



Accounting for the stateless: in search of the Republic of Vietnam war dead

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Abstract

Finding, identifying and interring the war dead are ethically and ceremonially crucial tasks for healing, repairing and legitimising. Before the end of the Vietnam War, the United States had begun to look for missing Americans in Vietnam, Laos and Cambodia. In the wake of its victory and takeover of South Vietnam, the Socialist Republic of Vietnam went to great lengths to identify and immortalise its fallen soldiers. The same cannot be said for the war dead of the Republic of Vietnam, whose fall on 30 April 1975 made the war dead stateless; consequently they have never been legitimately acknowledged by the current Vietnamese government or their former ally, the United States. This article explores the accounting efforts by Nguyễn Đạc Thành and the Vietnamese American Foundation to reveal the financial, logistical, technical and political opportunities and challenges in accounting for war dead associated with a state that no longer exists.

Key words: Vietnam War, Republic of Vietnam, Vietnamese Americans, war dead, prisoners of war, war memories

Introduction

After twenty years of political and military conflict, half of which included intensive engagement by the United States (US), the Vietnam War ended on 30 April 1975. From the American perspective, the war was and still is a contested debate between supporters and protesters, one that killed 58,220 members of the US military. For the communist Vietnamese, the war was a victory over the greatest military power in history – one that geographically unified Vietnam at the expense of more than a million North Vietnamese and Viet Cong fighters. For many who had been loyal to the Republic of Vietnam (RVN), the end of the war was a day of mourning for the loss of a country and of an estimated 300,000 South Vietnamese soldiers.¹ These numbers do not include the two million Vietnamese civilians, Cambodians, Laotians and nationals of other countries who also perished. To this day, most of these bodies have not been recovered.



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The attempt to locate war dead and prisoners of war who died in combat or while imprisoned has not ended. Finding, identifying and interring the war and war-associated dead are ethical and ceremonial obligations. They are, however, contested social and political acts that are frequently regarded and treated differently. Even before the end of the war, the US had begun to look for missing Americans in Laos, Cambodia and Vietnam. With approximately 1,500 US personnel still missing, the US Department of Defense has spent hundreds of millions of dollars over the years to find and retrieve their remains. After its takeover of South Vietnam, the Socialist Republic of Vietnam (SRV) also went to considerable efforts to identify and memorialise its fallen soldiers, including seeking financial and technical assistance from the US.

The same cannot be said for those who died serving the RVN, as they have never been properly recognized by the Vietnamese government, or even the United States. This begs the question of statehood and the treatment of war dead after the end of hostilities. After 30 April 1975, the RVN no longer existed, and the political representation to protect and advocate on behalf of its war dead ended. Moreover, despite being legally situated under the sovereignty of the unified SRV, RVN-associated war dead were never treated and recognised by the SRV with the same respect as legitimate citizens of the Vietnamese state. Instead, the RVN-affiliated war dead and their burial sites, including those who died in post-war re-education camps throughout Vietnam, were frequently viewed as vestiges of an enemy state, disassociated with the current regime, and thus delegitimised and neglected.² Consequently, the RVN fallen have arguably been treated like stateless entities and formally ignored in the SRV's efforts to account for and care for the war dead.³

This article addresses important questions regarding the war dead associated with a state that no longer exists. Who may represent them beyond their families and friends now that the government they fought for is gone? What are the political, financial, logistical and technical challenges to such an effort? Is it even possible to account for them? How? What benefits would that effort bring to the dead, their families and the relevant communities?

Despite the lack of formal systematic accounting efforts comparable to those put forth by the Vietnamese and American governments, there have been some initiatives to identify and recover the RVN dead, mostly by the families of the missing and small organisations. To address the questions above, this article delves into the work of Nguyễn Đạc Thành and the Vietnamese American Foundation (VAF) that he founded. Looking at the politics of locating and exhuming RVN remains and the renovation and restoration of the RVN Biên Hòa Military Cemetery, the article argues that peripheral entities associated with a fallen state such as Nguyễn Đạc Thành and the VAF often have to face many challenges, including from those within their own community, when trying to account for and care for soldiers and service personnel who died in the service of a state that no longer exists. Nonetheless, despite those challenges, particularly political and financial, there exist avenues in which these entities can leverage their position to achieve the task of accounting for and caring for the war dead. These avenues, however, require

navigating and balancing the contentious politics of contested national memory and the humanitarian yet also political act of caring for the war dead.⁴

The article will begin with a description of Nguyễn Đạc Thành and his establishment of the VAF, whose purpose is to account for RVN war dead. It then discusses the politics of accounting for RVN war dead, specifically how the VAF navigated and leveraged Vietnamese and American politics. The next section examines the difficulty of locating, exhuming and repatriating RVN remains. The article then shifts to the VAF's decision to renovate the RVN Biên Hoà Military Cemetery. Finally, it depicts politics of mistrust within the Vietnamese American community and how these may have hampered the VAF's mission.

Nguyễn Đạc Thành and the VAF

Nguyễn Đạc Thành's wartime experience combined with the SRV's treatment of RVN-associated war dead shaped his post-war commitment to the unrecovered RVN service personnel.⁵ A graduate of the 8th class of Armor and the 12th class of Thủ Đức Infantry School, Thành attained the rank of major and served in the Châu Đốc sub-area, RVN. After the fall of Saigon, Thành was imprisoned for nine years and seven months in re-education camps throughout northern Vietnam. He later recalled that having to bury many of his fellow prisoners led him to vow 'that if I ever made it out alive, I would do everything I possibly could to bring them home to their families'. His pledge inspired the motto of the VAF that he eventually established in the US: 'I will search for you for the remaining days of my life.'⁶

In 1990, Thành came to New York during the third phase of the Humanitarian Operation (H.O.) programme, a programme that enabled former re-education camp prisoners imprisoned for at least three years to immigrate to the US along with their families. From there, Thành moved to Pearland, Texas, a suburb of Houston. Before keeping his promise to his fellow campmates, Thành worked to support his family and educate his children.⁷ By 1995, he had established and become president of the Houston-based Tổng Hội H.O. [General Mutual Assistance Association of Humanitarian Operation], with the mission of finding and recovering the remains of RVN service personnel lost during the war as well as during post-war re-education detention. Intermittently engaged over the next two decades, he redoubled his efforts in the mid-2000s and transformed the Tổng Hội H.O. into the VAF.⁸

According to a 16 May 2010 response to inquiries from *Thời Báo Magazine*, the VAF has two Doing Business As (DBAs): (1) the Returning Casualty Program and (2) the Vietnamese MIA/POW Foundation. Thành established the former in December 2006, to keep the promise he had made to those who had perished in communist re-education camps. Its mission is to help families locate and collect the remains of those left behind in post-war re-education camps, as well as to assist family members of the deceased, both inside Vietnam and abroad, with exhumation and advocate for the reburial of the deceased who have no known living relatives.⁹ In contrast, the mission of the Vietnamese MIA/POW Foundation

is to locate and rebury the remains of South Vietnamese soldiers lost in combat during the Vietnam War. This latter programme was to be implemented after the completion of the first.¹⁰ However, since 2010, the Vietnamese MIA/POW Foundation's mission has shifted to the renovation of RVN Biên Hoà Military Cemetery (presently Binh An Cemetery) in Binh Dương Province.

To aid in the Returning Casualty Program's effort to account for the remains of those who died in re-education camps, the VAF facilitated the establishment of Nhóm Gia Đình Tử Sĩ [Families of Fallen Heroes] in December 2006.¹¹ By joining the group, members help to identify missing individuals and the camps in which they were held. According to Nguyễn Đạc Thành, the surviving family members are the only ones who have the right to decide what is to be done with the remains of their loved ones. The VAF positions itself to speak on behalf of the dead, but it has no power over the families. Instead, families have the responsibility of locating graves for their own and other families. Alternatively, the VAF is limited to searching the general area or camp where the person disappeared.¹²

Through the purposeful formation of supporting organisations and groups such as the VAF and the Families of Fallen Heroes, Nguyễn Đạc Thành is essentially establishing the foundation necessary to enable him to voice his concerns and carry out his mission of accounting for the RVN war dead.

The politics of accounting for RVN remains

To find RVN remains, Nguyễn Đạc Thành and the VAF lobbied for the support of the US and Vietnamese governments. Moreover, timing was also an important component in determining Thành and the VAF's actions. In 2004, the Vietnamese Politburo issued Resolution NQ/TW 36 [Nghị quyết 36], the first guidelines and policies toward the overseas Vietnamese community, including those formerly associated with the former RVN. Phạm Thế Duyệt, Chairman of the Presidium of the Central Committee of the Vietnamese Fatherland Front, described the general objective of the resolution as follows:

Based on the actual situation, our Party wishes the great national unity bloc to be firmly consolidated and expanded, with special attention to the overseas Vietnamese community. Our Party and State want to create a synchronisation of Vietnamese at home and abroad with the same sense of responsibility toward developing the homeland.¹³

Despite the Vietnamese government's stated intention, Resolution 36 met with staunch opposition from many anti-communist overseas Vietnamese communities, who saw it as a ploy to recruit overseas Vietnamese and brainwash their views of Vietnam and the communist regime.¹⁴ However, Nguyễn Đạc Thành saw the resolution as an opportunity to advocate for his mission of accounting for RVN service personnel who had died in re-education camps. Thus, in 2006, on the occasion of former President George W. Bush's visit to Vietnam, Nguyễn Đạc Thành, through an American liaison, reached out to the Association for Liaison with

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Overseas Vietnamese [ALOV; Hội Liên Lạc Người Việt Nước Ngoài], a Vietnamese state agency created by the State Committee for Overseas Vietnamese [Ủy Ban Nhà Nước Về Người Việt Nam Ở Nước Ngoài] under the Ministry of Foreign Affairs, to request permission to locate and exhume the remains of his comrades from re-education camps.¹⁵ The Vietnamese government approved Thành's request and invited him to Vietnam in January 2007 to discuss the matter with Vietnamese officials, including former Prime Minister Võ Văn Kiệt, an influential and progressive figure in Vietnamese politics who had advocated for reconciliation.

After Thành returned to the US, the Vietnamese embassy in Washington DC sent Trung Nguyễn to Texas to inform Thành that the Vietnamese government had accepted his proposal to identify, exhume and relocate the remains of former RVN military and civilian officials, but that the Vietnamese government insisted on appointing a special committee.¹⁶ In October, Nguyễn Đạc Thành met with Nguyễn Phú Bình, Vietnam's Deputy Minister of Foreign Affairs, who informed Thành that the Vietnamese government had allowed the VAF to locate, exhume and rebury the remains of RVN personnel who had died in re-education camps.

In addition to accounting for RVN service personnel who had died in re-education camps, in 2010, the VAF's other DBA, the Vietnamese MIA/POW Foundation, which was initially established to locate RVN service personnel who had died during the war, shifted that main focus toward renovating and caring for the RVN Biên Hoà Military Cemetery. This sudden shift from its original emphasis may be related to a point made on 17 October 2011, when the VAF announced that although it had gathered sufficient information concerning the remains of South Vietnamese soldiers who had died during the war, including a detachment of airborne special forces into North Vietnam, the progress toward locating the remains had stalled. Without explanation, the VAF announcement seemed to imply that the delay had resulted from the Vietnamese government allowing only for the identification and exhumation of the remains of detainees in re-education camps and having not yet made a decision regarding South Vietnamese personnel who had died in combat.¹⁷ For this reason, the VAF had to shift its concentration away from trying to locate South Vietnamese personnel who had died or gone missing during the conflict and toward renovating the Biên Hòa National Military Cemetery, a cause close to the hearts of many overseas Vietnamese because the cemetery is the burial site of over 18,000 fallen Army of the Republic of Vietnam (ARVN) soldiers and officials.¹⁸

Thus, in the early 2010s, the VAF sought the support of the Vietnamese and US governments to renovate the Biên Hòa Military Cemetery. At a 15 October 2012 meeting in Houston with the Vietnamese Foreign Ministry delegation led by Deputy Minister Nguyễn Thanh Sơn, the VAF made five requests of the Vietnamese government: (1) to allow for the reburial of bodies from the mass grave inside Đồng An Vocational College in Biên Hòa Cemetery; (2) to permit relatives to exhume the graves of family members even if they did not have a death certificate; (3) to return the remains of seven people found in Làng Đá, Yên Bái Province, to their families; (4) to allow the VAF to exhume and rebury thirty grave-sites in Sơn Định Commune, Phú Yên Province and forty grave-sites in Bù Gia

Mập re-education camp in Bình Phước Province; and (5) to assist with locating the father of Đào Quốc Hoàn, a member of the Families of Fallen Heroes group, reported lost in Lào Cai.

After more than an hour of negotiation, the Vietnamese Deputy Minister agreed to all of the VAF's requests.¹⁹ Following another meeting on 18 March 2014, Nguyễn Thanh Sơn permitted the VAF to renovate the Biên Hòa Military Cemetery.

Other than seeking approval from the Vietnamese government, Thành and the VAF also sought the support of the US government by pursuing recognition and advocacy from congressional members such as representatives Alan Lowenthal and Edward Randall Royce, ambassadors David Shear, Ted Osius and Daniel Kritenbrink, as well as the offices of Secretary of State John Kerry and Secretary of Defense Chuck Hagel.²⁰

By reaching out and gaining the approval and support of both the Vietnamese and American governments, Nguyễn Đạc Thành demonstrates that there are possible avenues for Vietnamese in the diaspora, including those marginalised, to intervene in the afterlives of the RVN fallen. However, such intervention is very much limited to the support given by the US government and what is sanctioned by the Vietnamese state, thus reflecting the continued challenges in the effort to account for and care for the RVN war dead.

Locating and exhuming RVN remains

To locate grave-sites and remains, the VAF consulted the overseas Vietnamese community, mostly former inmates of re-education camps or their family members. Through the suggestions and/or identifications of potential camps or grave-sites, the VAF then sought additional information from local administrators, former camp guards or residents.²¹ However, despite locating over 300 grave-sites and remains, the VAF met many challenges.

Very few of the graves were marked. Many were on abandoned land. Although some grave-sites had gravestones, surviving family members were not always available to accept and rebury the remains. Although familial care for the deceased has long been an important cultural practice in Vietnam, many of the sites where the VAF located remains were situated in northern Vietnam, far from their families, who were most likely residing in central and southern Vietnam. Following the war, families of prisoners, especially those sent north, usually had no idea where their loved ones were. Moreover, these prisoners often served longer sentences. Due to distance, the passage of time, a lack of information and changes in society under the new regime, most families usually relocated to other regions or abroad, while their loved ones were imprisoned. Hence, despite being able to locate remains and other artefacts that would verify the identity of the remains, it was difficult for a small and underfunded organisation such as VAF to find families willing to accept the remains.

Another issue is that as Vietnam has become more developed and its population has grown, land has become one of the country's most valuable assets. Thus, a

common practice in some localities with growing populations is to free up land by moving scattered graves into a single area. Grave-sites and cemeteries with RVN soldiers or officials are more susceptible to these changes, largely because they are often dismissed as having fought on the losing side.

The lack of family members and/or legal entities to defend and advocate for the RVN dead also presents a further obstacle. The VAF exhumed the remains from one cemetery at a time and then temporarily relocated them before returning them to families or cremating the remains and interring them in Buddhist pagodas and other permanent locations. During the relocation, the VAF is accompanied by American forensic experts who take bone samples for DNA testing, which is used to identify surviving relatives. Through the US Consulate in Hồ Chí Minh City, the VAF utilised the UN International Organization for Migration (IOM) to gather DNA samples from Vietnamese in Vietnam and in the diaspora. DNA testing was conducted at the Center for Human Identification on the campus of the University of North Texas Health Science Center in Fort Worth. The VAF periodically appealed to families to provide DNA samples to assist in the identification of verified remains. Between 1 October 2007 and 1 October 2008, the VAF located 313 grave-sites. These outcomes, however, slowed thereafter.

In 2009, the VAF began searching for the remains of lost RVN service personnel who had gone missing during the war. In its 22 September 2011 announcement, the VAF asked the Vietnamese government for permission to excavate one of three mass graves of more than 200 South Vietnamese soldiers who had died defending Saigon at the end of April 1975. On 9 April 2011, the Binh Dương Provincial Government approved this request but then temporarily revoked it, claiming that the VAF had not completed the requisite administrative procedures.²²

In July 2010, following the *Bông Hồng Trên Năm Mỏ Hoang* [Roses on the Abandoned Graves] fundraising event in Australia,²³ the VAF began to locate and exhume grave-sites in Làng Đá. The mission led to the discovery of thirty-one grave-sites belonging to South Vietnamese prisoners of war. Families of the deceased exhumed nine, and nine sets of remains were stolen.²⁴ The VAF exhumed twelve unmarked gravesites and one with a gravestone with the name Chung Hữu Hạnh. Among the seven families that offered DNA samples, four found a match. The remains of Captain Chung Hữu Hạnh, Captain Lương Văn Hoà and Lieutenant Colonel Trần Đình Năm were based on a DNA match. The remains of Captain Lê Văn Tiến were identified based on a bullet that had passed through the top of his skull, and verification from fellow inmates. To confirm the DNA match, the VAF requested the IOM to test a DNA sample from Captain Lê Văn Tiến to determine if there is a match with family members who may have immigrated to other countries of destination. When the VAF could not match the remains to family members, it sought permission from the Vietnamese government to relocate those remains into southern Vietnam for reburial or interment in a temple.²⁵

The desire to relocate the remains to southern Vietnam is geographically and spiritually significant. Most of the remains located by the VAF were in northern Vietnam, where RVN prisoners of war had been sent while their families remained in central and southern Vietnam. Thus, the desire to relocate the remains south is

a gesture of bringing them back to their families, fulfilling the cultural and spiritual Vietnamese belief in being buried where one's 'placenta is buried, and the umbilical cord is cut'.²⁶ This act of returning home would allow the soul to rest rather than wander.²⁷ Moreover, being closer to home would allow the remains to be cared for by loved ones; the remains in a temple would be attended to by monks and nuns, another important Vietnamese tradition.

At the end of 2011, the VAF went to several re-education camps, including Thanh Chương Camp in Thanh Hóa Province, 3K1 Tân Kỳ Camp, Thanh Cầm Camp in Thanh Hóa Province, along with Bù Gia Mập and Bù Gia Phúc Camps, and located a total of fifty-four grave-sites.²⁸

Between 15 April 2011 and 12 May 2011, while construction was underway at the University of Transportation [Trường Đại Học Giao Thông Vận Tải], workers discovered the remains of eighty-one RVN soldiers, some still wearing their dog tags. The university cremated the remains at the Dĩ An Crematorium in Bình Dương. Upon learning of the news, the VAF and Families of Fallen Heroes recorded the information on the dog tags and completed the administrative procedures to receive the cremains on behalf of their families and relatives. The cremains were relocated to Nghệ Sĩ Temple in Gò Vấp, Hồ Chí Minh City.²⁹

It appears that the VAF mainly conducted most of its missions to identify, exhume and relocate the remains of those who had died in re-education camps from 2007 to 2011. Moreover, most of the areas and/or camps searched were in northern Vietnam, perhaps because the VAF's founder and president, Mr Nguyễn Đạc Thành, was held in many camps in northern Vietnam. On its website, the VAF lists the grave-sites that were located from 2007 to 2010, in addition to others.³⁰ The VAF also lists the names of RVN service personnel who remain missing.³¹ However, it does not appear that these lists have been updated since 2015, and the VAF's activities in general have seemed to have stalled since then.

The limitation in Nguyễn Đạc Thành and the VAF's overall implementation scale and scope, particularly their inactivity since 2015, demonstrates the various challenges that individuals and small organisations from the Vietnamese American diaspora faced when trying to address a difficult and especially political issue such as the task of accounting for RVN war dead. The challenges include, among many, the lack of human power, financial resources and scientific technologies, as well as political support and administrative clarity.

Renovating the Biên Hoà Military Cemetery

After the collapse of the Saigon government in 1975, the most significant remnants of the former regime were removed, renamed or repurposed, sometimes for practical reasons and sometimes to erase memories of the RVN and replace them with emblems of the new regime. Thus, Independence Palace [Dinh Độc Lập], the residence and headquarters of the president of the RVN, was renamed Reunification Palace [Dinh Thống Nhất]. The names of Công Lý [Justice] and Tự Do [Freedom] boulevards were changed to commemorate events in communist history: Nam Kỳ Khởi Nghĩa [Cochinchina Uprising] and Đồng Khởi [Đồng Khởi

Movement], respectively.³² Many symbols associated with the RVN were banned and/or destroyed, including the RVN flag. Books and music were censored or confiscated. The famed Marines Monument [Tượng Thủy Quân Lục Chiến] honouring the army of the RVN was toppled. Sweeping changes affected historical narratives and language as figures favoured by the RVN were replaced with communist revolutionaries, while spoken and written language became militarised. These changes occurred while historical narratives and political propaganda continued to paint the RVN and its associates as failures and traitors.

These changes also affected the dead, with the removal or closing of cemeteries that were the final resting places of RVN military and civilian personnel. Deemed a reminder of the corrupt past, the Mạc Đĩnh Chi Cemetery, established under French rule in the centre of Saigon and the burial site of South Vietnamese President Ngô Đình Diệm and his brother Ngô Đình Nhu, was bulldozed in 1983 to create a public park named Lê Văn Tám, a fictional child revolutionary.³³

The most controversial cemetery to be affected by these changes was the Biên Hòa Military Cemetery [Nghĩa Trang Quân Đội Biên Hoà], in Bình An Ward, Dĩ An City, Bình Dương Province. Now known as Bình An People's Cemetery [Nghĩa Trang Nhân Dân Bình An], its construction began in the mid-1960s and was completed in 1973, under the RVN. Designed by the architect Lê Văn Mậu, the fan-shaped cemetery is located on 125 hectares on a low hill. It is divided into eight zones, A to H. In the centre stands the 43-metre-high Tower to Virtue and Bravery [Nghĩa Dũng Đai]. The cemetery contains the Temple of the Dead [Đền Tử Sĩ]. With a planned maximum capacity of 30,000 graves, the cemetery is the final resting place of 18,318 RVN soldiers and officers, most of whom died during the 1968 Tết Offensive and the 1972 Easter Offensive.³⁴ The cemetery is also a burial ground for senior officers and political officials of the RVN.³⁵

After the end of the Vietnam War, the cemetery was placed under the management of Military Region 7, Ministry of Defense. Most references to the former republic were immediately destroyed, including the famed Mourning Statue [Thương Tiếc] designed by Nguyễn Thanh Thu that guarded the entrance.³⁶ Under the pretext of its being a 'sensitive' military area, authorities closed the cemetery to visitors and it fell into disrepair. The designation effectively prohibited the families of the fallen soldiers and officials from maintaining the grave-sites. Allowing relatives and others to maintain, pay homage to and even worship their dead could preserve and perpetuate unwanted memories of the RVN.

Memories can inspire, mobilise and challenge. Memories of the RVN, therefore, could create unwanted alternative historical, political and social views that could question the new regime's historical narrative and legitimacy. Thus, any act perceived to sustain and revive memories of the RVN is to this day strictly forbidden. Violations were severely punished.³⁷ For these reasons, the new regime could not entertain the prospect of allowing access to the cemetery, especially given its fear of being overthrown by hostile and reactionary factions.

The erasure of memories of the RVN was and is essential to creating and sustaining the legitimacy of the regime. Thus, barring access to the military cemetery was

consistent with its desire to eradicate memories of the RVN. Consequently, many graves and original structures, including the Temple of the Dead and the Tower of Virtue and Bravery, were left to deteriorate. According to the US Consulate General in Hồ Chí Minh City:

Some graves have a white stele, while others are just a mound with a brick as a mark. Many graves appear to have not been touched since 1975. The monuments are broken, and the path is only dirt and gravel ... Outside the cemetery, things are no better; shops and people's houses encroach on the cemetery, and the stone pillars and stairs that used to be the entrance to the cemetery are now completely wrapped by trees and vines.³⁸

However, on 27 November 2006, two years after the passing of Resolution 36, the Vietnamese government transferred management rights from the military to the civilian administration, a meaningful step in the direction of national reconciliation.

Taking advantage of this change, the VAF made the task of renovating and restoring the Biên Hòa Military Cemetery a central objective. Besides restoring grave-sites, the VAF requested permission from the Vietnamese government to pave the main road from the cemetery gate to the Tower to Virtue and Bravery, to restore the steps to the Tower and to build a shrine in front of the Tower for worship, for offering flowers and for lighting incense.³⁹ From 2014 through 29 March 2019, 12,533 tombs were restored; the VAF renovated 6,539 tombs, and other organisations and private individuals assumed responsibility for the remaining 5,994.⁴⁰

There are several reasons for the VAF to restore the Biên Hòa Military Cemetery. The overriding objective is to preserve the resting place of the soldiers of the RVN Armed Forces and bring peace to their families. A secondary objective is to prevent the Bình Dương Provincial Administration from taking over the cemetery and clearing it for development projects. Finally, in restoring the cemetery, Nguyễn Đạc Thành and the VAF hope that the Vietnamese government will approve and reinstate it as a military cemetery and treat it as a national historical site. The renovation is carried out in the spirit of respect for the soldiers who sacrificed their lives for their state, even though that state no longer exists.⁴¹ In addition, showing respect for those who died for the RVN is a way of reviving memories of the lost state.

The renovation project also creates capacity for the Biên Hòa Military Cemetery to receive the remains of those who died in re-education camps, as well as those of members of the ARVN that were discovered elsewhere. On 1 March 2013, Vietnamese Deputy Minister Nguyễn Thanh Sơn approved the VAF's request to exhume and transfer the remains of 200 RVN soldiers from a mass grave at Đờng An Vocational College to Biên Hoà Military Cemetery.⁴² It is noteworthy that the area where the mass grave is situated is thought to have been part of the Biên Hòa Military Cemetery. However, when the cemetery was under the management of

Military Region 7, the area that included the mass grave was sold to Đồng An Vocational College. Since then, the college has cared for the grave.⁴³

According to the VAF, these were the remains of ARVN soldiers who had died defending Saigon. Before their burial, the remains were supposedly placed in nylon bags, suggesting that there may be dog tags among the remains. Upon approving the VAF's request, Deputy Minister Nguyễn Thanh Sơn left the task of exhuming, transferring and interring the remains to the VAF. On 21 March 2013, the VAF made a public announcement directed to family members and ARVN veterans, inquiring whether or not the VAF should exhume and transfer the remains from the mass grave to the Biên Hòa Military Cemetery.⁴⁴ The announcement met with conflicting reactions from the Vietnamese American community, with supporters praising Nguyễn Đạc Thành and the VAF's humanitarian work. Opponents were more critical, questioning Thành's transparency and rationale, and especially his relationship with the Vietnamese communist government.⁴⁵

Finding RVN remains and the politics of mistrust

Many overseas Vietnamese could respect Thành's desire to honour the war dead, especially the RVN, but some among them believed that he was being manipulated by the Vietnamese government.⁴⁶ This feeling was exemplified by the response to an announcement made by Đỗ Văn Phúc, president of the Vietnamese American Community of the United States [VAC-USA; Cộng Đồng Người Việt Quốc Gia Hoa Kỳ], in response to an invitation from Nguyễn Đạc Thành and the VAF to participate in a 2019 forum in Houston, where the then US Ambassador to Vietnam, Daniel J. Kritenbrink, was scheduled to take questions from the Vietnamese community, particularly concerning the Biên Hòa Military Cemetery.

Đỗ Văn Phúc was an ARVN major serving in a psychological warfare unit who, after the end of the war, spent ten years in various re-education camps. The VAC-USA that Phúc led was founded in 1993 and allegedly has ties to about thirty-five other Vietnamese American communities across the country. It described itself as a 'nationwide organisation with local Vietnamese communities in the US for important strategic activities bearing national and global implications'. One of the organisation's core principles is that it 'shall not recognise, collaborate, or communicate with the Vietnamese Communist dictatorial regime in any form, under any circumstance', which includes not accepting the communist regime and not accepting reconciliation with the Vietnamese communist government in any form. Moreover, one of its main objectives is to 'support and struggle alongside the inland Vietnamese people to dispel the Communist regime and to build an independent, free, and democratic Vietnam'.⁴⁷

Based on this organisational viewpoint, Đỗ Văn Phúc addressed Nguyễn Đạc Thành's invitation:

After forcibly occupying South [Vietnam], the Việt Cộng authorities plotted to erase the relics of the Republic of Vietnam. . . . The restoration of the graves of Republic of Vietnam soldiers at the Biên Hòa Military Cemetery is a very noble and

respectful gesture. . . . We acknowledge the goodwill of Mr. Nguyễn Đạc Thành and that of his organisation. As individuals, you have the right to sit together and negotiate with the Communist government. And in the 'request-grant' position [of negotiation, you have] automatically acknowledged the legitimacy and legality of the Communist regime, which [most] nationalist Vietnamese organisations never accept. . . . Vietnamese nationalists are determined to restore the Republic of Vietnam Military Cemetery in Biên Hòa but will not betray the heroic spirit and heroes by compromising and reconciling with the corrupt Communist Party of Vietnam.⁴⁸

Through this statement, Đỗ Văn Phúc purportedly spoke on behalf of a non-profit Vietnamese American nationalist organisation. However, it should be noted that he did not speak on behalf of all Vietnamese Americans, nor was it likely a representation of the view of all Vietnamese American associations and communities associated with the VAC-USA, which is a diverse organisation that may not necessarily have a united position on this issue.

Nonetheless, Đỗ Văn Phúc's response to Nguyễn Đạc Thành's invitation reflected his personal stance as well as that of many other staunchly anti-communist overseas Vietnamese individuals and organisations regarding the current Vietnamese government. It also spoke to the diverse but contentious politics of contested national memory. Most Vietnamese Americans came from the similar background of being political refugees and/or immigrants, with many experiencing the trauma and risk of facing the high seas to reach the land of freedom; others had to endure many years of imprisonment and hard labour under communist rule before being granted refugee or immigrant status. At the same time, there exist multiple ways in which different groups and generations of Vietnamese Americans view their relationship with Vietnam, its history and the current Vietnamese government.

Most among the older generation of Vietnamese Americans, especially those who lost their country and home and had to live under an authoritatively suppressed society, often sustain a very strong anti-communist sentiment. Although not all suffered equally, most among the older generation are the ones who experienced the war, imprisonment, hardship and post-war discrimination, and therefore it is difficult for them to forgive and forget, let alone accept the communist-led regime that took over the RVN. Their negative view is usually further enhanced by negative developments which they see in contemporary Vietnam, including widespread corruption and human rights abuses. Thus, for them, the memory of a state is usually that of the RVN, a lost country but one that will not be forgotten. It was and still is this memory of the lost state that fostered in them the nationalist allegiance to the former RVN and the hardened anti-communist sentiment against the current Vietnamese government. This generation is often more expressively vocal and political, because most truly care about the homeland that they had to leave behind while feeling the need to defend and protect their identity, which is rooted in their association with the former RVN. They care about the war dead, including those still unaccounted for, but most understand that they do not have

the political leverage and financial ability to address the issue. Instead, they have focused more on raising funds to support disabled ARVN veterans in Vietnam.

Unlike their parents' and grandparents' generation, the majority of younger-generation Vietnamese Americans, namely those who were born and raised in America or who came to America at an early age, usually do not care much about the current state of Vietnam and its past, while others hold more ambivalent views. Some see the complexity of Vietnam's current society as well as its history, especially to help understand their present existence in America; others view it through the fresh eyes of Vietnam as a youthful and developing nation that has great potential.

Nguyễn Đạc Thành and Đỗ Văn Phúc belong to that first group of Vietnamese Americans. That said, despite sharing similar backgrounds, they differ in how they remember, interpret and act on national memory relative to changes in time and political climate. Like many veterans and officials associated with the RVN, Nguyễn Đạc Thành was imprisoned for nine years. His public anti-communist stance, along with his desire and work to restore some representation of the former RVN within Vietnam, reflects his allegiance to the fallen state.

However, for Thành, that sentiment is a political view that could be put aside to achieve a moral and humanitarian goal that he believes is more immediate, which is the task of accounting for missing RVN service personnel as well as restoring the once neglected RVN Biên Hoà Military Cemetery. For Thành, it was the right thing to do, and so when the time was right and the opportunity was provided, he went ahead with his project, despite objections. Recognising that the RVN no longer exists and therefore the war dead and those who died in re-education camps do not have representation, Thành took it upon himself to represent the dead.

Đỗ Văn Phúc, representing arguably one of the largest Vietnamese American associations in the United States, allegiance with the former RVN and the stance against Vietnamese communism, objected to Nguyễn Đạc Thành's interpretation and action, despite acknowledging the latter's goodwill. Phúc's response reflects his mistrust toward a regime that he considers 'corrupt' and 'still holds a grudge against the RVN and its associates'. Unlike Thành, who was willing to bargain with an authoritarian communist Vietnam that was calling for reconciliation, Phúc refused to compromise. Like Nguyễn Đạc Thành, Phúc also believed in restoring the RVN Biên Hoà Military Cemetery, but not if it meant undermining those who had died defending the RVN and its values.

Đỗ Văn Phúc's response to Nguyễn Đạc Thành is arguably the most common objectionable view of Thành and the VAF from the Vietnamese American community. Such objections to Thành and the VAF's actions, especially by a large and far-reaching organisation such as the Vietnamese American community of the US, possibly had a significant effect on weakening support for Nguyễn Đạc Thành and his organisation. Without the enthusiastic support and sufficient funding, Thành and the VAF's work seem to have stalled since around 2015. Despite insisting that he will never stop working on his projects, at age eighty Thành transferred full responsibility for the VAF's projects to Phillip Nguyễn, claiming that

the VAF's projects need the participation of younger, more capable and more dedicated individuals.⁴⁹

Conclusions

In chronicling the efforts of Nguyễn Đạc Thành and the VAF to locate the remains of RVN service personnel and restore the Biên Hòa Military Cemetery, this article has analysed the objectives, efforts and challenges that the organisation and its founder faced. In doing so, it has revealed six particular issues worth recognising concerning the process and meaning of accounting for the stateless dead by those who are marginalised.

Most noteworthy is the potential for reconciliation among Vietnamese of all political affiliations through the humanitarian work of locating and caring for the dead to dissolve [hóa giải] the pain and animosity caused by war. This is apparent in the partnership between the US and Vietnam in finding dead and missing service personnel, as well as Nguyễn Đạc Thành and the VAF's collaboration with the Vietnamese government on common humanitarian ground.

However, the relationship between the VAF and the Vietnamese government also reveals a large power disparity in the absence of a transparent commitment from the Vietnamese government. For instance, the reoccurring bureaucratic red tape due to the constant changing of mind by Vietnamese officials – which may have resulted from internal conflict – often created a cat-and-mouse game of permission granted but actual action thwarted. Another example is the Vietnamese government's unwillingness to share US government funds to assist in the accounting of RVN service members and officials.

Even though the RVN no longer exists, individuals and organisations have sought to create initiatives that would preserve its memory and advocate for the recognition of those who once served it. By finding the remains of those who died in re-education camps and renovating and restoring the Biên Hòa Military Cemetery, Nguyễn Đạc Thành and the VAF made it possible to restore the dignity of at least some of the people who served the RVN. Thus, the RVN and the people who died for it continue to live through the actions of the living.

Understanding that he and other Vietnamese Americans associated with the RVN are marginalised in both Vietnam and the United States, Nguyễn Đạc Thành found alternative paths to gain recognition and advocacy for his cause. He asserted his rights as an American citizen and turned to the government of his adopted country, the US, to obtain the political support and voice to negotiate with the Vietnamese government. Thành and the VAF demonstrated that to achieve their objectives, individuals and organisations, particularly those in the US and other democratic countries, would have to advocate diligently for their cause.

Given the bitter legacy of the Vietnam War, especially among Vietnamese, the task of accounting for and tending to its dead, especially when the dead are vilified, is certainly political. Nguyễn Đạc Thành is political, yet he understood that to accomplish his goals, he had to frame a political matter as a humanitarian one. For Thành, this objective is worth setting his personal feelings aside.

Despite his and his organisation's humanitarian intent and some initial successes, Nguyễn Đạc Thành and the VAF failed to gain the broad-enough support of the Vietnamese American community. This lack of support reveals the contentious range of perspectives when it came to the war and how it was to be remembered. Thus, without common ground and community support, reaching these objectives would be difficult, if not impossible.

The example of Nguyễn Đạc Thành's efforts to account for the RVN fallen underscores how often the voice that the dead have is that which the living give to them. Despite being framed as a humanitarian issue, the act of locating and caring for RVN war dead is nonetheless a contentious political matter, as often perceived by the Vietnamese government, the US government and the diasporic Vietnamese American community. This, along with the lack of human power and technological and financial resources, are the challenges that hindered the activities of individuals and organisations such as Nguyễn Đạc Thành and the VAF. Nonetheless, stateless and marginalised entities such as Thành and the VAF do have avenues through which they can navigate the lack of resources and balance the contentious politics of accounting and caring for the war dead to leverage a position that would enable them to give the dead the proper recognition and closure that they deserve.

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Notes

- 1 Due to the chaotic nature of the war and the lack of proper record keeping both during and after the war, determining the precise number of South Vietnamese casualties during and after the Vietnam battle is difficult. However, some estimates have the figure as high as 700,000 when non-military South Vietnamese service personnel are included.
- 2 This article defines war dead as those who died or are lost due to the Vietnam War as well as post-war-associated retributive acts, including those associated with the RVN who died while imprisoned in post-war re-education detention.
- 3 Since the war's end, especially since the 1980s, the Vietnamese government has played a significant role in authorising and assisting the US government in its mission to locate, identify and repatriate American service personnel. However, similar efforts were rarely, if ever, extended to the families of former RVN service personnel.

- 4 On war dead, MIA issues, re-education camps and memory, consider consulting the following studies, among others: M. J. Allen, *Until the Last Man Comes Home* (Chapel Hill, NC, University of North Carolina Press, 2009/2012); G. Bell and G. J. Weith, *Leave No Man Behind* (Madison, WI, Goblin Fern Press, 2004); R. Brigham, *ARVN: Life and Death in the South Vietnamese Army* (Lawrence, KS, University Press of Kansas, 2020); Long Bui, *Returns of War* (New York, New York University Press, 2018); M. Buls, *Re-Education Camps of Vietnam* (Kindle edition, 2011); Huy Duc, *Bên Thắng Cuộc*, vols I and II (OsinBook, 2012); H. Kwon, *Ghost of War in Vietnam* (Cambridge, Cambridge University Press, 2013); Nathalie Huynh Chau Nguyen, *South Vietnamese Soldiers* (Westport, CT, Praeger, 2016); Viet Thanh Nguyen, *Nothing Ever Dies* (Cambridge, MA, Harvard University Press, 2016); Tru Cong Nguyen, *Vượt Qua Gian Khó* (Kindle edition, CreateSpace, 2014); C. Schwenkel, *The American War in Contemporary Vietnam* (Indiana University Press, 2009); Hue-Tam Ho Tai, *The Country of Memory* (Berkeley, University of California Press, 2001); Hoa Minh Truong, *The Dark Journey* (Eloquent Books, 2010); Anh Vu, *Thung Lũng Tử Thần* (Người Việt, 2014); Linh D. Vu, *Governing the Dead* (Ithaca, NY, Cornell University Press, 2021); S. E. Wagner, *What Remains* (Cambridge, MA, Harvard University Press, 2019); A. Wiest, *Vietnam's Forgotten Army* (New York, New York University Press, 2008).
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- 10 Thanh, 'Tim Xác Đồng Đội'; and Vietnamese American Foundation, 'Returning Casualty'.
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- 33 Ngô Đình Diệm and Ngô Đình Nhu's remains were exhumed and reburied at Lái Thiệu Cemetery in Bình Hoà, Thuận An, Bình Dương Province, a province north of Saigon (today's Hồ Chí Minh City).
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