undercover activities.

² In the course of American involvement in Vietnam, the RAND organization conducted a number of studies that analyzed the basic elements underlying the successful British operations in Malaya. See: Riley Sunderland, *Antiguerrilla Intelligence in Malaya, 1948-1960* (Santa Monica: Rand, 1964); Idem, *Winning the Hearts and Minds of the People: Malaya, 1948-1960* (Santa Monica: Rand, 1964); P.B.G. Waller, *The Evolution of Successful Counterinsurgency Operations in Malaya* (Menlo Park: Rand, 1968).

³ On the connection between the COIN theoretical development and the Phoenix Program, see: Richard A. Hunt, *Pacification: The American Struggle for Vietnam's Hearts and Minds* (Boulder: Westview Press, 1995), pp. 198-199.

⁴ In this connection, see the introduction of Mark Moyar to his footnotes in his book *Phoenix and the Birds of Prey: The Secret Campaign to Destroy the Viet Cong* (Annapolis: Naval Institute Press, 1997), p. 373. This article makes use of other collections of documents (see note 8) that indicate the wealth of documents open to inspection and research regarding the program.

There is no intention to deal with the moral aspects of this policy, but to show how the targeted killing served as a means of warfare and to demonstrate its place within the total complex of activities that are adopted by a state in the struggle against guerrillas / terrorists.⁵ This article attempts to define itself within the sphere of strategic-theoretical research and does not try to present a position for or against this type of activity. However, it should be noted that it is the philosophical and moral aspect of targeted killings that stands at the center of public and political debate.⁶ Yet, there are no studies that examine the theoretical and operational system standing behind this type of action.

The examination of American theory will be undertaken using documents belonging to the American Civil Operations and Revolutionary Development Support (CORDS)⁷ organization that operated in South Vietnam.⁸ This was the overarching framework that organized and concentrated the activities of civilian agencies operating in South Vietnam under the responsibility and supervision of the Military Assistance Command, Vietnam (MACV). CORDS was established in May 1967, replacing the Office of Civilian Operations. Its first director was Robert Komer, who had served as Special Adviser for President Lyndon Johnson in everything connected with the pacification plans. In November 1968, William Colby, formerly the head of the Central Intelligence Agency (CIA), in Vietnam, was appointed to this position. CORDS continued to operate until the evacuation of American military forces from Vietnam at the end of February 1973.⁹

⁵ Paul Wilkinson, "Terrorism versus Liberal Democracy: The Problems of Response", in: William Gutteridge (ed.), *The New Terrorism*, (London: Mansell Publishing, 1999), pp. 10-26.

⁶ For the moral aspects, see: Brian M. Jenkins, *Should Our Arsenal Against Terrorism Include Assassination?* (, 1987), pp. 3-9; Steven R. David, *Fatal Choices: Israel's Policy of Targeted Killing*, (Santa Monica: Ramat Gan, 2002), pp. 12-16.

⁷ Civilian Operations and Revolutionary [Rural] Development Support.

⁸ Records of the United States Forces in Southeast Asia, 1950-1975 (RG-472), National Archive College Park MD., Military Assistance Command, Vietnam (MACV) Office of Civil for Rural Development Support (CORDS).

⁹ For a general review of CORDS, see: James K. McCollum, "The CORDS Pacification Organization in Vietnam: A Civilian Military Effort", in: *Armed Forces and Society* 10 (1: 1983): pp. 105-122; Richard H. Hunt, *Pacification – The American Struggle for Vietnam's Hearts and Minds* (Boulder: Westview Press, 1995), pp. 82-132.

Development of the Theories

Discussions on the ways to counter guerrilla warfare, beginning from the second half of the 1950s, can be found within a wider theoretical framework of academic discussions on the nature of limited war.¹⁰ In this framework, the COIN theories were included as a secondary category. The main spur for this discussion was the war in Korea. Robert Osgood, in a prominent study, claimed that, in a limited war, the civilian sector played a decisive role in the outcome of the war because the political echelon had greater influence over the conduct of the war and the determination of its strategic goals. Prior to the Korean War, the political echelon defined the general policy of the war and hardly intervened in strategic military considerations. However, after the Second World War, the political echelon began to be involved in military considerations as well. President Truman limited the Korean War and refused to allow American forces to attack targets within China to avoid escalating the war, even though from a military viewpoint there was clear operational logic in bombing Chinese targets that assisted the war efforts of Chinese forces in Korea.

Political ability and power were of foremost importance in this type of war, not the military resources of the nation in combat. The goals of the conflict were also political and civilian, not military. There was no significance in destroying the power of the enemy militarily.¹¹ In contrast, in the Second World War, the attainment of political aims, the defeat of Germany, Italy and Japan, were totally dependent upon extensive military activities. Robert Osgood's observations led him to a far-reaching conclusion. If limited war must be waged with the help of political tools, then the army was in a secondary position and the war had to be conducted by the civilian sector.¹² For this reason, the civilian sector came to the forefront in the conduct of a new form of warfare, limited war.

¹⁰ For a review of the theoretical development in the United States during the 1950s, see: Douglas S. Blaufarb, *The Counterinsurgency Era: The U.S. Doctrine and Performance* (New York: Free Press, 1977), pp. 22-51; D. Michael Shafer, *Deadly Paradigms: The Failure of U.S. Counterinsurgency Policy* (Princeton, NJ: Princeton University Press, 1988), pp. 104-132; Michael McClintock, *Instruments of Statecraft: U.S. Guerrilla Warfare: Counterinsurgency and Counter-Terrorism, 1940-1990* (New York: Pantheon Books, 1992), 100-136; Andrew J. Birtle, *U.S. Army Counterinsurgency and Contingency Operations Doctrine, 1942-1976* (Washington D.C.: Department of the Army, 2006), pp. 131-171.

¹¹ Robert Osgood, *Limited War* (Chicago: University of Chicago Press, 1957), p. 7.

¹² *Ibid.*, p. 14.

Even before President Kennedy could be sworn in, the Pentagon published two research studies on the means required to eliminate Communist subversion in Southeast Asia. The main line of thought in these studies, a line that would become prominent also in the studies that followed, was that the key to success in counter-insurgency was control over the local population.

The first study, published in May 1960, was comprised of the conclusions of discussion at American senior military and political levels, regarding the methods of warfare against the insurgents in Laos and South Vietnam. The authors argued that the local population showed little interest if at all in the political events in the states in question, and that it did not understand at all the essential meaning of the Communist ideology or the significance of the concept of nationalism. However, it cannot be claimed that the authors failed to understand the political literacy of the Vietnamese villagers. Many studies have examined the political tendencies of the rural population and the factors that led them to support one political aim or another. These studies decisively conclude that the main, sometimes only, reason behind political tendencies of the villagers was the desire to improve the living standards of the villager and his family, and that the villagers would support the strongest political side active in their region with the aim of avoiding injury to their families and villages.¹³ Moreover, the Communists themselves explained to the Vietnamese peasants the essential socialist

¹³ The recruitment of villagers in support of revolutionary movements has engaged sociological and anthropological research of the 1960s and 1970s. This is because it was from the villagers that the revolutionary movements of East Asia, Africa, and Latin American drew their strength. See: Barrington Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (Boston: Beacon Press, 1966), pp. 453-483; Theodor Shanin, "The Peasantry as a Political Factor", *Sociological Review*, 14 (1: 1966); Eric R. Wolf, *Peasant Wars in the Twentieth Century* (New York, Evanston, and London: Harper and Row, Publishers, 1969); Pierre Gourou, *Men and Land in the Far East*, tr. S.H. Beaver (London and New York: Longman 1972); Eric R. Wolf, "On Peasant Rebellion", in: Sam C. Sarkesian (ed.), *Revolutionary Guerilla Warfare* (Chicago: Precedent, 1975); Richard K. Horner, "Agrarian Movements and their Historical Conditions", *Peasant Studies*, 8 (1: 1979); Christine P. White, "The Peasant and the Party in the Vietnamese Revolution", in: D.B. Miller (ed.), *Peasants and Politics: Grass Roots Reaction to Change in Asia* (London: Arnold, 1979); D.B. Miller, "Introduction: Peasant, Politics and the Study of Social Change in Asia", in: D.B. Miller (ed.), *Peasants and Politics: Grass Roots Reaction to Change in Asia*; Scott E. Guggenheim and Robert P. Weller, "Introduction: Moral Economy, Capitalism, and State Power in Rural Protest", in: Scott E. Guggenheim and Robert P. Weller (eds.), *Power and Protest in the Countryside: Studies of Rural Unrest in Asia, Europe, and Latin America* (Durham, NC: Duke University Press Policy Studies, 1982).

doctrine (In Vietnamese: Xa hoi hoa) in the traditional terms of the link of man with the land as a sacred value (Xa).¹⁴

The second study was, in fact, a report by the Assistant to the Secretary of Defense for Special Operations, General Edward Lansdale, considered to be an expert in guerrilla warfare, especially in the Asiatic arena, and one of the most important advisers of Kennedy in these matters.¹⁵ The report, drawn up in August 1960, raises a number of critical points for examining the villagers' support of the Viet Cong. The two main points were anger over the actions of the government powers that was destroying the economic infrastructure and also causing injury to the local population, and fear of the power that the Viet Cong exercised over the local population. In Lansdale's opinion, most of the population had no choice but to support the Viet Cong because of the terror tactics of the Communists.¹⁶

At the beginning of 1962, the journal *Foreign Affairs* published an article by Franklin Lindsay, a prominent researcher of the insurgency phenomenon and a theoretician for the development of doctrines for counter-insurgency warfare.¹⁷ Lindsay claimed that the key to the success of guerrillas was their absolute control over the civilian population.¹⁸ His thesis rests on an analysis of the causes for the defeat of the French in Indochina, a very relevant example to the events of 1962. In his opinion,, the French lost in Vietnam because they lost the support of the local population, while the

¹⁴ The verb "hoa" indicates the divine authority through man over the land. The meaning of the word "hoi" is unity. Thus the concept of socialism is held as the unity of man with the land, both being linked and sanctified by divine authority. See: White, "The Peasant and the Party in the Vietnamese Revolution", p. 26; Wolf, *Peasant Wars in the Twentieth Century*, p. 189.

¹⁵ Walter W. Rostow, *The Diffusion of Power* (New York: Macmillan, 1972), pp. 118-119; Cecil B. Curry, "Edward G. Lansdale – LIC and the Ugly American", in: *Military Review* 68 (5: 1988): pp. 45-57.

¹⁶ For a review of these two studies, see: Ron Spector, *Advice and Support: The Early Years of the U.S. Army in Vietnam, 1941-1960* (New York: Center of Military History, 1983), pp. 361-362. See also: Francis J. Kelly, *U.S. Army Special Forces 1961-1971*, Department of the Army, Vietnam Studies (Washington D.C.: Department of the Army, 1973), p. 19. There is mention here of a study that dealt with the situation in Southeast Asia. This study, which was carried out in 1961, stated unequivocally that the Viet Cong controlled all the mountainous region of South Vietnam, and that the efforts of the South Vietnamese army were ineffective. The study asserted that the efficient use of local people could prevent the continuation of Communist encroachments. See also: Lawrence Freedman, *Kennedy's Wars – Berlin, Cuba, Laos and Vietnam*, (Oxford: Oxford University Press, 2000), pp. 287-288.

¹⁷ Franklin A. Lindsay, "Unconventional Warfare", in *Foreign Affairs* 40 (2: 1962): pp. 264-274.

¹⁸ *Ibid.*, pp. 264-266.

Viet Minh won because they managed to arouse anti-colonial sentiments and to instill Communist ideology among the villagers.¹⁹

The inescapable conclusion is that the basis for any policy and strategy for countering guerrilla warfare must be absolute governmental control over what is taking place in the villages.²⁰ Further, Lindsay sketches a plan of action that, he argues, is required for South Vietnam. Since the Viet Cong imposed its control over the villagers through terror, the government must build protected villages and place the security for those villages in the hands of militia composed of the villagers themselves. In every protected village of this kind, there should be government instructors, military and civilian. These instructors must control everything that occurs in the village, identify the Communist cadres, and neutralize them. The government must invest considerable resources in building schools, clinics, and improving the agricultural infrastructure, in combination with its military operations against Viet Cong strongholds. The guerrilla fighters must be forced to be constantly on the move, unable to consolidate their control in the village areas, and they must be deprived of food, shelter, medical care, and arms.²¹

The American advisers, from among the Special Forces in the area, should be familiar with the customs and culture of the local people, and possess some knowledge of the local language and of the special problems of each village.²² This means that the Green Beret soldiers had to excel in both military and civilian aspects of guerrilla warfare.²³ The Green Berets formed the spearhead of the American advisers during the Kennedy period. They underwent intensive training in the practical activities associated

¹⁹ Ibid., p. 266.

²⁰ Ibid., pp. 269-271.

²¹ Ibid., pp. 267-268.

²² Already in 1957, members of the Special American Forces, the 'Green Berets', operated a plan called CIDG (Civilian Irregular Defense Group) with the aim of training the mountain tribes (the mountaineers) to protect themselves and also to go out on small scale attacking expeditions against Viet Cong units that were moving through the area or that were trying to penetrate into Vietnam through neighboring states. On the stages of the CIDG plan see: Francis J. Kelly, *U.S. Army Special Forces, 1961-1971*, Department of the Army, Vietnam Studies (Washington D.C.: Department of the Army, 1973), pp. 32-35.

²³ Ibid., p. 274.

with counterinsurgency, a training not given to any other unit in the United States Army.²⁴

In March 1962, a conference was held in Washington on the subject of The U.S. Army's Limited War Mission and Social Sciences Research. The initiator of the conference was the Chief of Research and Development, Department of the Army, and the organizer of the conference was the Special Operations Research Office (SORO), an academic-military research group appointed by the American army. At the conference, lectures were given by researchers from American universities as well as by senior army officers. The central subject of the conference was the military doctrines of the army on counter-insurgency and Vietnam, and the most efficient plans to give an effective response to Communist guerrilla warfare. General Clyde Eddleman, Vice Chief of Staff, U.S. Army, claimed that the main front of the cold war was in underdevelopment areas such as Asia, Africa, and Latin America, including nearly half of the world's population. In order to prevent these regions from falling into Communist hands, it was necessary to set up a stable economic and social system that would respond to the needs of the local population with long-term assistance.²⁵

The role of the American army was to help the local military forces in their active efforts to win over the civilian population. The U.S. military units, sent to areas in which there was danger of Communist domination, would be composed of medical teams, engineers, and experts in agriculture and water economy. Their role would be to develop connections between isolated villages and regional urban centers through the improvement of roads and highways and the building of bridges, clinics, personal health education, and agricultural practices. In guerrilla infested areas, such as Vietnam, it would be necessary to build up local militia forces that could combat the guerrillas, and to supply them with the requisite logistics, guidance, and fighting equipment. At the same time, the United States must appear to be only advising the government of South Viet Nam and its army in their implementation of these plans.²⁶ In the view of General Eddleman, these were the most effective tools in the war against the guerrillas

²⁴ See: Kelly, *U.S. Army Special Forces, 1961-1971*, pp. 6-18; Shalby L. Stanton, *Green Berets at War: U.S. Army Special Forces in Southeast Asia 1956-1971* (Novato: Presidio, 1985), pp. 9-16, 35-41.

²⁵ Clyde D. Eddleman, "Limited War and International Conflict", in: William A. Lybrand (ed.), *The U.S. Army's Limited War Mission and Social Science Research* (Washington D.C.: SORO, 1962), pp. 27, 30-31.

²⁶ *Ibid.*, pp. 35-36.

since the American conventional and non-conventional forces, especially the nuclear component, were primarily intended for the creation of a deterrent system against the Soviet Union in Europe, not in Third World regions.²⁷

Another conference lecturer was Colonel Robert Slover, Deputy Chief, Plans and Doctrine Division, Office of the Chief of Civil Affairs, Department of the Army. His lecture dealt with the civilian activities of the army as a weapon against guerrillas and argued that, in underdevelopment countries, the battlefield was located within the local population. He listed three goals in a guerrilla war: the first was the recognition of the legitimacy of the local army by the local population; the second was the strengthening of the ties between the local army and the villagers; and the third was to make the central government acceptable to the population, and the army as its representative. The army's role was not only to defend the country but also to build it up. The local population had to understand that support for the central government and cooperation with its agents would definitely bring improvement to their living standards. This means that within the dimensions of military activity there must also be civilian activities. If the local population supported the army and the government, the guerrilla fighters would be deprived of their support, critical for their success. Denying support would eliminate the military infrastructure of the guerrilla fighters as well as their political success.²⁸ Although, according to Slover, there was no substitute for military activities, these would be more effective with cooperation with the local population.²⁹ He added that, in order to activate civilian plans in the most efficient manner, it was necessary to become very familiar with the ways of life of the target population, their customs, their social structure, and their needs.³⁰

A review of what was said by the two senior army officers, indicates that the United States army began to focus on a new aspect of the doctrines for counter-insurgency and even more so on non-military aspects to eliminate guerrillas, especially

²⁷ In his lecture, General Eddleman mentioned the policy of the Kennedy government with regard to 'Flexible Response', and also Kennedy's view that the struggle against Communism was actually being conducted in the developing countries.

²⁸ Robert H. Slover, "Civic Action in Development Nations", in: William A. Lybrand (ed.), *The U.S. Army's Limited War Mission and Social Science Research*, pp. 7-72. See also: Michael D. Shafer, *Deadly Paradigms – The Failure of U.S. Counterinsurgency Policy*, (Princeton, NJ: Princeton University Press), pp. 116-118.

²⁹ *Ibid.*, p. 72.

³⁰ *Ibid.*, p. 77.

in Southeast Asia. Beginning in 1962, U.S. involvement in Vietnam gradually increased.³¹ The military advisers fought side by side with the South Vietnamese army. American pilots provided aerial support for units of the South Vietnamese army against the Viet Cong, who had continued to base themselves among the population.³² Unlike other wars, it was clear to the policy makers that the destruction of the Viet Cong could not be done solely by military means, but only by eliminating its popular substructure, which means to bring the village population in Vietnam to support the government forces. The expression: “to win the hearts and minds of the Vietnamese people” became widely known in this period. The United States tried to achieve victory by operating a series of plans in the civilian sphere in cooperation with the government of South Vietnam.

The Phoenix Program

In the the Phoenix Program, we find the crux of the debate between the supporters of the civilian approach and senior army offices in MACV headed by General Westmoreland, who argued that the confrontation in Vietnam could be ended with the help of American military might.³³ This plan, the most ambitious plan that the United States activated in Vietnam, was certainly the most controversial one, and it received extremely trenchant criticism. One primary criticism was that it was funded by the CIA and was, therefore, an elimination plan of that agency.³⁴ The Phoenix Program began at the end of 1967, and was accelerated after the Tet Offensive, which began on January 30, 1968.

The plan was to recruit Vietnamese with combat experience and to train them to eliminate or capture Viet Cong fighters within the areas under Viet Cong control. The

³¹ At the end of Eisenhower administration there were 875 US military personal in South Vietnam. In 1962 the number was more than 11,000. In 1961 US soldiers and officers began to take part in the combats. See: Tucker, *Vietnam* (Lexington: University of Kentucky Press, 1999), pp. 97-98.

³² Marilyn B. Young, *The Vietnam Wars, 1945-1990* (New York: HarperPerennial, 1991), pp. 69-88; Tucker, *Vietnam*, pp. 97-98.

³³ For a detailed discussion of the debate, see: Andrew F. Krepinevich, *The Army and Vietnam* (Baltimore: The Johns Hopkins University, 1986), pp. 194-233.

³⁴ On the involvement of the CIA in the plan, see for example: G.J.A. O’Toole, *The Encyclopedia of American Intelligence and Espionage* (New York: Facts on File, 1988), pp. 479-480.

terminology that appears in the documents regarding the program is “neutralization”. There was no legal or political supervision of those running the program and it was conducted by CORDS and funded by the CIA. Therefore, we do not know whether those who were identified as Viet Cong fighters were indeed such. The lack of political supervision over the program led to considerable public criticism in the United States when the program was exposed. Some detractors claimed that many Vietnamese were eliminated due to family disputes, economic factors, or political power struggles within the villages. This means that Vietnamese villagers may have denounced each other to American intelligence agents with the aim of getting rid of those villagers who threatened their socio-economic status.³⁵

There are many studies on the Vietnam War that fiercely castigate the program. While, the criticism of the program is not central to this article, I would like to discuss a few extreme examples from which the essential nature of the program itself and the meaning of the concept “neutralization” can be discerned. The first study that mentions the Phoenix Program, published just after it had ended, is that of Francis FitzGerald, *Fire in the Lake*. FitzGerald claims that the Phoenix teams actually received the ‘license to kill’ those they suspected of collaborating with the Viet Cong infrastructure (VCI).³⁶ Another very negative view of the program is presented by Ted Szuk, who claims that: “Operation Phoenix was primarily a murderous enterprise”.³⁷ He adds that Phoenix undoubtedly represented all that was evil in American involvement in Vietnam.³⁸

Extremely critical opinions are also given by Paul Kattenburg and Satish Kumar. According to Kattenburg, Phoenix was a program for assassination in which torture was carried out and was, therefore, a program in which the United States carried out crimes, even genocide, against humanity. He goes on to polarize his position even further by arguing that the plan was a program of systemic and selective assassination, comparing it to the program of mass murder carried out by the Nazis during the

³⁵ James W. Trullinger, *Village at War: An Account of Conflict in Vietnam* (Stanford: Stanford University Press, 1994), pp. 172-173,

³⁶ Frances FitzGerald, *Fire in the Lake* (New York: Vintage Books, 1972), p. 550.

³⁷ Ted Szuk, *The Illusion of Peace: Foreign Policy in the Nixon Years* (New York: Viking, 1978), p. 46.

³⁸ *Ibid.*, p. 47.

Second World War.³⁹ Kattenburg's criticism seems to be extremely severe and lacerating. The comparison of the activities of the United States in Vietnam with Nazi crimes during the Second World War is unprecedented in the historical research following the Vietnam War. Kumar, in his study about the activities of the CIA in the Third World, claims that Phoenix was an assassination program of the CIA under the guise of civic action within the framework of CORDS.⁴⁰ He goes on to argue that the activities of the CIA in Vietnam, as in other places throughout the Third World, primarily in Africa and Latin America, were illegal under international law, contrary to human rights legislations, and violated the rules of war.⁴¹

William Blum holds a similar view. He claims that 85 per cent of the Vietnamese who were suspected of belonging, at whatever level, to the Viet Cong had either been murdered in their villages or were tortured to death in prisons without being given a fair trial.⁴² His position on the Phoenix Program fits in well with the general thesis of his book in which he claims that the United States carried out crimes against humanity, war crimes, and genocide in scores of interventions in various parts of the world after the Second World War.

The examples mentioned above deal with the Phoenix Program within the framework of general research on the Vietnam War. Academic studies that defend the program can be found in later research. During the 1990s, two monographs were published that place the Phoenix Program in central focus. The conclusion of Dale Andrade and Mark Moyar, who base their research on an analysis of United States Army documents, is that the program was not defined as one of elimination but as a real attempt to induce the suspects to surrender before combat developed.⁴³

In a directive, distributed by MACV to all the Americans who participated in the Phoenix Program, it was said clearly that the Americans were morally obliged to act

³⁹ Paul M. Kattenburg, *The Vietnam Trauma in American Foreign Policy 1945-75* (New Brunswick: Transaction Books, 1980), pp. 200, 301.

⁴⁰ Satish Kumar, *CIA and the Third World: A Study in Crypto-Diplomacy* (New Delhi: Vikas, 1981), p. 102.

⁴¹ *Ibid.*, p. 189.

⁴² William Blum, *Killing Hope: U.S. Military and CIA Interventions since World War II* (Monroe: Common Courage Press, 1995), pp. 131-132.

⁴³ Dale Andrade, *Ashes to Ashes: The Phoenix Program and the Vietnam War* (Lexington: Lexington Books, 1990); Mark Moyar, *Phoenix and the Birds of Prey: The Secret Campaign to Destroy the Viet Cong* (1997).

according to the rules of war and ethics. Those who carried out arrests were instructed to take care that the VCI remained alive and that they were brought to justice in the South Vietnamese juridical system after they were interrogated. It was also stated in the directive that, if during their activities the American advisers encountered any violations of the standards of land warfare, they were to halt the activity or their participation in it, and to report immediately on any violations.⁴⁴ The intention of the directive was clear in view of the extensive criticism in the United States and the fact that the program and its directors were called before various investigation committees of the Senate. It may be assumed that if it was necessary to repeatedly reinforce awareness of the correct procedures, there must have been violations of them.

One may, perhaps, sum up the criticism about Phoenix with the research study by Loren Baritz who asks: “Was Phoenix ... an assassination program?”⁴⁵ Baritz is well aware of the extensive criticism against this program but does not invalidate the claims of Colby as a primary and unmediated source for understanding the program. He, therefore, asserts that: “No one will ever know what Phoenix actually did and that includes the people who ran it”.⁴⁶

In spite of its clearly military character, Phoenix also included elements in the civilian sphere, primarily the provision of physical security to the villages. The main goal of the plan operators was to damage the “nerve centers” of the Viet Cong through the “neutralization” of its members and those who were suspected of aiding them, the Viet Cong Infrastructure (VCI), and, in fact, to eliminate the political, military, and logistical infrastructure of the Viet Cong in South Vietnam. From a study of the documents relating to the Phoenix Program, it appears that the concept of “neutralization” referred to the attempt to catch the suspects alive and not to eliminate them.

Two categories within the concept of neutralization, the attempt to catch the suspects alive, can be determined: to take prisoners or to induce desertions. Desertion

⁴⁴ MACCORDS, MACV Directive no. 525-36, Military Operations, Phung Hoang Operations (5/11/71), MACV RG 472, Phoenix Program files. This directive was a repetition of a similar directive of May 18, 1970.

⁴⁵ Loren Baritz, *Backfire* (New York : Johns Hopkins University Press , 1985), p. 273.

⁴⁶ *Ibid.*, p. 274.

was an important objective since the deserter supplied considerable intelligence information about his comrades, their methods of activity, and the places in which they concealed themselves. This intelligence information was, in many instances, turned into additional military activities.

The principal goal of the Phoenix plan was to provide security to the villagers in the face of the fearsome terror imposed by the Viet Cong. In every province throughout South Vietnam, American intelligence agents and their Vietnamese counterparts began to make up a “black list” of the people they suspected as belonging to the Viet Cong from the stream of information they received from Viet Cong fighters who had deserted the ranks of the organization in the framework of the Chieu Hoi Plan. The suspects were divided into three categories. The first category included the most wanted persons such as political cadres or senior military commanders at the province level or above. The second category included those who had lower command positions. Finally, the third category consisted of ordinary level fighters and those suspected of aiding the Viet Cong.⁴⁷ There was an explicit instruction that every suspect had to be identified by at least three different and independent intelligence sources. At the same time, units were established, tasked with locating the suspects and bringing them in for interrogation. These units were composed of the national police forces of South Vietnam, Provincial Reconnaissance Units (PRU)⁴⁸ as well as American SEAL units.⁴⁹

During 1968, the first year of the program’s operation, more than 15,000 of the Viet Cong were neutralized,⁵⁰ and in 1969, more than 19,000⁵¹ were also neutralized. According to Colby, the role of the United States in the program was advice and assistance. The American operators of the program were sent to all the different levels of management and acted side by side with the Vietnamese. In addition, military units

⁴⁷ Minister of Interior [GVN] to Province Chiefs, Mayors and Director General National Police, Subject: Classification and Rehabilitation of Offenders (21/3/69), MACV RG-472, Phoenix Program files.

⁴⁸ Special police forces at the province level and below that were especially set up for the Phoenix Program.

⁴⁹ Jeffrey J. Clarke, *Advice and Support: The Final Years, 1965-1973*, (Washington D.C.: United States Army Center of Military History, 1988), pp. 379-380.

⁵⁰ MACORDS – Phoenix Fact Sheet, Subject: Phoenix/Phung Hoang Activities (9/4/69), MACV RG-472 Phoenix Program files, p. 2.

⁵¹ Colby Report – Phoenix, C-5-1.

supported them with firepower and other battle assistance for the units that entered the villages and were engaged in neutralizing the suspects.⁵²

The severe criticism leveled against the program led Colby to defend it as well as to try to clear his name. In February 1970, he appeared before a hearing of the U.S. Senate Foreign Relations Committee. Much can be learned about the part played by CORDS and the Phoenix Program in the American efforts to eradicate Viet Cong terrorism from the protocols of this hearing. However, we must remember that Colby was one of the designers of the program and conducted it almost throughout the years of its existence. Therefore, in spite of his testimony before Congress given under oath, it should be treated with caution and criticism. Presented below is the position of Colby regarding the program since this will provide a direct source for understanding the nature of the program. This article, as said earlier, does not presume to deal with the legality and morality of the program, but only to understand the military theory that underlies it.

At the beginning of his testimony, Colby first reviewed the terror methods of the Viet Cong, including the murder of thousands of civilians and government officials and the wounding and kidnapping of many others. The people who suffered from the terrorist activities of the Viet Cong were civilians and not the military or police who could protect themselves. He also claimed that the method of taxation by the Viet Cong was, in effect, highway robbery of the helpless farmers.⁵³ The only purpose of the Phoenix program, according to Colby, was to protect the local population from the Viet Cong.⁵⁴ The second point made by Colby in the defense of the program was the definition of the functions of the American forces acting within the framework of the program as well as the chain of command and reportage. He argued that the role of the American soldiers was to assist the South Vietnamese units to plan and execute operations and to gather intelligence. Another role, to coordinate and provide military

⁵² Ibid., p. A-7.

⁵³ Senate Foreign Relations Committee Hearing on Vietnam (17-20/2/70), CORDS Program, Statement for the Record on the Phung Hoang Program (Phoenix) by Ambassador W.E. Colby, 3-5. RG 472 CORDS INFO LIB file no. 101978, box 70 (hereinafter: Colby, Hearing on Phoenix).

⁵⁴ Ibid., p. 5.

assistance, including artillery, aerial assistance, and the dispatch of rescue units was to be undertaken only in cases where the operation became entangled.⁵⁵

The Phoenix Program did not have military forces of its own and the program was not the independent initiative of the CIA. This is an important fact since it establishes the Phoenix Program as an additional program within the collection of military and civilian plans and activities that the United States operated in cooperation with South Vietnam in order to eliminate the political, military and logistic infrastructure of the Viet Cong. The intelligence information that reached Phoenix was analyzed and processed and then it was decided which forces would be sent and where. Senior ranking officers were responsible for these forces since, in many cases, it was necessary to carry out a more complicated operation in order to neutralize the enemy. Minor radicals were the responsibility of the police forces or the forces of the PRU.⁵⁶

Colby added that thousands of VCI were indeed killed but not murdered, and there was an enormous and critical difference in the terminology. A soldier was killed, but a civilian was assassinated or murdered. The VCI were cruel and well-trained guerrilla fighters who, in most cases, did not surrender without a fight. The case was more acute when teams were sent to arrest a senior Viet Cong, whose resistance was ideologically motivated. The superior firepower of the United States sealed the fate of the most committed Viet Cong.⁵⁷ The policy was to capture the suspect alive, but Colby did not exclude the possibility that there were exceptions to the rules that he himself had delineated.⁵⁸ It was made clear to the American soldiers who made up the units in the Phoenix Program that their activities were an integral part of the war, and that the international rules of warfare applied to them as well. Any deviation from these rules would be interpreted as a war crime.⁵⁹ Colby also attacked the 'New Left' and the other critics of the program in the United States. According to him, the process of receiving information, processing it, analyzing it, and transmitting it was not an academic project relying upon analytical research and based on unambiguous facts. Rather, these

⁵⁵ For the registers of the chain of command and the structure of Phoenix, see: Colby Report – Phoenix, A-1-1, p. A-4-1.

⁵⁶ William Colby, *Honorable Men – My Life in the CIA*, (New York: Simon & Schuster, 1978), p. 269.

⁵⁷ *Ibid.*, pp. 270, 272.

⁵⁸ *Ibid.*, pp. 272, 311-312.

⁵⁹ Colby, Hearing on Phoenix, p. 8.

intelligence estimates were made under the pressure of time and the operations were carried out under battle fire.⁶⁰

Evaluation of the Phoenix Program

The discussion on the Phoenix Program would not be complete without an attempt to evaluate its function within the overall framework of the United States war efforts in Vietnam. The final outcome of the Vietnam War does not justify any claim that American operational plans used in Vietnam had failed. The purpose of this section is to estimate the military efficiency of the program.

Every pacification plan has two sides that were closely linked together, a civilian side and a military side. In Vietnam, both served the primary goal, which was to eliminate the Communist guerrillas by targeting the link between the Viet Cong and its popular infrastructure. The civilian plan was to protect the local population from the terror exerted by the Viet Cong and to improve living standards so that villagers would support the government of South Vietnam, not the shadow Communist government. The military character of the program was clear: to smash the military infrastructure of the Viet Cong in rural areas.

Douglas Blaufarb, in his study that deals with the development of the counterinsurgency doctrine of the United States after the Second World War, also devotes space to an examination of the Phoenix Program.⁶¹ In his opinion, the Phoenix Program was modeled on a British plan used against the Communist insurgency in Malaya between 1948 and 1960.⁶² In the British view, it was vital to attack the hard core of Communism, which was mostly political.⁶³ In a later article, Blaufarb asserts that the Phoenix Program was the military component of the pacification plan, and that its main

⁶⁰ Colby, *Honorable Men*, p. 269.

⁶¹ D.S. Blaufarb, *The Counterinsurgency Era: U.S. Doctrine and Performance 1950 to the Present* (New York: Free Press, 1977).

⁶² See in this connection: Robert Thompson, *Defeating Communist Insurgency: Experiences from Malaya and Vietnam* (London: Chatto & Windus, 1966), 50-62. Thompson was one of the most important figures in the victory of the British over the Communists in Malaya. In 1960 Thompson began to advise the American army in Vietnam.

⁶³ Blaufarb, *The Counterinsurgency Era: U.S. Doctrine and Performance 1950 to the Present*, p. 246.

aim was a direct attack against the senior ranks of the Viet Cong.⁶⁴ This means that, although it was controversial and infected by corruption, the Phoenix Program was not a systematic and institutionalized assassination program but one that operated in the course of a vicious war during which people were killed but not murdered.

After the war, government officials and military personnel in the North Vietnamese army said that the Phoenix Program caused great damage to the Communist infrastructure in South Vietnam. The Phoenix Program, together with the activities of the Special Forces across the border in Laos and Cambodia as well as the Tet Offensive, were a mortal blow against the Viet Cong.⁶⁵

The Phoenix statistics can be summed up in the table below:

YEAR	VCI DESERTERS	VCI CAPTIVES	VCI KILLED	TOTAL
1968	2,229	11,228	2,259	15,776
1969	4,832	8,515	6,187	19,534
1970	7,745	6,405	8,191	22,341
1971	5,625	5,012	7,057	17,690
1972 ⁶⁶	1,586	2,318	2,675	6,399
Total	22,013	33,358	26,369	81,740

VCI neutralized in the framework of the Phoenix Program.⁶⁷

⁶⁴ D.S. Blaufarb, "The Sources of U.S. Frustration in Vietnam", in: R.A. Hunt and R.H. Shultz (eds.), *Lessons from an Unconventional War* (New York: Pergamon Press, 1982), p. 147.

⁶⁵ John Prados, *Presidents' Secret Wars – CIA and Pentagon Covert Operations since World War II*, (New York: William Morrow & Co, 1986), p. 310; Tucker, *Vietnam*, p. 157.

⁶⁶ Until July 1972, when the Phoenix Program ended as part of the process of evacuation of the American forces from South Vietnam.

⁶⁷ Source: Mark Moyer, *Phoenix and the Birds of Prey – The CIA's Secret Campaign to Destroy the Viet Cong*, p. 236.

According to American statistics, summing up the total number of losses in the war during the years in which the program was in operation, 516,000 Communist soldiers were killed.⁶⁸ But, since this figure combines the number of Viet Cong with that of the soldiers in the North Vietnamese army, it is difficult to know what the exact losses among the Viet Cong. It is important to remember that, throughout the war, no exact estimate of the size of the Viet Cong was given.⁶⁹ The aim of the Phoenix program was to attack the Viet Cong qualitatively and not quantitatively, since it was directed at the political and military activists at the senior levels.

Colby writes, in his report on the activities of the Phoenix Program, that the ability of the VCI to provide logistic and political support for the guerrilla units of the Viet Cong the North Vietnamese Army was severely damaged in 1968 and 1969, and the Viet Cong found it difficult to obtain popular support which was so important for guerrilla warfare. The relative security that the Phoenix Program granted to the rural population led them to resettle in the areas they had abandoned or to settle in areas over which the South Vietnamese government had control. The Phoenix activities and the elimination of the logistic infrastructure of the Viet Cong also damaged the Viet Cong system of tax collection among the villagers. The direct result was economic prosperity for the villagers, and reports showed that more and more villagers claimed that their economic and security situation had improved.⁷⁰

The lack of men led to a situation where, at various command levels of the Viet Cong, the same people filled a number of functions and this lowered their efficiency. The 75 per cent of the VCI who were killed, caught or had deserted belonged to the lower operational levels, a fatal blow as it was these individuals, located at the village and provincial level, with rich command and battle experience as well as knowledge of the political activity needed in the villages. This experience, built up over a decade, could not be replaced. Documents and other intelligence material that were seized during the various operations proved that both the higher political leadership of the Viet Cong and of Hanoi expressed great fear and anxiety about the program.⁷¹ Evidence

⁶⁸ Michael Clodfelter, *Vietnam in Military Statistics* (Jefferson: McFarland, 1995), p. 258.

⁶⁹ See in this regard: John E. Mueller, "The Search for the 'Breaking Point' in Vietnam: The Statistics of a Deadly Quarrel", *International Studies Quarterly*, 24 (4: 1980): p. 499.

⁷⁰ Hunt, *Pacification*, p. 248.

⁷¹ Hunt, *Pacification*, p. 247.

for this can be found in the attempts of the Viet Cong to strike at the Vietnamese agents who participated in the framework of the Phoenix Program.⁷²

The damage caused to the rural substructure led to a loss of contact between the different command levels and weakened the activities of the Viet Cong even more. In the gap that was created, the United States pursued the pacification plan with greater intensity with the aim of making this detachment complete, thus eliminating the Viet Cong infrastructure in that region.

Hanoi tried to fill its ranks by sending political cadres from the north. But these new cadres did not know the area, had no family connections or any other previous relations with the local population, and encountered many problems in coping with southern cadres.⁷³

Perhaps the best measure with which to evaluate the Phoenix Program is the Viet Cong response to it. Political and military cadres abandoned the villages and transferred their activities to distant and isolated regions where their influence was very limited. There also developed a stringent compartmentalization within the Viet Cong so that the capture of one VCI unit would not lead to the capture of others. The compartmentalization also prevented Viet Cong units from coordinating large military operations and, thereby, seriously hindered the war efforts of the Viet Cong.

Additional evidence for the threatening power of Phoenix can be found in the book by Stanley Karnow. For *Vietnam: A History*, he interviewed a number of Viet Cong and North Vietnamese officials. The common thread in all these interviews, when referring to the Phoenix Program, was that it caused deep fear among the Viet Cong and was perceived as the most dangerous program facing the Communist war efforts in South Vietnam.⁷⁴ Even the historian, Gabriel Kolko claims that the Phoenix Program was much more efficient than was expected by its planners and operators.⁷⁵ If we consider the fact that both Karnow and Kolko are not pro-American in their views, there is a high degree of certainty that the Phoenix Program was very effective. Robert

⁷² Hunt, *Pacification*, p. 248.

⁷³ Stanley Karnow, *Vietnam: A History* (New York: Penguin, 1983), p. 547.

⁷⁴ Karnow, *Vietnam: A History*, pp. 616-618.

⁷⁵ Gabriel Kolko, *Anatomy of War: Vietnam, The United States, and the Modern Historical Experience* (New York: New Press, 1994), pp. 397-398.

Asprey, in his monumental work on guerrilla warfare in history, and whose approach is that guerrilla warfare was the successful weapon of the weak, asserts that the Phoenix Program was highly effective and, therefore, dangerous to the Viet Cong.⁷⁶

The war in Vietnam that began as a guerrilla war, ended as a conventional war. The period that begins with American involvement in Vietnam until the Tet Offensive, the first half of 1968, is characterized as a guerrilla war. The failure of the Viet Cong to expel the American forces from Vietnam, and their inability to overthrow the South Vietnamese government, led to the increasing intervention of the North Vietnamese Army. The first years of the Vietnam War were a political struggle. The Viet Cong fought to gain the sympathy and support of the village population, and had no intention of conquering territory, confronting the South Vietnamese army or taking on the United States Army. The Tet Offensive marks, in many ways, a watershed in the Vietnam War. The Viet Cong failed in their attempt to control the rural population as a result of the pacification plans that were activated by the United States in cooperation with the government of South Vietnam.

The Tet Offensive, even though it caused a profound shock in American public opinion and an increase in protest movements in the United States, was a strategic disaster for the Viet Cong. Adding to their defeat on the military level as well as on the civilian one, the successful operation of the Chieu Hoi Plan and the Phoenix Program effectively eliminated the political infrastructure of the Viet Cong in the rural areas. The serious defeats that the Viet Cong suffered led to the growing and deepening involvement of the North Vietnamese Army. Regular North Vietnamese military units crossed the border and began their attempts to base their control over the northern and western parts of South Vietnam. In the delta region of the Mekong River, the North Vietnamese army did not succeed in establishing themselves, and guerrilla warfare continued there until the end of the Vietnam War.

Although the battles against the North Vietnamese Army continued to be waged as a guerrilla war, the character of the struggle underwent a change. The intention of the North Vietnamese Army was to bring about the retreat of the American military

⁷⁶ Robert B. Asprey, *War in the Shadows: The Guerrilla in History* (New York: William Morrow and Company, 1994), pp. 910-911.

forces and to gain control the whole of South Vietnam. North Vietnam did not utilize any plans in the civilian sphere since they did not require the support of the Vietnamese people. In view of the new character of the war due to the deepening involvement of North Vietnam, the Phoenix Program became irrelevant. Yet, the program continued to operate against the remaining Viet Cong members, primarily in the Mekong Delta.

Until 1973, the year in which American soldiers left South Vietnam, a double war was conducted; a conventional war and a guerrilla war in the classical sense. The final stage of the war was actually a conventional war in which formations of armored corps and infantry fought against each other. Viet Cong guerrilla fighters fought alongside the North Vietnamese Army in the classical pattern of commando units operating in the rear of the enemy. The course of events clearly indicates that the Viet Cong were fatally impaired beginning with the second half of 1968, and that its power and influence in the south were extremely weakened.

The American army estimated that the Tet Offensive brought the Viet Cong to a breaking point in which the number of those killed was greater than the number of new recruits. The integration of the Phoenix and Chieu Hoi programs caused further damage to the Communist infrastructure throughout the south. The increasing involvement of the North Vietnamese Army and the change in Communist strategy is clear evidence that the estimations of the American army were correct. But public opinion in the United States was already disgusted with the war, and, in 1969, despite the successes of the American army, President Nixon ordered the gradual withdrawal of the United States forces from Vietnam.

Summary

Counterinsurgency theories state that guerrilla warfare necessitates the inclusion of elements of civilian activity, and the right balance must be found with military activities. One of the ways to do so is to bring the civilian population, so vitally important for the guerrilla fighter, to support the civilian and military authorities fighting against the guerrillas.

The Phoenix Program was operated in accordance with the counterinsurgency theories developed in the United States before American involvement in Vietnam and in the course of its duration. The Americans were also influenced by the lessons learnt by the British in their repression of Communism in Malaya. The aim of the program was to attack the main political and military infrastructure of the Viet Cong and not of North Vietnam, since the infrastructure of the North Vietnamese army was in North Vietnam. For this reason, the Phoenix program became irrelevant when the North Vietnam army increased its presence and involvement in the Vietnam War after the Tet Offensive.

The aim of this article was to understand the theoretical system that lay behind the practical operations of pinpointed eliminations. The Phoenix Program provides the researcher with the ability to hold an in-depth discussion in order to understand the theoretical basis for these targeted killings, mainly through the (relative) wealth of American documents dealing with various aspects of the program.

The operation of a program for targeted killings demands reliable and accurate intelligence. It is the desire to avoid harm to the civilian population that underlies the operation of targeted killings. Yet, these operations frequently fail to obtain their aims and civilians are injured. This failure leads to serious accusations against both the planners and those who execute the plans. These accusations sometime claim that war crimes were committed under the guise of targeted killings and, therefore, this was state terrorism. The Phoenix Program received similar criticism and accusations.

As I have tried to show in this article, one of the ways to combat guerrillas is to try and uproot terrorism from its natural surroundings, the civilian population. The non-combat population is the main victim in guerrilla warfare, and there is a vital necessity to show that the army fighting against guerrillas or terrorists has no intention of hurting innocent people, that it does not regard the civilian population as an enemy, and that it tries its best to avoid injuring the civilian population by restoring their personal security through the precisely targeted attacks against those engaged in terror or guerrilla activities. In this way, targeted killings become an effective operational tool, albeit a controversial one, within the complex of activities that a state carries out in the battle against terrorists or guerrilla fighters.

