# Strategic manoeuvring and peace processes in peace negotiations
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**Strategic Manoeuvring and negotiation strategies in peace negotiations**

by

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A Master Thesis

Submitted to the Department of Linguistics

Leiden University

In Fulfilment of the Requirements

For the Master's Degree

January 2023

## Abstract:

This thesis examines peace negotiations as a critical discussion, analysing what strategies are used in peace talks and the strategic manoeuvring used in each stage of the argumentative activity based on the topical potential, audience demands and presentational devices. Following Van Eemeren's (2010) extended pragma-dialectical theory, the thesis, after establishing the theoretical framework on negotiations as a communicative type, the stages and the participants of a peace negotiation, analyses the strategies that are used in each stage of the peace negotiations between the United States and Vietnam, that led to the end of the war in Vietnam and to the signing of a peace agreement between the US and Vietnam. The thesis concludes with the identification of strategies of ethos, logos and pathos that were used in the US and Vietnam peace talks and a discussion about the degree of success of the strategies used in the peace negotiations that led to a mutually accepted peace accord.

**Keywords:** peace negotiations; strategic manoeuvring; peace process; pragma-dialectical theory; Vietnam war

# Table of contents

## 1. Introduction

On the 8th of May 1972, US President Nixon announced that he would agree to a ceasefire in Vietnam if that would bring both parties to the negotiation table. After several failed attempts at negotiations, the US and Vietnam parties decide to enter peace negotiations that would end the war and that would lead to a mutually accepted peace agreement. The peace negotiations lasted from July 1972 to October 1972. After offers, counteroffers and several concessions from both parties, the countries were able to reach an agreement that was mutually acceptable. The peace agreement was signed on the 27th of January 1973; during the months of November and December, new proposals were introduced but all of them were rejected. The peace agreement signed in January 1973 involved the terms that were agreed upon in October by both parties.

Since 1963, many foreign Governments and world leaders had worked assiduously to bring the warring parties go to the conference table, only to meet with frustration as neither Vietnam, nor the US displayed any inclination to modify its rigid pre-conditions (Mustafa, 1969). Even after both parties agreed to start the peace talks in 1972, it took more than sixteen meetings to sign the mutually accepted peace agreement in January of 1973. Identifying the structural and contextual factors that allowed both parties to reach a peace agreement, even though their initial views on this agreement were opposing, would show us how peace negotiation strategies can change the course, and eventually the outcome, of peace talks.

Structurally, the Vietnam peace talks followed the standard form of peace negotiations, with both parties using diplomacy and strategies to defend their demands and attack the other party's demands. Yet, the literature on the precise peace negotiation strategies that were used in the Vietnam peace talks and the impact they had on the outcome of these talks is limited. Thus, looking into the peace negotiations strategies will be a great opportunity for analysing how these negotiations work and what tactics the negotiators apply in the talks to advance their standpoints, persuade the other party and reach an agreement. The Vietnam peace negotiations are of particular interest in this light, because even though these negotiations were structurally conventionalized, it took quite some time, and hence presumably strategic negotiation, to reach an agreement.

This thesis therefore examines the strategies and peace processes used in the peace negotiations between the US and Vietnam during the Vietnam war. The research question of what strategies and peace processes are used in peace negotiations during the Vietnam war will be examined through detailed qualitative analyses of examples of strategies and peace processes in the US and Vietnam peace negotiations from an extended pragma-dialectical perspective (see Van Eemeren, 2010).

First, the thesis analyses peace negotiations as a communicative activity and establishes the stages of and the participants in a peace negotiation in Chapter 2. Moving forward, the thesis examines the literature on strategies used in peace negotiations in Chapter 3, after establishing the theoretical framework of the strategic manoeuvring in peace talks. The thesis concludes with identifying the strategies used in the actual peace negotiations during the

Vietnam war, by providing a detailed analysis of the strategic manoeuvring in the relevant peace negotiations and the strategies used in each stage of the critical discussion in Chapter 4. Last, a discussion will be presented about the degree of effective contribution the strategies used by the negotiators in peace talks can have to the final resolution of the conflict in Chapter 5.

## 2. Peace negotiations as a communicative activity

### 2.1 Theoretical Framework

The need for a better understanding of how an argumentative discussion is conducted and how the participants contribute to it based on their goals is the main focus of Van Eemeren's (2010) extended pragma-dialectical theory of argumentation. According to Van Eemeren (2010), every communicative practice that can be recognized as such can be characterized by a certain degree of conventionalization that is dependent on its institutional rationale. Thus, when a communicative activity is analysed, certain conditions and strategies must be identified.

Walton (2014) stated that in order for a conventionalized communicative activity to be characterized, the concept of dialogue must also be given a proper definition so that any argument can be judged as appropriate or not within the framework of the conventionalized settings of both argumentative activity and dialogue. The concept of a dialogue was summarized by Walton and Krabbe as that of conventionalized, purposive joint activity between two parties (in the simplest case), where the parties act as speech partners. It is meant by this that the two parties exchange verbal messages or so-called speech acts that take the form of moves in a game-like sequence of exchanges (1998b, p29). Walton and Kabbe identified six general types of dialogue that are distinguished based on their goal. The distinction in the dialogue types was made based on their goal.

One of the dialogue types that Walton and Krabbe (1998b) distinguished is negotiation. As a genre of communicative activity, negotiation belongs to the diplomatic communication domain and has the aim of conflict resolution. According to Van Eemeren's (2010) extended pragma-dialectical theory of argumentation, negotiations are moderately conventionalized. The institutional constraints are based on the participants and the type of negotiation. In a negotiation, each party presents a standpoint and through concessions from both parties, a mutually accepted agreement is reached (Van Eemeren, 2010). Negotiation as an argumentative discussion entails certain communicative activity types such as peace talks, trade treaties and diplomatic memorandum. These communicative activities start from an initial situation that is better described as a conflict of interest than as a difference of opinion and the goal is some kind of compromise according to Van Eemeren (2010).

In a speech event, there are certain stages in which a party or an individual can make certain moves to advance their standpoint depending on the goal of each stage. There is the confrontation stage, where the conflict is identified, the opening stage where the starting points and constrains are decided upon, the argumentation stage where each party advocates for its arguments, defending and attacking arguments depending on their role in the critical discussion and the concluding stage that entails the resolution of the conflict and the agreement between the parties.

'Theorists have portrayed negotiations as events of diplomatic artistry, mechanical reflections of relative power, weighted interactions between personality types or rational decision-making processes.' (Currie, K., Conway, J. et al, 2012). Conflict resolution is the factor that brings parties to the negotiating table. Each negotiator comes up with different strategies, tactics and uses different approaches in order to advance and defend the party's standpoint. The same process applies in the peace negotiations.

In a conflict resolution, peace talks are the only solution that can ensure a long-lasting peace. 'Wars between nations are not just fought with munitions, they are also fought with language and rhetoric' (Levinson, 2019). The parties involved in the conflict of interest negotiate, compromise and eventually reach a mutually accepted agreement. Peace talks consist of certain stages, where the peace talks serve different purposes depending on the stage of the conflict. Well-known peace negotiations that led to a peace agreement were the Camp David Accords (1978), political agreements signed by Egypt and Israel and the Belfast Agreement (1998), a peace agreement between the British and the Irish governments

## 2.2 Peace Negotiation Stages

Negotiations to end wars are never simple. They involve compromises, consensus-building and some level of mutual trust (Anderlini, 2004). In peace talks, despite the various goals that other negotiation types have, the ultimate goal is always peace. Peace agreements ensure that each party will stay committed to the objectives that have been agreed upon in peace negotiations and both parties ultimately agree on ceasefire and peace-building. As in every negotiation type, there are key stages that every peace negotiation is structured upon. The key stages are, Pre-Negotiations, Negotiations for Peace, and Post-Negotiations (Anderlini, 2004)

### 2.2.1 Pre-Negotiations

The pre-negotiations stage is also called ''talks before talks'', as it involves initial talks between the negotiating parties. The main objective of this stage is to "break the ice," allow parties to explore options for making peace, convey their concerns and understand each other (Anderlini, 2004). It is the first step for trust-building for all parties that are involved as they commit to the negotiations and ensure that the process will lead to the main goal, which is a peace agreement. Beside the initial trust-building, the pre-negotiation is the stage where locations of the talks, participants, mediators, time frame, security for each party, agenda topics such as human rights, socio-economic reforms, and agreements such as ceasefire are agreed upon so that the official negotiations can start without doubts or miscommunication of the objectives and the goal of the talks.

### 2.2.2 Negotiations

After every detail concerning the time and the place is agreed along upon with the agenda topics and the aim of the talks, the official negotiations stage starts. The negotiation for peace stage involves certain stages that are called tracks.

### 2.2.2.1 Official or 'Track One'

Track One, which is considered to be the primary peace-making tool of a state's foreign policy, can be described as the bilateral or multilateral negotiations between adversaries involving the leadership or their official representatives, from both or all sides, typically mediated by a third-party (Bercovitch and Houston, 2000) and its goal is to influence the structures of political power. Diplomats entering the 'Track One' stage of the negotiations have as their main goal to further increase their interests and strengthen their demands' position. Conflict resolution and avoidance of war are the key elements to achieve their goal, thus they make peace agreement their main concern and work towards it, while preserving their position and demands.

Track One Diplomacy was developed as a foreign policy tool to specifically improve relations among nations (Bercovitch and Houston, 2000). Diplomats, using their political power, can influence the negotiations and facilitate their progression. Their political power though can have the opposite results, allowing diplomats to pursue their own interest, delaying the negotiations and the conflict resolutions. They can also have access to material and financial resources that give high leverage and flexibility in negotiations (Bercovitch and Houston, 2000). Track One is an essential stage of the peace talks, as it lays the foundation for the peace talks and it can either make or break a peace agreement.

### 2.2.2.2 Track One and a Half

This stage involves unofficial interaction between the parties in the hope of preserving the trust that was created during Track One so that the official negotiations can start without concerns on either party. The main difference between Track One and Track One and a Half, beside the unofficial conversations, is the participants. In Track One, only government representatives of the parties can act as third parties and mediators and try to resolve conflicts while in Track One and a Half, the facilitators and mediators can also be ordinary citizens that do not represent a certain party but are willing to contribute to the resolution of the conflict. In Track One and a Half, conversations take place in the form of back-channel talks and shuttle diplomacy. Negotiators undertake one-on-one discussions, conveying messages through intermediaries (third-party facilitators or mediators) until obstacles are redressed and space is created for the resumption of face-to-face talks (Anderlini, 2004)

### 2.2.2.3 Unofficial or 'Track Two'

Track Two precedes Track One and Track One and a Half talks, complementing the efforts and widening the range of actors involved. All the peace efforts and commitments that have been agreed in Track One by all parties are being validated in Track Two, securing the common cause which is peace and progressing the talks in order to resolve the conflict. Most importantly, Track Two Diplomacy is intended to provide a bridge or complement official Track One negotiations (Nan, 2004; Agha, Feldman, Khalidi, Schiff, 2003). The importance of Track Two lies on the fact that politically charged moves have already been made, giving the platform to a wider range of actors –especially the communities of the parties involved- to express their point of view and influence the negotiations towards the greater good of the citizens that are the ones being directly affected by the conflicts. Track Two is a great tool for violence and conflict prevention and resolution.

### 2.2.2.4 Multi-Track

The Multi-Track refers to the wide range of actors from different levels of society, engaging in peace-making during the negotiations. The process is founded upon the principle that the greater the range of actors involved, the wider the sense of ownership and the greater the pressure to resolve a conflict and attain sustainable results (Anderlini, 2004)

### 2.2.3 Post-Negotiations Implementation

After Pre-negotiations and negotiations, the last stage of peace talks is post-negotiations implementation. This stage starts in the post-conflict phase, after all parties have come to an agreement and they are signing the peace accord. Post-negotiations entail confidence-building measures that can ensure its party's commitment to the peace agreement and prevent future conflicts and implementation plans and timelines, a clear plan and timeline for the implementation of the measures and the agreement

### 2.3 Participants to Peace Negotiations

A negotiator entering the peace talks is ready to present the party's demands, advance and defend the party's standpoints and if necessary due to disagreement, attack the other party's standpoints and arguments. A negotiation approach should be seen as the way a problem is treated. It involves philosophical assumptions that guide the perception of the subject.

Peace talks can be exclusive or inclusive. Exclusive talks involve armed and unarmed major parties to a conflict—typically political and military actors—while inclusive talks tend to include a broader range of actors (Anderlini, 2004). In general, there are two categories of people involved in the peace talks: those who are actual stakeholders or parties to the conflict, and those who mediate and facilitate the process (Anderlini, 2004)

Parties typically include government officials, representatives of resistance groups, and, only occasionally, civil society leaders (Anderlini, 2004). These are the main participants of the peace negotiations and they are the ones signing the peace accord for conflict resolution.

The United Nations (UN) and regional inter-governmental organisations are most of the times the main mediators in peace negotiations. In most cases where the UN is involved, the Special Representative of the Secretary-General (SRSG) or the Special Envoy of the Secretary-General takes on the task of mediation and diplomacy (Anderlini, 2004) The SRSG can act on behalf of the UN, using diplomacy and conveying messages.

The European Union, acting as a third party, can often fund the negotiations, offer the place that the negotiations can take place and less often act as mediators (Anderlini, 2004)

Key stakeholders also include technical support, such as gender advisers, and official observers who may be representatives of other governments, civil society leaders, parliamentarians, NGO officials, religious and traditional leaders, or members of other affected groups (Anderlini, 2004)

## 2.4 Conclusion

   Chapter 2 introduced the theoretical framework of peace negotiations as a communicative activity and the peace negotiation stages along with the participants that peace talks entail. In characterization of an argumentative activity type, the empirical counterparts of the four stages of a critical discussion should be identified. The initial situation that can be detected in the confrontation stage, the starting points that are discussed in the opening stage, the argumentative means that are used in the argumentation stage, and finally the possible outcome that can be identified in the concluding stage are the counterparts that should be considered when analysing an argumentative activity type. When these counterparts are applied to peace negotiation stages it is evident from a pragma-dialectical perspective that the pre-negotiations stage would correspond to a sub-discussion about the initial conflict and establishing common starting points for the meta-discussion (Confrontation and Opening stage). Track One and Two of the negotiations stage correspond to the argumentation stage where offers, counter-offers, and concessions are made by both parties. Finally, the post-negotiations stage recognizes the peace agreement that was mutually accepted by both parties and corresponds to the implementation of the agreement (Van Eemeren, 2010)

   Table 1 represents the argumentative characterization of negotiations as an argumentative activity based on the four stages of a critical discussion

| critical discussion | confrontation stage | opening stage | argumentation stage | concluding stage |
|---|---|---|---|---|
| genres of communicative activity | initial situation | procedural and material starting points | argumentative means and criticism | possible outcome |
| *negotiation* | conflict of interests; decision up to the parties | semi-explicit constitutive rules; sets of conditional and changeable explicit concessions | argumentation incorporated in exchanges of offers, counter-offers and other commissives | conclusion by compromise parties as mutually accepted agreement (or return to initial situation) |

*Argumentative characterization of negotiations as a communicative activity Van Eemeren (2010, p 151)*

## 3. Strategic manoeuvring in peace negotiations

### 3.1 Theoretical Framework

   The pragma-dialectical theory of argumentation views argumentative discourse as an exchange of verbal moves ideally intended to resolve a difference of opinion (Van Eemeren, 1999). The dialectical aim of the argumentation is to maintain reasonableness while the rhetorical aim is the to ensure effectiveness in the critical discussion. In a conflict, both parties aim for a resolution, but they can also make strategic moves in order to advance their

standpoint or serve their own interests, thus there is always the dialectical aim merged with the rhetorical aim.

Distinguishing between different aspects of strategic manoeuvring makes it easier to make sure that the analysis and evaluation of argumentative discourse do not concentrate on just one particular aspect of strategic manoeuvring (van Eemeren & Houtlosser, 2002a). For analysing discussion parties' strategic manoeuvring, three aspects will be taken into consideration: the topical potential, in which the arguer can choose the argument that best fits the needs of his argumentation, the audience demands, an argumentative move that an arguer makes in order to either lead the audience into his perspective or follow the audience's view, depending on the aim of his strategic move and finally, the presentational devices that allow the arguer to present his argumentative move in the way that is strategically best (Van Eemeren, 1999).

## 3.2 Negotiations strategies

### 3.2.1 Evade

With this strategy, the negotiator has a desired goal but entering the negotiations they choose a passive stance either because the conflict is unimportant to the party or because the opposing party is over-the-top competitive thus, making them unwilling to meet the other party's needs. 'This style avoids any meaningful negotiations and seeks neither a ―result nor the development off a relationship' (Currie et al., 2012). In peace negotiations, in terms of strategic manoeuvring, this strategy can be used in the opening stage, where the sets of conditions and rules are discussed and in the argumentation stage where demands and concessions are discussed. By evading, the arguer can leave out demands when arguing about a starting point or a standpoint with the aim of either indirectly rejecting the demand or avoid presenting the arguer's party as dismissive. An example of an evade strategy in a negotiation can be the expression 'Let's refer to this matter/demand later' when one party wants to address other standpoints and demands.

### 3.2.2 Comply

Comply, along with evade, is a passive strategy towards the negotiations. When negotiators use this strategy, their main concern is the relationship between the parties and not their goal. A behavioural approach can be used in this strategy, where the result is that the party with the most assertive strategy tends to reach their desired goal with the other party complying without objections. In peace negotiations, in terms of strategic manoeuvring, the strategy of comply can be used in all four stages of the discussion. It is a trust-building strategy, associated with the 'ethos' strategy, with the aim of showing the party's good will and willingness to reach a mutually accepted peace agreement. (Currie et al., 2012). An example of a comply strategy would be the expression 'I agree with your standpoint/demand' without further negotiation.

### 3.2.3 Insist

The party's objectives are the ultimate goal in this strategy. In contrast with evade and comply, insist is an active strategy 'associated with a position, declared with a demand that leaves little room for movement and / or compromise.' (Currie et al., 2012). A structural approach can be combined with the strategy as power is an essential feature in the negotiations. In peace negotiations, in terms of strategic manoeuvring, the 'insist' strategy can be used mostly used in the opening and argumentation stage. The strategy is combined with an assertive and direct approach towards the peace talks. Each demand is presented as an already accepted term and not as a point for discussion or negotiations. The arguer leaves no room for concessions and counteroffers. The aim of the 'insist' strategy is to advance the party's standpoints without changing any parts of the demand. The insist strategy is almost never a strategy leading to a peace agreement, especially if all the party's demands are presented with the 'insist' strategy, thus even if a party enters the talks using the strategy, they will probably change it or combine it with a cooperative negotiation strategy during the peace talks if they do not want the other party to leave the negotiation table. An example of an insist strategy during peace talks would be 'If we cannot agree on this demand, I don't believe that we can move forward with the peace talks'. In that way a party is putting pressure on the other party in order to advance their standpoint.

### 3.2.4 Settle

This strategy is the completely different plan from the insist strategy. Settle allows parties to 'meet in the middle' and settle for some of their desired goals instead of either not reaching an agreement or not reaching any of their aims. An integrative approached can be combined with the settle strategy (Currie et al., 2012). In peace negotiations, in terms of strategic manoeuvring, the settle strategy is used in all the stages of the discussion, except the confrontation stage. It is also a trust-building strategy, aiming at showing good faith or willingness for the peace talks to reach a peace agreement, especially when the peace talks have been going on longer than expected. The parties decide to settle in order for the conflict to end. An example of a settle strategy would be the expression 'If you are willing to negotiate, we can meet in the middle and move forward with the peace negotiations'.

### 3.2.5 Cooperative negotiation strategy

The last strategy is closer to the settle strategy with the difference that all parties are trying to maximize their interests through cooperation. An integrative approach is turned into a plan with the cooperative negotiation strategy where the negotiators of every party, after trust has been ensured, come up with tactics and proposals to tackle an issue so that every party reaches the maximum of the gains of the negotiation (Currie et al., 2012). In peace talks, in terms of strategic manoeuvring, a cooperative negotiation strategy is mostly used in the opening and argumentation stages. It is a strategy adopted when negotiating terms and demands. After establishing trust, both parties cooperate in finding common ground and sign a mutually accepted agreement. In a civil war, the opposing parties along with the mediator can turn to the cooperative negotiation strategy to try and restore the country's unity.

### 3.2.6 Confidence Building Measures

Another process commonly used in peace talks is confidence building measures (CBMs). They can be considered as moves that have been negotiated and agreed between the conflicting parties to ensure trust and allow the parties to continue the peace negotiations

without concerns (Mason and Siegfried, 2013, p.57-77). Measures like the military and police patrols along with co-operation in response to natural disasters that were established during the Belize- Guatemala conflict in order to ensure the continuation of the talks, show some confidence-building measures not only for the parties involved in the peace talks but also for the civilians in order to trust and not obstruct the peace talks. They can be used in all stages of the negotiations. The main goals of the CBMs are to minimize the risk of a failed outcome before, during, and after the negotiations, to ensure the progress of the peace talks, and to help the implementation of the agreement by informing the civilians of the components of the agreement.

The main participants in CBMs are the negotiators representing the parties involved. Applying confidence building measures, the negotiators are able to initiate the peace talks with the necessary trust from all parties. The second group that takes part in the CBMs is the one involving the decision-makers that work together with the negotiators.

The decision-makers are the ones designing the party's demands that the negotiators are introducing to the negotiating table. Finally, a third group involved in the CBMs is the wider constituents that include the citizens affected by the negotiations and eventually the agreement. Gaining the trust of the citizens about the peace talks will help the progress of the talks and the implementation of the terms agreed.

There are 4 types of confidence building measures that can be used prior to, during and after the negotiations. Political CBMs (joint events, media tactics etc.), CBMs in the security sector (exchange of military maps, joint patrolling, no fly zones etc.), Economic and Environmental CBMs (joint economic endeavours, preparations for natural disasters, economically motivated collaborations etc., Social, humanitarian, and cultural (joint sports activities, prisoner exchange, joint cultural events etc.) (Mason and Siegfried, 2013, p.57-77).

In the Croatian war of Independence (1991-1995), between The Government of the Republic of Croatia and the Armed Forces of the Socialist Federative Republic of Yugoslavia (SFRY), one of the things that was agreed upon during the negotiations, was the exchange of prisoners between the two parties. A measure that was taken in order to build trust between the parties and establish an environment peaceful enough so that the peace talks could progress into a peace agreement that would end the conflict.

Excerpt from the agreement between The Government of the Republic of Croatia and the Armed Forces of the Socialist Federative Republic of Yugoslavia (SFRY):

'On the exchange of prisoners, or persons deprived of their liberty, in armed conflicts in the Republic of Croatia or in connection with these clashes, in accordance with the following:

1. Both sides concur that they will exchange all prisoners or persons deprived of their liberty on the principles of all for all;

2. The term "prisoner" shall be held to include all persons deprived of their liberty who are in prisoner, detention facilities or prison camps, regardless of whether criminal or any other proceedings have been initiated against them, indictments issued or a final judgement or first instance delivered, regardless of the territory in which they are located or the place they were taken prisoner, deprived of freedom, suffered restrictions on movement, or were held hostage;

3. Each side will hand over to the other a list of all prisoners, with details of the place where the prisoners are detained, and both sides will provide a representative of the International Committee of the Red Cross (ICRC) with copies of these lists;

4. The signatories of this agreement agree that the exchange of prisoners will take place immediately after the International Committee of the Red Cross (ICRC) has registered and visited the prisoners in accordance with the special criteria of the ICRC;'

### 3.2.7 Exchange (peace for Democracy, peace for recognition of rights etc.)

Lastly, exchange as a peace process aims at reaching an agreement on conflict resolution so that the violence can end. In order for that to happen, the terms (recognition of rights, democracy) demanded by one party must be accepted so that the peace agreement can be signed.

An example of military exchange as a peace process can be seen in the Agreement for Bringing Peace to Afghanistan between Afghanistan and the United States of America. According to the agreement, The United States is committed to withdraw from Afghanistan all military forces of the United States, its allies, and Coalition partners, including all non-diplomatic civilian personnel, private security contractors, trainers, advisors, and supporting services personnel within fourteen (14) months following announcement of this agreement ('Agreement for Bringing Peace to Afghanistan', 2020)

In some peace processes, more than one of the models mentioned above can be combined. An example of model-overlap can be seen in the Belfast Agreement (GFA), that resulted from a political conflict in the Northern Ireland. The model of peace process was **exchange peace for recognition of rights**. The parties involved in the conflict were, the government of the United Kingdom, the government of the Republic of Ireland, and the Government of Northern Ireland. Some of the terms agreed were:

- cross-community executive **power-sharing**
- community **self-government** (or autonomy) and equality in cultural life
- **Disarmament**, as the British Government agreed to reduce the number and the role of Armed forces in Northern Ireland ('The Belfast Agreement', 1998)

The peace agreement was signed after several negotiations, a referendum and **confidence building measures** like the recognition of the right to freedom and expression of religion and the exchange of prisoners among others.

All these negotiations models are strategically used in peace negotiations in order for both parties to establish a safe environment for negotiations. Establishing trust and showing willingness to discuss are the main aims of these negotiation models that lay the foundation for both parties to strategically advance their standpoints and reach a peace agreement.

### 3.2.8 Ethos, Pathos, Logos

The methodical core of Aristotle's *Rhetoric (1991)* is the theory that there are three means of persuasion. Persuasion comes about either through the ethos, logos, or pathos.

Ethos appeals to authority and credibility. Ethos is a means of convincing an audience of the credibility of the arguer or the argument (Aristotle, 1991). In peace negotiations the strategy

of ethos can be used by the arguers to show the credibility and good will of the party and build trust between the two parties so that the peace negotiations can move further without hesitation or doubts. Ethos as a trust-building strategy can be used in all four stages of a critical discussion as trust is an on-going process. An example of the use of the ethos strategy can be seen in the following extract of Barck Obama's speech: *'I am the son of a black man from Kenya and a white woman from Kansas. I was raised with the help of a white grandfather who survived a Depression to serve in Patton's Army during World War II [...]'* (Transcript of the remarks of Democratic Illinois Sen. Barack Obama, delivered March 18, 2008*)*

Logos appeals to logic and reason. It is used to persuade an audience by facts rationality and logical thoughts (Aristotle, 1991). In peace negotiations a party's representative can use the strategy of logos mostly in the opening stage, where the set of conditions and rules are decided, and in the argumentation stage, where both parties argue make offers and counteroffers. The use of facts, logical arguments, and an appeal to logic are considered means of the logos strategy. An example of the logos strategy can be seen in the following extract of Hilary Clinton's speech: *'The great challenge of this conference is to give voice to women everywhere whose experiences go unnoticed, whose words go unheard. Women comprise more than half the world's population, 70% of the world's poor, and two-thirds of those who are not taught to read and write. We are the primary caretakers for most of the world's children and elderly. Yet much of the work we do is not valued -- not by economists, not by historians, not by popular culture, not by government leaders.' (*Hilary Rodham Clinton Address to the United Nations 4th World Congress on Women, 1995)

Pathos appeals to the emotions of the audience. It can be used to persuade and audience by appealing to its beliefs and values, hopes and dreams or even play with the audience's fears and worries (Aristotle, 1991). In peace negotiations, the strategy of pathos can be used in all four stages of the discussion. Vivid examples and images along with an appeal to a countries hardships or heroic moments can be means of the pathos strategy. An example of the pathos strategy can be seen in the following extract of Winston Churchill's speech: *''We shall go on to the end, we shall fight in France, we shall fight on the seas and oceans, we shall fight with growing confidence and growing strength in the air, we shall defend our island, whatever the cost may be, we shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields' (*Extract from his Commons speech on June 18, 1940).


## 4. Case Analysis

### 4.1 Methodology

  The analysis of the argumentative discourse is based on the pragma-dialectic theory of argumentation by Van Eemeren (2010). The peace negotiations between the United States and Vietnam will be examined. The peace talks consist of several meeting between the 2 parties that took place from July to October. The meetings from July to October were selected for the analysis because during that period both parties were able to find common ground and decide on most of the demands that each party brought to the table, drafting a peace agreement that was the one that was signed in January 1973. Concerning the negotiation stages, the meetings were part of the pre-negotiations and the negotiations, including Track One, One and a half, and Track Two. In the analysis of the peace

negotiations, between the United States and Vietnam, as multiple speech events, I will adopt a top-down approach.

As a starting point, based on the established strategies in chapters 2 and 3, I will examine whether these strategies can be identified in the Vietnam negotiations. Furthermore, I will also try to identify the strategic maneuvers in each stage of the argumentative discourse, taking into consideration the topical choices, audience demands, and presentational devices, that were mentioned in the theoretical framework of the thesis and discuss why the various strategic maneuvers identified in the analysis result in particular strategies. The strategies both parties use in order to reach a mutual agreement but also advance and defend their standpoints will be identified.

Thenegotiations will be analyzed based on selected parts of each speech event. The selection of the parts was based on how clear and concrete a strategy was in the selected part of the peace talks. Each stage of the critical discussion based on the pragma-dialectical theory will be analyzed in terms of the topical potential, audience demands and presentational devices that both parties use to presents their arguments, convince the other party and reach a mutually accepted agreement.

## 4.2 Data Analysis

The negotiations between the United States and Vietnam lasted six months. The data that were analyzed in the thesis were taken from several meetings between the two countries. More specifically, the selected data were part of the meetings that took place from the 19th of July 1972 until the 9th of October 1972, where the peace agreement was drafted. As it was mentioned in the Methodology, from July until October, was the time that both parties were able to cooperate, find common ground, reach a mutually accepted outcome and draft a peace agreement. The peace negotiations lasted until January of 1973, but the peace agreement that was signed was based on the terms that were decided in October. The examination of the meetings led to the identification of the main conflict between the two parties in these meetings. Consequently, the identification of the main conflict led to the analysis of the set of rules and standpoints each party expressed. Finally, the reconstruction of the argumentation structure of the main standpoints of each party led to the demands that were mutually accepted and eventually included in the peace agreement. In these meetings, the negotiation strategies that were mentioned in the thesis, were identified, along with the strategic maneuvering that both parties used to support their standpoints and attack the other party's standpoints.

The analysis shows how at each of the four stages of this argumentative discourse, both parties choose from the available topical potential, adapt their message to the audience demands and exploit certain presentational devices. Furthermore, the way each party attempts to advance its standpoint using logic, emotion and persuasion is examined, aiming at identifying the strategies that both parties use in the peace negotiations and the goals they are trying to achieve using these strategies.

## 4.3 The Vietnam negotiations

After several failed attempts on ending the violence and signing a peace treaty between the US and the government of North Vietnam, President Nixon, on May 8, 1968, announced that he would be willing to agree to a military withdrawal from South Vietnam if Vietnam- was willing to do the same. This concession from the U.S party was the breakthrough for the peace talks to progress into conflict resolution and a peace agreement (Brigham, 1995). The parties, after several negotiations, offers and counter-offers that took place from August until October of 1972, came to a mutual acceptance of the terms of the peace agreements that was signed on the 27th of January 1973. The main negotiators of the agreement were the National Security advisor Henry Kissinger for the US party and Special Advisers Le Duc Tho and the Foreign Minister of North Vietnam Xuan Thuy for the North Vietnam party. Both parties were able to find common ground, compromise and change their initial standpoints to reach an agreement.

## 4.4 Analysis

### 4.4.1 Vietnam's approach: Direct and Confident

Vietnam's approach towards the peace talks can be evident through the strategic manoeuvring that both Xuan Thuy and Le Duc engaged in. Vietnam's main goal when they entered the peace talks was the total withdraw of the US from Vietnam, the reparations of the damage the war caused and the formation of a new government. In the following section, I will discuss how, from the beginning of the peace talks, Vietnam adopted a confident and direct approach. In 4.4.1.1, I will specifically discuss how the Vietnam party's topical choices show the element of personal experience. Especially when talking about the word 'unity'. Using the strategy of 'ethos', Xuan Thuy and Le Duc tried to create a positive image of Vietnam by repeatedly mentioning Vietnam's good faith and reliability during previous peace talks. In 4.4.1.2, I will show that Xuan Thuy and Le Duc also used the strategy of 'logos' to persuade the US to accept their demands by presenting facts and logical arguments to the US party. Their topical choices showed their accusatory stance towards the US. Mentioning previous failed attempts at peace negotiations, the Vietnam party accused the US of using threats and fear in previous peace talks. They repeatedly blamed the US for their actions in previous peace negotiations while simultaneously underlining Vietnam's good faith. As for the adaptation to audience demands, section 4.4.1.3 will illustrate how the Vietnam party consistently used the collective 'we' when talking about Vietnam's standpoints to show Vietnam's unity and in addition to their topical choices of blaming the US and reminding Vietnam's good faith they used the 'us vs you' strategy, to distance Vietnam from the US party's previous actions and create a division that would allow them to pressure the US into agreeing to more demands with significant concessions due to their history of failed attempts at peace negotiations with Vietnam.

### 4.4.1.1 *Ethos*: Building character

To have 'ethos' is to manifest the virtues most valued by culture to and for which one speaks (Halloran, 1982). The strategy of 'ethos' that was used by both Xuan Thuy and Le Duc, aimed at creating a positive image of Vietnam by repeatedly mentioning Vietnam's good faith and reliability during previous peace talks. The strategy of 'ethos' could also be seen used combined with the 'insist' strategy to strengthen the power of a starting point or a

standpoint. Interestingly, the analysis showed that the strategy of 'ethos' was only used in the opening and argumentation stages, while in the confrontation and concluding stages there is no use of this strategy.

In the opening stage, where the dialectical goal is to achieve mutual accepted procedural and material starting points based on semi-explicit sets of conditions, while the rhetorical aim is the starting points its party make towards their own interests (Van Eemeren, 2010), Xuan Thuy reminded the US of Vietnam's good faith and set certain rules that should be followed by both sides. According to Xuan Thuy, only the set of rules along with mutual trust could lead to a successful peace agreement, as can be seen in excerpts 3 and 4.

- − 1. Xuan Thuy: I would like to point out that we always show our good will and we keep our promises […]
- − 2. Xuan Thuy: 'In our view, in order to bring about good results to these negotiations and to rapidly end the war, both sides should create a propitious atmosphere for the talks […] As for us, as I have said, we are consistently of good will and seriously desiring to find a fair and reasonable solution to the Vietnam problem, beneficial for both sides.

In excerpts 1 and 2, as starting points, Xuan Thuy underlined Vietnam's good will and stated that the Vietnam party 'keeps their promise'. Xuan Thuy set the rule of creating 'a propitious atmosphere for the talks' that should be followed by both sides in order for the peace talks to move forward and lead to a positive outcome. Establishing trust between the two parties is fundamental and both parties should be willing to show **'good faith'** (1). In his effort to present Vietnam as a party that can be trusted, Xuan Thuy, using the '*ethos*' strategy (Wachsmuth et al., 2018), confidently underlined that Vietnam has always had good faith and kept their promises (1). More specifically, his topical choice of reminding the US party of Vietnam's *ethos* is aimed at showing Vietnam's good qualities presenting them as positively inclined towards the negotiations. The presentational choice of using the adverb 'always', reinforced Xuan Thuy's attempt and worked as a reminder of Vietnam's stance towards the peace talks. Vietnam has **always** been willing to work on reaching an agreement. Xuan Thuy's strategy had the goal of strengthening Vietnam's position in the talks and allowing them to advance their standpoints (Appendix, p.20-22, p.75).

Moving to the argumentation stage, the dialectical aim is for each party to test the acceptability of the standpoints under discussion. As for the rhetorical aim, each party's tactic is to present effective moves towards either defending their standpoint or attacking the other party's standpoints in order to advance their own position (Van Eemeren, 2010). The use of the 'ethos' strategy in the argumentation stage can be seen in Le Duc's effort to defend Vietnam's demands and choice to make limited concessions in excerpt 3.

- − 3. Le Duc: Our proposal has limit. We can't go beyond the limit we have set. That is to say, we have a principle on which we can't make concessions in an unprincipled way.

Le Duc, after Kissinger suggested that Vietnam should make more concessions, adopting once more Vietnam's direct and confident approach, defended Vietnam's proposal that included limited concessions by stating that 'Our proposal has a limit' (1 in the reconstruction of the argumentation structure in *figure 1*) and that Vietnam 'can't go beyond the limit they have set'(argument 1.1 in *figure 1*). Le Duc's topical choice of mentioning Vietnam's limit

on the concessions they can make aimed at making Vietnam's attitude towards the peace talks clear, setting from the beginning a limit on the demands that can be rejected by the US. Using the strategy of 'ethos', Le Duc explained to the US that Vietnam has 'a principle on which we can't make concessions in an unprincipled way' (argument 1.1.1 in *figure 1*). Le Duc used Vietnam's ethos and integrity to stop the US from demanding more concessions. His presentational device of expressing Vietnam's refusal to make concessions as 'a principle' aimed at strengthening Vietnam's position and along with the phrase 'we can't make concessions in an unprincipled way', Le Duc underlined once more Vietnam's credibility and character in the peace talks.

1. Our proposal has limit.

1.1 We can't go beyond the limit we have set.

1.1.1 We have a principle on which we can't make concessions in an unprincipled way.

*Figure 1 Reconstruction of the argumentation in excerpt 3*

Another example of the use of the 'ethos' strategy in the argumentation stage can be seen when Le Duc defended Vietnam's reunification demand in excerpt 4.

− 4. Le Duc: To put the word "unity" in this part, it does not mean that Vietnam is unified, because the unification is only carried out by agreement by the two sides. But this word "unity" is a demand, a traditional demand, for thousands of years asked by our people. So, this word is a principle, therefore we cannot drop this word. Moreover, this word has been written in the Geneva Agreements, and this word has been elaborated in the Agreement too. The Geneva Agreement also specifies that the 17th parallel is only provisional and is not a political boundary forever. This is one country. So, it is not logical for you to drop this word.'

1. We cannot drop the word 'unity'

1.1      It is not logical for you to drop this word

1.1.1    To put the word "unity" in this part, it does not mean that Vietnam is unified

1.1.2    The word "unity" is a demand, a traditional demand, for thousands of years

1.1.3a  This word (unity) is a principle

1.1.3b  This word has been written in the Geneva Agreements, and this word has been elaborated in the Agreement too

1.1.3c  The Geneva Agreement also specifies that the 17th parallel is only provisional and is not a political boundary forever.

1.1.3d  This is one country

*Figure 2 Reconstruction of the argumentation in excerpt 4*

Le Duc uses complex argumentation to defend the use of the word 'unity' in the peace agreement (see standpoint 1 in *figure 2*). With multiple argumentation, his first argument agreed with Kissinger's claim that the use of the word 'unity' does not automatically mean that the unification will be completed (1.1.1 in *figure 2*) as discussion between South Vietnam and Vietnam must be carried out first. He then proceeded with coordinative argumentation to explain why the word 'unity' should not be dropped (1.1.2). He argued that the word 'unity' is a traditional demand (1.1.2) and a principle (1.1.3a), thus, its use should be mandatory as it is part of Vietnam. He continued his argumentation by mentioning that the word was already written in the Geneva Agreement (1.1.3b) and Vietnam is one country (1.1.3d), thus, it was illogical for the word 'unity' to not be included in the peace agreement.

Le Duc using the strategy of 'ethos' tried to prove that 'unity' is not a demand but rather an already established fact that should be acknowledged. He vividly described unity as a 'traditional demand', a 'principle'. He appealed to ethos as he mentioned that Vietnam is 'one country' and the word unity has been a demand for 'thousand years'. The vivid language used by Le Duc was strategic in an attempt to advance his standpoint through empathy and present his demand as a necessity.

 After showing how Vietnam used the strategy of 'ethos' to create a positive image of Vietnam's character and build Vietnam's character as willing and reliable, the analysis moves to another strategy that Vietnam used to advance their standpoints, the strategy of 'logos'.


### 4.4.1.2 *Logos*: Blaming the other party

 Vietnam's strategy of presenting the country's good qualities during peace talks was at times combined with an accusatory approach towards the US. In the analysis, the strategy of 'logos' could be evident only in the opening[1] and argumentation stages, where the parties must set rules and conditions and defend or attack their arguments, and not in the confrontation and concluding stages.

 In the opening stage, Xuan Thuy, in the process of trying to find common ground and agree on certain conditions so that the peace talks can move forward, once again referred to the US party's past actions. Additionally, he expressed his view that the US should change their course of action and show their good faith, as excerpts 5 and 6 show.

- 5. Xuan Thuy: In our view, in order to bring about good results to these negotiations and to rapidly end the war, both sides should create a propitious atmosphere for the talks. You should not indulge in maneuvers and threats; instead, you should show good faith and mutual trust, as you said the last time.
- 6. Xuan Thuy: We think we have come here to find a way to peacefully settle the Vietnam problem, and the sooner the better. For our side, we think that the United States in the past has missed many opportunities that have been offered, and you should have settled the problem soon.

 In excerpt 7, Xuan Thuy adopted an accusatory approach towards the U.S party and their motives. He reminded the U.S party that the only way that the peace negotiations can move

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[1] Technically, in the opening stage we would not expect the strategy of 'logos' to be present, since there should not be any argumentation going on. However, I included any meta-discussion about starting points in the opening stage as well. Therefore, 'logos' as a strategy can also occur in the opening stage

forward is with 'good faith' and 'mutual trust' (5)[2]. In his statement, he also underlined that the U.S should 'not indulge in threats and manoeuvres' (5). His topical choice of mentioning US's past 'threats and manoeuvres' acted as a reminder of the US party's mistakes. More specifically, Vietnam was not willing to allow the US to take control of the peace negotiations, thus, they kept weakening the US's position by constantly mentioning their mistakes and blaming the US for the previous failed attempts at peace. Vietnam's accusatory approach was enhanced by the presentational devices Xuan Thuy used, as in his statement he warned the US to not '**indulge** in threats and manoeuvres'. Using the verb 'indulge' Xuan Thuy indirectly accused the US of choosing threats and manoeuvres as their preferred method when negotiating, providing the US pleasure when they perform these threats and manoeuvres.

   In excerpt 6, Xuan Thuy continued accusing the US of 'missed opportunities', underlining the urgency of a peace agreement. His topical choice of reminding the US's missed opportunities to solve the 'Vietnam problem' in the past aligns with Xuan Thuy's use of the 'logos' strategy that aimed at blaming the US of the past failed peace talks and weakening the US negotiating position. Xuan Thuy indirectly expresses the view that the US party should not lead the peace talks as their previous failed attempts at peace talks show the US's lack of commitment to the peace talks.

   In the argumentation stage, the main conflict between the US and the Vietnam party revolved around the withdrawal of the US and allied forces from Vietnam. Vietnam's party insisted that the current regime of Thieu in South Vietnam along with the US party's refusal to withdraw all troops from Vietnam were the main reasons that prevented Vietnam from reaching out to the US to begin the peace talks. Le Duc used the 'logos' strategy to explain the reasons that Vietnam did not trust the US party and questioned the US's motives towards the peace talks in excerpt 7.

– 7. Le Duc: […] As we see it, for you to maintain the Thieu regime for South Vietnam is not a way out. In that way it can only make the war continue. Of course, you have now already withdrawn one-half of your troops, but you are not being able to cut off your tail. You don't find it possible to withdraw your air forces.


1.       For you to maintain the Thieu regime for South Vietnam is not a way out.
1.1      It can only make the war continue.

1.1.1    You have now already withdrawn one-half of your troops, but you are not being able to cut off you tail.

1.1.1.1  You don't find it possible to withdraw your air forces.


*Figure 3	Reconstruction of the argumentation in excerpt 7*

[2] Technically, argumentation for a starting point is presented in this excerpt (as Xuan Thuy says that both parties should show good faith and mutual trust, because that would bring about good results to these peace negotiations and rapidly end the war). Yet, I consider this part of the opening stage, because the argumentation deals with a starting point, not a standpoint.

In his standpoint in excerpt 7 (1 in the reconstruction provided in *figure 3*), Le Duc mentioned the Thieu regime in order to remind the US that they supported his regime and thus, were also responsible for the war in Vietnam. He accused the US that their refusal to completely withdraw from Vietnam came out of fear that they would lose their control over Vietnam ('you are not able to cut off your tail' in argument 1.1.1 in *figure 3*). His topical choice of mentioning the failed attempt of the US's withdraw aimed at presenting the US party as unreliable and not willing to commit to the peace talks. He clearly stated that for the peace negotiations to start, the US party must be willing to change their previous course of action that had allowed them to have power over the Vietnamese people and re-think the military withdraw. Le Duc's stance is strategic aiming at making the total withdraw of the US and allied forces as the only option that would lead to a peace agreement. His strategy of presenting the US party as unreliable aims at weakening the US party's power over the decision-making process and allowing Vietnam to pressure the US into agreeing to their demands or at least make significant concessions (appendix, p.19, l.24-29).

For his (sub-)standpoint about the elections in Vietnam, Le Duc argues that Vietnam would never agree to Presidential elections as the US is suggesting once again indirectly accusing the US of supporting a system that would lead to dictatorship as it can be seen in excerpt 10

- 8. Le Duc: Let me now speak of the third problem, the third question, regarding the elections. We will never agree to Presidential elections because the Presidential system will lead to personal dictatorship, and this proposed Presidential election will be organized in the framework of the institutions of the Saigon Administration.

1          We will never agree to Presidential elections

1.1a    The Presidential system will lead to personal dictatorship

1.1b    This proposed Presidential election will be organized in the framework of the institutions of the Saigon Administration

*Figure 4 Reconstruction of the argumentation in excerpt 8*

In his second (sub-)standpoint about the elections, Le Duc used coordinative argumentation. He clearly stated that the Vietnam party will never agree to the Presidential elections (1 in *figure 4*) and he then proceeded to provide the reason for this, mentioning that the Presidential system will lead to a personal dictatorship (1.1a in *figure 4*), a regime that South Vietnam currently was trying to abolish, as well as that arguing that the organisation of the Presidential election will be handled by the Saignon administration (1.1b in *figure 4*). An administration that was currently supporting Van Thieu, a president that Vietnam had declared a dictator.

In excerpt 8, Le Duc is assertive and uses direct language, leaving no room for discussion (We will **never** agree to Presidential elections (1 in *figure 8*). He clearly states that this is a demand that they are not willing to agree, using the adverb 'never' to show his intentions. His presents his prediction that 'The Presidential system **will lead** to personal dictatorship' (excerpt 1.1a *figure 4*) not as an assumption but as fact that will surely happen. There is no hesitation is his argument. His approach to the demand is strict and confident: Le Duc's topical choice of stating that the election that the US proposed would be 'organized in the framework of the institutions of the Saigon Administration' thus, leading to a personal dictatorship, was aimed as an indirect accusation to the US. Le Duc insinuated that since the

US proposed the presidential elections, they were in favor of the Saignon Administration, which according to Le Duc would lead to a dictatorship.

So far, in the analysis it can be seen that Le Duc's effort to advance his standpoints entailed the use of the 'ethos' and the 'logos' strategies. The Final strategy that he used in the peace talks was the strategy of 'pathos'.

### 4.4.1.3 *Pathos*: Us vs. You

In the previous sections, it was discussed that Vietnam's strategy, entering the peace talks with US, included underlining Vietnam's good qualities and blaming the US for the way they handled the previous peace talks. Additionally, Vietnam seemed to be using the strategy of 'pathos' in the peace negotiations, creating an 'us vs you' division that allowed Vietnam to take control of the peace talks and persuade the US to make significant concessions. In the analyses, the strategy of 'pathos' was again identified in the opening and argumentation stages, while in the concluding stage, Vietnam changed their approach becoming more collaborative and using the collective 'we' as it was mentioned in 5.4.1 section.

The use of the 'us vs you' strategy can be seen in the opening stage of the peace talks (excerpts 9 and 10). Le Duc underlined Vietnam's bravery and good qualities in contrast to the US's violent actions towards Vietnam and motives towards the peace talks.

- 9. Le Duc: Enhancing this tradition of gallantry and non-submission, the Vietnamese people have stood up against French colonialism and now US aggression. The United States is the biggest power in the world, and it has poured millions of tons of bombs and shells to devastate our country.
- 10. Le Duc: But the Vietnamese nation is also a peaceloving nation. We know full well that for a small country, a war should be settled not only by armed struggle but finally by peaceful negotiation[..] Vietnamese history has testified to this. [..] Therefore, we feel there is no reason why we cannot achieve a peaceful settlement with the United States.

In excerpt 9, Le Duc, in an effort to weaken US party's power over the peace negotiations, used the strategy of 'pathos' by underlining Vietnam's bravery and heroism, as 'the Vietnamese people have stood up against French colonialism'. Simultaneously, Le Duc attacks the US by reminding them that they have 'poured millions of tons of bombs and shells to devastate our country'. His topical choice of mentioning both Vietnam's bravery and the US's actions aimed at creating a clear division and showing the qualities of both parties. Using vivid language as a presentational device to make his point, enhanced Le Duc's 'us vs you' strategy. The qualities of 'Gallantry' and 'non submission' were assigned to Vietnam, while Le Duc, described US's actions of pouring 'millions of tons of bombs' devastating for Vietnam. Kissinger used the phrase 'millions of tons of bombs' as an intensifier with the aim of showing the lengths of the US aggression. Le Duc was direct, attacking the US's character and presenting Vietnam as a proud survivor of the US aggression, appealing to emotions with the aim of strengthening Vietnam's position over the peace talks and pressuring the US party into making more concessions.

In excerpt 10, Le Duc once again presented Vietnam as a 'peaceloving nation' that understands the need for 'peaceful negotiations'. Le Duc's topical choice of underlining Vietnam's qualities followed Vietnam's strategy of creating doubts about the US's motives towards the peace talks and placing Vietnam on the opposite side of the US. It is the 'Vietnamese nation' vs 'The United States' for Le Duc, as he repeatedly stated. The vivid language completed Le Duc's emotional plea. Vietnam is a 'peaceful nation' and a 'small country' and 'Vietnamese history has testified to this'. Le Duc painted the picture of a small, united nation that wanted a peaceful resolution against 'the United States' indirectly reminding the size of the US in contrast to Vietnam's size seeking to emphasize the size difference of the two countries. Le Duc did not use Kissinger's name or the pronoun 'you' to refer to the US party. Le Duc's strategy once again focused on weakening the US's power in the peace talks.

Moving to another (sub-)standpoint, Le Duc argued that the US should be repairing the damage that was done to Vietnam since the US was the one that caused the war and consequently, the damage in Vietnam and its people in excerpt 11.

  – 11. Le Duc: Now regarding the healing of war wounds. In our view, the United States shouldering the responsibility of healing the war wounds is an obligation of the United States. It is not a grant, and assistance, it is a responsibility. Because you have been attaching our country for over 10 years now, known to the whole world

1. The United States shouldering the responsibility of healing the war wounds is an obligation of the United States.

1.1 You have been attaching our country for over 10 years now.

1.1.1 This is known to the whole world.

*Figure 5 Reconstruction of the argumentation in excerpt 11*

In his standpoint in excerpt 13, Le Duc presented Vietnam's stance towards the healing of the war wounds (1 in *figure 5*). He clearly stated that it is an obligation for the United States to take ownership of the damage they have done to Vietnam, since the US was the one that had been attacking Vietnam for over 10 years (1.1 in *figure 5*) – which he emphasized is 'known to the whole world' (1.1.1 in *figure 5*). Le Duc's speech was emotional. Using the strategy of 'pathos', he referred to the damage of the war as a 'wound' and the payment as a 'healing' aiming at creating a vivid image of the consequences of the war. Le Duc made a direct attack to the US '**You** have been attacking **our** country' making a clear distinction between the two parties. The US should be making concessions, as they are to blame for the current state of Vietnam. Le Duc used the 'us vs you' strategy to show the damage the US had caused Vietnam and weaken even more US's power over the peace talks while simultaneously allowing Vietnam to ask for more concessions (appendix, p.18)

After blaming the US for the war and the damage done in Vietnam, Le Duc blamed the US for the political situation in Vietnam as it is evident in excerpt 12.

  – 12. Le Duc: We are of the view that the United States is responsible for the present political situation of South Vietnam. This is something undeniable. Because over the

past 20 years the United States has been forming, nurturing, an administration in South Vietnam completely controlled by the United States.

1. the United States is responsible for the present political situation of South Vietnam

1.1 This is something undeniable

1.1.1 Over the past 20 years the United States has been forming, nurturing, an administration in South Vietnam completely controlled by the United States

*Figure 6 Reconstruction of the argumentation in excerpt 12*

In excerpt 12, Le Duc clearly accused the US of 'forming' and 'nurturing' the administration in South Vietnam that according to Le Duc has turned into a dictatorship. Arguing about the standpoint of the elections and the formation of a new committee, Le Duc stated that the US not only supported Thieu's administration but also controlled. Le Duc's topical choice of reminding the US about their involvement in South Vietnam's political situation was aimed at rejecting any future involvement in the formation of the new administration. Le Duc using the strategy of 'pathos' makes an indirect distinction between the two parties by mentioning the US involvement in Vietnam's political situation. According to Le Duc, Vietnam is against the Thieu administration, the US has formulated and supported the Thieu administration, thus, Vietnam is also against the US. He used vivid language, naming the accusation 'undeniable' and that the US has been involved in the Thieu administration for 'over the past 20 years' to stop the US's effort to deny the accusation.

### 4.4.1.4 A change in Vietnam's approach

The previous analyses of Vietnam's approach showed Vietnam's direct and confident attitude towards the peace talks. However, it should be noted that in the concluding stage, Vietnam's approach seemed to change somewhat. In the concluding stage, the dialectical aim is the resolution of the conflict and a mutually accepted peace agreement, while the rhetorical aim is an effective statement of results (Van Eemeren, 2010). Based on excerpts 1 and 2, taken from the concluding stage, it seems that the Vietnam party tried to obtain the dialectical and rhetorical aim by a more collaborative one and at times hesitant approach towards the peace agreement.

- 13. Le Duc: But we are making now a race to peace or to war?
- 14. Le Duc: but shall we overcome those trees or shall be hindered by these trees?

In these excerpts, Le Duc seemed hesitant and unsure of the success of the agreement. Adopting a more reserved stance, Le Duc asked a series of questions about the outcome of the peace agreement. Using the strategy of 'pathos', Le Duc made a last impassioned plea in order test the US party's dedication and faith in the peace negotiations. Interestingly, the use of the inclusive 'we' in the questions combined with the race metaphor allowed Le Duc to indirectly show Vietnam's hesitation towards the peace agreement without sounding negative and jeopardise the friendly environment that had been established. Furthermore, Le Duc's use of the inclusive 'we' was combined with a hesitant approach towards the peace agreement, a choice that indirectly maintained the division between the two parties.

In conclusion, the analysis showed that Vietnam adopted a confident approach when they entered the peace talks, separating Vietnam views and qualities from the US party's ones, in

order to advance their standpoints and minimize the concession that would have to make. In contrast, Vietnam adopted a hesitant approach that was followed by an inclusive 'we' in order to appear collaborative but also be able to question the peace agreement without sounding concerned and negative towards the outcome.

After analysing the strategies that the Vietnam party used to advance its standpoint, the analysis moves on to the US party's strategies and approach toward the peace talks.

### 4.4.2 US's approach: Indirect and Collaborative

  The US's approach towards the peace talks can also be evident through the strategic manoeuvring Kissinger engaged in. An examination of the way that the US party used the three aspects of strategic manoeuvring shows the approach that the US party decided to adopt during the peace negotiations. In 4.4.2.1, the analysis makes it clear that from the beginning of the peace talks, Kissinger's main goal was to earn Vietnam's trust and eliminate any hesitation the Vietnam party would have about the US party's actions and motives. Furthermore, in 4.4.2.2, the analysis will show, regarding the US party's topical choices, that in Kissinger's effort to maintain the fragile trust that was built during the peace talks, he chose to leave certain demands out when he was announcing the US party's proposal and when he was negotiating. Finally, in 4.4.2.3, the analysis will show that Kissinger also used the collaborative 'we' in order to create a sense of unity and convince Vietnam that the peace agreement that were about to sign would allow both countries to start a new era.

### 4.4.2.1 *Ethos*: Building trust

  Kissinger used the strategy of 'ethos' with the intention of re-building the trust between the US and Vietnam. As it can be seen in sections 4.4.1.2 and 4.4.1.3, Vietnam had accused the US of not keeping their promises and of using threats and manoeuvres in the previous failed attempts at peace talks. Thus, entering the peace talks, the US party had to earn Vietnam's trust and establish a friendly environment that would allow both parties to discuss their demands and reach a mutually accepted peace agreement without second thoughts and hesitation. The strategy of 'ethos' can be seen in the opening, argumentation and concluding stages of the discussion.

  In the opening stage (appendix, p.30-49, p.50-54, p.83-99, p.100-107, p.139-146, p.146-148), establishing trust and showing good faith are two crucial elements. Thus, Kissinger's efforts to convince Vietnam that the US can be trusted were intensified (appendix, p.63, l.6-10). In excerpt 15, the US and Vietnam were trying to agree on a common statement about the progress of the peace talks as they wanted to prevent speculations from the press.

> – 15. Kissinger: We will not say anything else (And if we cannot keep an agreement for two meetings, how can we keep an agreement on something more complicated?)

  In excerpt 15, Kissinger's approach was accommodative, as he does not comment on Xuan Thuy's insinuations that the US party did not keep their promises, but rather assured the Vietnam party that the US representatives 'will not say anything else' (see excerpt 16) concerning the meeting. Kissinger evaded the indirect accusation that the US did not keep their promises and instead chose to agree with the Vietnam party and proceed with the 'no

comment' policy on the meeting that was suggested by Vietnam. His topical choice of agreeing to the 'no' comment' rule was an attempt to show the US party's good faith and start building the trust that would allow both parties to negotiate towards a peace agreement. Kissinger complied with the Vietnam party's demand, in an attempt to show willingness. He was direct in trying to make his compliance as clearly as possible. His overall approach hence came out as collaborative.

After agreeing on the first staring points concerning the statement about their meeting, both parties were expressing their starting points that would move the negotiations further. Excerpts 16 and 17 showed once more the effort Kissinger is putting into presenting the US as a reliable party and reassuring the Vietnam party that the US were willing to completely withdraw from Vietnam, a standpoint that is the main conflict between the parties.

- 16. K: 'We don't want to interfere'
- 17. K: 'We are not looking for an opportunity to re-enter Vietnam. We are not seeking to perpetuate a political conflict in Vietnam. We are seeking to separate our direct involvement from the political outcome.

At the start of the talks, Kissinger used the 'comply' strategy, wanting to clarify that the United States are willing to agree to a military and political withdrawal from South Vietnam and he wanted to reassure Vietnam that the US party did not want to keep control of South Vietnam. Using this specific topical choice, Kissinger wanted to underline the United States' attitude towards North Vietnam and the peace talks. Adapting to audience demands, he wanted to create a safe space for the talks and reassure the audience, in this case the North Vietnam party, that one of their (sub-)standpoints, the removal of the United States' interference from South Vietnam, was heard and adopted by the US party. He clearly denied Vietnam's allegations that the US party wants to re-enter Vietnam by using declarative sentences in which he straightforwardly stated the US party's stance towards Vietnam.

The use of anaphora, the repetition of the pronoun 'we', is used by Kissinger to emphasize his point, in this case that the United States do not want to interfere in Vietnam's political situation. His presentational devices showed the willingness that the US party was determined to portray in the negotiations. Kissinger uses a tricolon (1. We are not looking for an opportunity to re-enter Vietnam, 2. We are not seeking to perpetuate a political conflict in Vietnam 3. We are seeking to separate our direct involvement from the political outcome) as a persuasive device to show to Vietnam that the US are committed to the peace talks and willing to withdraw from Vietnam. Kissinger also used declarative sentences that leave no room for misunderstanding. He aimed at earning the Vietnam party's trust by being direct and stating clearly the US party's intentions, eliminating the fears the Vietnam party had expressed about the Unites States' actions in Vietnam.

Moving to the argumentation stage (appendix, 25-30, 54-83, 107-139, 148-192, 237-250), Kissinger in his argument about Vietnam's 'Unity' demand, used the strategy of 'ethos' aiming at maintaining the US party's good faith and willingness to reach an agreement as it can be seen in excerpts 18 and 19.

- 18. K: The first is the question of the Vietnamese integrity and Vietnamese unity and respect by the United States for that. The difficulty in affirming the unity of Vietnam is that there is no unity in Vietnam at this moment. But we are prepared to make a statement that we will not oppose the unification of Vietnam and that after it is unified, we will respect its unity. Something like that we can do.'

- 19. K: Well, let me review the principles you gave us, to make sure that I have understood them so we can study them carefully. The first concerns the guarantee of fundamental rights, which you express in the work 'unity'. Our attitude is that we have no difficulty affirming the unity of Vietnam, but what we do not want to do is provide a justification for military actions by one part of Vietnam against the other if these negotiations should not come to an agreement.

1. There is difficulty in affirming the unity of Vietnam

1.1 There is no unity in Vietnam at the moment

1.2 We do not want to provide a justification for military actions by one part of Vietnam against the other if these negotiations should not come to an agreement

*Figure 7 Reconstruction of the argumentation in excerpts 18 and 19*

Kissinger used multiple argumentation to defend the US party's denial of using the work 'unity' in the agreement. He argued that, at the time of the peace talks, it was difficult to confirm the unity in South Vietnam (see standpoint 1 in *figure 7*), as there is no unity (1.1 in this figure), thus, using the word 'unity' in the peace agreement would be inaccurate. He proceeded defending his sub-standpoint by mentioning that his main concern in using the word 'unity' was that in case of a fallout in the peace negotiations Vietnam might become even more divided with military actions taking place (1.2 in *figure 7*)

Kissinger's approach in Vietnam's demands was collaborative. The Vietnam party made it clear that their demands about the word 'unity' and the elections were of great importance and if the parties cannot reach an agreement, the peace talks might not result in a peace agreement. Considering Vietnam's warning, Kissinger was willing to agree to Vietnam's demands, proposing small modifications in the demands in order to not fully give in to Vietnam's pressure.

In his argumentation for both demands, Kissinger expressed the US party's willingness to accept the demands, but he also expressed the US party's concerns about the consequences the demand might have on the Vietnamese people. He mentioned the military action that might take place in Vietnam if the peace talks did not lead to an agreement as the word 'unity' will might not be accepted by both parts of Vietnam. He also stated that the US are more than willing to agree to the formation of a new government after the resignation of the Thieu regime but only of the next government was elected by popular vote from the Vietnamese people.

Kissinger strategically mentioned the consequences of the 'unity' demand and the condition of the people's choice for the election in order to stall. Kissinger's compliance, along with the mention of the military action, was strategic as he tried to pressure Vietnam into dropping the 'unity demand'. He mentioned the 'one part of Vietnam' to create a division and indirectly mention that there is no unity in Vietnam as there are two divided parts. His indirectness allowed Kissinger to reject Vietnam's unity without sounding dismissive and to keep the compliant and sincere character.

The mention of the military action was also strategic as Kissinger was trying to paint an unsure and hostile environment that would develop if the peace agreement was not signed soon. He once again indirectly pressured Vietnam into dropping their demand without sounding negative or unwilling to agree. Kissinger believed that if every other demand is mutually accepted, then the Vietnam party might be more willing to discuss concessions on these two demands.

Another of Vietnam's demands in the peace talks was the removal of the military aid in Indochina. Kissinger, in another attempt to earn Vietnam's trust, expressed the US's willingness to agree with removing the US military aid as it is evident in excerpt 20.

    – 20. Kissinger: We still believe that it is inconsistent with equal security to permit the unrestrained importation of war materials into any part of Indochina. But we respect your position regarding your sovereignty. As a compromise and as a sign of our good will, we shall deal with this issue by a unilateral statement about how we shall define replacements, which I shall give to you.

1       We shall deal with this issue by a unilateral statement about how we shall define replacements.

1.1    As a compromise and as a sign of our good will.

1.1.1  We respect your position regarding your sovereignty

*Figure 8 Reconstruction of the argumentation in excerpt 20*

In his sub-standpoint about defining replacements, Kissinger once again expressed that the US is willing to make concessions and show the US party's good will. Kissinger's approach was collaborative, expressing his disagreement with the impact the removal of the military aid would have ('It is inconsistent with equal security to permit the unrestrained importation of war materials into any part of Indochina' in excerpt 20), but agreeing to the concession 'as a compromise and as a sign of our good will' (1.1 in *figure 8*). His compromise acted as another proof of the US's good will as Kissinger pointed out. His presentational device, 'We respect your position' (1.1.1 in *figure 8*) and 'as a compromise and as a sign of good will' (1.1.1 in *figure 8*) enhanced his efforts to sound sincere. The mention of the US's disagreement with the demand but eventual compromise was used by Kissinger to show the US's willingness to commit to the peace talks.

In the concluding stage, the dialectical aim is the resolution of the conflict and a mutually accepted peace agreement while the rhetorical aim is an effective statement of results (Van Eemeren, 2010). In this stage, Kissinger's trust-building can be seen in his efforts in excerpts 22 and 23 to reassure Vietnam that the peace agreement would be the start of a new era.

    – 21. Kissinger: [..] But we are making an agreement with you with the intention of moving from an adversary to normalcy, and from normalcy to friendship, and therefore we must seek the guarantee not only in the provisions of the agreement, but also in our mutual desire of preserving a long-term friendship.
    – 22. Kissinger: We will meet you also with an open heart. And with the intention of looking to the future and to draw a line under the past.

In excerpts 21 and 22, Kissinger tried once more to reassure Vietnam that the US will follow through with the peace agreement. Since Vietnam had been hesitant about the US party's intentions throughout the peace talks, Kissinger clearly stated that 'we are making an agreement with you with the intention of moving from an adversary to normalcy, and from normalcy to friendship' (in excerpt 21) and 'with the intention of looking to the future and to draw a line under the past'. Kissinger's topical choice of stating the US party's intentions towards the peace agreement complied with the US's continuous efforts in building trust. Even during the last stage of the peace talks, Kissinger tried to persuade Vietnam about the US's character and intentions. His presentational device supports Kissinger's effort. Phrases like 'Mutual desire of preserving a long-term friendship' (in excerpt 21) and 'We will meet you also with an open heart' (in excerpt 22) were strong enough to convince Vietnam that the US means well.

### 4.4.2.2 *Logos*: Leaving out demands

As shown in the previous section, the US party's approach towards the peace negotiations can been described as collaborative but also indirect. In this section, it will be shown that, when expressing a view that opposes Vietnam's demand, Kissinger used the strategy of 'logos' in an attempt to leave out the opposing demand without sounding dismissive and negative towards the agreement, but also not making any promises that he might break. The analysis showed that the strategy of 'logos' was employed only in the opening and argumentation stages.

In the opening stage, Kissinger's effort to earn Vietnam's trust kept him from directly rejecting demands that the US was not willing to accept, thus, Kissinger applied the 'logos strategy. Kissinger was indirectly rejecting certain demands by leaving them out of the discussion or suggesting that these demands be discussed later as can be seen in excerpts 23 and 24.

- 23. K: As I said last time, I am here to meet in a spirit of conciliation and good will, prepared to forego unilateral demands, ready to look understandingly at your point of view. If you choose to negotiate in the same spirit, you will find us both forthcoming and reliable. The Special adviser asked last time whether you could be sure that we will keep the agreements that we may make. I want to tell you as solemnly as I am able that you can. We will maintain every agreement we make with you, not only in letter but also in spirit. We will abide by the consequences of whatever process we jointly start here. Furthermore, we are prepared to give the same guarantee to your allies as to you. We are willing to link our important relations in Moscow and Peking to our good faith in Indochina. You would thus have as guarantee not only our word to you but the force of American interest in its global diplomacy. Let me explain, incidentally, we have not discussed this with your allies. Do you understand? Let me explain in uncomplicated language. If you do not believe our word to you, we are prepared to give the same promises to your allies or any other country your trust […]
- 24. Kissinger: Once we agree on general objectives, we will find practical solutions relatively easily. Once we deal with each other on the basis of goodwill, you will find us meticulous and reliable in carrying our promises

In excerpt 23, Kissinger, maintaining his accommodating and collaborative approach, in an attempt to create a 'Zone of agreement' (Mason and Siegfried, 2013) offered certain confidence-building measures (CBMs) in order to prove to Vietnam that the US can be

trusted. He settled and asked for conciliation to prove that the US were willing to negotiate and come to a mutually acceptable agreement. He was trying once again to earn Vietnam's trust to be able to negotiate and advance his standpoints. He was 'prepared to forego unilateral demands' (in excerpt 23) without mentioning the demands that he was willing to negotiate about, thus ensuring the trust of the North Vietnam party, without being accused later of promising concessions on specific demands. Kissinger mentioned material that was mutually accepted without mentioning any points of conflict, thus, satisfying the audience demands, without making promises he could not keep.

The vagueness of his language ('We will maintain **every** agreement we make', 'We will abide by the consequences of **whatever process** we jointly start' (in excerpt 23) when making the promises enforced his strategy of sounding sincere without mentioning the specific concession, he and the US were willing to make. He also used repetition as a presentational device, by repeating his confidence-building measure of pledging to Vietnam and its allies that they would not break any promise after a peace agreement was signed increasing his credibility and respect. His aim was to prove that the US party can be trusted and to further progress the peace talks. The use of phrases like 'let me explain' twice and 'Do you understand' (in excerpt 23) were part of Kissinger's strategy in sounding confident and sure of his words and suggestion. Kissinger was offering guarantees to the Vietnam party in order to gain their trust so that the two parties could move forward with the peace negotiations. He complied with the Vietnam party's need for trust in order to proceed further with the negotiations.

 In excerpt 24, Kissinger in his continuous effort to not sound dismissive or negative towards Vietnam's demands, Kissinger reassured Vietnam that 'once we agree on general objectives, we will find practical solutions relatively easily'. His topical choice of not mentioning any specific demand allowed Kissinger to not commit to any concessions or promises that we might not be willing to keep but also to not sound negative on demands that Vietnam expressed. Kissinger indirectly kept his position without committing to any concessions. He was intentionally vague ('general objectives' in excerpt 24) and indirect ('practical solutions' in excerpt 24) about the demands that the US might be willing to agree to aiming at presenting the US as cooperative without committing to changing the US party's views and demands (appendix, p.40, l.5-9)

  Moving to the argumentation stage, Kissinger, arguing about Vietnam's demand about the elections in Vietnam, used the strategy of 'logos' with the aim of arguing against the elections without attaching Vietnam but by leaving out certain points and being indirect as it can be seen in excerpt 25.

– 25. K: First, on the overall process. Your position as expressed in the Seven Points and the Two-Point Elaboration is that the present government must change and then the new government should develop and new constitutional structure. We accept this general outline as to procedure, and also the two-stage approach it represents. We have made a conscientious effort to leave the decisions to the South Vietnamese people. We solemnly declare that we will abide by the results of the process we are proposing. The only thing we will not do is prescribe that outcome in Paris. We will not insist on a particular government; but we will not impose it either

1    We accept this general outline as to procedure, and also the two-stage approach it represents.

1.1a    We leave the decisions to the South Vietnamese people.

1.1b   We will abide by the results of the process.

1.1c   We will not prescribe that outcome in Paris.

1.1d   We will not insist on a particular government; but we will not impose it either.


*Figure 9 Reconstruction of the argumentation in excerpt 25*

   Kissinger used coordinative argumentation in order to defend the US party's proposal concerning the election in South Vietnam. He argued that the US agrees with Vietnam's proposal of the elections (1 in *figure 9*) but the US party will leave the Vietnamese people vote for their next government (1.1a in *figure 9*) instead of letting Vietnam create the new form of government and force to the Vietnamese people. He then proceeded on giving reassurance to the Vietnam party that the US will not stand in the way of the new government and will not try to support and impose a particular government that the US might be inclined towards. (1.1b, 1.1c, 1.1d in *figure 9*).

Kissinger underlined that the formation of the new government must exclusively be the decision of the Vietnamese people and not of the Vietnam party that would be in charge after the peace agreement and the resignation of the Thieu regime. Kissinger's condition was strategic, as he made the concession but did not give the Vietnam party full power to form their desired government.

Kissinger's indirectness in his argument once more added to the strategy of not revealing his true intentions and leaving out demands. He did not agree with Vietnam forming its own committee, but instead of rejecting the demand and make a counteroffer, Kissinger argued that the decision should be made by the Vietnamese people (1.1a in *figure 9*). Kissinger complied with Vietnam's demand about removing the Thieu administration from Vietnam but left out Vietnam's demand of the formation of the new administration. His indirect refusal of allowing the Vietnam party to form their own government allowed him to make promises of complete withdraw from Vietnam, but also take away any excessive power the Vietnam party might acquire from the acceptance of the demand. Kissinger consistently presented the US party as willing to agree on any demand but when the Vietnam party presented the demand, Kissinger indirectly dismissed it. His strategy aimed at minimizing Vietnam's power over the peace talks and advancing the US party's standpoints without losing the trust that had been established between the parties.

   Another (sub-)standpoint that was discussed in the peace negotiations was Vietnam's demand for a formation of a new administration in Vietnam. Kissinger argued that the US had made concessions concerning the new committee that agreed with Vietnam's demands in excerpt 26.

   – 26. Kissinger: You said there should be a body with power and concrete tasks including the implementation of the military and political provisions of the signed agreement. We have greatly expanded the role of what we call the Committe of National Reconciliation, so that in effect it parallels those of your Government of National Concord, and we now assign to it many of the functions that you yourself propose in your own plan.

1    We have greatly expanded the role of what we call the Committee of National
     Reconciliation, so that in effect it parallels those of your Government of National
     Concord

1.1   We now assign to it many of the functions that you yourself propose in your own
      plan.

1.1.1   You said there should be a body with power and concrete tasks including the
implementation of the military and political provisions of the signed agreement.


*Figure 10 Reconstruction of the argumentation in excerpt 26*

In excerpt 26, Kissinger mentioned Vietnam's demand of 'a body with power and concrete tasks including the implementation of the military and political provisions of the signed agreement' (1.1.1 in *figure 10*). He argued that the US 'have greatly expanded the role of what we call the Committee of National Reconciliation' (1 in *figure 10*) and have assigned to it many functions (1.1 in *figure 10*) that Vietnam had proposed.

Kissinger's approach was collaborative, reminding Vietnam the concessions the US's have made towards Vietnam's demand. His topical choice of mentioning the US's concessions allowed Kissinger to present the US as willing to cooperate. However, from his argumentation it was evident that the US did not fully accept Vietnam's demand. 'We have greatly expanded the role', 'what we call the Committee of National Reconciliation', 'your Government of National Concord', and 'many of the functions'. Kissinger's presentational devices showed Kissinger's indirect effort to reject several conditions from Vietnam's demands. Kissinger vaguely presented the concessions without explaining a) about the great expansion of the committee's role, b) why he used a different name for the committee, and c) why 'many of the functions' and not all of them. Kissinger (presumably intentionally) left out several demands aiming at not sounding dismissive and weaken his trust-building efforts, while simultaneously advancing the US's views on the peace agreement (appendix, p.154, l.15-23).

After analysing the way, the US party used the strategy of 'logos' in the peace talks, the analysis examined how Kissinger used the strategy of 'pathos' in order to sound collaborative and persuade Vietnam that both parties were working towards the same result, a mutually accepted peace agreement.

After section 4.4.2.3 showed Kissinger's attempt to leave out demands through the strategy of 'logos', the analysis moves to the last strategy that Kissinger used in the peace talks, the strategy of 'pathos'.


### 4.4.2.3 *Pathos*: Inclusive 'we'

The use of the 'pathos' strategy was used by Kissinger in his attempt to reassure Vietnam of the US party's intentions and of the success of the peace agreement. In the analysis, the strategy of 'pathos' can be seen in the opening and concluding stages.

In the opening stage, Kissinger's trust-building measures entailed using the strategy of 'pathos'. Vivid language and the collective 'we' were used to prove the US party's commitment to the peace talks as it is evident in excerpts 27 and 28.

- 27. Kissinger: Now the Special Adviser asked one question, which I think requires a thoughtful answer, which is: if we come to an agreement, will we keep it? I want to tell the Special Adviser and the Minister that if we come to an agreement, we will observe not only the letter but the spirit, not only the formal aspect but every nuance.
- 28. Kissinger: I appreciate this very moving speech and the spirit in which it is expressed. We should not deal with each other with pressure, with coercion or with threats, but in an attitude of mutual comprehension.

In excerpt 27, Kissinger, answering to a question that Le Duc asked, 'if we come to an agreement, will we keep it?', confidently tried to convince Vietnam that the US would commit to every single part of the signed agreement. Kissinger's topical choice of answering Le Duc's question aimed at easing Vietnam's fears and hesitation about the US's actions and convincing Vietnam that the US will commit to the agreement. Kissinger made an emotional plea, mentioning the spirit of the agreement, indirectly using appealing to the benefits of peace that both parties will enjoy after the peace agreement. Kissinger's mention of the spirit of the agreement and its nuances acted also as a promise for a peaceful 'new era' after the agreement. Kissinger was direct and assertive in his reassurance. As a presentational device, he used vivid language ('**we will** observe', 'not only the letter but **the spirit**, not only the formal aspect but **every nuance**.') to sound convincing and confident and the collective 'we' ('if we come to an agreement') to show unity and shared beliefs between the parties.

In excerpt 28, Kissinger showed the same enthusiasm and confidence about the peace talks as he did in excerpt 27. He 'appreciated' Le Duc's speech and agreed with his suggestion of not dealing with the peace talks with 'mutual comprehension' in an effort to show the US party's good will. He used the collective 'we' ('We should not deal with each other with pressure') to illustrate that Vietnam and the US are on the same page.

Kissinger, in the concluding stage, sensing Vietnam's hesitation about the success of the peace agreement, adopted a confident approach towards the end of the peace negotiations. Kissinger reassured Le Duc that they are approaching the end of the peace talks in excerpts 29 and 30.

- 29. (Le Duc: But we are making now a race to peace or to war?) Kissinger: To peace, and we're behind the trees!
- 30. (Le Duc: but shall we overcome those trees or shall be hindered by these trees?)
- Kissinger: No, we will settle.'

In excerpts 29 and 30, Kissinger, sensing Vietnam party's hesitation, changes his approach and becomes confident and direct. He reassures Le Duc that they are moving towards peace and that they are almost done. Kissinger uses the strategy of 'pathos' trying to convince the Vietnam party that everything will be okay. His is trying to compare the peace talks to a story that is about to reach its happy end ('We are behind the trees! in excerpt 29) appealing to the emotion of relief and reassurance that a happy ending brings, especially after Vietnam's hardships.

The metaphorical image with the trees used by Kissinger as a presentational device is also part of his 'pathos strategy'. Trees represent life and growth (Chatrudi, 2012), thus, Kissinger using the tree image appealed to the emotion of reborn and growth. Both parties will be able

to grow and prosper when they overcome the trees, meaning when they sign the peace agreement. He aims at convincing the Vietnam party that the race and the war is almost over. Kissinger's approach is strategic and acts as the last proof of good faith and dedication to the peace agreement. His is direct and his words sound like promises in an attempt to ease any fear or hesitation coming from the Vietnam party. He uses the collective 'we' (30), trying to adapt to audience demand, to show unity and convince Le Duc that they are on the same team working towards the same goal. His visualization of the end of the peace negotiations offers a reassurance as it becomes easier to picture the end. Kissinger's direct answers and metaphors effectively erase any hesitation and concerns the Vietnam party might have.

After expressing any last hesitation that they might have towards the peace agreement, both sides seem ready to sign the agreement. Kissinger, in his last attempt to convince Vietnam that the peace agreement would be successful, using the strategy of 'pathos' talks about a new era for both countries in excerpt 31.

- 31. Kissinger: And after the signing ceremony we will start a new era which will begin an increasingly friendly relationship between our two countries.

In excerpt 31, Kissinger attempted one last time to persuade Le Duc that the peace agreement would be successful. His presentational device complemented his topical choice of mentioning the 'new era' after signing the peace agreement. Kissinger used the adverb 'increasingly' and the adjective 'friendly' to characterize the relationship between the two countries after the agreement. Kissinger was filled with confidence and optimism for the future, feelings he was trying to share with Vietnam through his speech. Kissinger's ultimate aim for his confident stance and unity was to convince Vietnam that the peace agreement would change things for the better.

## 5. Conclusion and Discussion

Peace negotiation between countries has been a critical and sensitive process. The peace negotiations between the United States and Vietnam from 1963 until 1973 became a great example for the study of argumentation and on how peace talks are conducted. Previous research on peace negotiations lacks a systematic view on what strategies are used by the negotiators and how these strategies can affect the outcome of the peace negotiations. In my thesis, applying the extended pragma-dialectical argumentation theory, I examine peace negotiations as a communicative activity type, I present the standard form peace negotiations can have, the stages and the peace processes that a peace negotiation can include, and I identify the strategies both negotiators use during the peace talks to advance their standpoints and reach a mutual acceptable agreement.

From my analyses, it is evident that trust is an essential element in the peace negotiations. Both parties have the right to remove themselves from the negotiations at any point during the peace talks, thus, trust-building strategies and peace processes are used throughout the peace talks. The strategy of 'ethos' is used by the Vietnam party to show Vietnam's good character with the aim of taking control of the peace talks and advance Vietnam's standpoint, while the US party used the 'ethos' strategy to convince the Vietnam that their intentions are good with the aim of establishing trust and a friendly environment for the negotiations to

move forward. Additionally, the Vietnam party used the strategy of 'logos' to accuse the US of previous bad behaviour towards the peace talks, blaming the US for the previous failed attempts at peace and weakening the US party's power over the peace talks. The US party also used the strategy of 'logos', but in a different way: in an attempt to present themselves as a collaborative party while indirectly rejecting several of Vietnam's demands, leaving them out of the discussion. Finally, the strategy of 'pathos was used by both parties. Vietnam used the 'us vs you' strategy as a constant reminder of the distance between the Vietnam and the US's qualities and actions towards the peace talks while the US party used the collective 'we' as a trust-building strategy in an attempt to prove their devotion to the peace agreement.

What these analyses show is that the study of peace negotiations from an argumentative perspective can offer further and detailed insight in how peace negotiations are conducted and what moves could be adopted aimed at transforming conflicts between countries through peaceful methods into peace agreements that would benefit both parties. In essence, peace negotiations can be reconstructed as argumentative discussions, but the setting of these negotiations affects the room to manoeuvre in them in a very specific way.  The analysis of peace negotiations as an argumentative activity type therefore may systematically identify the opportunities and constraints for the strategies used in peace negotiations and how they can impact the outcome of the peace talks.

From an argumentation theoretical perspective, the study of peace negotiations as a distinct argumentative activity type also broadens our understanding of the way in which strategic manoeuvring is affected by the context in which it occurs. Peace negotiations have different possibilities for strategic manoeuvring than, for example, business negotiations. For one, the threat of a failed peace negotiation is far more substantial for both parties in peace negotiations and, what is more, a certain degree of hostility between the peace negotiation parties from the start is a given, while this is not necessarily the case in business negotiations. To systemically analyse how these particular characteristics of peace negotiation affect the peace process and, specifically, the strategies that the negotiation parties use, furthers our overall understanding of the effect of context, even in an international situation, on the argumentative discourse.

  Nonetheless, there is a number of questions that still has to be answered after completing this study. For example, the question of whether the Vietnam-US peace negotiations can be representative of all peace negotiations cannot be answered with certainty due to the limited literature on real-life peace negotiations and peace negotiations strategies. However, the structure of the Vietnam peace negotiations follows the standard structure of peace negotiations. Another issue rising from the limited literature and peace negotiation transcripts is whether the strategies that were found in the analysis can be considered standard strategic manoeuvring that can occur in the peace negotiations or personal strategies that the two parties employed to advance their demands. Furthermore, the Vietnam peace negotiations revealed the fragility of a peace agreement. As even with a signed peace agreement, the hostilities and bombings did not stop. Thus, research on the implementation of the peace agreement would help ensure lost-lasting peace agreements. An element that distinguishes peace negotiations from other types of negotiations is the urgency with which the parties must come to an agreement. The pressure of restoring the peace and ending the hostilities might push parties into accepting demands so that the peace talks can move on quicker into a peace agreement. That is one of the reasons why some peace agreements fail, and it is also a reason to look into the question to what extent the verbal strategies used in the peace negotiations are really decisive for the success of these negotiations. In the end, other

consequences (such as the threat of civilian losses or economic consequences) might be so substantial that, rather than the negotiation strategies, they are actually the decisive factors. Thus, more qualitative but also quantitative research on peace negotiations and the peace strategic is required. The present research could serve as a basis for further research on what measures are needed to ensure long-term peace agreements.

The transcripts that have been analysed in the thesis are from 1972. Thus, the information and the strategies used in the peace talks could be considered outdated and may not be practical in present and future peace negotiations. An attempt of an establishment of a standard structure of the peace negotiations is the goal of the thesis and it could serve as source for future studies on the progress of the strategies used in peace talks based on the conditions and the needs of the time the peace talk take place.

  It must be stressed that the results of the analysis are based on one case of peace negotiations. The reason behind the choice of the specific peace negotiations between the US and Vietnam was that it was one of the few peace negotiations that was declassified. Most peace negotiations are not published, and the parties are not allowed to disclose information that have not been agreed by both sides. A question that rises from the secrecy behind peace talks is whether the involvement of the public in the peace talks benefit the implementation of the peace agreement and eventual long-lasting application of the peace agreement.

# References

Vietnam Peace talks: The Kissinger-Le Duc Tho Negotiations, July 1972–October 1972 (link) https://history.state.gov/historicaldocuments/frus1969-76v42/ch4


van Eemeren, F. H., & Houtlosser, P. (2000). *Rhetorical Analysis Within a Pragma-Dialectical Framework The Case of R. J. Reynolds*.

Zurich, E., & Mason, S. A. (2007). *ISN Mediation and Facilitation in Peace Processes international relations and security network Mediation and Facilitation in Peace Processes*.

Wertheim, E. (n.d.). *Negotiations and Resolving Conflicts: An Overview prepared by*. http://www.cba.neu.edu/~ewertheim/

Weller, M. (2008). The Vienna negotiations on the final status for Kosovo. In *International Affairs* (Vol. 84). http://www.unmikonline.org/press/2004/trans/tr280404.pdf,

Walton, D. (2006). Examination dialogue: An argumentation framework for critically questioning an expert opinion. *Journal of Pragmatics*, *38*(5), 745–777. https://doi.org/10.1016/j.pragma.2005.01.016

Villaveces-Niño, M.-J. (1998). *Why peace processes fail or move forward? Negotiations in Colombia with FARC and AUC Political economy of rural taxation in Colombia View project Land reform and rural economy in Colombia View project*. https://www.researchgate.net/publication/5007794

Vasilyeva, A. L. (2017). Strategic maneuvering in dispute mediation. *Argumentation and Advocacy*, *53*(3), 234–251. https://doi.org/10.1080/00028533.2017.1341452

Upreti, B. R. (2017). *Case Study on Nepal Observations and Reflections on the Peace and Constitution-Making Process*. www.swisspeace.org,

Thania Pfaffenholz, B., Kew, D., & Wanis-St John, A. (n.d.). *Civil Society and Peace Negotiations: Why, Whether and How They Could be Involved*. www.isanet.org/archive.html.

Sicherman, Harvey., & Washington Institute for Near East Policy. (1993). *Palestinian autonomy, self-government & peace*. Westview Press.

Sebenius, J. K. (2013). Level Two Negotiations: Helping the Other Side Meet Its "Behind-the-Table" Challenges. *Negotiation Journal*, *29*(1), 7–21. https://doi.org/10.1111/nejo.12002

Schuetz, J. (2011). *Strategic Maneuvering and Appellate Argumentation in Boumediene v. Bush*. *3*(2), 147–166.

Saliternik, M. (2016). Perpetuating democratic peace: Procedural justice in peace negotiations. *European Journal of International Law*, *27*(3), 617–642. https://doi.org/10.1093/ejil/chw032

Ron, A. (2009). PEACE NEGOTIATIONS AND PEACE TALKS: THE PEACE PROCESS IN THE PUBLIC SPHERE. In *International Journal of Peace Studies* (Vol. 14).

Rapula, I., Molefhe, M., & Mandela, N. (2017). *AN ANALYSIS OF MILITARY POWER SHARING IN MOZAMBIQUE: A CONFLICT MANAGEMENT PERSPECTIVE Conflict Transformation and Management at the School of Governmental and Social Sciences in the FACULTY OF ARTS of the*.

Raik, G. (2016). *R E C A N AT I-K A P L A N F E L The Diplomatic Maneuver A Winning Strategy to Sustain Israel's Cold Wars with Hamas and Hezbollah*. www.belfercenter.org/fellowships/recanatikaplan.html

Ragionieri, R. (1997). THE PEACE PROCESS IN THE MIDDLE EAST: ISRAELIS AND PALESTINIANS. In *International Journal of Peace Studies* (Vol. 2, Issue 2).

Ó Dochartaigh, N. (2015). The Longest Negotiation: British Policy, IRA Strategy and the Making of the Northern Ireland Peace Settlement. *Political Studies*, *63*(1), 202–220. https://doi.org/10.1111/1467-9248.12091

Mukarji, N. (1994). *Self-Government and Its Instrumentalities* (Vol. 29, Issue 14).

Module, E. (2008). *Negotiation Theory and Practice: A Review of the Literature*. www.fao.org/easypol.

Mitchell, D. (2021). Learning from a peace process: Theory, practice and the case of Northern Ireland. *Government and Opposition*, *56*(4), 705–721. https://doi.org/10.1017/gov.2020.6

Margaret Levi, A. (n.d.). *Peace Process Good Governance and the Provision of Public Goods*.

Mapendere, J. (n.d.). Track One and a Half Diplomacy and the Complementarity of Tracks. In *COPOJ-Culture of Peace Online Journal* (Vol. 2, Issue 1). www.copoj.ca66

Levinson, M. H. (n.d.). *MAPPING THE LANGUAGE AND RHETORIC OF THE FIETIUM WAR*.

Langholtz, H. J. (n.d.). *Disarmament, Demobilization, and Reintegration (DDR): A Practical Overview*.

Kyed, H. M., & Gravers, M. (2015). Integration and power-sharing: What are the future options for armed non-state actors in the myanmar peace process? *Stability*, *4*(1). https://doi.org/10.5334/sta.gt

Kong, H., Furner, C., Zinko, R., C, C. L., P, F. C., Chang, L.-C., & Furner, C. P. (2010). A study of negotiations within the ethnic Chinese community between Taiwan and Privacy Policy Violations View project A STUDY OF NEGOTIATIONS WITHIN THE ETHNIC CHINESE COMMUNITY BETWEEN TAIWAN AND HONG KONG MANAGEMENT RESEARCH A STUDY OF NEGOTIATIONS WITHIN THE ETHNIC CHINESE COMMUNITY BETWEEN TAIWAN AND HONG KONG. *Management Research and Practice*, *2*(4), 329–343. https://www.researchgate.net/publication/227490187

Jonas, S. (2000). Democratization through Peace: The Difficult Case of Guatemala. In *Source: Journal of Interamerican Studies and World Affairs* (Vol. 42, Issue 4). Winter. https://about.jstor.org/terms

Hirblinger, A., van Hooff, S., Kellogg, M., & Paffenholz, T. (2011). *Supporting or Resisting Change: Elite Strategies in War to Peace and Political Transitions*. www.goo-ltd.fr

Hartzell, C., & Hoddie, M. (2003). Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management. In *American Journal of Political Science* (Vol. 47, Issue 2).

Godwin, H., & Igben, O. (2016). *UNIVERSITY OF SALFORD PUBLIC RELATIONS AND PEACE NEGOTIATION IN NIGER DELTA*.

Gates, S. (n.d.). *Power-sharing and Civil Conflict The map shows countries with post-conflict power-sharing agreements*.

Gardner, D. (n.d.). *The Colombian Peace Talks Practical Lessons for Negotiators Worldwide Board of Directors International Advisory Council*. www.ifit-transitions.org

Forster, R. A. (2020). Peace Agreements. In *The Palgrave Encyclopedia of Global Security Studies* (pp. 1–7). Springer International Publishing. https://doi.org/10.1007/978-3-319-74336-3_94-1

Forgács, G. (2014). Strategic manoeuvring and the selection of starting points in the pragma-dialectical framework. In *Studies in Logic, Grammar and Rhetoric* (Vol. 36, Issue 49, pp. 241–249). University of Bialystok. https://doi.org/10.2478/slgr-2014-0013

Fishel, W. R. (1949). *Source: The Far Eastern Quarterly* (Vol. 8, Issue 4).

Fisas, V. (2015). *Executive summary*.

Fisas, V., & Herbolzheimer, K. (n.d.). *PEACE PROCESS MODELS COMPARATIVE STUDY 1995-2005*.

Farasat, W., & Hayner, P. (2009). *Pic to come IFP MEDIATION Cluster Country case study: Nepal Negotiating Peace in Nepal Implications for Justice*. http://www.ictj.org/.

Falch, Å. (1994). *Power-sharing To Build Peace? The Burundi Experience with Power-sharing Agreements*.

Dudouet, V., Amaral, J., Taboada García, R., Vimalarajah, luxshi, Berghof Foundation Operations gGmbH, & Berghof Foundation Operations gGmbH. (n.d.). *On negotiating peace: A compilation of strategic frameworks Based on the perspectives of resistance and liberation movements*.

Distr. (1996). UNITED NATIONS GENERAL ASSEMBLY SECURITY COUNCIL Fifty-first session Fifty-second year Agenda item 4 0 THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE General Assembly Security Council. In *National Palace of Guatemala City on*.

Ch Perelman, by, Routledge, by, Paul Limited Broadway House, K., Lane London, C., & Richard, by. (1963). *THE IDEA OF JUSTICE AND THE PROBLEM OF ARGUMENT*.

Cairo, H., Oslender, U., Piazzini Suárez, C. E., Ríos, J., Koopman, S., Montoya Arango, V., Rodríguez Muñoz, F. B., & Zambrano Quintero, L. (2018). "Territorial Peace": The Emergence of a Concept in Colombia's Peace Negotiations. *Geopolitics*, *23*(2), 464–488. https://doi.org/10.1080/14650045.2018.1425110

Binningsbø, H., Malmin, /, Dupuy, K., & Leone, S. (2009). Africa Spectrum Using Power-Sharing to Win a War: The Implementation of the Lomé Agreement in. *Africa Spectrum • Journal of Current Chinese Affairs • Journal of Current Southeast Asian Affairs • Journal of Politics in Latin America • <www.Giga-Journal-Family.Org>*. www.africa-spectrum.org

Bell, C., Gluckstein, S., Forster, R., & Pospisil, J. (n.d.). *Military Power-Sharing and Inclusion in Peace Processes*. www.peaceagreements.org

Mustafa Source, Z. (1969). *THE PARIS PEACE TALKS* (Vol. 22, Issue 1).

Wachsmuth, H., Stede, M., el Baff, R., Al-Khatib, K., Skeppstedt, M., & Stein, B. (n.d.). *Argumentation Synthesis following Rhetorical Strategies*.

Aristotle. (1909). The Rhetoric of Aristotle : a Translation. Cambridge [Cambridgeshire] :The University Press,

Chatrudi, M. P., & Jalali, M. (2012). Trees: Symbols of Unification, Love, and Peace among Civilizations. *Theology Today*, *69*(1), 73–84.