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Coming to Terms with Legacies of the Vietnam War

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COMING TO TERMS WITH LEGACIES OF THE VIETNAM WAR

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SUM

America's war in Vietnam ended fifty years ago, but the legacies of that conflict remain potent. The aim of this report is to take stock of US efforts to come to terms with the legacies of war in Southeast Asia and to advise what remains to be done. The report seeks to reach policymakers, humanitarian and advocacy organizations, and other stakeholders invested in improving peace and justice within the US and in its relationship with Vietnam.

War legacies comprise the many ways in which armed conflict impacts individuals and communities, societies and ecosystems. In the case of the Vietnam conflict, the effects of war consumed Cambodia and Laos and extended to South Korea, the Philippines and Malaysia, as well as Indonesia, Australia, France and Sweden. This report focuses chiefly on the legacies of the conflict in the United States and on its relations with Vietnam today. It applies a transitional justice framework to assess the extent to which these legacies have been addressed. Specifically, it examines the impact of the Vietnam War in relation to four interconnected goals of transitional justice: (1) Accountability and Reparations; (2) Reconciliation and Healing; (3) Truth-Telling and Memorialization; and (4) Societal Transformation.

Accountability and reparations are two key aims of transitional justice, intended to redress specific wrongs inflicted and suffered. These aims are far from satisfied in the case of the Vietnam War. Impunity, rather than accountability, was the main outcome of wrongdoing by American troops in Southeast Asia, a legacy which has hampered accountability for violations by US actors in recent conflicts and undermined American credibility globally. The toxic effects of chemical defoliants such as Agent Orange have impacted several hundred thousand people in Vietnam, Laos, Cambodia and the US, with significant differences in medical and monetary redress. Progress has been made on clearing unexploded ordnance (UXO), including cluster munitions and landmines, from Vietnam and its neighbors, but more must be done to make the terrain of these theaters of war safe again.

Reconciliation and healing refer to steps individuals and communities take to repair relationships after conflict. The US and Vietnam restored diplomatic relations twenty-five years ago, but some steps toward just

EXECUTIVE
MARY

transitions remain outstanding. Acknowledging past wrongdoing can help promote healing between countries, but political divisions in the US present a significant barrier to American acceptance of responsibility. The scars of war run deep in veteran and refugee communities, with significant consequences for society at large. Veterans and children of veterans have taken the lead in addressing physical and moral injuries by establishing humanitarian and advocacy initiatives that redress harm and build US-Vietnam mutual understanding.

Societies cannot fully move beyond conflicts without frankly confronting the past. Truth-telling and memorialization are thus important elements of creating a shared, complete narrative of war and its impact. In the case of the Vietnam War, highly varied commemorations across affected communities demonstrate the need to center diverse experiences and the benefits of peace. In the US, hidden histories of the experience of war and its effects across racial, gender and other identities remain under-served in curricula and contemporary culture. Intergenerational change across American veteran and Vietnamese American communities means that young people are reexamining their elders' experiences and discovering new ways to share their stories.

Ultimately, transitional justice aims at societal transformation. Addressing war legacies requires discarding past theories to set new directions in America's global engagement, including in Southeast Asia. On the home front, US veterans have been a powerful force for change, but recent events demonstrate that their political involvement can also reinforce social dynamics antithetical to democracy and peace. This report concludes that Vietnam War-era policies, and failures to address them, have led to increased political and social violence over the past decades in the US.

Throughout the report, the stories of advocates bring to life the diverse and devastating impacts of the war and the valiant personal efforts to come to terms with its legacies. The premise underpinning this report is that where war legacies are not adequately addressed by governments, civil society, and other stakeholders, societies are more likely to repeat mistakes and perpetuate injustice and conflict. Therefore, the report offers concrete recommendations for action in order to confront these continuing legacies:

ACCOUNTABILITY AND REPARATIONS

Increase accountability in the armed services by conducting thorough investigations and prosecutions for violations of domestic and international norms and by acceding to treaties banning highly indiscriminate weapons.

» Demonstrate US commitment to move away from highly indiscriminate weapons of the 20th century by signing the Landmine and Cluster Munitions treaties and reducing stockpiles of these weapons.

» Prioritize accountability within US military by promptly investigating alleged war crimes.

» Formulate new policy toward the International Criminal Court that moves the US toward ratification of the Rome Statute, supports the independence of the Court, and furthers America's capacity to engage with investigations and prosecutions whenever possible.

» Enhance commitment to investigations and prosecutions of state and non-state actors that engage in or condone torture, and strengthen institutional safeguards in US agencies to ensure no repetition of post-9/11 torture program can occur.

» Increase training and protocols in relation to international law and sexual exploitation, gendered dimensions of conflict and conflict-related sexual and other violence in the military (in line with relevant legislation).

» Assess damage done to the US military's external standing and internal discipline by recent pardons for war crimes committed in Iraq and Afghanistan.

Acknowledge responsibility for long-term health and environmental impacts of the war in Southeast Asia and increase support for mitigation efforts.

» Increase USAID funding for a targeted victim assistance program that promotes skills of independent living by providing youth and adult disability services in the home, bolsters the family's resilience, builds community support and trains and deploys occupational and physical therapists for survivors of UXO and Agent Orange in Vietnam, Cambodia, and Laos.

» Urge State Department and USAID to put funds for Agent Orange and UXO in their annual budgets and encourage the Office of Management and Budget (OMB) to include these funds in the president's annual budget to Congress.

» Fund epigenetic research into the heritable impacts of dioxin exposure in order to understand the full impact of bodily and environmental harms.

» Increase women's economic and political empowerment programs (e.g., access to financial services, land and property rights) in Vietnam, particularly targeted at women with disabilities and caretakers of adults and children with disabilities.

» Support US technical and other assistance to help locate and identify Vietnamese MIAs from both the North and the South.

» Advance equality and human rights protections for people impacted by the physical legacies of war by ratifying the Convention on the Rights of Persons with Disabilities.

» Contribute to international processes and discussions around the recognition of ecocide in international law.

RECONCILIATION AND HEALING

Fulfill America's commitment to "healing the wounds of war" by supporting the peace-building efforts of veterans and civil society groups operating in Southeast Asia and in communities across the US.

» Use speeches and statements by US civilian and military leaders to increase Americans' awareness of the enduring moral injury among US Vietnam veterans and their families and the similar impacts on more recent veterans of the Afghanistan and Iraq conflicts.

» Fully disclose all locations where toxic herbicides were tested, stored, shipped, sprayed, and disposed of, and allow access to relevant documents and archives.

» Request humanitarian organizations to expand their programs and partnerships with local agencies to reach more of those in need in Vietnam, Laos and Cambodia.

» Assess lessons learned from Vietnam veterans' peace-building efforts and develop programs for veterans and victims of war in Iraq and Afghanistan.

» Fund policy-relevant academic research into veteran peace activism, including the potential palliative effects of such activism for veterans suffering from moral injury and post-traumatic stress disorder (PTSD).

» Establish a government-supported program of Peace and Reconciliation Trips for services members, and where appropriate their families, to bring together former enemies in war.

Encourage reconciliation between Vietnamese Americans and citizens of Vietnam in order to decrease polarization of diasporic communities in the US.

» Ahead of anniversaries of major war milestones in 2023 and 2025, develop specific programs supporting dialogue, student exchanges and other person-to-person mechanisms for Vietnamese American communities.

» Support Vietnamese American community groups, artists, poets, arts centers and museums to generate work that explores intergenerational peace building and healthy retention of historical memory in younger generations.

» Collaborate with Amerasian groups to reduce stigma and bolster connections between Vietnam- and US-based families.

TRUTH-TELLING AND MEMORIALIZATION

Improve public awareness of the war, its background and its legacies by updating classroom and museum resources and expanding archives.

» Review US school textbooks with a view to increasing coverage and knowledge of the Vietnam War era. This should include widening the geopolitical context to encompass anti-colonial and self-determination dimensions.

» Develop educational curricula that draw clearer links between the war, the peace movement, the civil rights movement, the women's movement, and other domestic US political influences and their impacts.

» Expand funding for oral history projects that collect testimony from US Vietnam veterans so that they can also incorporate testimony from

Vietnamese Americans, Amerasians, Laotian Americans, and Cambodian Americans, in order to preserve a more complete picture of the war and its multi-directional impacts.

» Mandate that historians and other stakeholders update exhibits, narratives and displays to more fully and accurately reflect the differentiated experiences of multiple groups in the Smithsonian system and in the museums of the major US service branches.

» Commission a review of American museums and memorials for coverage of the experience of women in conflict zones, in the US, and in international peace movements, in order to supplement stories of war fighting with evidence of war's wider impact and broader conceptions of heroism.

SOCIETAL TRANSFORMATION

Renew America's commitments to international law, institutions, and relationships by developing foreign policies for the 21st century.

» Acknowledge and fund redress for war legacies as part of a strengthened US foreign policy and economic engagement with Vietnam in a manner that reinforces US values of democracy, rule of law and human rights.

» Reaffirm America's obligations to receive refugees without discrimination, particularly from conflict-affected countries, and provide timely and complete due process for asylum claims.

» Establish mechanisms within US government to ensure foreign policy and its resourcing is aligned with domestic policy considerations, including integrating racial justice and feminist policy into current international engagement strategies.

» Prioritize the Women, Peace and Security Agenda in foreign agencies and policy by ensuring women's authentic participation in peace processes, such as in Yemen, Afghanistan, and other conflict-affected areas.

» Incorporate partnership with Vietnam and other Southeast Asian states, as well as traditional allies, in a comprehensive strategy that prioritizes cooperation with China on areas of shared concern, de-escalates territorial and military tension with China, and peacefully manages economic and political rivalry.

Combat explicit and structural racism and extremism within America's immigration, police and military services.

» Conduct careful vetting of new recruits for ties to extremist or white supremacist groups, including attention to activity on social media.

» Strengthen comprehensive diversity, equity, and inclusion programs (across race, gender, and sexual identity) in the military and immigration enforcement services, and create incentives for local police forces to adopt such programs.

» Improve internal training in military, immigration and law enforcement services that fosters intercultural and interpersonal competencies and de-stigmatization of mental health and mindfulness practices.

» Fund further research into the tactics right-wing groups use to draw in service members and the attractions such groups hold for veterans.

» Invest in risk identification and deradicalization programs tailored for service members as they reenter civilian life, long-term veterans and their families, as well as such programs for active law enforcement service members.

Move toward curbing militarization and pivot US society to building a more peaceful and equitable world.

» Prohibit the transfer of military equipment from the Department of Defense to civilian law enforcement agencies and advocate for legislation that assures local community control of police surveillance practices.

» Establish national guidelines and incentives for states to increase community policing and restorative justice programs, including mental health and other social and family services.

» Enhance transparency of military and defense budget allocations and spending, including providing public and civic information and accessible data to create a more informed citizenry.

» Allocate increased budgetary resources to peace, human rights, equity and democracy in international engagement and development assistance, particularly through multilateral institutions and joint cooperation frameworks.

» Create incentives at the national level for states to incorporate education about human rights and peaceful conflict resolution in K-12 public schools.

» Institute grants for the expansion of peace and human rights studies programs in higher education.

TIMELINE OF EVENTS

1945
Ho Chi Minh makes Declaration of Independence for Vietnam.

1946
First Indochina War begins between France and Vietnamese Nationalists.

1961
President Kennedy sends US military advisers and equipment to Vietnam.

1962
First use of chemical defoliants in Vietnam through Operation Ranch Hand.

1964
Gulf of Tonkin Resolution in Congress authorizes President Johnson to take "all necessary measures" in Vietnam. First US bombing in Laos.

1968
Peak US troop deployment in Vietnam. Tet Offensive by North Vietnamese Army. Massacre of civilians by US troops at My Lai.

1969
Moratorium to End the War marches occur across US. Trial of "Chicago Seven" together with Bobby Seale begins.

1970
Invasion of Cambodia by US, South Vietnamese forces. National Guard shootings at Kent State University. Highway Patrol shootings at Jackson State University.

1973
Paris Peace Accords end US military involvement in Vietnam.

1975
Fall of Saigon marks end of Republic of Vietnam. Large-scale migration of Vietnamese refugees to US.

1982
Vietnam Veterans Memorial inaugurated in Washington, D.C.

1995
Diplomatic relations between US and Vietnam normalized.

A WAR WITH MANY NAMES

Power and politics shape our understanding of the sites and sources of conflict

The war America fought in Southeast Asia between 1961 and 1975 bears many names. Each reflects a different view of history, geography, and politics. Each hints at different aspects of the war's legacy.

In Vietnam, the war is known informally as "the American War," more formally as "the Anti-American Resistance War of National Salvation" (Cuộc kháng chiến chống Mỹ cứu nước). Both names identify America as the adversary, and in this way distinguish the conflict from "the French War" that preceded it. The word "resistance" in the more formal title echoes those stories of heroic struggle against foreign aggressors that form a large part of Vietnam's national self-understanding.

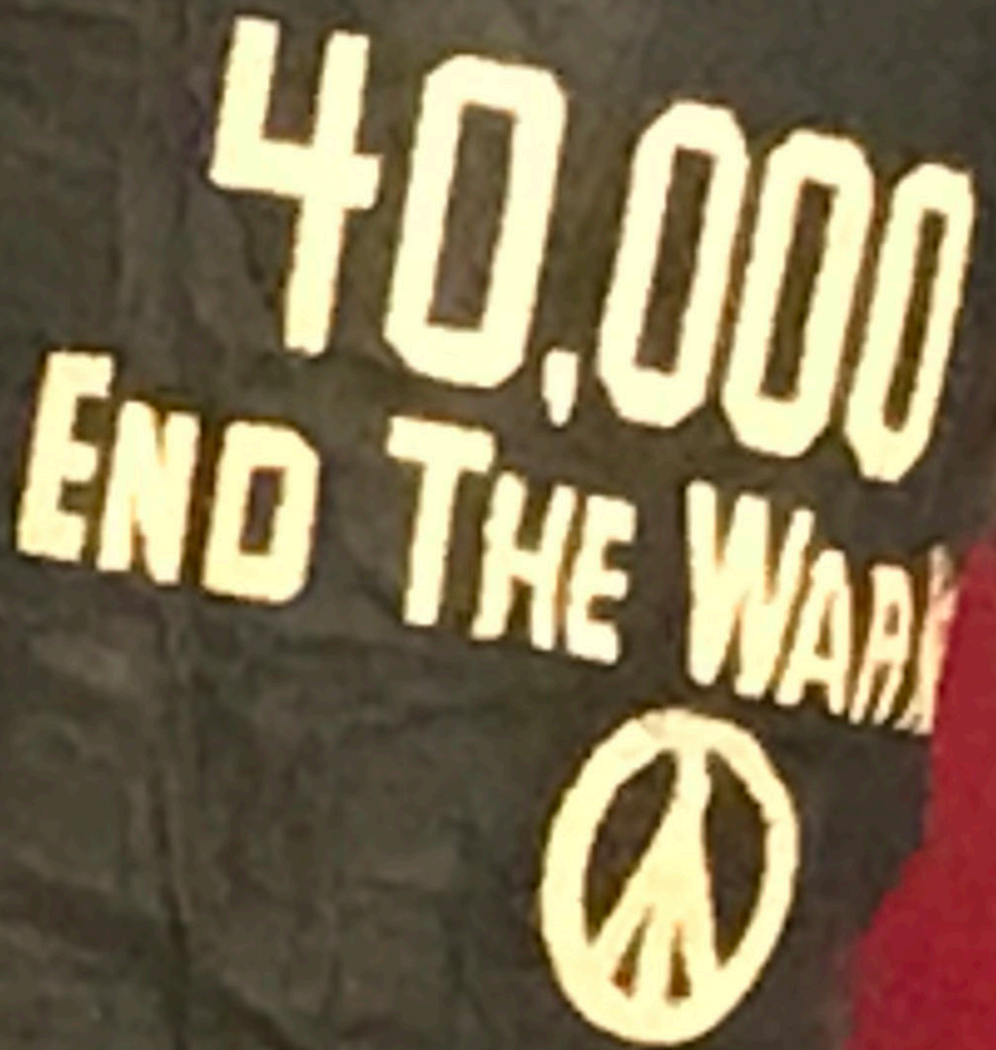
Among historians, the war is often called the Second Indochina War. "Indochina" reflects the name given by the French to their main colony in Southeast Asia. This term also highlights the fact that fighting was not confined to the boundaries of contemporary Vietnam but extended into the neighboring nations of Laos and Cambodia.

Among Americans, the war is most commonly called "the Vietnam War." This name places the war in the company of other conflicts known primarily by geographic designations: the Korean War, the Iraq War, the Afghan War. It contrasts with more ideologically charged names for conflicts, like "the War to End All Wars'' or "the Global War on Terror." At the same time, it obscures the fact that Congress never declared war on Vietnam, meaning that legally the conflict was considered a "police action." And it omits the impact of fighting on Laos and Cambodia.

Americans also refer simply to "Vietnam." This usage differs from the contemporary international spelling of the country's name (Viet Nam). It indicates how many Americans still think about this part of Southeast Asia: not as a place, but a period in time. An episode. A metaphor. A warning.

One name rarely applied today to America's war in Vietnam is "a just war." The reasons for America's entry into the conflict are suspect and the actions of some US soldiers notorious. When wars are waged unjustly it is all the more urgent to seek transformation after war ends and to seek to prevent such injustice in the future. This is the main purpose of transitional justice.

For a map of the impacted region of Southeast Asia, see p. 60.



Armband worn by student protester during October 1969 Moratorium to End the War in Vietnam. *photo by the Human RIghts Center*

THE TRANSITIONAL JUSTICE FRAMEWORK

Healing the wounds of war is required for conflict prevention and positive societal transformation

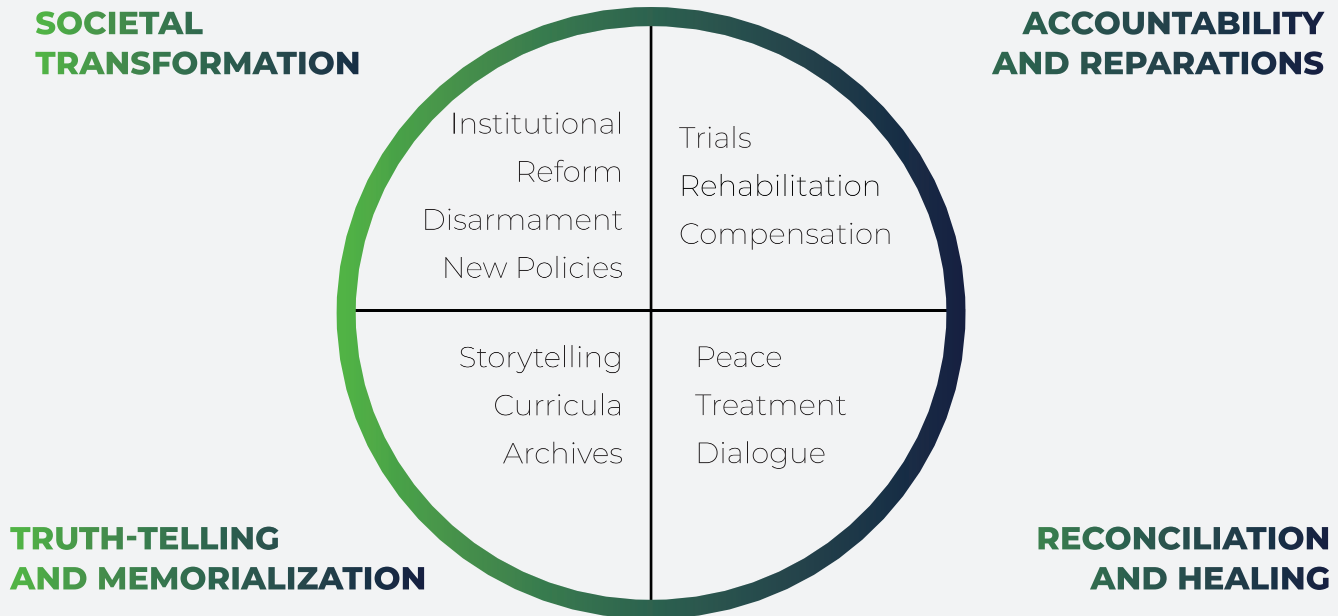
Transitional justice is a framework of transformation that applies to societies recovering from war, authoritarian rule, or civil unrest. The United Nations defines transitional justice in terms of "processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses."[1] Core goals for societies undergoing transitions include accountability, truth-telling, institutional reform, memorialization, reconciliation, and reparation. The ultimate aim of transitional justice is to adequately reckon with past wrongs in order to ensure that a society does not repeat them in the future.

Though anticipated by the tribunals convened at Nuremberg and Tokyo following World War II, most international mechanisms for transitional justice emerged only after Vietnamese reunification in 1975. Well-known examples of countries that have employed such mechanisms include South Africa after apartheid and Chile after its military dictatorship. Transitional justice processes often include both national and international mechanisms for addressing internal conflicts or structural oppression within societies. Applying a transitional justice framework to the Vietnam War draws on but is distinct from these efforts. It centers both the transnational nature of the conflict and the role and responsibilities of the United States as protagonist, specifically.

The 1973 Paris Peace Accords contain phrases that resonate with a transitional justice framework, including promises to help "hea[l] the wounds of war" and proposals to launch an "era of reconciliation." But the swift abandonment of that treaty by both US and Vietnamese parties assured that no rapid rapprochement between the former enemies would take place. Over the subsequent two decades following 1975, there were no diplomatic relations between the United States and Vietnam, and consequently no formal transitional justice mechanisms were put in place to explicitly and intentionally address the impacts of the conflict either within US society or in relation to Vietnam.

Within each country, efforts to transform relationships did emerge soon after the war's end. The decision taken in the mid-1970's to provide amnesties for Americans who resisted the military draft has clear parallels with transitional justice measures adopted in other nations burdened by armed conflict. The Orderly Departure Program, established in 1979 by the Office of the United Nations High Commissioner for Refugees (UNHCR), likewise served some of the purposes of transitional justice by facilitating

FOUR DIMENSIONS OF TRANSITIONAL JUSTICE



resettlement of Vietnamese citizens whose lives had been disrupted by the war. Another aim of that program was to reduce regional and international political tensions caused by the unregulated movement of persons in the aftermath of conflict.

Five decades on, many goals of transitional justice remain neglected within the United States. Failure to reckon with the legacies of the Second Indochina War have had effects on American conduct and accountability in subsequent conflicts. Just as war crimes by American soldiers and commanders in Vietnam met with impunity, US officials continue to resist rigorous domestic and international efforts to investigate charges of wrongdoing in contemporary conflicts. Social reintegration has been broadly supported for US Vietnam veterans, and their testimonies have been recorded. But Vietnamese Americans lack comparable opportunities to share their stories. The contributions of women, people of color, and Vietnamese allies are too rarely included in America's monuments, memorials, and museum displays, and too many of these exhibits glorify war rather than promote peace. History textbooks struggle to convey the connections between civil rights protests and anti-war protests in the US, while a broader perspective on anti-colonial and revolutionary politics in Vietnam is rarely found in popular accounts of the conflict.[2]

In his 2016 book *Nothing Ever Dies*, Vietnamese American author Viet Thanh Nguyen argues that it is necessary to "challenge the story about war and violence that so many find easy to accept." Transitional justice processes such as truth-telling, dialogue, historical education, criminal trials, reparations, and memorialization are all among the strategies needed to "tell another kind of story," one that "admit[s] to the errors and horrors of the past."[3]

ACCOUNTABILITY & REPARATIONS

Accountability and repair are two key aims of transitional justice that seek to redress specific wrongs inflicted and suffered. Accountability for wrongdoing in war or civil upheavals may be imposed by domestic or international courts or military tribunals against perpetrators, through administrative processes of lustration or vetting of those involved in repressive systems, or via people's tribunals. Legal accountability is relatively easily assessed externally. Moral accountability requires that individuals acknowledge their own past wrongdoing.

Reparations constitute the tangible and intangible goods owed by responsible parties to the victims of wrongdoing. Even nations that claim a just cause for waging war may owe reparations to the victims of specific episodes of injustice. Unlike restitution, which seeks to re-create the distribution of resources that existed prior to conflict, reparations may seek to correct inequities that predated the actual conflict or violations.

Detail of North Vietnam stamp dedicated to Russell International War Crimes Tribunal, circa 1969. *photo by Boris15*

VIỆT NAM DÂN CHỦ CỘNG HÒA

BƯU CHÍNH

TR. LUONG

1969

ACCOUNTABILITY OF US SOLDIERS

Impunity remains an issue for America's armed forces, creating a danger that past crimes will be repeated and putting US credibility at risk

Courts and tribunals are essential mechanisms of accountability. Properly conducted, legal proceedings reveal the truth about past wrongdoing, secure justice for victims, and express a renewed commitment to the rule of law.[4] Lack of adequate legal reckoning with official or private wrongdoing, by contrast, leaves interpersonal relationships damaged and trust in government, the military and other institutions diminished.

Images of US soldiers committing alleged war crimes and other violations are an iconic legacy of the conflict. From 1965 to 1973, the four US service branches secured a total of 160 convictions in courts martial for serious crimes perpetrated against Vietnamese victims. Of these, the best remembered is the conviction of Lt. William Calley for the premeditated murder of 22 Vietnamese civilians at My Lai. This 1968 massacre, during which American troops gunned down hundreds of Vietnamese civilians, including numerous children, was widely condemned by US legislators and military officials after reporter Seymour Hersh broke the story.[5] But Calley's initial life sentence was reduced by appeals, administrative review, and parole to just four years of post-conviction imprisonment, and he served most of that time in house arrest. Of the 24 other soldiers and officers charged in connection with the massacre, only five were brought to trial, and none were convicted.[6]

After asking, "how many war crimes were committed in Vietnam by American forces?" one commentator finds "it is a question without an answer."[7] Differing identifications of combatants and non-combatants by American, South Vietnamese, and North Vietnamese forces complicate the issue. Legal and historical investigators also tend to apply different standards of evidence when assessing allegations of atrocities.[8] Until the 1990s, gendered aspects of war crimes went largely unacknowledged, including rape and forced sexual exploitation through state-sponsored prostitution networks, which were key features of the Vietnam War.[9] Interviews with American troops suggest that, for some, physical violence and sexual violence went hand in hand, and that impunity was the expected outcome for each.[10]

The laws of armed conflict apply to all sides in a war regardless of the legality of the conflict itself. In addition to acts by US soldiers, allegations of crimes by the Vietnamese against US prisoners of war (POWs) shaped the contours of American political discourse surrounding the conflict. US Sen. John McCain, who personally suffered

torture during the war, became the nation's fiercest anti-torture advocate. Vietnamese leaders rejected claims that American POWs suffered torture in North Vietnamese prisons.[11]

Non-formal proceedings and people's tribunals, including the Russell Tribunal convened in 1967 and the Winter Soldier Investigation held in Detroit in 1972, brought increased public attention to war crimes in the US and abroad. Like official trials, these unofficial tribunals have often suffered from uneven gender representation; the 2000 Tokyo Women's Tribunal, which not only highlighted conflict-related sexual violence against women but also featured substantial participation by women, was exceptional.[12] To date, these initiatives have had minimal impact on mainstream American understandings of accountability for soldiers who violate the laws of armed conflict, or of the legal rights of victims.[13]

One special challenge for efforts to secure legal accountability for American war crimes in Vietnam came from the so-called "jurisdictional gap" created by the 1955 US Supreme Court ruling *Toth v. Quarles*. This judgment found that American veterans who had left the armed services could not be tried by courts martial, but only in domestic courts, under domestic laws.[14] Subsequent rulings held that civilian contractors were also immune from prosecution in military tribunals.[15] These jurisdictional gaps only began to be filled by Congress in 1996 with its War Crimes Act (18 U.S.C. §2441). Further legislation was required to deal with serious crimes committed by military contractors employed in Iraq and Afghanistan in the early 2000's.[16]

Congressional action in the last two decades has brought the US closer to implementing obligations set out by the Geneva Conventions and other international covenants. However, the pressures of domestic politics continue to threaten adherence to global norms.[17] Since the Vietnam War ended, the wars in Iraq and Afghanistan have tested US commitment to accountability for violations of international and domestic laws by US soldiers and contractors in conflict and in relation to the so-called "War on Terror." Prosecutions of low-level soldiers involved in torture and mistreatment of prisoners in Iraq and Afghanistan have occurred, but the Department of Justice has never investigated the high-level officials who developed the euphemistically named "extraordinary rendition" and "enhanced interrogation" programs during the years after 9/11. Lawsuits by citizens of foreign nations affected by these programs have also failed in US courts.[18] Most recently, the Trump administration applied sanctions to the prosecutor and staff of the International Criminal Court for investigating US war crimes in Afghanistan.

Former President Trump's pardons of Army Maj. Matt Golsteyn and ex-Army Lt. Clint Lorance, his restoration of rank to Navy SEAL Eddie Gallagher, and his grant of clemency to Blackwater security contractors convicted of killing civilians in Iraq have prompted concern among military authorities that the laws of war are being undermined. As former chairman of the Joint Chiefs of Staff Gen. Martin Dempsey remarked, "Absent evidence of innocence or injustice the wholesale pardon of US service members accused of war crimes signals to our troops and allies that we don't take the Law of Armed Conflict seriously. Bad message. Bad precedent."

Chemical defoliants are sprayed northwest of Saigon, circa 1967. *photo courtesy of Shutterstock*

THE IMPACT OF AGENT ORANGE

The toxic effects of chemical defoliants continue to impact thousands of people who have no guarantee of redress

One of the most far-reaching legacies of the Vietnam War consists in diseases and disabilities caused by American forces' use of the chemical defoliant known as Agent Orange. There is no consensus about the number of American or Vietnamese soldiers and civilians exposed to this compound and its poisonous byproduct, dioxin. In the US, that question has been answered procedurally: the Department of Veterans Affairs (VA) recognizes any service member who spent any time in designated locations as presumptively exposed to Agent Orange.[19] In Vietnam, as many as 4.8 million people may have been exposed to such dangerous herbicides.

Between 1965 and 1971, 19.3 million gallons of chemical defoliants were sprayed in Vietnam through the program known as Operation Ranch Hand.[20] The best known of these compounds took its name from the orange stripe that marked the barrels used to store it. Besides tactical dispersal by airplanes and hand-held sprayers, accidental leaks and spills and intentional dumping also

occurred in and around storage depots used by US forces and their allies.

Concerns about the environmental and health effects of Agent Orange were first raised by scientists in America and overseas soon after spraying began.[21] The US military largely ignored those concerns, changing their response only when research into specific human health effects caused by the chemical contaminant dioxin surfaced. Consistent denials of adverse health effects by the Kennedy, Johnson, Nixon, and subsequent administrations created doubts about the trustworthiness of government disclosures that continue to shape veterans' perspectives today.[22]

Throughout the 1970's, US Vietnam veterans suffering health complaints including cancer, Parkinson's disease, and heart disease sought recognition of the war-related causes of their illnesses from the VA. The major focus of advocacy for accountability for the harm caused by Agent Orange was the chemical companies, notably Monsanto and Dow Chemical, that had produced the defoliants for the US military. In 1984 a major class-action suit ended in a settlement that created a $180 million fund for Vietnam veterans affected by Agent Orange. The Agent Orange Act of 1991 directed the Institute of Medicine to evaluate every two years the accumulated scientific evidence of an association between dioxin exposure and subsequent disease. This process has expanded the number of US veterans' illnesses presumed to be war-related to eight different forms of cancer and nine additional conditions.

Today, activism around Agent Orange centers on four main issues: first, adding further diseases and conditions to those the VA already recognizes as associated with exposure to the dioxin in Agent Orange; second, a significant expansion of US disability assistance to reach more of Vietnam's Agent Orange victims; third, recognition by US authorities that congenital illnesses and disabilities in children of Vietnam veterans are associated with Agent Orange; and fourth, full disclosure by the US government of where, when and how much Agent Orange was sprayed on Laos and Cambodia and used in other countries in Asia.

In December 2020, bladder cancer, Parkinson's-like symptoms, and hypothyroidism were added by legislation to the list of presumptively Agent Orange-linked conditions.[23] Recognition as an Agent Orange-presumptive condition matters because this opens the path for veterans and their families to receive disability compensation. Hypertension, or high-blood pressure, was also expected to be added, but was not ultimately included in the National Defense Authorization Act.

In 1996, the Department of Veterans Affairs recognized spina bifida as a congenital disability presumptively linked to parental exposure to Agent Orange. This made it possible for a small number of children of Vietnam veterans with this condition and their caregivers to receive VA benefits. However, activist groups like the Children of Vietnam Veterans Health Alliance argue that a far larger range of disabilities, including missing limbs, dysfunctional organs, and other conditions ought to be recognized as Agent Orange-related. Children of Vietnam veterans were never eligible for benefits under the settlement reached with major chemical companies in the early 1980's. Further, the average payout of that settlement for veterans who were eligible was only $3,800, hardly enough to meet the needs of the next generation.

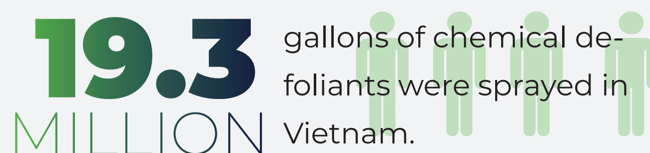
The US government has never officially acknowledged responsibility for disease or disabilities among Vietnamese soldiers, civilians, and their families related to Agent Orange. Nor does it recognize a legal obligation to provide reparations. To date, the US Congress

appropriated more than $381.4 million for environmental remediation of dioxin at the Da Nang airport and assistance to people with severe disabilities in areas that were heavily sprayed with Agent Orange and other herbicides during the war.[24] Three-quarters of the funds actually disbursed from this appropriation have been used for the environmental cleanup of the Danang airport, while other funds have been used to support children and young adults with disabilities which may or may not be directly tied to dioxin exposure.[25] In 2019, under the leadership of Sen. Patrick Leahy, the US and Vietnam entered a ten year partnership to clean up the dioxin at the Biên Hòa air base, the most heavily contaminated dioxin "hotspot" in the country.[26] Under the agreement, the US will allocate $30 million a year for this project. On the same day the two countries signed a separate agreement under which the US will provide disability assistance of $65 million over the next five years.[27]

Advocates contend that the United States should acknowledge responsibility for inflicting the same injuries on Vietnamese citizens that it acknowledges in the case of US veterans. Collaboration on medical and social responses to care needs already serves as a basis for US-Vietnam relations, and can serve to strengthen the bilateral relationship in the future.[28] Bills currently awaiting passage in Congress would strengthen US commitments to the Vietnamese victims of Agent Orange, but a full accounting for this physiological legacy of the war remains to be undertaken, and full reparations seem a distant prospect.

AGENT ORANGE **BY THE NUMBERS**

year partnership between the US and Vietnam to clean up the dioxin at Biên Hòa air base.



gallons of chemical defoliants were sprayed in Vietnam.

4.8 MILLION people in Vietnam may have been exposed to these chemicals.

4 GOALS OF CURRENT ACTIVISM

- **Expansion of the list of cancers** and other illnesses among Vietnam veterans and other veterans from that era exposed to Agent Orange.
- **Full disclosure of all locations where these herbicides were** tested, used, stored, and shipped.
- Recognition by US authorities of **congenital illnesses and disabilities in children of Vietnam veterans** associated with Agent Orange.
- **US government acknowldgement of and support** for continued health impacts of Agent Orange in Vietnam.

STORIES OF

ADVOCACY

HEATHER BOWSER

Children of Vietnam Veterans Health Alliance

I was not in the Vietnam War, but it has affected my entire life. My parents married nine days before my dad went to Vietnam. They were high school sweethearts, and they thought if they only got to spend nine days together, they would enjoy those nine days. My father served in Long Binh, at the army depot in the Đồng Nai province; he was there from 1968-1969. For those who aren't aware, 1968-1969 was the most deadly period for Agent Orange, the period when it was most highly contaminated with dioxin due to manufacturers cutting corners trying to keep up with demand.

After my father served, my parents wanted to start a family. They wanted to move on and put the war behind them. Unfortunately, like so many couples they faced issues with reproductive health. My mother suffered two miscarriages prior to my being born and unfortunately, suffered a miscarriage between my brother and me. My own birth was a complete shock: my mother went into labor two months prior to when I was supposed to be born. I weighed 3 lbs. 4 oz., I was missing my right leg below the knee, several of my fingers, and my big toe on my left foot. My remaining toes were webbed. My father, then a steelworker, told me he could cradle me in the palm of his hands. That's how tiny I was.

My parents had no idea what had happened to their baby. Neither of them had used drugs, neither of them had had any kind of genetic history of this in the family. The doctors and nurses were quite suspicious of my parents. Once a pediatrician came to my mother's bedside and asked what she had done to this baby. It was quite a horrific time, and they quickly realized they were pretty much on their own.

At the time my father was in Vietnam, Long Binh base was the largest American air base outside of the United States. It was a logistics base and there are various accounts from veterans that this base was sprayed with Agent Orange regularly. Agent Orange was sprayed to defoliate the trees and plants around the perimeter of the base, to keep people from being able to cross into the base without being seen. There are also reports that any leftover chemicals from the planes coming back into the nearby Biên Hòa air base were dumped by the C-123 planes into the waterways that ran alongside the base. That contamination meant my father's clothes were washed in contaminated water, his food was mixed in contaminated water, and so on.

When he was 38 years old, my father went to work and he thought he had a chest cold. He went to the infirmary at the mill, and they told him his blood pressure was off the charts and

that he had to be transported to the hospital for immediate treatment. Once he arrived they realized he would need to go to a bigger hospital in Pittsburgh, PA forty-five minutes away. The hospital wanted to transport him by helicopter, however, my father's PTSD was so bad that they could not transport him by medevac. His heart would race with the sound of the aircraft even though he was sedated. So they stopped the transfer by helicopter and took him by ambulance. At that time, the doctors did five bypasses on his heart. He was only 38 years old. At age 40 he developed diabetes, which like heart disease is a symptom caused by dioxin. At age 48 he had a stroke and at age 50 he died of a massive heart attack.

My father always felt a lot of guilt about my birth defects, as he believed he was somehow responsible. He first associated my birth defects with Agent Orange when Paul Reutershan, a helicopter door gunner during the Vietnam War, was interviewed on the *Today* show in 1978 and said that he had been killed in Vietnam but didn't know it. Paul was diagnosed with pancreatic cancer in 1978 suspected to be caused by Agent Orange exposure. All the time my father was going through the issues with his heart, the VA was denying any responsibility for his illnesses. This caused great financial distress in my family. My parents were responsible for over $100,000 in medical bills. He was denied disability benefits and was denied medical benefits by the VA.

I grew up in a family of activists. In the 1980's there was an Agent Orange advocacy group made up of veterans and their children. My parents were quite involved. There was a lot of momentum, but unfortunately these families started to have a lot of disruptions due to illnesses among the veterans, so unfortunately the movement died. When the internet spread, however, the children who had been part of the movement started looking for each other. We started to find others who were like us. Many other kids had severe birth defects like my own. We started seeing children who had chronic illnesses that couldn't be explained. Many had older siblings who were perfectly fine, but the siblings who were born after their parents service in Vietnam had terrible issues. So we started to find out that we were all very isolated, and we wanted to build a community.

Children who are born to Vietnam veterans sometimes have a really hard time seeing outside of their family, due to the trauma they and their parents went through. A lot of times they have trouble with empathy, especially for the Vietnamese people. This has been a real struggle for me, personally, throughout my advocacy work. Many of us were told such horrible stories that we could not separate wartime Vietnam from Vietnam and its people today. The way trauma works, it's like our brains close down and we only travel certain pathways. One of the biggest steps forward for me was to create a group to go to Vietnam and meet the children who look like me, who are living with injuries from Agent Orange like my own.

On that first trip, our two groups sat in a room with each other and we could just read the pain on each other's faces, and even though we could only talk through a translator, it changed us. We are not acknowledged, we don't exist in our home country, but we can sit with someone else across the world and see the pain on their face and know they know what we've been through. It was an incredible moment in our lives and it really changed us.

I'm a mental health therapist by profession, and I'm well aware of the issues faced by people in our organization. We have mental health issues, substance abuse problems, and economic struggles, along with and connected to autoimmune diseases, congenital disabilities,

developmental issues, fertility problems, and illnesses of unknown origin. Many of us carry terrible grief from losing our fathers young.

In 2011, I created a group called Children of Vietnam Veterans Health Alliance (COVVHA), a registered non-profit organization. Our slogan, "You are not alone," helps remind our peers that after a lifetime of feeling isolated we no longer have to feel that way. We currently have over 5,000 members in our group. Members find common ground with their health ailments and disabilities, achieving a welcome sense of community. The organization has several programs that seek to benefit all our members while pushing for acknowldgement from the US government that we have been directly affected by our parents' military service. This is something our government still denies. Our programs include school scholarships, emergency assistance for eviction or hardship, and group travel to Vietnam as a delegation to meet other Agent Orange-affected peers. Last December, COVVHA gave out over fifty grocery store vouchers for food and necessities for members facing hardship due to COVID-19. COVVHA is run by hildren of Vietnam veterans for children of Vietnam veterans. It is a volunteer organization, and no one receives a salary. At times, it can be an overwhelming task trying to help meet the needs of such a group of individuals, but in the end, it benefits us all.

A.

B.

C.

D.

A. Painting by author now on display in War Remnants Museum in Vietnam B. Author's father (center) and comrades during deployment in Vietnam. C. Author's parents on wedding day. D. Author with Agent Orange-impacted counterparts in Vietnam. *photos courtesy of Heather Bowser.*

UNEXPLODED ORDNANCE

More must be done to complete the task of making the land of Southeast Asia safe for children and communities

The existence of unexploded ordnance on the land of Southeast Asia is another manifest and debilitating legacy of the conflict. In the five decades since the withdrawal of US troops, thousands of Vietnamese, Laotian, and Cambodian civilians have been injured or killed by cluster bombs, land mines and other unexploded ordnance (UXO). One estimate from 2016 puts total postwar Vietnamese deaths from UXO at 40,000.[29] Many thousands more have lost arms or legs to these deadly relics of conflict.

Between 1964 and 1972, American aircraft dropped more than seven million tons of explosives on Vietnam and its neighboring countries, Laos and Cambodia. This is three times the total quantity of ordnance dropped by British and American bombers during World War II.[30] One key class of munitions used in Vietnam were cluster bombs — weapons designed to inflict maximum damage on enemy personnel scattered over wide areas. Cluster bombs work by releasing hundreds of bomblets from a single shell in midair. Those bomblets are engineered to explode close to the ground after undergoing a specified number of rotations, thus maximizing casualties.

Member of an Explosive Ordnance Disposal team led by Norwegian People's Aid and Project RENEW prepares EO for controlled detonation in Vietnam. *photo by Hien Xuan Ngo [NPA/RENEW]*

The US Department of Defense estimates an overall failure rate of 10% for all munitions dropped over the Indochinese Peninsula during the Vietnam War. Unexploded bomblets from cluster bombs are particularly dangerous, due to both their small size and the fact that their trigger mechanisms frequently remain active. They may be unearthed by farmers, washed up by high floods, or simply discovered in overgrown areas by unsuspecting children. Land mines, which are similarly indiscriminate in effect and have equally long-term environmental and human impacts, were also widely used during the Vietnam War. They were deployed en masse by the Vietnamese military in Cambodia after the expulsion of the

Khmer Rouge in the late 1970's.[31] Estimates of the number of individual landmines that remain active in the world today vary considerably, and monitoring groups tend to focus discussion instead on the number of acres or other units of land affected, as well as the number of mines actually cleared.[32]

US Vietnam veterans, acting through the Vietnam Veterans of America Foundation, helped pioneer international efforts from the 1980's onward to ban the use of landmines and cluster munitions in war. A major triumph of advocacy, the 1997 Ottawa Convention prohibits the use of landmines, and currently has 164 states parties.[33] Neither the US nor Vietnam are signatories, however. In the early 2000's, based on the success of the landmine treaty and the accumulation of experience of the long-term impact of cluster munitions on non-combatants, particularly children, in Vietnam, Laos, and Cambodia as well as in other conflict zones, the international community negotiated in 2008 the Convention on Cluster Munitions which bans this type of bomb. Currently 109 states are parties to the treaty, though the US is not one of them.

Nonprofit organizations like Project RENEW, PeaceTrees Vietnam, and Roots of Peace have continued to work in the decades after normalization to develop procedures for clearing land affected by UXO and to educate local people about the dangers of remaining ordnance. One technical challenge, which has now been solved, was to establish criteria and procedures that could be used to certify land as cleared of UXO. A second challenge has been to build capacity and leadership among local Vietnamese staff, who are increasingly taking over operational control of clearance and education programs.

From 1993 to 2019, the US government committed more than $140 million for demining and cluster munition clearance in Vietnam, along with $150 million for clearance in Cambodia and $230 million for Laos.[34]These commitments have always been made on humanitarian grounds, foregoing legal accountability for postwar injuries or deaths, and rejecting any framing in terms of reparations. Other governments, including Ireland and the UK, have supported victim assistance for Vietnamese children and adults injured by UXO, but the long-term needs of individuals disabled by these weapons extend beyond these programs. There is currently no program in Vietnam which provides the sustainable, long-term and targeted assistance that victims of US munitions would need to live lives fully in dignity.

Cambodia and Laos also continue to deal with the impacts of UXO, assisted by organizations including Legacies of War, the War Legacies Project, and the HALO Trust. Legacies of War has been active in Laos for more than 16 years, and has helped secure tens of millions of dollars of US government funding for UXO removal and survivor assistance.[35] The War Legacies Project, with its Untold Stories initiative, aims to bring greater public attention to the secret US bombing campaign that scattered so much ordnance over the Laotian landscape.[36] Finally, the HALO Trust engages in demining work in 25 countries, and employs one thousand people in Cambodia, where minefields are concentrated near the border with Thailand.[37]

There is an end in sight for UXO clearance efforts in Vietnam. In recent years, PeaceTrees Vietnam and Project RENEW have seen near-zero casualties in the areas where they are active. PeaceTrees Vietnam has set a goal of 2025 for total clearance of Quang Tri Province, one of the provinces hardest hit by US bombings; Roots of Peace has also contributed substantially toward this achievement, with the goal of empowering women economically.[38] Nevertheless, the work of education and victim assistance will need to continue.

RECONCILIATION & HEALING

Reconciliation and healing are crucial goals of transitional justice that seek to transform the future. Reconciliation occurs when previously hostile individuals or groups forge peaceful social, political, and economic relationships. It can take place at various levels within and between societies, including by diplomats and officials, citizen activists, civil society groups, and veterans from opposing sides who help build peace through increasing mutual respect, forgiveness and understanding.

Healing focuses on internal recovery after conflict. Though wars are fought on the territories of particular countries, healing may be necessary for even those nations that did not directly witness conflict. Individual veterans and their families often need healing after war, as do war resisters and their allies. The need to heal thus cuts across social, economic, political, and racial or ethnic divisions, which often predate specific wars and commonly outlast them.

Mrs. Nguyen Thi Huong and friend, Truong Khanh, Vietnam. *photo Mike Boehm*

NATIONAL APOLOGIES

Acknowledging past wrongdoing promotes healing and non-repetition, but politics present a significant barrier

Apologies by heads of state, heads of government, or other high officials can advance reconciliation in several ways. They afford recognition to parties that have been wronged, and encourage wrongdoers to come forward. They help restore relationships on the international stage, and may serve as first steps toward material reparations. And they put certain historical controversies to rest, making it difficult for reasonable parties to deny specific episodes of past wrongdoing.

Despite the evidence of broad miscalculation and more specific episodes of wrongdoing in the Vietnam conflict, the United States has never acknowledged its responsibility. As one commentator notes, "The steps that were missing from American commemorations of the Vietnam War in the 1980's and after were an honest acknowledgment of wrongdoing, and respect for the principle of accountability for crimes committed during the war."[39] Indeed, American veterans have been much keener to apologize for the Vietnam War than elected officeholders, as comments in guest books at Vietnamese museums and memorials show.[40]

In the five decades since America's withdrawal from Vietnam, apologies have become deeply politicized. In 1988, Ronald Reagan signed a law providing an apology and reparations for the internment of Japanese Americans during World War II; the sponsoring legislation gained support from a majority of congressional Democrats, but only a minority of congressional Republicans. Barack Obama was regularly criticized by right-wing commentators for apologizing for the US during his years in office.[41] Although every sitting US president since normalization of relations has visited Vietnam, there have been no serious discussions of an apology for the war, nor interest among Vietnamese officials in receiving one.

Recent episodes in which the Dutch, Belgian, and French heads of state apologized for the harms of colonialism in Indonesia, Congo, and Ivory Coast show that it is possible for political leaders to acknowledge shameful episodes in their nations' histories. But these examples also point to the challenge of apologies in a democracy: it has been easier for the kings of Belgium and the Netherlands to issue apologies than for French President Emmanuel Macron, who owes his position to voters. As if to illustrate the point, when Barack Obama visited Laos near the end of his second term in office, he did make a gesture at atonement, remarking that "even now, many Americans are not fully aware" of the US intervention in that country, and suggesting that "the United States has a moral obligation to help Laos heal."[42]

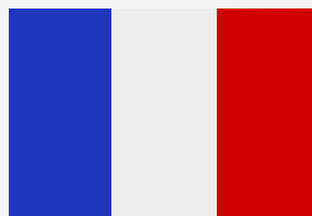
What, ultimately, makes a national apology successful? Some of the conditions seem to be the same as those for apologies between individuals, including publicity, sincerity, and readiness to make amends. But national apologies are complicated by the fact that they are offered on behalf of collectives, who may show substantial internal disagreement. Further, an apology for US conduct in Vietnam would not only be directed toward the population of Vietnam, but would also presumably send a message to domestic US audiences, including veterans and Vietnamese Americans, and to the international community. Calibrating those messages to secure the aims of reconciliation and healing would demand sensitivity to the experiences and perspectives of each of these stakeholders.

Political advocacy can perhaps achieve the first and third conditions for successful apologies, i.e. publicity and readiness to make amends. The second requirement, that of sincerity, can only come about once a clearer understanding of the wrongs done, and the decisions by political and military leaders that led to them, has been achieved. National apologies, then, must be preceded by truth-telling, historical investigations, and other mechanisms for transitional justice. Assembling the work such institutions have done to date, and making it better known to the public and to policymakers, must be the first aim of Americans who believe an apology by the US government for the Vietnam War is warranted.

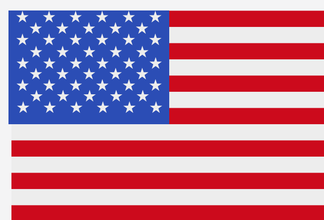
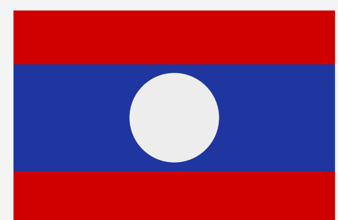
RECENT NATIONAL APOLOGIES

In March 2020, King Willem-Alexander of **the Netherlands** apologized for the “excessive violence” inflicted on **Indonesia** during his country’s colonial rule, the monarchy’s first such admission of regret to the Southeast Asian nation.

In July 2020, King Philippe of **Belgium** wrote a letter to President Félix Antoine Tshisekedi Tshilombo of **the Democratic Republic of Congo**: “I would like to express my deepest regrets for these wounds of the past, the pain of which is now revived by the discrimination still too present in our societies.”



In June 2019, the president of **France**, Emmanuel Macron, described the country’s history of colonialism as a “grave mistake” and a “serious fault” during a joint press conference with the president of **Ivory Coast**, Alassane Ouattara.

In September 2016, President of **the United States** Barack Obama suggested that that “the United States has a moral obligation to help **Laos** heal.”

Veterans Administration Hospital plaque, Fort Wayne, Indiana.
photo Jonathan Weiss

TRAUMA AND INJURY

The scars of war run deep in veteran and refugee communities, with consequences for US society at large

Societies emerging from wars or civil upheavals often retain signs of trauma, and stand in need of healing. Transitional justice processes are designed to provide for long-term recovery, though this may involve reopening old wounds in the short term.

As a result of decades of struggle, advocacy and pain, one of the most clearly recognized legacies of the Vietnam War is the societal acknowledgment of the widespread trauma inflicted by conflict on individuals, particularly those who serve. Millions of individuals in America, Vietnam, and elsewhere sustained physical and mental traumas during the war. Physical traumas ranged from the bodily injuries caused by bombs and bullets to the biochemical effects of napalm, Agent Orange, and other toxic substances. Mental traumas ranged from post-traumatic stress disorder (PTSD) to experiences of moral injury, understood as the harm to self that individuals sustain when they take actions that sharply violate accepted rules of conduct.[43]

American officials failed to anticipate the long-term impact of service in Vietnam. Nor did they appreciate the ways in which deeply polarized public opinion would affect returning soldiers. In

the five decades since the Vietnam War ended, a range of physical, mental, and societal wounds related to these experiences have been identified among US veterans. American veterans' access to care for the physical and mental wounds of war has varied over the years. Coverage of particular conditions associated with Agent Orange was only gradually authorized in the early 1990's.[44] Though PTSD was not formally recognized by American psychologists until 1980, certain symptoms were recognized earlier under names such as "shell shock" and "soldier's heart."[45] During the conflict, addiction to heroin and abuse of alcohol and other drugs was seen as a key psychological cost of war. Readjustment to civilian life eventually emerged as a major concern, with Vietnam veterans apparently having a harder time than veterans of prior conflicts. Though there has been a tendency to exaggerate the actual figures, it is estimated that 15% of Vietnam veterans have screened positive for PTSD, and of those with a positive diagnosis, 15% have experienced homelessness or vagrancy.[46]

Though the US government and society has come a long way in recognizing individual harm, the extent of psychic injury in society has been left unacknowledged. In America, the psychic injury has affected the whole country, which the US has not yet been able to work past.[47] This is due to the fact that not only did the US lose the war to Vietnam, but it also lost on the homefront, as soldiers came home to an environment that was hostile to the war and, in some cases at least, to those who fought it.

In Vietnam, the story of "the American War" has been told in different ways over time. One consistent feature of institutional remembrance has been a refusal to recognize the former Republic of Vietnam as having had an independent existence. This manifests itself in various ways; for example, injured veterans from the former South Vietnam have historically faced barriers to state-sponsored medical care, though the reasons for this are contested. Some commentators point to the absence of service records and identity documents for former South Vietnamese fighters. Others claim their care was seen as secondary compared to the needs of veterans from the victorious North. For some Vietnamese in Vietnam, and for many older Vietnamese Americans, this lack of acknowledgment has been a consistent barrier to societal healing.[48]

FAST FACTS ON FUNDING

In December 2020, the 116th Congress passed the Consolidated Appropriations Acts, 2021 (P.L. 116-260). Section 7043(i) appropriates:

- **$14.5 million** for "health and disability programs in areas sprayed with Agent Orange and contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment or cognitive or developmental disabilities";
- **$19.0 million** for "activities related to the remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes"; and
- **$2.5 million** for "a war legacy reconciliation program."
- In addition, *the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283*) authorized the Secretary of Defense to transfer up to **$15 million** to the Secretary of State "for use by the United States Agency for International Development, amounts to be used for the Bien Hoa dioxin cleanup in Vietnam."
- Overall, Congress has appropriated **$381.4 million** for Agent Orange/dioxin environmental remediation and related health and disability programs in Vietnam since 2007. Of that amount, **$266.0 million** was designated for environmental remediation and **$94.4 million** for related health and disability programs.

STORIES OF ADVOCACY

MIKE BOEHM

Madison Quakers, Inc.

I come from a childhood filled with violence. Any moral awareness that might have developed while I was a child was almost extinguished by that violence.

In my late teens, while I was somewhat aware of the war in Vietnam I was too overwhelmed by the effects of abuse to think much about it. When I turned 18 I tried to enlist in the Army, not to fight communism or support democracy, but to please my father. I was classified 4-F.

I waited almost a year and tried again and this time was accepted. After basic training in Fort Polk, LA, and AIT (Advanced Infantry Training) in Fort Belvoir, VA, the Army didn't know what to do with me, so I ended up pulling a lot of guard duty, kp [kitchen patrol], and picking up cigarette butts. After being transferred to Ft. Riley, KS, doing more meaningless work, a friend and I decided to volunteer for Vietnam.

I was stationed in Cu Chi, Vietnam, headquarters for the 25th Infantry Division. I worked in G-3 Plans, an office job. At the end of that year I extended for another six months in Vung Tau, where I worked in the motor pool. In all that time I never saw a body or fired a weapon.

I mustered out of the Army in August 1969, and sometime during the next year I tried to get a job at a plant that was producing gunpowder for the war in Vietnam. Up to this point in my life, I had no moral awareness of the consequences of my actions. That changed over the next seven years to the point when, sometime during the summer of 1977, I went to my mother's house, found my uniform and medals and threw them in the trash. This was the summer between two years of schooling at the Madison Area Technical College in Madison, WI. So, after throwing away my uniform and medals I went to the Veteran's representative for MATC and told him I would no longer accept money through the GI Bill for my education. I told him it was blood money and walked out.

It was during this period that I came to realize how different I was from my siblings. I was driven to question everything. Over the years I discarded more and more things I had been taught as a child—religion, patriarchy, America as the center of the universe—all issues that my peers accepted without questioning. It's as if I have been on fire most of my adult life, driven by a force I still can't define. Throughout the '70's and early '80's I continued to go from job to job to job, sometimes fired from them, always unhappy with them. None of it made sense to me. By my mid-30's I was living in a shack with no plumbing or electricity. Living in this shack was a healing time. I took in orphaned wild animals, nurtured them and then released them. I found a fiddle and taught myself to play. I learned carpentry and for the first time in my life I was working for myself. I was no longer locked into the 9-5 grind that so exhausted me that there was no time to think or heal. It was a time of refining the growth of my moral self

that began during the '70's. Most importantly, it was a transition between my old life and the life that was to come working in Vietnam.

In the summer of 1991, I joined a group of carpenters who traveled to Puerto Rico to help rebuild after Hurricane Hugo. Once there, I learned we would be working on an island I had never heard of: Vieques. As we worked on Vieques I learned about the horrific bombardment of that island by the US Navy for nearly 60 years. This shelling left behind contaminants such as mercury, lead, copper, magnesium, lithium, depleted uranium, and Agent Orange. The rate of cancer among the population living on the island was astronomical.

Hearing all this, with the rage against injustice that I was already carrying, was like pouring gasoline on a fire. But instead of being left with only one more burden of rage to carry, I discovered through the building that we did that it was possible to create goodness and hope in the context of evil. Flying home I was euphoric and I began to wonder if I could do something like this in Vietnam.

Mike Boehm, Pham Thi Huong, and Phan Van Do in Truong Khanh, Vietnam, 2000. *photo Mike Boehm*

I asked around and discovered the Veterans Vietnam Restoration Project in Humboldt, CA. I contacted them and was accepted for Team IV. In February 1992, I traveled with ten other American veterans to Vietnam, where we worked alongside Vietnamese workers to build a small medical clinic in Xuan Hiep village, Dong Nai province. We worked for three weeks alongside the Vietnamese workers to build this clinic.

I had not expected any emotional problems being back in Vietnam, but my anger grew daily, and I began, unreasonably, lashing out at others around me. There was something about standing on that soil knowing what we had done to the people of Vietnam that ate at me. One night, while I tried to get to sleep, I thought about going to My Lai to play my fiddle there as an offering. By that time in my life My Lai had come to symbolize the whole war, the whole war as atrocity. When the clinic was finished five of us rented a van and were driven north, stopping at various places to sightsee. When we got to Quang Ngai province I insisted we stop at My Lai where I took out my fiddle and, after burning incense, played "Taps."

When I returned home and the emotional dust had settled, I realized this was the kind of work I had been looking for all my adult life and I wanted more. I got my wish by the end of the year. A number of us in Madison took on a proposal by the Quang Ngai Province Women's Union to fund a micro credit program for the poor women of My Lai. Once again, My Lai had entered my life. We agreed to raise funds for this project, and so began my new life. In late 1993, I returned to Vietnam and delivered the $3,000 that the provincial Women's Union asked for. In May of 1995 while meeting with the Women's Union again to determine whether or not to expand the loan fund by another $10,000, I met the man

who was to have a profound impact on my life, Mr. Phan Van Do, now Project Coordinator for all Madison Quakers, Inc. projects in Vietnam.

Over the years Do and I have heard and seen remarkable success stories from many of the women who have received loans through our programs. For most women who receive these loans the income from the businesses they create brings stability to their lives; their children eat every day, they are able to go to school, and year by year their lives steadily improve. I have met and worked with thousands of Vietnamese people. They want a better life for their children. They don't ask for justice because they know they will never receive justice. Yet over the last 28 plus years trying to raise funds to help the people of Vietnam, I have put on hundreds of thousands of miles crisscrossing this country with only negligible results. Even well-to-do people give only small amounts of money and think they have fulfilled their responsibility.

There are no more bombs falling or bullets flying in Vietnam, but the war there is not over. While many in this country may wish it to be so, the harms of war do not have a shelf life. Our moral responsibility to the people of Vietnam, therefore, continues to give us no other alternative than to respond to their requests for help.

A.

B.

A. Compassion House built by Madison Quakers for Mrs. Ha and her family. B. Mrs. Nguyen Thi Ha, mother and caretaker for a daughter severely impacted by Agent Orange. *photos by Mike Boehm*

Letters of thanks received by Dayton Vietnamese American community following fundraiser for disabled veterans in Vietnam. *photo by the Human Rights Center*

HUMANITARIAN INITIATIVES

Veterans and activists have taken the lead in addressing war legacies despite enduring challenges

Grassroots humanitarian initiatives and person-to-person contact can be crucial to healing and reconciliation after war.[49] In the context of the Vietnam War, where the US government has avoided responsibility and the relations between the countries were severed for 20 years, these initiatives and contacts have been essential. They created space to build new friendships between those who were once considered enemies, and have made it possible for US veterans to acknowledge their own role in what they consider grave injustice. They have also gone some way towards addressing the humanitarian needs of so many impacted by the conflict.

During the war years, American civilians engaged in activism often traveled to Vietnam to get firsthand accounts and develop relationships. For example, Tom Hayden of the Students for a Democratic Society (SDS) traveled to Hanoi in the winter of 1965 in order to help build the case against the war at home. American celebrities who adopted Vietnamese children likewise often connected this with opposition to the war, though many of the more than 3,000 Vietnamese children adopted by Americans from 1963-1976 had an American GI as a father.[50] US grassroots organizations that favored the war, such as the pro-Nixon Vietnam Veterans for a Just Peace, also used in-person visits to Vietnam and conversations with local Vietnamese as a basis for their advocacy.[51]

After the fall of Saigon in 1975 the dominant humanitarian issue for at least a decade was the departure of Vietnamese men, women, and children from Vietnam.[52] Migrants and refugees faced numerous hardships, including

temporary separation from family members, dangerous voyages by boat, and potentially lengthy detention in their initial countries of arrival.[53] Many humanitarian activists provided leadership during this crisis. A prime example, Sister Pascale Le Thi Triu, a Vietnamese Catholic nun who was studying in the Philippines at the end of the war, co-founded the Center for Assistance of Displaced Persons to help mediate between the Philippine government, which had operational control of camps that housed the hundreds of thousands of displaced Vietnamese, Laotians, and Cambodians who arrived in that country in the 1980's and early 1990's, and the UNHCR, which funded the camps.[54] In the United States, Vietnamese immigrants have also exercised agency, creating community groups to provide economic and educational assistance to newer arrivals.[55]

US veterans or children of veterans led advocacy, humanitarian and person-to-person contact initiatives even before the normalization of US-Vietnam relations in 1995. Initially, their efforts consisted of individual and small-group travel to engage in citizen diplomacy and relationship building with former Vietnamese adversaries. Soon after normalization, various humanitarian organizations were founded to assist with economic development, land reclamation projects, and the medical needs of adults and children injured by UXO and Agent Orange. PeaceTrees Vietnam, Project RENEW, and the War Legacies Project are among the most prominent of these.[56] A major goal of these groups, like other humanitarian organizations involved in post-conflict peace building and reconstruction, is to build capacity for local engagement, and ultimately leadership of the work. Creating economic opportunities for Vietnamese women, in particular, has also been a major goal of these groups. Under the auspices of the Stimson Center, a Washington-based think tank, many of these groups have come together to form a standing War Legacies Working Group that engages in regular outreach to lawmakers and other stakeholders.

As international organizations, these groups have worked to align their priorities with those of the government of Vietnam. American advocates who have found success working on war legacies, like Chuck Searcy, a US veteran living in Vietnam who leads the organization Project RENEW, or Charles Bailey, who led the Ford Foundation initiative that helped to break the official stalemate on Agent Orange, have done so by building relationships with the people of Vietnam, government officials, and a multitude of international organizations in furtherance of humanitarian ends. These bridges allow for American non-state contributions to Vietnamese efforts to heal from the wounds of war, while also creating a multitude of prospects, from personal connections to business opportunities that benefit the Vietnamese economy.

While contributions by non-state actors to humanitarian causes in Vietnam have been substantial, a few war legacies have been addressed directly by the US government. Since the end of the Second Indochina War, the US military, responding to pressure from Vietnam veterans groups, has built considerable capacity for the forensic and other investigation of human and material remains of war to identify presumed dead and missing in action (MIA). Although these efforts have always depended on support from Vietnamese partners, the 25th anniversary of normalization in 2020 provided an opportunity to refocus attention on Vietnamese war casualties by launching a new collaboration between USAID and the Vietnam Office for Seeking Missing Persons.[57] This initiative focuses on identifying the more than 200,000 Vietnamese soldiers still

The Legacies of War team with the HALO Trust crew at a bomb clearance site in Sepon, Laos.
photo courtesy of Legacies of War

TRUTH-TELLING & MEMORIALIZATION

Societies cannot fully move beyond conflict without frankly confronting the past. Exercises in truth-telling advance transitional justice by providing closure to the victims of war, fostering reflection among perpetrators of wrongdoing, and dispelling lingering distortions of wartime lies and propaganda. Truth-telling and legal accountability can play mutually reinforcing roles. However, in some contexts, telling the truth has served as an alternative for legal processes that arguably incentivize falsehoods, recriminations, and concealment. In other contexts, truth has been sought as the last available means for redeeming the past, after the possibility of legal accountability has ended.

Memorialization—of war, service in war, and war's victims—has not always taken truth as its purpose. Physical memorials may celebrate national triumphs or heroic individual efforts; poems, songs, and prayers have been composed for colonial conquests. But memorialization in the context of transitional justice aims at centering victims' voices or marginalized narratives to the memory of conflict and at constructing a collective memory that reinforces commitments to non-repetition of injustice and supports a peaceful future.

Memorial dedicated by Dayton Hội Cao Niên (Senior Citizens) group for the 45th anniversary of the fall of the Republic of Vietnam, April 2020. *photo by Phạm Ngọc Tấn*

MONUMENTS AND MUSEUMS

Different commemorations of a difficult conflict demonstrate the need to center diverse experiences and the benefits of peace

Monuments have traditionally been constructed in order to honor wars and those who fight them. Over the last half-century, however, a different kind of monument has developed, devoted to the victims of war and political violence. These new, "counter-monuments" seek to change the narrative around armed conflict, highlighting the human costs and far-reaching impacts of violence and encouraging viewers to pursue peaceful futures.

Plans for Washington's Vietnam Veterans Memorial emerged less than two decades after American troops arrived in Southeast Asia. The story of artist Maya Lin's innovative design, its fraught approval process, and its ultimate success has been told many times. But American memorials to the Vietnam War extend far beyond the National Mall. There are more than 450 state and local Vietnam War memorials spread throughout the United States.[58] The representation of women and people of color at these memorials has sometimes caused controversy, as different stakeholders have debated the prominence and placement of different images or figures.[60] So have specific choices of quotes and inscriptions accompanying these monuments.

Vietnamese refugees who came to the US during the war or directly afterwards did not immediately possess the financial and political resources to build memorials reflecting their experience. For the many Vietnamese Americans who considered themselves exiles, the goal of return and restoration cut against the urge to commemorate the Republic of Vietnam in bronze and stone. In recent years, however, Vietnamese American community organizations have constructed permanent monuments on both public and private land. These include a war memorial in the Los Angeles suburb of Westminster, California widely known as "Little Saigon," and a memorial to the fall of the Republic on the grounds of a Buddhist temple in Dayton, Ohio.

Nations generally struggle to commemorate difficult episodes in their histories.[61] Maya Lin's Vietnam Veterans Memorial was initially denounced as a "black gash of shame," though that verdict describes neither the monument nor the war as a whole. But how should manifestly unjust episodes in the conflict be commemorated? In the late 1990's, American Vietnam veteran Mike Boehm and Vietnamese translator Phan Van Do established the My Lai Peace Park. This cultivated space features trees, shrubs, and ponds but intentionally lacks statues or monuments.

The use of living materials at the My Lai Peace Park may suggest a lack of permanence. But current international efforts to remove statues of slaveholders, colonizers, and Confederate soldiers should remind us that the apparent permanence

Disabled Vietnam veteran relaxing in Boulder, Colorado.
photo by Greg A. Boiarsky

of monuments is itself illusory. As one African American newspaper editor observed during the dedication of Richmond's Robert E. Lee monument in 1890, Black people "put up the Lee Monument, and should the time come, will be there to take it down."[62]

Museums are also important institutions for memorialization and education about the Second Indochina War, though the stories told at different museums differ significantly. American visitors to Vietnam frequently seek out the War Remnants Museum in Ho Chi Minh City. This museum, which prominently displays images and testimony concerning American atrocities, is known for producing powerful effects on viewers, though some critics argue its exhibits fail to capture the gendered dimension of the conflict.[63] The Museum of the United States Air Force in Dayton, Ohio combines its exhibits on the Korean War and the Vietnam War, and has as one of its most prominent displays a section on the conditions in which captured American pilots were held during the war. The National Prisoner of War Museum in Andersonville, Georgia goes further, offering visitors model Vietnamese prison cells to look at and even occupy.[64] The contrast between the main themes of the Vietnamese and American museums makes clear that competing and incomplete narratives about the Second Indochina War continue to circulate even after half a century, while gender, peace activism, and other aspects of the conflict remain underdeveloped in museum displays.[65]

HIDDEN HISTORIES

Expanding standard narratives of the war to reflect racial, gender and political diversity should continue in classrooms and popular culture

Formal processes of truth-telling provide one important way for difficult facts about the past to emerge in order to shape a common, fuller and more accurate historical record or shared narrative. These processes seek to enable the stories of the human impact of the conflict to be acknowledged, and increasingly focus on hearing from the voices of those who are often overlooked or unheard. Tapping into the human capacity for empathy, these processes can also play a key role in encouraging mutual healing, reconciliation and forgiveness.

Without structured forums for truth-telling much of the narrative of the Vietnam conflict has been shaped by popular culture and other dominant, mainstream forces. This has primarily centered the complex and often tragic experiences of white, male American military veterans, leaving other American and Vietnamese perspectives in the shadows. Coherent, accurate historical accounts of the Vietnam War which pay attention to all the lives and experiences of those impacted remain unfinished. Acknowledging such hidden histories in the classroom and in the broader culture is crucial for establishing a common and comprehensive understanding of war legacies.

Although Black Americans made up a disproportionate number of combat troops and casualties in the first years of the Second Indochina War, their stories have not featured frequently in books, movies, or other venues. Memoirs and autobiographies from African American Vietnam veterans have appeared less frequently, and received less attention, than those of white comrades.[66] Hollywood Vietnam War films often include Black characters, but rarely place them in central roles.[67] The connections between African American civil rights struggles at home and Black soldiers' political activism abroad are rarely made in documentaries and textbooks about the 1960's, which tend to emphasize the former but neglect the latter. The Smithsonian National Museum of African American History and Culture does explore the experiences of Black veterans, including their political activism, making an important addition to earlier narratives.

Though women have always played an integral role in military operations, their experiences and perspectives are rarely publicized. In the US military, they were primarily in support and nursing roles until after the Vietnam War. But during the war the US military would name its first two women brigadier generals, Ann Mae Hayes and Elizabeth Hoisington.[68] Lt. Diane M. Lindsay was the first Black female nurse to be awarded the Soldier's Medal for heroism after restraining a confused soldier who had pulled the pin on a grenade; she would later be promoted to captain.[69] On the homefront, many of these female veterans would also become leaders in the anti-war movement.

In Vietnam, by contrast, women fought on

the front lines for both the Viet Cong and the North Vietnamese Army. In Hanoi, they have created the Vietnamese Women's Museum, and the whole second floor is a Hall of Heroes, dedicated to women who fought on the front lines of the war. Many of these women fought from a young age to protect their families and communities.[70] Vietnamese women have also played an important role in the country's medical response to Agent Orange, with scientist and professor Dr. Nguyen Thi Ngoc Phuong helping to shed light on links between parental Agent Orange exposure and children's disabilities.

For American audiences, a crucial gap in historical exposure has been on Vietnamese voices reflecting on the experience of war, survival, and immigration. Over three million Vietnamese people died during the Second Indochina War, but their fates are rarely commemorated in American school texts or at American memorials. While films and other popular US culture widely portray Vietnamese women in conditions of sexual exploitation and prostitution, historical accounts and museums fail to center their voices and experiences, and inaccurately depict the level of organized sexual violence and torture they suffered.[71] Since the war, Vietnam has struggled with high levels of human trafficking as a source country, a problem briefly brought to wider attention by the deaths of 39 Vietnamese citizens in a refrigerator truck in the UK in 2019.[72]

The politics of the diaspora, which often track the anti-Communist politics of the former Republic of Vietnam, make it likely that any effort to commemorate Vietnamese war deaths as a whole in the US would face resistance.[73] So too, US Vietnam veterans groups might hesitate to endorse new memorials dedicated to their wartime adversaries, as they have resisted inclusion of Vietnamese casualties in memorials in the past.[74]

One group of immigrants that bridges the gap between US Vietnam veterans and Vietnamese American communities consists of Amerasians, or children of Vietnamese mothers and American GI fathers. Faced with particular discrimination in both Vietnam and America, members of this group continue to engage in advocacy for their recognition and the right to resettle in the US.[75] One organization, Amerasians Without Borders, estimates 30,000 Amerasians were born during the Vietnam War, with at least 400 still living in Vietnam but unable to immigrate. It provides DNA kits to individuals in Vietnam to assist them in proving their American parentage.

Other diasporic communities have likewise engaged in political and cultural advocacy. Responding to inadequate historical education about the conflict,[76] Vietnamese American ethnic organizations sponsor Tet (New Year's) celebrations, host fundraisers for humanitarian causes in Vietnam, and lobby politicians at the local and national levels. Americans of Cambodian, Laotian, and Hmong ancestry have likewise engaged in cultural outreach to bring public attention to their stories, and have worked to gain greater political representation in state governments and in Washington.[77]

Within the past decade, authors born in Vietnam but brought up largely in the US have won acclaim for works that reflect not only their own experiences but also those of their parents and grandparents. These include the novelist and critic Viet Thanh Nguyen and the mixed-race poet and novelist Ocean Vuong, winner of a 2019 MacArthur Fellowship. Other emerging artists and writers are featured on the podcast series *DiaCRITICS*. The work of these authors and artists will continue to be crucial for exposing previously hidden histories.

STORIES OF ADVOCACY

ĐẠT DUTHỊNH

Friends Committee on National Legislation

The French defeat by Germany in 1940 had relatively little effect on the French colonies in the Far East, where World War II came in the form of a Japanese invasion later that same year. A fact little known to the outside world was the great famine of 1944-1945, when the Japanese confiscated rice to feed their troops and thus starved the local population in Vietnam. My parents would tell me about seeing bodies in the streets every morning, dead of starvation. Later in the day, these bodies would be wrapped in straw mats and taken away in human-drawn carts. How my parents managed to keep themselves and their four children alive remains somewhat of a mystery. After Japan's defeat, Hồ Chí Minh declared Vietnam's independence in 1945. With assistance from the United States, France started in 1946 a war of reconquest that was to last eight years. The government of newly independent Vietnam withdrew from Hà Nội, under pressure from French forces, toward the mountains near the Chinese border. At one point, my mother took her children to her parents' town, Phủ Lý, about 50 km south of Hà Nội, while my father remained in Hà Nội to keep his job.

Whatever respite my family had in Phủ Lý did not last long. Having consolidated their control of Hà Nội, the French forces fanned out to the countryside. With all of northern Vietnam under curfew, my family made the reverse journey back to Hà Nội. They arrived at a small village as night fell, but the gates were closed. They camped outside, hungry and tired, but my mother kept banging at the village gates and pleading for help. Finally, someone came, assessed that this woman and children posed no threat, and let them in. A few moments later, a mortar shell landed and exploded near the place they had just left. This happened in 1950, but to the end of her days, my mother kept telling us the story of that close escape, and how precarious and precious life is.

I was born in Bạch Mai Hospital in Hà Nội in 1951. That is the same hospital that was bombed by the US on Christmas 1972. One of my earliest memories is of being lifted onto a refugee boat by a huge, dark-skinned sailor. On this cold February day of 1955, I was a frightened three-year old boy, but he kindly gave me a bar of chocolate, and all was well. I found out later that the ship, USNS MarineSerpent (T-AP-202 of the US Pacific Fleet Military Sea Transportation Service and Military Sealift Command) was part of a huge operation named Passage to Freedom. The US was already heavily involved in Vietnam, and was one of the signatories of the Geneva Accords that concluded the French phase of the Vietnam War.

The fact that my family was on this ship probably had something to do with US propaganda. I found out much later that CIA operatives such as Edward Lansdale were spreading fear of communist atrocities and encouraging Vietnamese, especially Catholics, to flee South.

My family was Buddhist, my father was a low-level office secretary working for Shell Oil Vietnam, and my grandfather owned a small shop. Would the communists have gone after us for being associated with international capitalism or petite bourgeoisie? In retrospect, no, but the uncertainties and fears of the moment pushed my parents to leave.

SAÌ GÒN

We landed in Saì Gòn, where refugee camps had been set up and each family received some cash assistance. Still, I remember a good decade of dire poverty, of facing eviction and food shortage. The war never ended. Ngô Đình Diệm consolidated his power, and fighting against a rival faction, the Bình Xuyên, erupted in the streets of Saì Gòn. Then, with American encouragement, NgôĐình Diệm proceeded to root out remnants of the Việt Minh that had not moved North after the Geneva Accords. Anybody could be accused of communist sympathy and summarily detained or worse. Any kind of social activism was suspect, and the secret police were everywhere. In my neighborhood, there was an elementary school teacher who had joined an anti-illiteracy movement, and for that she was held for a few weeks during which her family did not know her whereabouts.

In spite of all this hardship, my father was determined that we should have the best education available, and that meant the French Lycees. That was a mixed blessing. I did get a good education, but I also saw that some of the French teachers and school officials had not realized they were no longer the colonial masters. Many of my classmates were the children of the elite, driven to school by chauffeurs, and I was painfully aware that I had to borrow my sister's sandals to go to school. One of my classmates was the nephew of the President. His mother was the infamous Mme Nhu and his father was the head of the secret police. Of the several unsuccessful coups against his uncle, he would give us firsthand accounts of his perspective from the Presidential Palace. He was always impeccably dressed, and one day, another boy and I foolishly teased him about it. It wasn't anything really mean, but he went and complained to the teacher. The teacher yelled at us, asking us if we knew who his father was, what his father would do to our families, and why we didn't think before we doomed our families. I was absolutely terrified, and walked home slowly, full of dread. Nothing happened, fortunately, but I have not forgotten that incident, inspired no doubt by a heavy-handed desire to teach a lifelong lesson on fear of the secret police.

The American presence became more and more ubiquitous. In my neighborhood, there were two Americans who had rented a house. They were friendly and well behaved. I often saw them sitting on the porch, shirtless in the heat of the evening, drinking beer and making friendly waves, but I never struck a conversation. There were many American troops on Rest & Recreation in the streets of Saì Gòn, and the economy was geared toward servicing them. Bars with American names sprouted seemingly everywhere, and houses of prostitution too. Real estate agencies with American names multiplied, to find off-base housing for the foreigners. Vietnamese found employment doing laundry for Americans and working on military bases. In the cities, prosperity was greater, the pace of life faster, but at the price of a loss of dignity and sovereignty, and the destruction of the countryside and the rural population. It was in fact a false prosperity based on massive American military and economic aid.

Occasionally, war would come closer to Saì Gòn. There were military coups, with tanks deploying, airplanes bombing and foot soldiers shooting at each other in the streets. The Việt Cộng would fire random rockets on the city. One landed in the next block to my house and killed an

elderly man. The rumble of carpet bombings by B52s could often be heard at night. There were influxes of refugees, and school children were mobilized to help. Machine guns protected by sandbags and barbed wire were sometimes set up at street corners. During the Tết Offensive, in 1968, there were many pockets of tenacious fighting throughout Sài Gòn.

My high school did not have a library, and if we had gaps in our schedule, we were free to roam outside. Most of my classmates went to the girls' school nearby to pick up girls, or to a park to play ball. I was not good at either activity and luckily discovered an air-conditioned building which allowed me in. It turned out to be an American library, named after Abraham Lincoln, and run by the US Information Agency (USIA). The library was mostly frequented by American servicemen, and it had a collection of university catalogs. I liked the pictures, but did not understand the words very well. I kept coming back, my English got better, I applied, and received a full scholarship from Princeton University.

PRINCETON

I arrived in Princeton in the fall of 1969, in an absolutely idyllic environment, just as in the catalogs. Everything was so different, not just the language and the customs, but most importantly and for the first time in my life, I discovered what peace was like. Soon enough, however, I found out that even here, I could not escape. The campus was in turmoil about the war that I had just left behind. People sought me out, and asked questions. Up until that point, the only source of information I had was the government of South Vietnam, which rigorously censored the news, and USIA. Self-sacrificing America was defending the freedom of the Vietnamese against evil communist invaders. I expressed these views and was challenged repeatedly by people whose interpretation of history and current affairs was totally opposite to mine. And they were able to speak freely and openly!

A library had changed the course of my life, so that is where I went when I was not struggling with my engineering classes or learning to adapt to my new environment. I read countless articles on the Vietnam War and modern Vietnamese history. Within a few months, I had totally changed my views and joined the anti-war movement, a remarkable turnaround made possible by the intellectual and psychological intensity of the time and place. The following semester, spring of 1970, students went on strike to protest the war. I took part in all the anti-war protests, and even screwed up my courage to address a large crowd in the Princeton Chapel, on the spur of the moment. My English was very hesitant, but I spoke from the heart. However, I did not go on strike. I had worked too hard to get here, and I was determined to get an education.

The next few years, I went to many marches and protests, and worked with Ngô Vĩnh Long, a graduate student at Harvard at the time. Probably some of the most effective actions I took were going on tours with Vietnam Veterans Against the War, to talk about our respective Vietnam experiences. It was a difficult time because I felt so passionate about opposing the war, but had to be careful not to run afoul of the Vietnamese Embassy in Washington, which renewed my passport every year. I was also trying to complete a demanding engineering degree.

LATER YEARS

Back in Vietnam, several of my brothers had been drafted to serve in the Army of the Republic of Vietnam (ARVN). (I had worked really hard in high school to make sure I got the military deferment reserved to the few top students.) With the war ending in defeat for the ARVN, and fear of a bloodbath, my family again became refugees, and they were again picked up by the US Navy, in April 1975.

After devoting several years to helping my

family settle, and more years to building a career and a family of my own, I have become a US citizen. I have come to realize that the citizens of this country are the most powerful people on earth. They have the power to influence their government, to speak up against the massive violence that the United States is inflicting on the world under the guise of American noble exceptionalism. There is no justifiable reason for the US to spend more on its military than the next eleven countries combined, only two of which are rivals and the rest allies to whom we sell weapons. There was no need for the US to drop one, let alone two atomic bombs on Japan. Of the eight five-star American generals and admirals of World War II, seven thought the use of the atomic bomb was unnecessary. And the US had twice contemplated using atomic weapons in Vietnam.

I have joined various groups in working for peace and justice. Via the Friends Committee on National Legislation, I met a former US Navy pilot, John Huyler, who refused to bomb North Vietnam and became a conscientious objector. He expected to be court-martialed, but he had been an exemplary flight instructor, and they just let him go. I told him that as a child I had once asked my mother why I heard thunder but saw neither cloud nor rain. She said it was not thunder, but bombs, American bombs, from B52s. I looked up to the sky and wondered who these Americans were, and why they were bombing us. John told me that he came to his decision after seeing a photograph of Vietnamese children under American bombs looking up to the heavens in fear and incomprehension. I could have been one of these children. When I lobby members of Congress, I am finally able to speak for these children and American children, who deserve a future without war.

A. The author and a colleague lobbying Wyoming Sen. Michael Enzi in November 2019. *photo by Dat Duthinh*

B. The author at a commemoration of the nuclear bombings of Hiroshima and Nagasaki held in Frederick, Maryland in August 2020. *photo by Bill Green, Frederick News Post*

INTERGENERATIONAL CHANGE

Rising generations of Americans and Vietnamese are reexamining their elders' experiences and crafting new forms of cross-cultural connections

Some transitional justice mechanisms, such as trials for perpetrators of past wrongdoing or reforms to courts, constitutions, and other aspects of the rule of law, can be pursued immediately after conflicts or human rights violations end. Other measures, such as memorialization, education, and dialogue must be continued long into the future in order to mold the perspectives and experiences of future generations. History, memory and advocacy shape and are shaped by impacted individuals, families, and communities, in ways that sometimes take multiple generations to unfold.

Vietnamese Americans tend to distinguish three waves of immigrants from Southeast Asia to the United States. First are those who arrived during the 1960's or early 1970's. Second are the so-called '75ers, who left South Vietnam just before the fall of Saigon. Third are those who fled, often at great personal risk, between 1975 and the start of the Đổi Mới era in 1986.

These distinctions help explain differences in political affiliation, cultural participation, and economic status among first-generation immigrants. But they leave out the perspective of children who were born in Vietnam but brought at a very young age to the United States. And they hardly capture the experiences of second- and third-generation Vietnamese Americans, who were born in the US and are increasingly called upon to keep their families' memories.[78]

Intergenerational history, memory and advocacy has iconically been cultivated in the post-World War II era in the context of Holocaust education and commemoration. Research originally focusing on the transmission of trauma from Holocaust survivors to their children has led to much more wide-ranging studies of the ways in which successive generations understand and bear witness to these difficult histories.[79] Passing on the role of witness to succeeding generations is not without its challenges, but is especially important for initiatives that seek to use lived experiences of war and atrocity to encourage "upstanding" and develop dispositions toward peace.[80]

The intellectual and emotional labor required to uncover, understand, and communicate the wartime experiences of one's parents and grandparents is sensitively portrayed by Thi Bui in her graphic novel *The Best We Could Do*.[81] Like Art Spiegelmann's *Maus*, Bui's illustrated memoir tells a story about the pains of her parents' wartime struggles and subsequent immigration from Vietnam, intertwined with an account her own coming of age in America. What stands out in both of these texts are the challenges that

second- and third-generation survivors of war face in piecing together the complex experiences of their elders.

Intergenerational dynamics are also visible among US Vietnam War veterans, their overseas allies, and their families. A major epidemiological study sponsored by the Australian government in the early 2000's, known as the Vietnam Veterans Family Study, found clear correlations between having a father who was a Vietnam veteran and mental health diagnoses including anxiety, depression, and PTSD.[82] A much smaller study on US veterans and their families in 2016 likewise found evidence of secondary traumatization of spouses and children of Vietnam veterans.[83]

At its core, the notion of intergenerational change implies that historical episodes are understood differently by successive generations, and that the practical concerns most closely related to them likewise alter. Recent commemorations of the centenary of the First World War illustrate what this passage beyond living memory looks like. The Vietnam War, by contrast, remains within living memory for millions of people in America today. This means that the story of the war will continue to be influenced by those directly involved in it, even as their children and grandchildren are increasingly asked to take up the advocacy work of seeking justice for the war's legacies and the memory work of preserving stories of war, trauma, and recovery.

A. Boy dances under tree decorated with kumquats for Tet celebration in Dayton, Ohio, January 2020. *photo by the Human Rights Center*
B. Women give lucky money to children during Tet celebration in Dayton, January 2020. *photo by the Human Rights Center*

SOCIETAL TRANSFORMATION

Transitional justice ultimately aims at societal transformation. This involves transformation of relationships between individuals, their institutions, and their former adversaries and between groups in societies or nations globally. It demands transformation of laws and constitutions that previously failed to secure peaceful means of resolving political and societal controversies into ones that promote fairness, equity and accountability. And it requires transformation of former combatants and noncombatant victims of war into productive and full participants in domestic life.

The legacies of the Vietnam War in the United States are reflected in critical economic, social and political dynamics today. This is particularly so in the foreign policy of the US and its engagements in overseas conflict, and especially its policy in Southeast Asia, where US relations with contemporary Vietnam are shaped to a large degree by America's economic and strategic competition with China. In the domestic sphere in the US, the complete economic, social and political equality of Black Americans remains unrealized, while expressions of hate and acts of violence against Asian Americans are on the rise. The continuing question of who is entitled to claim the identity of an American underpins current demands to end systemic racism and combat white supremacy. Closely related to this is the deeply militarized character of US society, from policing practices to civilian firearms regulations and the military-industrial complex.

Military veterans march in support of Black Lives Matter in Washington, D.C. July 2020. *photo by Allison C. Bailey*

US FOREIGN POLICY

Addressing war legacies requires pivoting away from past theories to pave new directions in America's global engagement including in Southeast Asia

Transitional justice typically focuses on transformations in the domestic institutions and policies of countries that have experienced civil war or authoritarian rule. But where the main driver of divisions is an overseas conflict, changes in foreign policy may play a similar role to constitutional reform as a means of societal transformation. Moreover, foreign policy often affects and reflects domestic conditions. In the US historically and today, foreign policy considerations have had substantial power to constrain domestic political and social change.

America's war in Vietnam took place in the context of a broader Cold War between the United States and the Soviet Union. The political, economic, and military contest between communist and democratic governments played out in different ways in Europe, Latin America, and Southeast Asia. The latter region was the focus of Washington foreign policymakers' "domino theory," according to which the spread of communism would proceed from one country to the next unless promptly checked; this theory provided the rationale for American wars in Korea and Vietnam, as well as for US support of authoritarian anti-communist rulers in Indonesia, the Phillippines, and elsewhere.

The emergence of Cold War tensions further complicated America's already conflicted attitude toward national self-determination movements in the developing world. Immediately after World War II, the Truman administration demanded that the Netherlands, and Italy give up most of their former overseas possessions. But this demand did not extend to French Indochina. Nor did the postwar era put an end to persistent systemic racism, reflected at home in segregation against African Americans and abroad by anti-Asian stereotypes. Gen. William Westmoreland, commander of US forces in Vietnam, notoriously gave voice to the latter form of bias when he remarked, in a 1974 interview, "The Oriental doesn't put the same high price on life as does a Westerner."[84]

Black American anti-war activists of the Vietnam era understood the connections between systemic racism in domestic and foreign policy. Intellectuals like Angela Davis and Kwame Ture and groups like the Third World Women's Alliance linked American suppression of independence movements in Indochina with the oppression of Black struggles for equality and political power in the United States.[85] Soldiers of color in the US military often resisted deployment to Vietnam, and sometimes sought solidarity with other marginalized groups, including by advocating for the admission of Southeast Asian refugees.[86]

One of the clearest points of tension between the anti-communist and white supremacist strands of US foreign policy brought out by the war concerned the reception given to Vietnamese and other Southeast Asian immigrants displaced by the conflict. Anti-Asian bias has been a part of US immigration policy since the Chinese

Exclusion Act of 1882. It was further underscored by the internment of Japanese Americans during World War II. But the foreign policy goal of shaming communist governments by taking in people fleeing communist rule provided a significant countervailing tendency. The United States ultimately admitted hundreds of thousands of Vietnamese asylum seekers, as well as Cambodians, Laotians, and members of ethnic minorities in the period between 1975 and the normalization of relations in 1995. But certain classes of immigrants, including Amerasians, faced considerable barriers to entry and naturalization.

The failure of US military power in Vietnam is often said to have prompted a period of restraint and disengagement from armed conflicts overseas, reflecting a "Vietnam Syndrome." The same period, however, gave birth to the neoconservative movement in US foreign policy circles, according to which America had a responsibility to show strong international leadership, promote traditional values, and confront evil in the world. This perspective reached its zenith in the early 2000's with the wars in Iraq and Afghanistan, which can thus be regarded as part of the Vietnam War's foreign policy legacy. [87]

Vietnam remains one of a handful of communist countries in the world today. Over the last decade, America's relationships in Southeast Asia have taken on renewed significance. As part of President Obama's so-called "pivot to Asia," the Trans-Pacific Partnership was negotiated; this would have lowered trade barriers among Pacific Rim countries, including the US and Vietnam, with the goal of countering China's regional economic dominance. After the election of President Trump in 2016 the US withdrew from this agreement, while continuing to contest China's economic dominance through an Indo-Pacific strategy designed to maintain "US strategic dominance" in the region.[88]

Vietnam has benefited from these policy choices, with international businesses viewing the country as a less risky base for low-cost manufacturing.[89] The asymmetric political relationship between Vietnam and its much larger neighbor, however, means that there are limits to how much Vietnam can actively support US diplomatic or military challenges to China, for example in disputes over territorial control of the South China Sea.[90] At the same time, American interest in preserving Vietnam as a regional ally creates pressure against strong critique of Vietnamese human rights abuses, notably in the areas of freedom of expression.[91] From the perspective of Vietnamese leadership, reconciliation of the war legacies is essential for the US-Vietnam relationship to evolve further.

In recent years, American political theorists have discussed the idea that a future war between the US and China is inevitable, due to the strategic logic of what is sometimes called the "Thucydides Trap": the US, as the leading global military power, will not cede that position willingly, while China, as an emerging superpower, will not accept US efforts to restrict its economic or political influence.[92] Others have predicted a new cold war between the two nations. A bipolar conflict centered in Southeast Asia, whether hot or cold would have drastic economic, demographic, and security repercussions for Vietnam and other neighboring countries. It would also exacerbate existing anti-Asian prejudice in the US.

Critics of the idea of planning for a potential US military confrontation with China point out the domestic policy implications of such a position in ways that echo criticisms of Vietnam War-era decision-making.[93] Continued growth in military budgets incentivizes continued cuts in social programs at home, and puts up a strong barrier to any dramatic expansions of America's

social safety net, despite the severe inadequacies revealed by the COVID-19 pandemic. While economic and political competition with China is bound to continue over the next decade, there are also important opportunities for collaboration on green energy technology, climate change mitigation, and progress towards the UN sustainable development goals. All of these are issues in which domestic and foreign policy are closely intertwined, and the success of US leadership will depend on the ability to work with global partners to respond to them in a manner that deepens peace and avoids conflicts. Addressing war legacies, which the Vietnamese government regards as a prerequisite for deepening its bilateral relationship with the US, thus takes on strategic as well as moral significance.

Nancy Lindborg, former president of the United States Institute of Peace, receives a memento from General Nguyen Chi Vinh of Vietnam. *photo courtesy of USIP*

VETERANS' ACTIVISM

US veterans have proven a powerful force for change but can also reinforce social dynamics antithetical to democracy and peace

The most notable impact of veteran and service member advocacy from the Vietnam conflict is the end of conscription into the US armed forces and the voluntary nature of the contemporary military. After the war, and continuing today, veteran's advocacy remains a potent agent for legal and policy change by the US government particularly though not solely as it relates to the health and welfare of veterans. US veterans enjoy practical advantages when they engage in protests, advocacy campaigns, or other forms of activism. Having fulfilled their "soldier's contract," veterans gain implicit respect in the eyes of the public and of elected officials.[94] This respect, combined with an assumption of specialist knowledge on military matters, renders veterans' activism against current wars or in favor of reconciliation particularly impactful.

During the Vietnam War, active-duty service members offered unprecedentedly direct challenges to the decisions of the armed forces. Active-duty soldiers and sailors published underground newspapers, attended coffeehouses outside training camps, and even at times refused deployments. The Stop Our Ship (SOS) movement, in which sailors on the USS Kitty Hawk, USS Constellation, and other Navy vessels sought to prevent sailings and in some cases went AWOL, is just one example of such wartime activism.

The right of active-duty service members to engage in political protest is limited by requirements of military readiness. International and national laws allow reasonable restrictions on the exercise of freedom of association by members of the armed forces. The Vietnam War-era case *Cortright v. Resor* affirmed soldiers' constitutional right to freedom of expression in US law, but also signaled the judiciary's unwillingness to second-guess service branches' claims about force readiness.[95] This remains the case today, as active duty service members are highly restricted in the ways they can express their views concerning US foreign and domestic policy.

Veterans' First Amendment rights, by contrast, are not balanced by military requirements. During the Vietnam War, American veterans engaged in protest by discarding or returning medals, marching in demonstrations, and testifying before Congress. Their activism amplified the protests by active-duty soldiers and sailors. Because of the exclusion of women from combat roles in the US military during the Vietnam War, soldiers' and veterans' activism at that time was largely dominated by men. A number of women nurses, however, became prominent in the anti-war movement, notably US Navy nurse Susan Schnall, who was court-martialed in 1968 for participating in uniform in a San Francisco anti-war protest.

Although America's civil rights movement

predated the Vietnam conflict, central civil rights leaders like Julian Bond, Shirley Chisholm, Malcolm X, and Martin Luther King, Jr. consistently drew connections between the two. Protests by Black service members stationed in Vietnam in support of the civil rights movement are well documented. And key goals of the Black Panther Party intersected with anti-war sentiment, such as a call for de-escalating policing in Black neighborhoods, which often led to young Black men being forced to choose between prison time and war service.[96] When veterans of color returned home to their communities in the US in the late 1960's and early 1970's, they often saw themselves as defenders of their neighbors and relatives, just as Black Union veterans had in the American South during Reconstruction.[97]

Today, the voluntary nature of the armed services has not dampened veteran activism. America's post-9/11 wars in Iraq and Afghanistan inspired a new wave of political activism by veterans. The group Iraq Veterans Against the War (IVAW) was founded in Boston in 2004, and engaged in protests with Cindy Sheehan and other noted anti-war voices in New York City, Texas, and Washington, D.C. In March 2008, IVAW held a "Winter Soldier" summit for Iraq and Afghanistan, consciously modeled after the conference of the same name held by VVAW in 1971. That year, veterans groups protested outside the Republican and Democratic National Conventions, calling for an end to the wars in Iraq and Afghanistan.[98]

Veteran activism covers a wide variety of issues, from health care and immigration to gun policy and support for law enforcement.[99] The political mobilization of veterans is not limited to lobbying and peaceful protests, however. Veterans were among those who entered the white power movement that emerged in the 1970's and 1980's, and they participated in the patriot movement of the 1990's.[100] More recently, veterans have joined anti-government militias that sought to intimidate officials involved in public health policies around COVID-19.[101] Many veterans were on the scene of the violent storming of the US Capitol building on Jan. 6, 2021, some heroically working to protect lawmakers, others aiming to breach the building and block certification of the 2020 presidential election. Early reporting showed that one-fifth of the rioters charged in connection with the insurrection had military experience.[102]

A focus on Vietnam War legacies can help make sense of the anti-government ideology espoused by a small but visible minority of veterans. Shortly after America's withdrawal from Vietnam, the idea that the troops had been betrayed by civilian political leaders gained traction, producing an American version of the "stab-in-the-back" myth that developed in Germany at the end of World War I.[103] Claims that the US government had allowed thousands of prisoners of war (POWs) to languish in Vietnamese prisons even after the Paris Peace Accords added fuel to the fire.[104] The POW/MIA flag that flies above cemeteries and government buildings across the US has succeeded in drawing attention to those American soldiers who have yet to be accounted for. But it has also been embraced by extremist groups for whom it signifies a deep distrust, if not hostility, to the elected government of the US.[05]

People attend a Veterans Day Rally in Iowa City on Monday, November 11, 2019.
photo courtesy of Veterans for Peace

STORIES OF ADVOCACY

GARETT REPPENHAGEN

Veterans for Peace

I'm sure many suicides are motivated by intense shame, disgust, and helplessness. The intense experiences and conscientious conflicts brought on by military conflict create an environment with ample opportunity to develop moral injury.

I have both PTSD and moral injury. The PTSD is treatable and I learn to live with the symptoms. The VA will never create a pill that can cure my self-loathing and reverse the betrayal of my society.

I was able to survive my transition home, after serving as a sniper in the US Army in Iraq, through activism and service. As I try to reach some atonement and forgiveness for my participation in the perpetration of violence and death in Iraq, it has driven me on a quest to balance the karmic scales and put good back into the world. This repentance sometimes takes the form of service projects. While helping to improve and repair harm that was caused, often in direct result of US Foriegn policy and war, I also heal myself.

Veterans For Peace has multiple service efforts as national projects, working groups or campaigns. The Iraq Water Project helps supply units to Iraqi villages that help produce clean water and the Deported Veterans Advocacy Project helps support veterans who were deported to Mexico after their military service. One of the most notable is the work the Vietnam VFP Chapter No. 160 does with partnership in the Friendship Village to mitigate the legacy of Agent Orange and Unexploded Ordnance.

My own father died of cancer connected to Agent Orange when I was 13 years old. He served as an engineer and worked with heavy machinery leveling ground and building infrastructure after vegetation was cleared by defoliants. He dug and moved soil saturated with Agent Orange daily while he was deployed for a year. Most of his comrades suffered similar fates. But the toll on US Service members pales in comparison with the communities left to live on, farm and fish in the landscape so impacted by chemicals and weapons.

The amount of disability and other healthcare issues left behind by chemicals used as defoliants during the American War in Vietnam is still an ongoing atrocity. There are still injuries, limb loss and deaths associated with weapons left over from the war, mostly unexploded air-dropped ordnance. It is not surprising that many US veterans who fought in that conflict are drawn to trying to help the people of Vietnam recover from the lasting remnants of the damage they participated in.

Many modern veterans organizations focus on continued service. Mission Continues helps veterans get involved in local nonprofits and community projects and pays them a stipend to help support their needs. Team Rubicon trains and deploys veterans to help with disaster relief. Many veterans organizations are designed to just help other veterans.

Many veterans become attached to the concept of serving others and it becomes part of their identity. That is the source of their pride. They

would not only help others but even put their own lives at risk to do so. Although the intention of serving others is something that should be honored, many of us realize that we were used and the myth of real service to our country, and to others in need, was just a betrayal. To serve in a genuine way after we take off the uniform is empowering and healing.

Activism to change US policy and divert the nation's militarization is one of the biggest services of all. Not only can we help end current conflicts, we can prevent future wars. Organizing to end war will make sure future harm does not come to foriegn nationals around the globe, and it will prevent service members from committing harm and following in our footsteps.

Many veteran activists and volunteers are driven by moral injury. These acts of altruism help us heal and give positive outlets to apply our anger over the betrayal. That is why it was so frustrating to hear President Trump call fallen service members and veterans "Losers" and "Suckers," It is a strange paradox since in many ways I feel like both a loser and a sucker. I bought in to a lie about what US military service really was and in turn became an instrument to help support the military industrial complex, support political ambitions and take part in extractive colonialism. I was injured. But the reality is, in war there are no winners. We all lose, at least the common person. It depletes resources in the defense budget that could go to public support, our international credibility is fractured and most likely we undermine our national security by building more enemies that are twice as emboldened by US aggression.

But, Donald Trump is coming at these comments from a different perspective. He is disconnected with why anyone would serve others. His privileged life in a womb of capitalist values has brought him to a view that

A. The author during his deployment in Iraq with the US Army. B. The author participates in guerrilla street theater protest against Iraq War, New York City, 2007. *photos courtesy of Garett Reppenhagen*

someone shouldn't do anything that does not directly benefit them solely. His world is full of transactional relationships and competitive advantages. Exploitation and externalities are common tactics of the greedy egoist.

Veterans For Peace members might be aware of the deceit of our institutions and systems, but we haven't turned from the pride of service, we doubled down. We leaned into altruism to find rehabilitation and forgiveness. To discover, for once, a mission of honest service guided by our own hearts and good intentions.

Militia member makes white power gesture outside the Capitol. *photo by Johnny Silvercloud*

MILITARISM AND RIGHT-WING MOVEMENTS

Vietnam War-era policies and failures to address them have led to increased political and social violence in the US

The Vietnam War provoked the broadest public exploration of militarization of US society in the 20th century, impacting American political and social discourse today. Militarized societies are those in which the tactics, organizations, equipment, and anxieties characteristic of armed conflict infiltrate everyday life. The student protestors, civil rights organizers, and peace activists of the Vietnam era condemned the militarization of American society, even while debating the best responses to armed police or counter-protestors. At the same time, governors, senators, and candidates for the White House proposed laws and enacted policies that brought military vehicles and equipment to the streets of US towns and cities, and applied the language of war to domestic crime prevention.

The coordination between police departments and National Guard units during peace and civil rights protests in the 1960's narrowed the historical gap between these agencies. This fact was tragically illustrated when Ohio National Guard troops fired on students at Kent State University on May 4, 1970 and Mississippi highway patrol members fired on students at Jackson State University ten days later.[106] Historians of policing in America highlight specific tactical and organizational changes that brought police departments closer to military units in this period. Highly organized SWAT (Special Weapons and Tactics) teams were first instituted within local police departments in the 1960's. Military tactics for suppressing unrest, such as the use of no-knock warrants to detain suspects, also began to be used domestically during the Vietnam era.

Equipment sharing, like sharing of tactics, provides visible evidence of militarization in policing. The National Defense Authorization Act of 1990, passed by Congress as the Cold War was coming to an end, first legalized the transfer of surplus military equipment to state and federal law enforcement agencies.[107] In a political context shaped by the phrases "War on Drugs" and "War on Crime," it is not surprising that such equipment was first used to enforce drug laws. Additional legislation in the mid-1990's gave this policy the name the 1033 Program, while executive action mandated cooperation between the Department of Defense and the Department of Justice.[108] The massive military production triggered by the wars in Iraq and Afghanistan ended in transfers of vehicles, weapons, and other gear still in use by police departments today.[109]

Black leaders and intellectuals in the Vietnam era made it clear that the burdens of America's wars have never been distributed equally. Martin Luther King Jr., Shirley Chisholm, and other civil rights pioneers directly connected the high cost of overseas military spending with the insufficient

resources available for poor Americans at home. The 10-Point Program of the Black Panther Party drew clear connections between police brutality, criminalization of Black men, and disproportionate African American casualties in Vietnam.[110] While the draft is no longer in operation, mass incarceration and police brutality against Black people remain major problems in America's towns and cities today. The gender-differentiated impacts of these policies likewise remain visible, with young Black men facing a greater lifetime risk of incarceration than any comparable demographic group.

Black activists and cultural figures still take different positions on the priorities of the racial justice movement. Some call for armed self-defense today, just as Malcolm X and other African American intellectuals did in the 1960's[111]. The targeted mass shootings of Black worshippers in Charleston, South Carolina, and Hispanic shoppers in El Paso, Texas, combined with prominent cases of police shootings of unarmed Black people, lend plausibility to the view that state and federal agencies have done too little to keep Americans of color safe. The COVID-19 pandemic, which has accelerated gun sales across the country, has also provided clear evidence of police brutalizing citizens exercising their rights to assembly and expression, and has led to calls for treating police brutality as a public health concern.[112] Members of the Black Lives Matter movement, known for its call to "defund the police," also advocate for decreasing US defense spending by 50% and reallocating those funds to domestic needs.[113]

Right-wing militias and white supremacist groups have been widely visible in recent years, from the 2017 "Unite the Right" rally in Charlottesville, Virginia, to the 2020 presidential election. Such groups have a long history in the US, but novel methods of organization and recruitment via digital technologies now allow them to aggressively target new members.[114] While their goals vary, these groups share hypermasculine identities and misogynist ideologies.[115] Gun ownership and the Second Amendment are central concerns for many of these groups, which view guns as providing security against what they see as the coercive power of the Federal government. This is despite the fact that total firearms in civilian possession now exceeds the number of citizens in the US, and that high-profile mass shootings have increased the securitization of public spaces, including schools and houses of worship.

Though the establishment of civilian militias in the United States is prohibited by law,[116] the wide room for maneuver these groups have been given in US society, enabled by former President Trump's supportive rhetoric, has made enforcement of those laws extremely difficult. The Southern Poverty Law Center has identified links between many of these groups and white nationalism, while the FBI has warned about the rise of domestic terrorism.[117] Most recently, America's Secretary of Defense authorized a military-wide effort to combat extremism and radicalization of troops.[118]

As these facts suggest, militarization has infused law enforcement, immigration enforcement, and civil society in the US in the decades since the Vietnam War. This period has not evidenced, however, a similar level of investment in strengthening the legacy of peace activism in American society from that era. While the risks posed by militarism to US stability and democracy are highly salient today, the burden remains on under-resourced community organizations and transnational advocacy networks that work at the margins to make the case for more restorative and equitable institutions and a less violent society.

SOUTHEAST ASIA

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1. United Nations, "Guidance Note to the Secretary General on United Nations Approach to Transitional Justice," March 2010, p. 2.
2. Bruce J. Schulman, "Out of the Streets and into the Classroom? The New Left in United States History Textbooks," Journal of American History, Vol. 85, No. 4, March 1999, pp. 1527-1534; Robbie Lieberman, "Teaching the Vietnam Antiwar Movement: Confronting Myths and Misconceptions," Journal of American History, Vol. 105, No. 4, March 2019, pp. 959-965.
3. Viet Thanh Nguyen, Nothing Ever Dies: Vietnam and the Memory of War (Cambridge, MA: Harvard University Press, 2016).
4. Gary Solis, "America, the 1949 Geneva Conventions, and War Crime Courts-Martial in the Vietnam Conflict," in Evangelista and Tannenwald (eds.), Do the Geneva Conventions Matter? (New York: Oxford University Press, 2017), 124. "Serious crimes" here includes (1) murder, (2) manslaughter, (3) rape, and (4) mutilation of a corpse.
5. Seymour Hersh,"Lieutenant Accused of Murdering 109 Civilians," reprinted in Milton Bates et al (eds.), Reporting Vietnam Part II: American Journalism 1969-1975 (New York: Library Classics of the United States, 1998), 13-27.
6. ibid., 117.
7. ibid., 120.
8. Richard Ashby Wilson, Writing History in International Criminal Trials (New York: Cambridge University Press, 2011).
9. Heather Marie Stur, Beyond Combat: Women and Gender in the Vietnam War Era (New York: Cambridge University Press, 2011), 162.
10. ibid.
11. Michael Allen, Until the Last Man Comes Home: POWs, MIAs, and the Unending Vietnam War (Chapel Hill: UNC Press, 2009), 76-83.
12. Andrew Byrnes and Gabrielle Simm, "International Peoples' Tribunals: Their Nature, Practice and Significance," in Byrnes and Simm, Peoples' Tribunals and International Law (New York: Cambridge University Press, 2017), 11-40.
13. Marcos Zunino, "Subversive Justice: The Russell Vietnam War Crimes Tribunal and Transitional Justice," International Journal of Transitional Justice (2016), 211-229.
14. Patrick Hagopian, American Immunity: War Crimes and the Limits of International Law (Amherst, MA: University of Massachusetts Press, 2013), Ch. 1.
15. L.A. Dickinson, Outsourcing War and Peace (New Haven: Yale University Press, 2011).
16. Hagopian 2013, Ch. 7.
17. Christopher Kutz argues that the threat of 'norm death' is ever-present in democratic societies. See Kutz, "How Norms Die: Torture and Assassination in American Policy," Ethics and International Affairs 28, no.4 (2014): 426–430.
18. Katherine Gallagher, remarks at October 2020 Vietnam Legacies Symposium, University of Dayton.
19. https://www.va.gov/disability/eligibility/hazardous-materials-exposure/agent-orange/
20. Stellman, J., Stellman, S., Christian, R. et al. The extent and patterns of usage of Agent Orange and other herbicides in Vietnam. Nature 422, 681–687 (2003).
21. Arthur W. Galston, "Falling Leaves and Ethical Dilemmas: Agent Orange in Vietnam," in Galston and Schurr (eds.), New Dimensions in Bioethics (Springer, 2001), 109-124.
22. Edwin Martini, Agent Orange: History,

Science, and the Politics of Uncertainty (Amherst, MA: University of Massachusetts Press, 2012), Ch. 2.

23. https://www.militarytimes.com/news/pentagon-congress/2020/12/02/vietnam-veterans-with-high-blood-pressure-other-serious-illnesses-would-get-presumptive-benefit-status-in-final-defense-budget-bill/
24. Congressional Research Service (CRS) Report R44268, "U.S. Agent Orange/Dioxin Assistance to Vietnam," February 2019. Accessed online at https://crsreports.congress.gov/product/details?prodcode=R44268
25. ibid.
26. https://www.bbc.com/news/world-asia-48000185
27. https://www.devex.com/news/usaid-begins-new-round-of-agent-orange-cleanup-in-vietnam-96222
28. Le Ke Son and Charles Bailey, From Enemies to Partners: Vietnam, the U.S. and Agent Orange (Chicago: G. Anton Publishing, 2018).
29. https://www.nytimes.com/2016/10/31/us/vietnam-war-legacy.html
30. Pierre Asselin, Vietnam's American War (New York: Cambridge University Press, 2018), 6.
31. https://www.dw.com/en/clearing-cambodias-leftover-land-mines-a-dangerous-job/a-45293663
32. http://www.the-monitor.org/en-gb/reports/2019/cambodia/mine-action.aspx
33. http://www.icbl.org/en-gb/the-treaty/treaty-status.aspx
34. https://www.state.gov/u-s-conventional-weapons-destruction-programs-in-southeast-asia/
35. Legacies of War Special Report: "Lighting New Legacies," accessed online at: http://legaciesofwar.org/legacies-of-war-special-report-lighting-new-legacies/
36. https://www.warlegacies.org/untold-stories
37. https://www.halotrust.org/where-we-work/south-asia/cambodia/
38. https://vietnamnews.vn/society/570796/peacetrees-vietnam-marks-25-years-of-uxo-activities-in-vn.html
39. Patrick Hagopian, The Vietnam War in American Memory (Amherst: University of Massachusetts Press, 2010), 407.
40. Christina Schwenkel, The American War in Contemporary Vietnam (Indianapolis: Indiana University Press, 2009), 166.
41. See for example The Heritage Foundation's 2009 report, Barack Obama's Top 10 Apologies: How the President Has Humiliated a Superpower. Accessed online at: https://www.heritage.org/europe/report/barack-obamas-top-10-apologies-how-the-president-has-humiliated-superpower
42. https://obamawhitehouse.archives.gov/the-press-office/2016/09/06/remarks-president-obama-people-laos
43. David Kieran, Signature Wounds: The Untold Story of the Military's Mental Health Crisis (New York: NYU Press, 2019), 86-87.
44. Veterans Administration, "Exposure to Agent Orange in Vietnam," website, accessed 11.13.20 https://www.publichealth.va.gov/exposures/agentorange/locations/vietnam.asp
45. Kieran 2019.. The 'D', short for 'disorder,' in this term has more recently been contested.
46. ibid., 53; 319n82.
47. Christina Schwenkel, The American War in Contemporary Vietnam (Bloomington, IN: Indiana University Press, 2009), 36.
48. ibid., 72.
49. Peter van Tuijl, "Civil Society and the

Power to Build Peaceful and Inclusive Societies," in David Cortright, Melanie Greenberg, and Laurel Stone (eds.), Civil Society, Peace, and Power (London: Rowman and Littlefield, 2016), 1-20.

50. Allison Varzally, Children of Reunion (Chapel Hill: UNC Press, 2017), 22.
51. Minarik, "Sound Off" article.
52. Jana Lipman, In Camps: Vietnamese Refugees, Asylum Seekers, and Repatriates (Berkeley, CA: University of California Press, 2020); Yen Le Espiritu 2014.
53. ibid.
54. Ibid., 98-99; 111.
55. Valverde 2012
56. Many of these organizations are funded by other organizations, for example, Project RENEW receives funds for their work from international organizations like: UKaid, Irish Aid, Norwegian People's Aid, the Norwegian government, A Foundation of Philanthropic Funds, Veterans for Peace, and TOMS shoes.
57. https://vn.usembassy.gov/the-united-states-and-vietnam-strengthen-partnership-to-address-war-legacies-2/
58. Patrick Hagopian, The Vietnam War in American Memory (Amherst, MA: University of Massachusetts Press, 2010).
59. ibid., 303-305.
60. Yen Le Espiritu, Body Counts: The Vietnam War and Militarized Refugees (Berkeley, CA: University of California Press, 2014).
61. James Young, The Texture of Memory: Holocaust Memorials and Meaning (New Haven: Yale University Press, 1993).
62. Kirk Savage, Standing Soldiers, Kneeling Slaves: Race, War, and Monument in Nineteenth-Century America (Princeton, NJ: Princeton University Press, 2018), ix.
63. Madi Gilkes, "Missing from History: The Other Prisoners of War," Trouble & Strife 41 (Summer 2000). Accessed online at: http://www.trouble.myzen.co.uk/?page_id=81
64. David Kieran, " 'How Far From Andersonville is Vietnam?:' Vietnam Revisionism and Andersonville National Historic Site," in Kieran, Forever Vietnam (Amherst, MA: University of Massachusetts Press, 2014), 14-51.
65. Christine Sylvester, Curating and Re-Curating the American Wars in Vietnam and Iraq (Oxford: Oxford University Press, 2019).
66. Jeffrey Loeb, "MIA: African American Autobiography of the Vietnam War," in African American Review 31:1 (1997), 105-123.
67. Exceptions include Dead Presidents and, more recently, Da 5 Bloods.
68. https://time.com/3916073/anna-mae-hays-female-general/
69. https://www.womensmemorial.org/history/detail/?s=after-the-tet-offensive
70. https://www.nytimes.com/2017/06/06/opinion/vietnam-war-women-soldiers.html
71. Marita Sturken, Tangled Memories: The Vietnam War, the AIDS Epidemic, and the Politics of Remembering (Berkeley: University of California Press, 1997), 105-106.
72. https://thediplomat.com/2019/11/vietnams-human-trafficking-problem-is-too-big-to-ignore/
73. Valverde 2012.
74. Hagopian 2010, 1110; 425-426.
75. Varzally 2017.
76. Espiritu 2014, 143.
77. Ruben Rumbaut, "Vietnamese, Laotian, and Cambodian Americans," in Suárez-Orosco, Suárez-Orosco, and Qin-Hilliard, Interdisciplinary Perspectives on the New Immigration, Vol. 1 (New York: Routledge, 2001), 308-346 ; Gary Yia Lee and Nicholas Tapp, Culture and Customs

of the Hmong (Santa Barbara, CA: Greenwood, 2010).
78. Kieu-Linh Caroline Valverde, Transnationalizing Viet Nam: Community, Culture, and Politics in the Diaspora (Philadelphia: Temple University Press, 2012).
79. Marianne Hirsch, The Generation of Postmemory: Writing and Visual Culture After the Holocaust (New York: Columbia University Press, 2012); Gary Weissman, Fantasies of Witnessing: Postwar Efforts to Experience the Holocaust (Ithaca, NY: Cornell University Press, 2004).
80. Ervin Staub, Overcoming Evil: Genocide, Violent Conflict, and Terrorism (New York: Oxford University Press, 2013), Chs. 17 & 22.
81. Thi Bui, The Best We Could Do: An Illustrated Memoir (New York: Abrams, 2018).
82. Australian Government, Vietnam Veterans Family Study, Volume 1 (2014), 9. Accessed online at https://www.dva.gov.au/sites/default/files/files/consultation%20and%20grants/healthstudies/vvfs/vvfs_vol1.pdf
83. https://pubmed.ncbi.nlm.nih.gov/27529559/
84. https://www.nytimes.com/2005/07/22/opinion/derrick-z-jackson-the-westmoreland-mindset.html
85. Ashley Farmer, Remaking Black Power: How Black Women Transformed an Era (Chapel Hill: UNC Press, 2019).
86. JJ Johnson, “If A Small Nation Can Overcome, Perhaps We Can, Too,” in Ron Carver, David Cortright, and Barbara Doherty (eds.), Waging Peace in Vietnam: Us Soldiers and Veterans Who Opposed the War (New York: New Village Press, 2019); also https://www.silongchhun.com/blog/black-americans-urge-admission-of-the-indochinese-refugees.
87. Andrew Bacevich, presentation at University of Dayton Vietnam Legacies Symposium, October 2020.
88. https://thediplomat.com/2021/01/the-us-strategic-framework-for-the-indo-pacific-3-curiosities/
89. https://www.wsj.com/articles/for-manufacturers-in-china-breaking-up-is-hard-to-do-11566397989
90. Hong Hiep Le, Living Next to the Giant: The Political Economy of Vietnam’s Relations with China Under Doi Moi (Singapore: ISEAS Publishing, 2016); Huong Le Thu, “Vietnam’s Response to the United States’ Changing Approach to the South China Sea,” Council on Foreign Relations Blog, August 3, 2020, accessed online at: https://www.cfr.org/blog/vietnams-response-united-states-changing-approach-south-china-sea
91. https://freedomhouse.org/country/vietnam/freedom-world/2020
92. Graham Allison, Destined for War: Can America and China Escape Thucydides’s Trap? (New York: Mariner Books, 2018.
93. Andrew Bacevich, “The China Conundrum: Deterrence as Dominance,” The American Prospect, Sept. 15, 2020.
94. Benjamin Schrader, Fight to Live, Live to Fight: Veteran Activism After War (NY: SUNY Press, 2019).
95. Ron Carver, David Cortright, and Barbara Doherty, Waging Peace in Vietnam (New York: New Village Press, 2019).
96. Maxwell 2019.
97. Selika Ducksworth-Lawton, Presentation at UD Vietnam Legacies Symposium, October 2020
98. IVAW has since been renamed as About Face: Veterans Against War.
99. Schrader 2019. .
100. Kathleen Belew, Bring the War Home: The White Power Movement and Paramilitary America (Cambridge, MA: Harvard University Press, 2018).

101. https://www.military.com/daily-news/2020/10/10/2-marine-corps-vets-among-those-arrested-michigan-governor-kidnapping-plot.html
102. www.npr.org/2021/01/21/958915267/nearly-one-in-five-defendants-in-capitol-riot-cases-served-in-the-military
103. Jeffrey Kimball, "The Enduring Paradigm of the 'Lost Cause': Defeat in Vietnam, the Stab-in-the-Back Legend, and the Construction of a Myth," in Jenny Macleod (ed.), Defeat and Memory: Cultural Histories of Military Defeat in the Modern Era (London: Palgrave Macmillan, 2008), 233-249.
104. Ibid., 241-2.
105. H. Bruce Franklin, "Missing in Action in the Twenty-First Century," in Scott Laderman and Edward Martini (eds.), Four Decades On: Vietnam, the United States, and the Legacies of the Second Indochina War (Durham, NC: Duke University Press, 2013), 259-296.
106. David Chura, " 'Mississippi Phenomenon': Reinterpreting the 1970 Jackson State Shooting in the Era of Black Lives Matter," Peace & Change 44:1 (2019), 68-90.
107. Vincenzo Bove and Evelina Gavrilova, "Police Officer on the Frontline or a Soldier? The Effect of
108. Police Militarization on Crime," American Economic Journal: Economic Policy 9:3 (2017), 1-18.
109. Peter Kraska and Victor Kappeler, "Militarizing American Police: The Rise and Normalization of Paramilitary Units," Social Problems 44:1 (1997), 1-18.
110. https://www.texastribune.org/2021/02/07/biden-immigration-ice/
111. Jeremy Maxwell, "The Military No More: Vietnam, Civil Rights, and Attitudes Toward Change," in Robert F. Jefferson (ed.), Black Veterans, Politics, and Civil Rights in Twentieth-Century America: Closing Ranks (New York: Lexington Books, 2019), 63-80.
112. Selika Ducksworth-Lawton, Presentation at UD Vietnam Legacies Symposium, October 2020.
113. https://www.apha.org/news-and-media/news-releases/apha-news-releases/2020/apha-calls-out-police-violence
114. https://m4bl.org/wp-content/uploads/2020/05/CutMilitaryExpendituresOnePager. pdf?fbclid=IwAR2MwH-3H0s9oHmBHDeitrwcmXZu89FaQ0y_HcyvXnzlriW5879epNdERzZs
115. https://thehill.com/policy/defense/537894-pentagon-extremist-groups-recruit-from-military
116. Michael Kimmel, Angry White Men American Masculinity at the End of an Era. (New York: Bold Type Books, 2017).
117. https://www.wsj.com/articles/what-are-militias-and-are-they-legal-11602370719
118. https://www.fbi.gov/news/testimony/worldwide-threats-to-the-homeland-091720
119. https://thehill.com/policy/defense/537894-pentagon-extremist-groups-recruit-from-military

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