

# Hidden in Plain Sight: Escalation Control and the Covert Side of the Vietnam War

Austin Carson  
University of Chicago  
[acarson@uchicago.edu](mailto:acarson@uchicago.edu)

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**Abstract:** American military operations in Laos during the Vietnam War are a classic case of an “open secret.” Within a year of the program’s start, news reports in major media outlets about U.S. covert operations, including specific bombing missions, were routine. Despite widespread knowledge, American leaders maintained the program and consistently refused to affirm their role for over five years. This is puzzling behavior. Open secrets, by definition, fail to alter the distribution of knowledge; this is secrecy’s central function in intuition, theories, and assumptions about private information, deception, and so on. To solve this puzzle, this article takes exposure seriously, offering an escalation control theory of the political value of open secrecy. I theorize the independent role of acknowledgement, as opposed to knowledge, and link its presence or absence to conflict escalation dynamics. Empirically, the article analyzes the covert Laos operations by drawing on new archival material that provides an unusually candid window into management of a covert action program. I provide evidence top U.S. leaders anticipated leaks and saw non-acknowledgement as useful in shaping whether events in Laos would trigger a wider regional war, specifically linking it to Soviet, Chinese, and domestic Laotian reactions. In addition to conceptual and theoretical innovation, the article sheds light on recent and important cases of open secret covert state behavior, such as Russian involvement in Eastern Ukraine, Iranian support for insurgents in civil wars in the Middle East, and American drone strikes in Pakistan.

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The Kargil War in 1999 between India and Pakistan began with the infiltration of Kashmir by what appeared to be Pakistani militants. This incursion was, in fact, a covert operation managed by Pakistan's army. To make it appear as if it was "mujahideen" activity, military personnel were stripped of their standard issue uniforms and had identification papers taken away. Covertiness was useful to Islamabad because "admission would have been tantamount to confession that Pakistan deliberately committed an act of war" and India would have faced "popular demands to punish Pakistan... even more forceful than it was." The puzzle in Pakistan's incursion was that its use of secrecy was not very effective. Media reports in the first weeks of the crisis regularly attributed the incursion to Pakistan. India's intelligence services drew on numerous sources, including signals intercepts, to confirm the participation official Pakistani special forces. Other governments, including the United States, had little doubt who was behind the attack.<sup>1</sup>

What function could a shoddily concealed covert operation serve? Answers from extant research are limited by a common tendency to assume secrecy, when used, serves a knowledge limitation function. In this story, concealment alters *who* knows *what* about a concealed decision or policy action. Secrecy, for example, helps insecure states deceive adversaries about war plans or new weapons capabilities. Secrecy can help vulnerable democratic leaders overcome war reluctance in the mass public or avoid audience punishment for diplomatic compromise. Wide exposure of secrets would eliminate this knowledge-based effect, just as exposing Pakistan's hand in the Kargil incursion could invite counter-responses (i.e. adversary counter-measures; domestic

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<sup>1</sup> C. Christine Fair, "Militants in the Kargil Conflict: Myths, Realities, and Impacts," in *Asymmetric Warfare in South Asia: The Causes and Consequences of the Kargil Conflict*, ed. Peter R. Lavoy (Cambridge University Press, 2009), 231–34.

frustration). Retaining a covert posture despite such exposure therefore defies knowledge-based explanations for the utility of secrecy.

This article develops a limited war theory of open secrets and evaluates it empirically in the case of exposed American covert operations in Laos during the Vietnam War. In other work, I show effective secrecy can be used by adversaries to control conflict escalation.<sup>2</sup> This article shifts the focus to *ineffective* or “open secrets.” Doing so is valuable in part because, in practice, secrecy is both effortful and leak-prone.<sup>3</sup> In addition, analyzing open secrecy in particular provides an opportunity for theoretical innovation by looking at situations where the typical knowledge effects of secrecy are unlikely to play a role. The basic claim is that exposure of secret state behavior does not eliminate the communicative and face-saving effects of non-acknowledgment. The secret-holder(s) and other actors can still avoid official acknowledgement even in the face of widespread knowledge. Non-acknowledgment can both loosen political constraints on states and serve a communicative function, both of which help enable the restraint and compromise necessary for limited war. The reaction to Pakistan’s role in the Kargil War illustrates this. As Fair notes, India chose not to demonstrate Pakistan’s role in the initial incursion, and the international community

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<sup>2</sup> Austin Carson, “Facing Off and Saving Face: Covert Intervention and Escalation Management in the Korean War,” *International Organization* 70, no. 01 (2016): 103–131, doi:10.1017/S0020818315000284.

<sup>3</sup> On exposure including partial revelation, see Kim Lane Scheppele, *Legal Secrets: Equality and Efficiency in the Common Law*, 1st ed. (University Of Chicago Press, 1988), 14–22; on the effort of secrecy in organizations, see Hans Geser, “Towards an Interaction Theory of Organizational Actors,” *Organization Studies* 13, no. 3 (January 1, 1992): 429–51; David R. Gibson, “Enduring Illusions The Social Organization of Secrecy and Deception,” *Sociological Theory* 32, no. 4 (December 1, 2014): 283–306; Rahul Sagar, *Secrets and Leaks: The Dilemma of State Secrecy* (Princeton University Press, 2013); David E. Pozen, “The Leaky Leviathan: Why the Government Condemns and Condone Unlawful Disclosures of Information,” *Harvard Law Review* 127, no. 2 (December 2013): 512–635; on exposure risks in IR, see Keren Yarhi-Milo, “Tying Hands Behind Closed Doors: The Logic and Practice of Secret Reassurance,” *Security Studies* 22, no. 3 (2013): 405–35; Austin Carson and Keren Yarhi-Milo, “Covert Communication: The Intelligibility and Credibility of Signaling in Secret,” *Security Studies* 26, no. 1 (January 2, 2017): 124–56.

followed suit, because of “the fiction of a *mujahideen*-led initiative...provided Pakistan with an honorable exit” which was valuable given “the Government of India’s need to temper escalation.”<sup>4</sup>

I analyze open secrecy and escalation in the Vietnam War during the 1964 to 1968 period. In Laos, American covert combat operations, beginning in 1964, quietly expanded the zone of combat beyond Vietnam’s borders. Regular press coverage starting in early 1965 led to widespread knowledge of covert Laos operations with some even referring to it as an “open secret” at the time. My empirical strategy takes advantage of a curious side effect of the bureaucratic management of the American covert intervention in Laos. For idiosyncratic reasons, covert operations were managed by the American ambassador in Vientiane, rather than the Central Intelligence Agency or Department of Defense. This led to standard State Department declassification rules being applied to relevant records. The result is an unusually candid window into the management of a covert action program, typically exempted from normal declassification processes.

The article makes two primary contributions. First, it conceptualizes an empirical phenomenon unaddressed in current scholarship (open secrecy) and identifies a new causal mechanism (acknowledgement), both of which I argue are important components of the actual practice of deception in international politics. While not the first to recognize the role of exposure, this is the first attempt to theorize the practical consequences of exposure and its link to important outcomes like war escalation. In doing so, I bring attention to literatures from outside International Relations (IR) about open secrecy and social acknowledgement dynamics which underscore the

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<sup>4</sup> Fair, “Militants in the Kargil Conflict: Myths, Realities, and Impacts,” 231–34.

promise of broader research attention to these issues.<sup>5</sup> For scholars specifically interested in secrecy, deception, and private information, the article offers conceptual tools, theoretical claims, and an important empirical test about exposure, an obviously relevant but largely undertheorized outcome. Beyond the academy, the Kargil War, the American covert drone strike program in Pakistan and Yemen, and the Russian intervention in Eastern Ukraine all seemed to involve “open secret”-type behavior. Focusing on historical cases of exposed covert programs provides valuable insight into what these states have been up to and why they still derive value from covert activity in plain sight.

More broadly, the article suggests the value of a more nuanced view of information and transparency. International Relations scholars have typically assumed states respond to “incentives to misrepresent” in the international system through public or private means.<sup>6</sup> This article suggests a dichotomous conceptualization of these information options misses the unique politics of intermediate and alternative outcomes. Moreover, the arguments here underscore how such intermediate options may involve unique political dynamics, such as the ritualistic avoidance of official acknowledgement. While I focus on a state-based conflict behavior, acknowledgement of widely known facts has been controversial in cases like states’ labeling contemporary and historical episodes as genocides (i.e. Sudan; Armenia; the Holocaust), the existence and human role in global climate change, and decades-long mutual pretense about Israel’s nuclear weapons

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<sup>5</sup> E.g. Barney G. Glaser and Anselm L. Strauss, *Awareness of Dying* (Aldine Publishing Company, 1965); M. F. Friedell, “On the Structure of Shared Awareness,” *Behavioral Science* 14, no. 1 (1969): 28–39; Barbara Ponse, “Secrecy in the Lesbian World,” *Urban Life* 5, no. 3 (October 1976); Eviatar Zerubavel, *The Elephant in the Room: Silence and Denial in Everyday Life* (Oxford University Press, USA, 2006); Claire L Molesworth, “Knowledge versus Acknowledgment: Rethinking the Alford Plea in Sexual Assault Cases,” *Seattle Journal for Social Justice* 6 (2008): 907; Alexandra H. Perina, “Black Holes and Open Secrets: The Impact of Covert Action on International Law,” *Columbia Journal of Transnational Law* 53 (2015 2014): 507.

<sup>6</sup> James D. Fearon, “Rationalist Explanations for War,” *International Organization* 49, no. 3 (Summer 1995): 379–414.

status.<sup>7</sup> Scholars should therefore attend to the politics of admitting the validity of facts, rather than simply theorizing the circulation and implications of knowledge per se.

The article first defines key concepts, disaggregates forms of exposure and open secrecy, and reviews the limited insight available from extant research. The second section develops the theory, defining acknowledgement, outlining its social and political significance, and linking it specifically to escalation dynamics. The third section derives observable implications and establishes U.S. covert operations in Laos as a case of open secrecy. The fourth section analyzes declassified archival material from the managers of covert U.S. operations in Laos. The last two sections discuss potential objections and implications for policy and future research.

## I. Defining and Explaining Open Secrecy

Secrecy, defined as intentional concealment of information from one or more audiences, is a modality, or method for making decisions and behaving.<sup>8</sup> Secrecy is effortful. Withholding information from some or all potential observers is difficult for complex organizations like states; its maintenance requires rules, penalties, and habits.<sup>9</sup> A term closely related to secrecy is “covert.” Covertiness is defined as government-managed activity conducted with the intention of concealing the sponsor’s role and avoiding acknowledgement of it.<sup>10</sup> It is therefore a narrower term than

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<sup>7</sup> See also Stanley Cohen, *States of Denial: Knowing about Atrocities and Suffering* (Polity, 2001); Avner Cohen, *The Worst-Kept Secret: Israel’s Bargain with the Bomb* (Columbia University Press, 2010); Perina, “Black Holes and Open Secrets.”

<sup>8</sup> Sissela Bok, *Secrets: On the Ethics of Concealment and Revelation* (New York: Vintage Books, 1989), 5–6.

<sup>9</sup> On effortful secrecy in social contexts, see Thomas Gregor, “Exposure and Seclusion: A Study of Institutionalized Isolation among the Mehinaku Indians of Brazil,” in *Secrecy, a Cross-Cultural Perspective*, ed. Stanton K Tefft (New York, N.Y.: Human Sciences Press, 1980); on the uniquely effortful nature of secrecy in organizations, see Geser, “Towards an Interaction Theory of Organizational Actors.”

<sup>10</sup> In American law, covert action is defined as “an activity or activities of the U.S. Government to influence political, economic, or military conditions abroad, where it is intended that the role of the U.S. Government will not be apparent or acknowledged publicly.” Perina, “Black Holes and Open Secrets,” 512; also see Elizabeth E. Anderson, “The

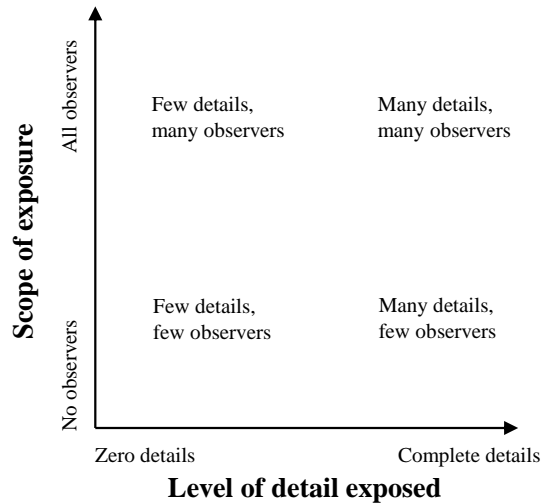
secrecy, involving state behavior (i.e. not just a concealed decision), secrecy about the sponsor's identity specifically (i.e. not just operational details), and explicitly incorporates the concept of non-acknowledgement or "deniability."<sup>11</sup> The alternative to using secrecy is deciding, communicating, or engaging in policy activity publicly; the alternative to acting covertly is acting in a way that the sponsor of a state action is both visible and acknowledged publicly.

I define exposure as the intentional or unintentional revelation of concealed information to one or more audiences. Exposure is not dichotomous; it varies in *to whom* information is exposed and *with what level of detail* (Figure 1). In terms of level of detail, exposure can range from minimal details of a policy (the existence of peace feelers) up to all relevant details (transcripts of peace talks). In terms of number of observers, exposure can range from a single other state to all non-state and state actors. The lower left corner of Figure 1 represents completely effective concealment; the upper right features exposure of all details to all observers. Uncertainty is highest in the lower left and decreases to the point of certainty in the extreme upper right. A related term is deniability, or the capacity for a secret holder to refute claims about the content of a secret. This is highest in the lower left; plausible deniability exists in the center; and, implausible deniability characterizes the upper right corner.

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Security Dilemma and Covert Action: The Truman Years," *International Journal of Intelligence and CounterIntelligence* 11, no. 4 (1998): 403–427, on covert vs. overt.

<sup>11</sup> Clandestine is a related term which tends to connote concealment of both sponsor and sponsor operation. Covert operations, in contrast, can have apparent effects but in which the sponsor of that operation is not apparent. See Perina, "Black Holes and Open Secrets," 512.



**Figure 1. Conceptualizing variation in exposure**

What is an “open secret”? One scholar defines it in game theoretic terms as “common knowledge but tacit collusion to act as if the contrary of the proposition were true.”<sup>12</sup> Analyzing the concept in light of recent cases like the U.S. drone program, Pozen defines open secrets as “those about which the entire community knows a tremendous amount but has no official confirmation.”<sup>13</sup> Perina builds on this definition and clarifies that these are the result of “[a]ccretions of information or allegations” that “incrementally diminish a secret’s depth, until in some cases it may be considered an ‘open secret’ even if it continues to be unacknowledged.”<sup>14</sup> I define open secrecy as concealed decisions or state behavior that have been exposed to the widest set of observers and with substantial or complete detail, which roughly corresponds to the upper right quadrant of Figure 1.

<sup>12</sup> Friedell, “On the Structure of Shared Awareness,” 35.

<sup>13</sup> David E. Pozen, “Deep Secrecy,” *Stanford Law Review* 62, no. 2 (2010): 271.

<sup>14</sup> Perina, “Black Holes and Open Secrets,” 540.



To be clear, exposure is both endogenous and exogenous to state choices. On one hand, decisions about the scope, timing, and form of a secret military mobilization or covert action will influence the likelihood of exposure to different audiences. States may even design covert activity to be visible to specific audiences as a way to send a diplomatic message.<sup>15</sup> On the other hand, factors outside the control of leaders and the state bureaucracy influence such exposure risks. The quality of intelligence-gathering by rival states, the local media environment, and even the population density of areas where operations take place can influence the likelihood of exposure.

Two broad views about secrecy's functionality are present in extant IR research; I refer to them as Realist and Nixonian logics for simplicity's sake.<sup>16</sup> The first view is anchored in the strategic competition between states under anarchy. In a self-help world under anarchy, Realist theories have long postulated that states prioritize survival, focus on relative power, and fear the intentions of friends and enemies alike.<sup>17</sup> Such conditions place a high premium on managing information, specifically information useful to current or future adversaries should war break out. Secrecy's utility for deceiving adversaries and safeguarding relative power and military effectiveness is captured in Fearon's influential restatement of rational explanations for war and his emphasis on private information and "incentives to misrepresent."<sup>18</sup> Blainey argues secrecy

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<sup>15</sup> Scott D. Sagan and Jeremi Suri, "The Madman Nuclear Alert: Secrecy, Signaling, and Safety in October 1969," *International Security* 27, no. 4 (2003): 150–83; William Burr and Jeffrey Kimball, "Nixon's Secret Nuclear Alert: Vietnam War Diplomacy and the Joint Chiefs of Staff Readiness Test, October 1969," *Cold War History* 3, no. 2 (January 2003): 113–56; Carson and Yarhi-Milo, "Covert Communication."

<sup>16</sup> The "Realist" label is used in full recognition of the varieties of realist theory. I use it as a shorthand for theories of state behavior which emphasize security scarcity, distrust of adversaries, and preventive measures to address relative military power and perform well should war come.

<sup>17</sup> Kenneth N. Waltz, *Theory of International Politics*, 1st ed. (McGraw-Hill Humanities/Social Sciences/Languages, 1979); John J. Mearsheimer, *The Tragedy of Great Power Politics* (W. W. Norton & Company, 2003).

<sup>18</sup> "States certainly have private information about factors affecting the likely course of battle - for example, they jealously guard military secrets and often have superior information about what an ally will or will not fight for." Fearon, "Rationalist Explanations for War," 381, 393.

both helps states safeguard war plans and capabilities while also contributing to mistaken optimism that invites war.<sup>19</sup> Van Evera identifies a host of problems that result from secrecy's attractiveness in interstate competition, calling it "a Hydra-headed war cause."<sup>20</sup> Some scholars focus specifically on wartime secrecy noting its value in surprise operations and battlefield performance.<sup>21</sup> Secrecy about political alignments can also avoid provoking adversaries into forming counter-alliances.<sup>22</sup> Even Liberal theories, while more optimistic states cooperating, begin their theoretical story with the problem of survival-oriented states hoarding information to protect themselves. They simply argue institutions like democracy and international organizations can help elicit disclosures from states and make their capabilities and resolve transparent.<sup>23</sup>

The Nixonian view, in contrast, focuses on secrecy's role in domestic politics. Leaders of states seek to manipulate information to deal with their parochial domestic political constraints. The target of secrecy is internal (i.e. governmental rivals or the mass public) rather than external; the purpose is avoiding scrutiny and constraints from those who can pose threats to a leaders'

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<sup>19</sup> Geoffrey Blainey, *The Causes of War*, 3rd ed. (Free Press, 1988).

<sup>20</sup> Stephen Van Evera, *Causes of War: Power and the Roots of Conflict* (Cornell University Press, 1999), 138–42.

<sup>21</sup> Robert Axelrod, "The Rational Timing of Surprise," *World Politics* 31, no. 2 (January 1979): 228–46; Richard K. Betts, "Surprise Despite Warning: Why Sudden Attacks Succeed," *Political Science Quarterly* 95, no. 4 (1981): 551–72; Van Evera, *Causes of War*, 45–51, 64; Adam Meirowitz and Anne E. Sartori, "Strategic Uncertainty as a Cause of War," *Quarterly Journal of Political Science* 3, no. 4 (December 2008): 327–52; Branislav L Slantchev, "Feigning Weakness," *International Organization* 64, no. 3 (2010): 357–88.

<sup>22</sup> See, for example, secret alliances discussed in Jeffrey Ritter, "Know Thine Enemy: Information and Democratic Foreign Policy," in *Power and Conflict in the Age of Transparency*, ed. Bernard I. Finel and Kristin M. Lord (Palgrave, 2002); Muhammet Bas and Robert Schub, "Mutual Optimism as a Cause of Conflict: Secret Alliances and Conflict Onset," *International Studies Quarterly*, March 12, 2016, doi:doi:10.1093/isq/sqw002.

<sup>23</sup> Keohane's canonical statement cites secrecy as a source of uncertainty and driver of mistrust which can limit cooperation if not addressed. See Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton University Press, 1984), 94–95; on domestic democracy's effect on transparency of deliberation and resolve, see Kenneth A. Schultz, *Democracy and Coercive Diplomacy* (Cambridge University Press, 2001); on the value of regimes in eliciting otherwise concealed or unavailable information, see Xinyuan Dai, "Information Systems in Treaty Regimes," *World Politics* 54, no. 4 (July 2002): 405–36; Dan Lindley, *Promoting Peace with Information: Transparency as a Tool of Security Regimes* (Princeton University Press, 2007).

domestic agenda and their hold on power.<sup>24</sup> This logic is driven by divergent preferences. In the study of war, the domestic story for secrecy has focused on democratic leaders desiring belligerent policy but facing dovish domestic sentiment. Secrecy and deception in this story help mold public opinion, initiating or maintaining war, and avoiding anti-war punishment.<sup>25</sup> In a similar vein, studies of “private bargaining” highlight the value of keeping domestic audiences in the dark; doing so expands the range of feasible deals by enabling more compromise.<sup>26</sup>

These two broad approaches to secrecy differ in key ways, identifying different target audiences (i.e. adversary leaders vs. domestic constituents) and different strategic or political goals (i.e. operational security vs. domestic policy efficacy). Yet both share an emphasis on how secrecy can manipulate the distribution of knowledge to good effect. Put differently, both the Realist and Nixonian logics view exposure as deadly. Revelation of a secret military maneuver will prompt

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<sup>24</sup> For the general motive of secrecy to address domestic rather than external political threats, see David N. Gibbs, “Secrecy and International Relations,” *Journal of Peace Research* 32, no. 2 (May 1995): 213–28; John J. Mearsheimer, *Why Leaders Lie: The Truth about Lying in International Politics* (Oxford University Press, USA, 2011); on obscuring trade effects, see Daniel Y. Kono, “Optimal Obfuscation: Democracy and Trade Policy Transparency,” *American Political Science Review* 100, no. 03 (2006): 369–84; on secrecy and diplomatic compromise, see Robert D. Putnam, “Diplomacy and Domestic Politics: The Logic of Two-Level Games,” *International Organization* 42, no. 3 (Summer 1988): 445; on secrecy and audience cost punishment Jonathan N. Brown and Anthony S. Marcum, “Avoiding Audience Costs: Domestic Political Accountability and Concessions in Crisis Diplomacy,” *Security Studies* 20 (April 2011): 141–70; Matthew A. Baum, “Going Private: Public Opinion, Presidential Rhetoric, and the Domestic Politics of Audience Costs in U.S. Foreign Policy Crises,” *The Journal of Conflict Resolution* 48, no. 5 (October 2004): 603–31.

<sup>25</sup> Anderson, “The Security Dilemma and Covert Action”; Baum, “Going Private”; John M. Schuessler, “The Deception Dividend: FDR’s Undeclared War,” *International Security* 34, no. 4 (2010): 133–65; Dan Reiter, “Democracy, Deception, and Entry into War,” *Security Studies* 21, no. 4 (2012): 594–623; Lindsey O’Rourke, “Why Do States Conduct Covert Regime Change?” (Dissertation, University of Chicago, 2013); on how this allows democracies to elude the normal constraints on using force against other democracies, see David P. Forsythe, “Democracy, War, and Covert Action,” *Journal of Peace Research* 29, no. 4 (November 1, 1992): 385–95; Alexander B. Downes and Mary Lauren Lilley, “Overt Peace, Covert War?: Covert Intervention and the Democratic Peace,” *Security Studies* 19, no. 2 (2010): 266; Michael Poznansky, “Stasis or Decay? Reconciling Covert War and the Democratic Peace,” *International Studies Quarterly*, March 1, 2015, doi:10.1111/isqu.12193.

<sup>26</sup> David Stasavage, “Open-Door or Closed-Door? Transparency in Domestic and International Bargaining,” *International Organization* 58, no. 04 (2004): 667–703; David Stasavage, “Polarization and Publicity: Rethinking the Benefits of Deliberative Democracy,” *The Journal of Politics* 69, no. 01 (2007): 59–72; Shuhei Kurizaki, “Efficient Secrecy: Public Versus Private Threats in Crisis Diplomacy,” *American Political Science Review* 101, no. 03 (2007): 543–58; Brown and Marcum, “Avoiding Audience Costs.”

potentially fatal countermeasures by one's adversary (i.e. "loose lips sink ships"). Exposure of a controversial trade concession will enable import-sensitive domestic industry to impose electoral punishment. Whether these adversary countermeasures and domestic punishment are as damaging as feared, the point is that secrecy is intended to avoid a probabilistic, costly outcome through effective knowledge manipulation.

Two caveats regarding this characterization of extant literature are important to note. First, extant theories may have purchase on exposed secrets if exposure leaves significant ambiguity. Put differently, nothing in the Realist or Nixonian functions for secrecy assumes *perfectly* effective secrecy (i.e. the origin point in lower left of Figure 1). Open secrets are therefore most puzzling when exposure has revealed sufficient detail that adversaries can adapt and domestic rivals can impose costs. This observation influences my case selection: as I describe below, the aspect of the Vietnam War I analyze, U.S. covert operations in Laos, were sufficiently exposed to allow hostile domestic scrutiny and adversary adaptation. Second a handful of studies do incorporate exposure dynamics explicitly. For example, Yarhi-Milo shows how using secrecy with the possibility of exposure enhances the credibility of peace overtures by showing a leader's willingness to invite domestic political risks.<sup>27</sup> Importantly, this work treats exposure as a potential outcome that *ex ante* influences political messaging. I build on the basic conceptual incorporation of exposure but theorize *ex post* consequences rather than treating it as a hypothetical outcome that generates risk.<sup>28</sup>

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<sup>27</sup> Yarhi-Milo, "Tying Hands Behind Closed Doors."

<sup>28</sup> See also Carson and Yarhi-Milo, "Covert Communication."

## II. A Theory of Open Secrecy

What political purpose(s) could exposed secrets serve? When meaningful knowledge manipulation is undermined by widespread exposure, what other effects might give covertness political value? In this section I argue that, beyond effectively altering who knows what, secrecy also allows an actor to avoid the socially and politically significant act of acknowledging what it knows or is doing. Exposure of a secret does not necessitate acknowledgement of what is exposed. I first review findings in research on secrecy dynamics in other social contexts besides international politics which underscore the distinction between knowledge about and acknowledgement of something and provide some initial ideas about why the latter might matter.<sup>29</sup> I then adapt these insights to the international domain, providing examples of what appears to be politically significant episodes of (non-)acknowledgement. Finally, I link acknowledgement to conflict escalation dynamics by showing how its avoidance can provide face-saving ways for states to limit war and communicate information about their interest in doing so.

### *Acknowledgement and its broad effects*

Knowledge is possession of information whereas acknowledgement involves the additional step of a social actor positively and visibly admitting the truth of a proposition. The intuitive difference is between being late for a doctor's appointment (a time difference visible to both patient and doctor) and a patient positively acknowledging their tardiness.<sup>30</sup> Often such acknowledgement is in the form of an apology (i.e. "I'm sorry for being late") but a message of remorse is not

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<sup>29</sup> The Oxford English Dictionary defines acknowledgement as an act to "accept or admit the existence or truth of" a proposition. Knowledge, on the other hand, is defined as "the possession of information about something." OED Online version March 2016.

<sup>30</sup> This example comes from Stanley Cavell, *Must We Mean What We Say? A Book of Essays*, 2nd ed. (Cambridge University Press, 2002). Note that, for Cavell, acknowledgement is as much about conduct as it is about verbal admission. It is also often linked to mistreated groups rather than as a pragmatic matter of, say, defusing a conflict situation. See a similar distinction made more recently by philosopher Thomas Nagel quoted in Molesworth, "Knowledge versus Acknowledgment," 917–18.

necessary (i.e. “I recognize I’m late”). Non-acknowledgement can therefore take the form of an explicit denial (i.e. “I did not arrive late”) or a more subtle ignoring of the issue of arrival time altogether. A well-known children’s fable, *The Emperor’s New Clothes*, draws on this distinction between knowledge and acknowledgement. An emperor, his entourage, and his subjects all refuse to positively recognize a widely visible fiction that he wears newly weaved garments.<sup>31</sup> The emperor’s nudity is, in this article’s terminology, an unacknowledged open secret.

Outside political science, scholars have identified the subtle but significant changes which can be triggered when known but unacknowledged secrets are confronted. Scholars studying known-but-unacknowledged sexual orientation have identified tactics and rituals that preserve a state of non-acknowledgement among close friends, co-workers, and family members. They also observe the intense emotion triggered by self-acknowledgement (i.e. “coming out of the closet”) which appears to reflect that mere knowledge is distinct. Moreover, acknowledgement of sexual orientation can have more than emotional consequences, changing the very fiber of personal and work relationships and triggering very real legal provisions.<sup>32</sup> Glaser and Strauss’s influential study of the dying process in hospital settings similarly distinguishes between different knowledge and acknowledgement states. Acknowledging a patient’s terminal illness, they argue, can alter hospital staff routines, change the discourse and emotional tenor of family discussions, and introduce new legal and ethical questions even if the patient and caregivers had previously known

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<sup>31</sup> “The complex social desire that ‘The Emperor’s New Clothes’ imagines—a vision of a certain kind of economically beneficial performance that is not publicly acknowledged as simply a performance—may have been exposed, but the number of people who labored to carry it off demonstrates its materiality.” Hollis Robbins, “The Emperor’s New Critique,” *New Literary History* 34, no. 4 (2003): 669.

<sup>32</sup> Ponse, “Secrecy in the Lesbian World”; Mark Chekola, “Outing, Truth-Telling, and the Shame of the Closet,” *Journal of Homosexuality* 27, no. 3–4 (November 3, 1994): 67–90, doi:10.1300/J082v27n03\_05; Jacqueline Lewis, “Status Passages: The Experience of HIV-Positive Gay Men,” *Journal of Homosexuality* 37, no. 3 (May 21, 1999): 87–115, doi:10.1300/J082v37n03\_06; Zerubavel, *The Elephant in the Room*.

the diagnosis.<sup>33</sup> Much of this work in sociology builds on earlier insights from the sociologist Erving Goffman, who observed how different kinds of social tact, including non-acknowledgement of disruptive or embarrassing episodes, stabilize social situations. As he notes, social actors individually and collusively edit social encounters, as when one “leaves unstated facts that might implicitly or explicitly contradict and embarrass the positive claims made by others. He [sic] employs circumlocutions and exceptions, phrasing his replies with careful ambiguity so that the others’ face is preserved even if their welfare is not.”<sup>34</sup>

Acknowledgement of open secrets in social settings suggests the process is relevant to individual actors’ self-image, their relationships, their state of embarrassment, and which informal (social) and formal (legal) rules apply. How might these ideas work for states? For corporate actors like governments, the act of acknowledgement takes the specific form of official communications and behavior.<sup>35</sup> In the case of acknowledging an exposed secret, this involves positively validating a previously secret decision or activity. Suppose, for example, a third party state or international media outlet claims a given state has made a secret decision or engaged in a covert military operation. The state implicated by these reports has choice in how to respond. They may acknowledge the validity of the reports. This would involve a leader or other official statement confirming the existence of talks or covert military activity. Alternatively, the

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<sup>33</sup> On acknowledgement and dying, see Glaser and Strauss, *Awareness of Dying*; on acknowledgement and sexual orientation, see Ponse, “Secrecy in the Lesbian World”; on the significance of acknowledgement, see Zerubavel, *The Elephant in the Room*; Cohen, *States of Denial*.

<sup>34</sup> Erving Goffman, *Interaction Ritual; Essays on Face-to-Face Behaviour*, 1st ed. (Garden City, N.Y: Anchor Books, 1967), 16–17.

<sup>35</sup> On the important role public and official statements, Cohen notes that private knowledge “has to be officially confirmed and enter into the public discourse, if it is to be acknowledged.” On Cohen, *States of Denial*, 13.

government may react with silence (i.e. ignoring) or explicit refutation (i.e. denial). The latter may or may not be convincing.

Why would a state refuse to acknowledge well known exposed secrets? Broadly speaking a few political and legal considerations seem easily adapted from the sociological literature.<sup>36</sup> For example, the choice to acknowledge an exposed secret might influence the strength of the perceived challenge and commitment in the eyes of the wider community of states. O'Neill, citing the case of Israel's open secret nuclear weapons program, observes that "[k]eeping its nuclear status off the record may lessen the pressure on surrounding countries to respond in kind. The adversaries are not fooled, of course – they know the objective facts – but whether a certain situation constitutes a forceful challenge is about something other than objective facts."<sup>37</sup> Schelling also observed how the commitment symbolized by a provocative state action could be diluted through nonacknowledgement. In one passage assessing putatively "volunteer" military personnel, he argued that "[t]he use of 'volunteers' by Soviet countries to intervene in trouble spots was usually an effort to sneak under the fence rather than climb over it, not quite invoking the commitment, but simultaneously making the commitment appear porous and infirm."<sup>38</sup> These effects may also help give nonacknowledgement a communicative effect. The fact that a government appears to value face-saving tactics is itself informative.

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<sup>36</sup> For present purposes, I do not develop emotional implications akin to emotional release from "coming out." This is due to the unclear way emotions map from individuals to corporate actors. However, healing process in acknowledging historical war crimes suggests communities can find solace and emotional healing through acknowledgement in interstate contexts. This is an interesting direction for future research.

<sup>37</sup> Barry O'Neill, *Honor, Symbols, and War* (University of Michigan Press, 1999), 126; on informing while avoiding imposing on others the need to respond, see Cohen, *States of Denial*, 81.

<sup>38</sup> Thomas C. Schelling, *Arms and Influence*, New Ed (Yale University Press, 1966), 68. He goes on to note that this erosion of the line between intervention and non-intervention could be exploited, an issue I return to in the Conclusion chapter.



Now consider the legal side. In social settings like a hospital or workplace, acknowledgement of a patient's terminal illness or a queer employee's sexual orientation has significant implications for end of life decisions and employment non-discrimination law. To be sure, international law is far less developed and coercive in an anarchic international setting. Yet as Perina notes, much of international law is built through accumulated state practices – specifically, acknowledged state behavior. Writing about recent covert programs in American foreign policy that were widely reported on in the media, she insightfully notes that “even if the covert conduct is an open secret...nonacknowledgement precludes the responsible state from relying on that conduct as evidence that defines or shapes the law.”<sup>39</sup> In fact, non-acknowledgement seems to be a useful device for circumventing international rules without explicitly doing so.<sup>40</sup> That said, any link between international law and acknowledgement dynamics is under-theorized because it does not specify why states value appearing to be in compliance.<sup>41</sup> As I argue below, some international legal rules are codification of mutually coordinated limits on war.

### *Acknowledgement and conflict escalation*

The previous section identified broad potential effects of state decisions about whether to acknowledge exposed secrets. These claims, while useful, are too general to provide a theory of

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<sup>39</sup> Exposed covert activity, for example, has different international legal implications than overt activity. Perina notes the potential damage this does to the formation of international law: “Covertness, in contrast, formally denies the attribution of particular practice to a state. Thus, even if the covert conduct is an open secret—the facts of an event widely and credibly reported, and a putatively responsible state has articulated a legal position that could justify it—nonacknowledgement precludes the responsible state from relying on that conduct as evidence that defines or shapes the law.” Perina, “Black Holes and Open Secrets,” 512.

<sup>40</sup> Zoltán I. Búzás, “Evading International Law: How Agents Comply with the Letter of the Law but Violate Its Purpose,” *European Journal of International Relations*, November 30, 2016, 1354066116679242, doi:10.1177/1354066116679242; Michael Poznansky, “Intervention and Secrecy in International Politics” (Dissertation, University of Virginia, 2016).

<sup>41</sup> E.g. Beth Simmons, “Treaty Compliance and Violation,” *Annual Review of Political Science* 13, no. 1 (2010): 273–96, doi:10.1146/annurev.polisci.12.040907.132713.

open secrecy. They beg key questions: Why is lessening a challenge valuable? How can a firm commitment can be politically disadvantageous? When might making legal violations official matter in an anarchic setting? This section links these general acknowledgement effects to the specific problem of controlling conflict escalation dynamics.

Escalation, or the expansion in scale or scope of violence during a war, is an outcome most states often seek to avoid.<sup>42</sup> Large-scale escalation, or the expansion of a war to a regional or global level with at least one major power's participation, is even more rarely sought. Escalation's causes are numerous: previous scholarship, across a wide a range of empirical and theoretical traditions in International Relations, has developed the relevance of alliances, territorial contiguity, military organizational norms, deterrence effectiveness, civil-military relations and military strategy, and pure accidents.<sup>43</sup> One important theme in some of this work is inadvertence: that is, expansion in the scale and scope of war is not always foreseen and/or intended by any state.<sup>44</sup> Especially in the modern era, war is vulnerable to organizational, operational, and political influences which can reduce or rob leaders' sense of control. One well-known inadvertence problem, for example, was identified in Posen's (1991) analysis of Cold War military strategy,

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<sup>42</sup> Richard Smoke, *War: Controlling Escalation* (Harvard University Press, 1977), 17, 32, 35.

<sup>43</sup> John A. Vasquez, *The War Puzzle Revisited* (Cambridge University Press, 2009); D. Scott Bennett and Allan C. Stam III, *The Behavioral Origins of War* (University of Michigan Press, 2003); Jeffrey Legro, "Military Culture and Inadvertent Escalation in World War II," *International Security* 18, no. 4 (April 1, 1994): 108–42; Smoke, *War: Controlling Escalation*; Barry R. Posen, *Inadvertent Escalation: Conventional War and Nuclear Risks* (Cornell University Press, 1991); Bruce G. Blair, *The Logic of Accidental Nuclear War* (Brookings Institution, 1993); a classic treatment is Herman Kahn, *On Escalation: Metaphors and Scenarios* (New York: Praeger, 1965).

<sup>44</sup> Different scholars suggest a spectrum from escalation as easily controlled and calibrated (i.e. Kahn) to very difficult to control (i.e. Smoke). For example, many formal models of escalation that focus on deterrence effectiveness implicitly assume a high degree of leader controllability given that escalation is exclusively a function of dyadic expressions of resolve and capabilities.

which suggested conventional forces could be used during war in ways that unknowingly endangered the nuclear assets of the adversary prompting inadvertent nuclear escalation.<sup>45</sup>

Secrecy, whether exposed or not, is useful in dealing with two inadvertence problems: constraints from outside audience reactions and misunderstandings among adversary leaders. First, war escalation can be harder to avoid when leaders have a strong fear of looking weak in the eyes of outside audiences, defined as politically relevant domestic actors and third party leaders. Outside audiences shape the costliness of restraint and political rewards for escalatory behavior. This basic theme appears as early as Clausewitz's critique of mass nationalist mobilization in the escalation of the Napoleonic Wars; more recently, it appears in scholarship on the role of domestic constraints, reputational concerns, and status anxiety in the crisis and war escalation process.<sup>46</sup> A second escalation control problem is the quality of communication among adversary leaders. Even adversaries operating in a political vacuum have to find a way to continuously coordinate on ways to limit war and express their interest in doing so. The most influential Cold War study of limited war, Schelling's books on *Strategy and Conflict* and *Arms and Influence*, highlighted the importance of adversaries establishing a thin form of collaboration through mutual communication about limited war. Without ways to visibly and recognizably demonstrate a shared interest in limiting war, rival states tend to fall prey to worst-case thinking, doubting the other side's interest and capacity to control escalation.<sup>47</sup>

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<sup>45</sup> Posen, *Inadvertent Escalation*. See also Caitlin Talmadge, "Risky Business: Nuclear Dangers in Conventional Wars," book manuscript in progress.

<sup>46</sup> Laundry list.

<sup>47</sup> Thomas Schelling, *The Strategy of Conflict* (Harvard University Press, 1960); Smoke, *War: Controlling Escalation*.

These two escalation problems shed light on why states sometimes refuse to acknowledge exposed covert behavior. First, consider outside audience constraints. The basic solution to this escalation problem is keeping alive face-saving off-ramps from the escalation process for both sides.<sup>48</sup> If one or both are acting in the shadow of domestic and/or reputational humiliation, war is difficult to control. Acknowledgement can influence this humiliation factor, especially when the exposed secret involves some form of provocative wartime behavior. As O’Neill observes, state choices to communicate or act “on the record” – that is, with official acknowledgement – influence whether the wider community perceives a given action as insulting or challenging.<sup>49</sup> When the secret in question transgresses a coordinating focal point limiting war, acknowledging that secret’s exposure symbolically embraces the act’s status as a social and political affront, putting an adversary in the position of needing to respond. This echoes insights from outside political science. Sociologists like Erving Goffman observe that the purpose of social tact is to avoid obvious face threats and stabilize social situations.<sup>50</sup> Refusing to acknowledge behavior which would otherwise constitute an obvious challenge to a social rival can de-escalate a confrontation.<sup>51</sup>

Now consider miscommunication about interest in escalation control. The basic solution to this problem is: a) establishing some set of salient limits that can bound a confrontation; and, b) observably obeying those limits.<sup>52</sup> Exercising conspicuous restraint provides evidence to an adversary of a given state’s desire and capacity to control escalation. I adapt this basic idea to the

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<sup>48</sup> See discussion of an enemy’s bridge to retreat in Schelling, *Arms and Influence*, 44–45; Kurizaki, “Efficient Secrecy.”

<sup>49</sup> O’Neill, *Honor, Symbols, and War*, 81, 112–13, 125–26, 153.

<sup>50</sup> Goffman, *Interaction Ritual; Essays on Face-to-Face Behaviour*, 18.

<sup>51</sup> Failing to safeguard the face of one’s adversary “can have the effect of plunging his opponent into the business of exerting immediate negative sanctions” where the adversary “may not be primarily concerned with strategy or self-interest, or even with successful enforcement; his first need may be to stand up and be counted.” Erving Goffman, *Strategic Interaction* (University of Pennsylvania Press, 1969), 134.

<sup>52</sup> See discussion of salient thresholds and conspicuous restraint in Smoke, *War: Controlling Escalation*, 15–16.

specific tactic of non-acknowledgement of exposed secrets. Refusing to acknowledge concealed-but-exposed behavior can be seen as an expression of a state's desire not to add fuel to the fire of a crisis. Doing so can show an adversary the denying state continues to value avoiding provocations and firm commitments, two ingredients for escalatory spirals. As Perina notes, "[b]y refusing to acknowledge its conduct, a state is declining to endorse or defend it. A covert event cannot serve as a legitimizing precedent for other states' behavior, and in that respect, it may be less destructive than an overt, acknowledged violation."<sup>53</sup> This is the logic many have used to make sense of Israeli nuclear opacity. Regardless of its original purpose, Israel's refusal to acknowledge a widely known nuclear weapons arsenal has, over time, become a recognizable diplomatic posture symbolizing its interest in avoiding a Middle East nuclear arms race. Abandonment of that position through official disclosure, many have argued, would not change the reality on the ground but would communicate Israel's greater comfort with a more dangerous regional path.<sup>54</sup>

### III. Research Design

My theory of open secrecy has several observable implications. For conflicts which fit its scope conditions, leaders should anticipate leaking and discuss official acknowledgement of exposed covert operations as a distinct issue. Leaders should identify some specific escalation scenarios which might follow should their covert activity be acknowledged publicly. For example, the theory suggests leaders should anticipate acknowledgement will contract the room for political

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<sup>53</sup> Perina, "Black Holes and Open Secrets," 574–75.

<sup>54</sup> As Cohen notes, "Israel's nuclear bargain has many praiseworthy aspects...Israel has committed to both resolve and caution, thereby avoiding the either-or structure of the nuclear dilemma." Cohen, *The Worst-Kept Secret*, xxxii; nonacknowledgement was originally designed to avoid a cascade of proliferation in the region ("A declared nuclear stance would undermine the American nonproliferation policy and Israel's interest in not introducing nuclear weapons into the Arab-Israeli conflict") Avner Cohen, *Israel and the Bomb* (Columbia University Press, 1998); on the provocation of official disclosure, see Avner Cohen and Marvin Miller, "Facing the Unavoidable: Israel's Nuclear Monopoly Revisited," *Journal of Strategic Studies* 13, no. 3 (1990): 71–73, doi:10.1080/01402399008437419.

maneuver of adversaries as well as provide them a more plausible pretext for counter-escalating. They might specifically note the absence of acknowledgement as a kind of “salient thresholds,” the crossing of which calls into question the boundedness of a crisis or conflict. Especially useful would be evidence that leaders recognize some symbolic, communicative significance in their confirming exposed details. These expectations contrast with the observable implications of traditional secrecy-related theories. Adapting the Realist logic from above implies leaders should focus on competitive strategic or tactical advantages over adversaries; the Nixonian logic expects a focus on domestic actors. Most importantly, these logics do not expect leaders to anticipate widespread leaking about a given covert program, especially to the spheres most important to Realist (i.e. adversaries abroad) and Nixonian (i.e. critics at home) logics. Moreover, to the extent they address exposure scenarios, these logics would expect leaders to react to leaks by focusing on residual ambiguity for key audiences.

In general, focusing on a case of open secrecy offers a unique opportunity to disentangle the role of acknowledgement from secrecy’s more intuitive effects on knowledge distribution. I conduct an initial empirical assessment of the theory in the context of the Vietnam War, specifically focusing on widely exposed covert American military operations in neighboring Laos from 1964 to 1968.<sup>55</sup> The Vietnam War was a long, complex conflict. Rather than cover well-trodden territory about why the United States overtly intervened in Vietnam and why it failed, this article focuses on the covert supplements to the war. My findings therefore do not directly address the wide range of debates in IR stemming from other aspects of the Vietnam War, including

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<sup>55</sup> As discussed below this chronological period roughly corresponds to the “escalation” phase of the Vietnam War during which limited war considerations were most relevant. Nixon’s inheritance of the war led to a focus on war termination and a shift to using escalation risks as a coercive bargaining tool.

counterinsurgency strategy,<sup>56</sup> casualty sensitivity,<sup>57</sup> effectiveness of airpower,<sup>58</sup> combat performance in the conventional side of the war,<sup>59</sup> or why weak states can defeat the strong.<sup>60</sup> My claims build on past work showing the importance of limited war in Vietnam, perceptions of reputation/credibility, and hawkish domestic pressure concerns of President Lyndon Johnson.<sup>61</sup> Moreover, my claims do not necessarily contradict the role effective secrecy played in helping create a pretext for American overt intervention in South Vietnam (i.e. Gulf of Tonkin incidents) and managing dovish domestic views under the Nixon Administration.<sup>62</sup> For reasons of space and conceptual fit, I do not analyze covert espionage operations administered by the Central Intelligence Agency.

A focus on U.S. covert operation in Laos is valuable because it is a classic example of an “open secret,” clearly meeting the definition adopted above (“concealed and unacknowledged but exposed to the widest set of observers with substantial detail”). This can be established in three

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<sup>56</sup> E.g. Jonathan D. Caverley, “The Myth of Military Myopia: Democracy, Small Wars, and Vietnam,” *International Security* 34, no. 3 (January 1, 2010): 119–57; James McAllister, “Who Lost Vietnam?: Soldiers, Civilians, and U.S. Military Strategy,” *International Security* 35, no. 3 (2010): 95–123.

<sup>57</sup> E.g. Christopher Gelpi, Peter D. Feaver, and Jason Reifler, *Paying the Human Costs of War: American Public Opinion and Casualties in Military Conflicts* (Princeton University Press, 2009).

<sup>58</sup> E.g. Robert A. Pape, “Coercive Air Power in the Vietnam War,” *International Security* 15, no. 2 (1990): 103; Robert Pape, *Bombing to Win: Air Power and Coercion in War* (Cornell University Press, 1996); Phil Haun and Colin Jackson, “Breaker of Armies: Air Power in the Easter Offensive and the Myth of Linebacker I and II in the Vietnam War,” *International Security* 40, no. 3 (January 1, 2016): 139–78.

<sup>59</sup> E.g. Caitlin Talmadge, *The Dictator’s Army: Battlefield Effectiveness in Authoritarian Regimes* (Cornell University Press, 2015).

<sup>60</sup> E.g. Andrew Mack, “Why Big Nations Lose Small Wars: The Politics of Asymmetric Conflict,” *World Politics* 27, no. 2 (1975): 175–200; Ivan Arreguin-Toft, “How the Weak Win Wars: A Theory of Asymmetric Conflict,” *International Security* 26, no. 1 (Summer 2001): 93–128.

<sup>61</sup> Stephen Peter Rosen, “Vietnam and the American Theory of Limited War,” *International Security* 7, no. 2 (1982): 83; on reputation and the Domino Theory, see Robert Jervis and Jack Snyder, eds., *Dominoes and Bandwagons: Strategic Beliefs and Great Power Competition in the Eurasian Rimland* (Oxford University Press, USA, 1991); on the power of hawkish views on Vietnam before 1968, see Daniel C. Hallin, *The “Uncensored War”: The Media and Vietnam* (University of California Press, 1989); a more recent analysis of polling data and hawkishness up through 1968 is in Caverley, “The Myth of Military Myopia.”

<sup>62</sup> On deception regarding the Gulf of Tonkin incident and maximizing domestic support for overt intervention, see John M. Schuessler, *Deceit on the Road to War: Presidents, Politics, and American Democracy* (Cornell University Press, 2015), chap. 3.

ways. First, histories of the program note that it was covert but widely exposed. For example, a historian publishing in the Central Intelligence Agency's own *Studies in Intelligence* series in 2000 observes that while all details were not known, "the secret war in Laos... was not all that secret. News of the fighting frequently found its way into the pages of The Bangkok Post, The New York Times, and other newspapers. Congress was kept well informed."<sup>63</sup> Second, real-time, internal discussions by administrators show anticipation and awareness of exposure. National Security Advisor Mac Bundy cabled the ambassador in Laos in December 1965, for example, observing "an almost constant stream of press leaks on our operations in Laos" and acknowledging that the "[p]ress is already concentrating on [the] Laos story as [a] major feature of Viet-Nam reporting."<sup>64</sup> Two months later, Secretary of State Dean Rusk urged Ambassador William Sullivan to accommodate himself to the inevitability of leaks, observing that "[w]e must anticipate continued press reports on aerial bombardment in Laos although every effort will be made to discourage leaks such as occurred in [the] recent B-52 raid." In fact, Rusk makes concedes that he and others at State Department headquarters "find it [an] increasingly unproductive exercise to try to prevent publication [of] stories as long as they contain no allegation of official confirmation on Lao operation."<sup>65</sup> Third, a survey of news coverage in the major American media outlets confirms these perceptions. I analyzed coverage of Laos in four major newspapers from each of the major media markets and across the political spectrum, finding routine reporting beginning in early 1965.<sup>66</sup> Whereas only one of the most relevant twenty news articles in 1964 alleged American covert involvement, thirteen of twenty (65%) of the most relevant twenty articles from 1965 and 1966

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<sup>63</sup> [To do] <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/winter99-00/art7.html>

<sup>64</sup> [To do] 002787\_009\_0625 237

<sup>65</sup> [To do]

<sup>66</sup> I analyzed *Washington Post*, *New York Times*, *Los Angeles Times*, and *Chicago Tribune* between 1 June 1964 and 31 December 1968 using keyword search terms that linked Laos with any form of U.S. military operations.



reference such operations. Headlines such as “U.S. Bombing Raid on Red Aid Route in Laos Reported” and “U.S. Raids in Laos Called Effective” were common by 1965.<sup>67</sup> Articles in 1966 specifically referred to “officially denied but well-known American bombing of the Ho Chi Minh Trail.” One July 1966 *New York Times* article specifically characterized American and North Vietnamese activities in Laos as “an open secret here.”<sup>68</sup>

#### **IV. U.S. Covert Military Operations in Laos (1964-1968)**

##### *Context, scope, and logistics*

Laos played an outsized role in the Vietnam War. It was an essential transmission belt for supplies moving south via the Ho Chi Minh Trail. Moreover, Laos also hosted its own civil war between the royalist central government and the communist-allied Pathet Lao. A critical diplomatic feature of Laos was its ostensible neutrality. At the Geneva Conference of 1962, major powers had agreed to treat Laos as “neutral,” pledging to refrain from direct or direct interference within Laos, formation of alliances, and creation of military bases.<sup>69</sup> In practice, neutrality in Laos primarily served as legal codification of mutual restraint on external participation in its civil war. As its role in supplying the South grew, the temptation for signatories like the United States to enter combat operations grew. In fact, the 1962 neutrality declaration had not eliminated a contingent of North Vietnamese troops from Laos. Yet, as I argue below, covertness in general

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<sup>67</sup> For example, “U.S. Bombing Raid on Red Aid Route in Laos Reported,” NYT/AP, 3/4/1965; “U.S. Raids in Laos Called Effective,” NYT 1/9/1966. See also “Air Raids Fail to Cut Off Viet Cong Supplies Over Ho Chi Minh Trail,” LAT 12/8/1965; “American Strategy Carefully Avoids Second Front in Laos,” LAT 3/7/1966; “700 Aircraft Operating Daily in Laos, Vietnams,” WP 7/11/1966.

<sup>68</sup> “Gains for Regime Seen in Laos War,” NYT 7/26/1966.

<sup>69</sup> Timothy Castle, *At War in the Shadow of Vietnam: United States Military Aid to the Royal Lao Government, 1955-75* (Columbia University Press, 1995), chap. 2.

and nonacknowledgement in particular were often linked to the fear that American violations of Laotian neutrality would unravel, opening a Pandora's Box of a wider regional war.

While CIA-run covert intelligence gathering operations had existed since 1962, the more delicate issue of kinetic military activity in Laos was approved later, under the Johnson Administration, as part of the expansion of U.S. activity in Vietnam more broadly in 1964 and early 1965. In the air, the Johnson Administration approved covert American piloting of bombing runs in Laos in mid-1964. By late 1964, covert bombing missions managed by the embassy and administered by the Air Force and Navy targeted the Pathet Lao insurgency in northern Laos (codenamed Barrel Roll) and the Ho Chi Minh Trail in the south (codenamed Steel Tiger). On the ground, Johnson approved secret cross-border surveillance and interdiction missions from South Vietnam in March 1965 targeting the Ho Chi Minh Trail. Operations Shining Brass (later Prairie Fire) featured cross-border missions into Laos administered by a secretive U.S. military unit based in South Vietnam (Military Assistance Command, Vietnam – Studies and Observations Group).<sup>70</sup> Covert ground and air operations continued until the Vietnam War's twilight, ending in 1972 and 1973 respectively.<sup>71</sup>

The primary goal U.S. leaders sought to achieve with covert operations in Laos was interdiction. Both air and ground operations in Laos were intended to sever the lines of supply that brought materiel and manpower to the insurgency in South Vietnam. The logistics of what

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<sup>70</sup> Richard Shultz Jr., *The Secret War Against Hanoi: Kennedy's and Johnson's Use of Spies, Saboteurs, and Covert Warriors In North Vietnam* (HarperCollins, 1999), 214–24.

<sup>71</sup> In response to Congressional scrutiny and prohibitions following exposure in the Pentagon Papers and elsewhere, Nixon banned U.S. military personnel from entering Laos in 1972 and terminated air operations as part of the Paris Peace Accords in 1973.

became a complex, multifaceted covert intervention were challenging. In the air, some American covert missions in Laos were flown by pilots from a private front company often used for covert action in East Asia (“Air America”) and received false documents by the Laotian government to appear as contractors.<sup>72</sup> On the ground, MACVSOG’s cross-border missions were crafted to ensure “plausible deniability in the event they were captured.” American military personnel wore “Asian-made uniforms with no insignia or other identifying marks, and carried so-called ‘sterile’ weapons and other equipment that could not be traced back to the United States.”<sup>73</sup> These constraints led to micromanaging by the program leadership against which military leaders often chafed.<sup>74</sup> The American ambassador in Vientiane, for example, carefully limited the distance U.S. ground forces could operate within Laos to minimize the risks of capture (which would be “extremely embarrassing to [the] U.S. politically”)<sup>75</sup> and kept the use of airlifts to rescue cross-border teams (which could “jeopardize the secrecy of their locations by conspicuous airlifts”)<sup>76</sup> to a bare minimum. In another example, the ambassador described how U.S.-marked helicopters could aid search-and-rescue missions within Laos only if they operated from airfields that “are isolated and in areas closed to ordinary tourists, including journalists...we regard risks of exposure minimal.”<sup>77</sup>

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<sup>72</sup> Castle, *At War in the Shadow of Vietnam*, 69.

<sup>73</sup> William Rosenau, *Special Operations Forces and Elusive Enemy Ground Targets: Lessons from Vietnam and the Persian Gulf War*, MR-1408-AF (RAND Corporation, 2001), 14.

<sup>74</sup> This is a recurring theme in Shultz Jr., *The Secret War Against Hanoi*.

<sup>75</sup> Telegram Embassy Laos (Sullivan) to Secretary of State, 19 April 1965, LBJL, NSF, accessed via PHV, Folder 002787\_009\_0625.

<sup>76</sup> Telegram Embassy Laos (Sullivan) to Secretary of State, 9 August 1965, LBJL, NSF, accessed via PHV, Folder 002787\_009\_0625.

<sup>77</sup> Telegram Embassy Laos (Sullivan) to Secretary of State, 22 July 1965, LBJL, NSF, accessed via PHV, Folder 002787\_009\_0625.

Two escalation scenarios raised concerns for American decision-making. One was the possibility of a tit-for-tat process of increasing external involvement. American leaders worried that violations of Laotian neutrality could provide an excuse for, and impetus to, increased North Vietnamese, Chinese, or Soviet involvement. Ending the fragile mutual restraint codified in Laotian neutrality was thought to risk movement down a slippery slope, eliminating what had served as a widely visible and observable limit of the war.<sup>78</sup> A second escalation scenario involved the fate of Laotian Prime Minister Souvanna Phouma. American intelligence consistently predicted Souvanna's loss of power in a coup or via defection would add a new front to the Vietnam War. His dethroning would specifically enflame the Laotian civil war, invite Chinese and Soviet involvement, and require the United States to assume a greater and greater share of the fighting. Both scenarios could be fatal for U.S. interests. At minimum, they would draw precious American military resources and personnel from operations in South and North Vietnam. At worst, the entry of Chinese or Soviet personnel could create a second theater where clashes between the United States and outside powers could occur.

### *Acknowledgement and Soviets, Chinese*

One important reason a covert posture remained valuable to the United States despite exposure was its impact on Soviet, Chinese, and other third party states reactions and thus the risk of larger internationalization of the war. Consistent with the theory's mechanisms, declassified internal documents suggest that meaningful deception was not essential to this policy goal. Even anticipating press reporting about U.S. covert activity in Laos, leaders believed keeping operations unacknowledged helped court Soviet and Chinese restraint.

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<sup>78</sup> Neutrality in Laos was therefore a kind of "salient threshold" which served as a useful geographic limit for the Vietnam War, akin to the Yalu River in the Korean War.

The most dangerous development would be increased Soviet involvement. American leaders believed Moscow would not respond to U.S. covert activity in Laos, even if widely visible, so long as it remained unacknowledged. As one telegram from the Saigon embassy noted, the “Soviets, so long as we do not excessively advertise our actions, are willing in general to ignore them...maximum effectiveness [of] this total program will involve continued willingness [to] act quietly, eschew publicity, and turn aside press or diplomatic queries.”<sup>79</sup> American managers of the covert program specifically believed acknowledgement was linked to sensitivities in Moscow regarding their prestige. This echoes the first mechanism of the theory linking acknowledgement dynamics to face saving. A cable from the ambassador in Vientiane in late 1965, for example, analyzed Soviet policy. Amabassador Sullivan described “a very limited community of interest between the USSR and ourselves in [Southeast Asia] may be slowly emerging.” Both great powers sought to preserve a fragile equilibrium in Laos that was, in part, dependent on avoiding acknowledgement of creeping U.S. involvement. Echoing the face-saving and room for maneuver effects noted above, he argued

a sudden change in the internal political situation or overt America military intervention might seriously embarrass the USSR and lead to a basic reassessment of its strategy in this area. We assume that a chief Soviet concern is [the] possibility a rightist group at some point might oust Souvanna and denounce the Geneva accords, thereby seriously undercutting the Soviet position in Laos. Overt American military intervention or official acknowledgment of it could also seriously restrict Soviet room for maneuver. Either eventuality might force the USSR to come out four square for the P[athet] L[ao] and involve the Soviets far more deeply economically and militarily than they or we wish. But as long as there are fair prospects for avoiding these shoals, the USSR is in a good position to sit back patiently and wait for the breaks to come its way.<sup>80</sup>

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<sup>79</sup> Telegram Embassy Saigon to Secretary of State, 7 January 1965, LBJL, NSF, accessed via PHV, Folder 002791-010-0264.

<sup>80</sup> Telegram Embassy Laos (Sullivan) to Secretary of State, 4 December 1965, LBJL, NSF, accessed via PHV, Folder 002787\_009\_0625.

A second cable from late 1965 further underscores the way acknowledgement of media reporting, rather than the facts themselves, was seen as diplomatically significant and relevant to the risks of tit-for-tat internationalization. In the message, Ambassador Sullivan relays complaints from Washington's closest ally, the United Kingdom, noting that "responses to press inquiries by senior officials are beginning to skirt away from our policy of persistent prevarication." Sullivan then repeats his request that advisors in Washington continue to lie about U.S. operations in Laos, specifically describing official denial as a kind of diplomatically salient line over which U.S. leaders might step.

[The British are] becoming most sensitive to recent press stories, especially because [the] Soviets are trying to get [the] British to subscribe to condemnation of U.S. actions. [The British] will stoutly deny they are taking place; but [it] will be hard put to it if some official U.S. spokesman slips over the line and admits what we are doing here...Therefore, I would urge once again that all responsible officials be cautioned to be wary of press probing on U.S. operations in Laos and that all consciences be collectively steeled against the continuing need to dissemble.<sup>81</sup>

Similar themes appeared back in Washington as well. Declassified White House documents of direct backchannel consultations between Soviet and American leaders, for example, include unusually frank discussions of U.S. activity in Laos and Soviet political flexibility. During a June 1967 private dinner with the Secretary of State and Soviet Foreign Minister Gromyko, the latter noted his regret that "U.S. behavior in Laos...weakened [the] Soviet arguments for maintaining the Laos agreements." Remarkably, he distinguished between two phases of covert U.S. involvement and its impact on Moscow's political room for maneuver, lamenting that "[t]he U.S. is not only present, but it is present in a new way ...At one time, the U.S. was not in Laos

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<sup>81</sup> "Telegram From the Embassy in Laos to the Department of State," 29 November 1965, in FRUS, 1964-1968, Vol XXVIII Laos, Doc 207.

openly. We had military personnel there but they were in civilian clothes. *Now the U.S. military operates openly.* The U.S. is present, and this weakens the Soviet position.”<sup>82</sup> Echoing the communication and face-saving mechanisms in the theory, Moscow’s mid-1967 private comments about Laos were interpreted by Washington as a warning from the Soviets about the greater danger of hard-to-control escalation. Top Johnson advisors interpreted these private comments about U.S. covert Laos operations in terms of the wider limitation of the war in Vietnam, arguing that it was “another signal from Moscow that they cannot let further intensification or escalation of our bombing of North Vietnam go without reaction on their part...The closer they come to confrontation with us, the more difficult it will be for them to retreat, and the harder it will be to achieve a settlement.”<sup>83</sup>

Also of concern to U.S. leaders was China’s reaction. Washington was well aware that Soviet and Chinese decision-making was, if anything, competitive rather than cooperative given the increasingly visible Sino-Soviet rivalry.<sup>84</sup> American leaders were also carefully monitoring China’s own unadvertised and unacknowledged troop deployments near and into North Vietnam.<sup>85</sup> Intelligence analysis regularly tracked China’s diplomatic and behavioral reactions to U.S. activity in Laos. There is good evidence, moreover, that Washington believed Beijing saw the unacknowledged nature of these activities as a symbolic form of restraint. This is especially clear

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<sup>82</sup> Emphasis added. “Memorandum of Conversation: Secretary's Dinner for Foreign Minister Gromyko,” 21 June 1967, in FRUS, 1964–1968, Vol XXVIII Laos, Doc 293.

<sup>83</sup> “Telegram From the Department of State to Secretary of State Rusk at the American Chiefs of State Conference, Punta del Este, Uruguay,” 13 April 1967, in FRUS, 1964–1968, Vol XXVIII Laos, Doc 280. See also “Memorandum From the Ambassador at Large (Harriman) and the Under Secretary of State for Political Affairs (Rostow) to Secretary of State Rusk,” 17 April 1967, in FRUS, 1964–1968, Vol XXVIII Laos, Doc 281.

<sup>84</sup> Lorenz M. Lüthi, *The Sino-Soviet Split: Cold War in the Communist World* (Princeton University Press, 2010), chap. 10; Nicholas Khoo, “Breaking the Ring of Encirclement: The Sino-Soviet Rift and Chinese Policy toward Vietnam, 1964–1968,” *Journal of Cold War Studies* 12, no. 1 (January 1, 2010): 3–42.

<sup>85</sup> Allen S. Whiting, *The Chinese Calculus of Deterrence* (Ann Arbor: University of Michigan Press, 1975).

in a formerly top secret National Intelligence Estimate in 1970 about possible reactions to overt U.S. covert actions in Laos. Noting that China's basic policy in Vietnam and Laos was to outbid Soviet leaders in providing support to communist allies, the report evaluates Beijing's likely reaction to new U.S. military actions such as overt ground incursions into Laos. The report invokes the symbolic and communicative significance of crossing the overt threshold, arguing that

[w]hile small Allied military units have operated in Laos for years, their impact on the war has been relatively slight and their numbers all enough to permit their presence to remain largely unacknowledged – in deference to the 'neutral' status of the Lao government. *Crossing this political threshold* would be read in Peking as US willingness to contemplate a far more activist course in Indochina in search of a military decision. ...They would probably move ground forces to the Laos border, however, and might reinforce their units presently in northwestern Laos in order to signal their concern over the safety of their borders.<sup>86</sup>

To summarize, American leaders believed visible-but-unacknowledged air and ground operations in Laos were a tolerable fiction for Chinese and Soviet leaders. The evidence reviewed here provides little reason to believe meaningful deception was the goal. Rather, leakage was seen as inevitable but bearable. Nonacknowledgement avoided an explicit, overt violation of a multilateral legal agreement codifying mutual restraint. Thus, even as U.S. covert operations enabled violation of the spirit of that agreement, official denial acquired a symbolic value that other external powers saw as a form of second-best restraint. This both communicated the kind of restraint necessary for geographically limiting a war and evaded diplomatic embarrassment.

### *Acknowledgement and Souvanna*

At least as important was the link between official acknowledgement of U.S. operations in Laos and domestic politics within the Royal Kingdom. In addition to concerns about Soviet and

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<sup>86</sup> [To do] Emphasis added [https://www.cia.gov/library/readingroom/docs/DOC\\_0001166445.pdf](https://www.cia.gov/library/readingroom/docs/DOC_0001166445.pdf)



other state reactions, internal records analyzing media reports about covert operations in Laos focused on the value of denials for Prime Minister Souvanna. The view in Vientiane and Washington was that overt violations of neutrality would undermine Souvanna's fragile hold on power. Official admissions and new overt actions by the United States specifically were linked to the risk he would defect, be replaced, or draw in large numbers of American forces. In each scenario, the likelihood of a new front opening up in Laos, potentially including rival external patrons, would be much higher.

Anxiety about Souvanna's domestic standing in the shadow of U.S. military participation first surfaced in the earliest stages of covert action in Laos. A mid-1964 cable from Ambassador Sullivan's predecessor, Leonard Unger, described that "[t]hroughout our conversation Souvanna kept returning to [the] theme 'act but don't talk about it.'" Souvanna specifically insisted that the United States "must avoid going on record acknowledging actions and thus giving Communists both propaganda fuel and pretexts... he is quite opposed to our acknowledging that escorts firing or attacking on Lao territory."<sup>87</sup> The choice of language here is significant: it appears to indicate Souvanna believed official acknowledgement, not necessarily public accusations or reporting, was the political step which would offer a pretext to other countries to enter Laos in greater force. Moreover, this awareness was articulated in the earliest months of U.S. involvement, well before Washington's denials could develop any symbolic significance.

The links between official acknowledgement and domestic politics in Laos continued to concern managers of the covert action program once media reporting became regular. Particularly

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<sup>87</sup> "Telegram From Embassy in Laos to the Department of State," 11 June 1964, in FRUS, 1964-1968, Vol XXVIII Laos, Doc 92.

good insight into these links is in materials related to a mid-1965 debate about possible overt American interdiction operations into Laos. In the field and back in Washington, crossing the threshold to overt activity was seen as fatally flawed due to its impact on Souvanna's domestic political standing and the resulting escalation implications. For example, in August 1965 Ambassador Sullivan sent a cable summarizing the consequences of "the overt violation of the 1962 agreements on Laos." He noted such a development was not merely bad diplomatic form. Rather, the tactical military benefits would be overwhelmed by "very real practical consequences" constituting "far more than just a question of principle." Echoing the theory's claims about face saving and political room for maneuver, domestic politics in Laos and Souvanna's fragile standing created a double-bind. The most likely context for overt missions would be without Souvanna's consent. Sullivan straightforwardly suggested that "in this case, we would have to decide the defy him, to establish a puppet government with military backing, and take the consequences." Less likely would be overt operations with Souvanna's approval. This created a different problem: overstretch. Noting that "the price of assuring him [would be] protection by U.S. resources against the consequent Viet Minh reaction," Sullivan reminded leaders in Washington that "we could not repeat not confine Laotian military undertakings to the corridor alone." This would "engage considerable numbers" of U.S. military personnel in a new mission outside Vietnam.<sup>88</sup>

A widely circulated Special National Intelligence Estimate from September 1965 noted the same double-bind due to Laos's domestic political fragility. Attempting to interdict military supplies in Laos through overt operations would be seen by Souvanna as "a clear and conspicuous violation of the 1962 Geneva accords upon which the legitimacy of his government rests." This

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<sup>88</sup> Telegram Embassy Laos (Sullivan) to Secretary of State, 9 August 1965, LBJL, NSF, accessed via PHV, Folder 002787\_009\_0625.

led to two options. Souvanna could be persuaded to assent but this “would almost certainly be conditioned on explicit US guarantees of protection against [North Vietnamese] and Chinese counteraction in northern and central Laos...This would be equally true of any successor government.” Alternatively, the U.S. could proceed despite Souvanna’s objections. In this scenario, “he might be led to resign and return to France as he has so often threatened to do...Under such circumstances, however, any successor government would be seen by most of the world as a US puppet.”<sup>89</sup> In either scenario, switching to overt military operations risked major disruptions to domestic Laotian political stability which would make controlling a new front in the war all the more difficult.

Similar views were aired toward the end of the period I analyze as well. For example, a January 1966 cable to the embassy in Vientiane wrestles with what it calls the “Laos information problem.”<sup>90</sup> After noting the inevitability of press reports on covert strikes in Laos, Secretary of State Dean Rusk tells Ambassador Sullivan that the best response is to publicly acknowledge reconnaissance missions but “avoid any acknowledgement there are other aspects...Souvanna can live with these as long as they are not confirmed officially.”<sup>91</sup> Two years later, a proposal for new cross-border ground raids led Ambassador Sullivan to revisit the consequences of acknowledgement. Noting that U.S. leaders must “assume there will be leaks which will have to be handled in some fashion,” he saw “various complications” resulting from the extra step of

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<sup>89</sup> [To do] <https://history.state.gov/historicaldocuments/frus1964-68v28/d196>. The SNIE goes on to add international complications to these domestic political problems, predicting North Vietnam would increase its troop presence, China would engage in new measures short of full-scale intervention, and “US-Soviet tensions would sharpen, both because the Soviets would be under heavy pressure from the Asian Communists, and because the Soviets would regard the US action as a repudiation of agreements worked out with the USSR in 1961 and 1962.”

<sup>90</sup> Telegram Department of State (Rusk) to Embassy Laos (Sullivan), 28 January 1966, LBJL, NSF, accessed via PHV, Folder 002787\_009\_0625.

<sup>91</sup> Ibid.

official “admission.” First among them was domestic political heat on Souvanna. Sullivan predicted that the premier “would be harassed both by press and by unfriendly diplomats for [a] public expression of disapproval.”<sup>92</sup> Finally, proposals in late 1968 for increased Laos air operations during a bombing pause in Vietnam further illustrate how Souvanna’s domestic political standing was seen as linked to U.S. official acknowledgement. The embassy sent an “eyes only” cable to national security advisor Mac Bundy observing that Souvanna “will come under considerable strain when the moment of truth arrives.” He then addresses the likely domestic political results. Paralleling the theory’s observations about official acknowledgment and the need to be seen responding, as well as the symbolic status and communicative effects of crossing that threshold, Sullivan argued that

[w]hether Souvanna will falter under this sort of onslaught is hard to say. The king, I feel, will stay steady and so will most of his ministers. However, if press attention becomes too acute, and *especially if U.S. "spokesmen" begin admitting what we are doing*, he may find reason to waffle on the grounds that our understandings with him [regarding] air operations are based on assurances that [the] U.S. will not [repeat] not undercut “deniability” of U.S. air operations in Laos. Therefore, in contingency we are discussing, tightest possible control of U.S. spokesmen will be at a premium.<sup>93</sup>

To review, American leaders recognized press reporting about covert air and ground operations in Laos was unavoidable but believed it was politically tolerable for the Laotian premier so long as official acknowledgement was avoided. They specifically believed denials provided political room for maneuver to Souvanna and, over time, became a symbolic litmus test of American willingness to accommodate his fragile political standing within Laos. Even as the U.S. covertly crossed the line into active military operations, managers of the program in the theater

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<sup>92</sup> [To do] P. 173 in 002787\_010\_0664

<sup>93</sup> [To do] Pp. 332-333 in 002787\_010\_0664

and back in Washington thought domestic politics of Laos, necessary for keeping the larger Vietnam War limited, were sustainable so long as denials were forthcoming.

## V. Discussion

Several objections could be raised about the arguments I present. One criticism might be that, even if what I present captures the key dynamics of the Laos operations, administrators were simply incorrect about acknowledgement's importance. Perhaps it did not matter whether American leaders admitted what they were up to; Soviet, Chinese, and Laotian decisions would not have differed. This criticism builds on a downside of my research design: focusing on archival evidence provides unusual insight into considerations and perceptions of leaders but sheds less light on the actual reactions of other governments in counterfactual scenarios where acknowledgement took place. Yet the seriousness of this challenge is actually quite limited. First, archival evidence does address realized, external outcomes because I draw on material from a rolling four year period. Analysis by intelligence or policy leaders in, say, 1968 about the role of acknowledgement in Laotian or Chinese reactions is built on observation of real reactions to non-acknowledgement in 1965 and 1966. More important, this critique subtly shifts the research question of interest. The purpose of the article is not to give a full theory of what kept the war in Vietnam limited. Rather, I seek to solve the puzzle of why leaders find exposed secret behavior politically useful. The fact that leaders *believed* it helped in some important ways answers the puzzle and provides important insight into contemporary cases, such as Russian behavior in Ukraine and the American covert drone program in Pakistan.

A second criticism might be that covertness is too intimately bound up in the scope and aggressiveness of military operations to disentangle the causal importance of the former of

something subtle like official confirmation. Put differently, an overt posture entails more ambitious policy goals and a more intense operational tempo within Laos and this, rather than acknowledgement per se, is what would be thought to lead to different reactions in Vientiane, Moscow, and Beijing. The main problem with this criticism is that it does not match the evidence. This causal inference problem is only present when a state simultaneously acknowledges *and* alters the nature of its covert activity, for example going from only covert air operations to overt ground operations. My empirical evidence largely draws on American discussions of the impact of official acknowledgement *holding the scope, scale, and tempo of military activity constant*. In these moments in particular, leaders are tracing changes in domestic and external escalation dangers to acknowledgement – and only acknowledgement – of U.S. military operations.

A third possible criticism might challenge my interpretation of evidence about Souvanna and Laotian domestic politics. One could argue that American leaders were primarily using nonacknowledgement as a favor to their temperamental local partner and his fragile political standing. Put differently, might domestic politics of an ally be an alternative explanation? There is some truth in this. American ambassadors generally value minimization of friction with their local partners; nonacknowledgement likely made Ambassador Sullivan's overall policy coordination with Souvanna easier. Yet framing this piece of the story as an alternative is misleading. It begs a big question of obvious theoretical interest: Why was Souvanna's cooperation valuable in this case? The answer from the evidence is that his domestic standing was critical for simultaneously attacking the Ho Chi Minh Trail supply route without opening a second front in the war. This is most clearly reflected in the direct line drawn from Souvanna's domestic standing to larger conflict escalation dangers in the Special National Intelligence Estimate

reviewed above. Escalation concerns and the desire for limited war, then, are the “master” cause of American anxiety about domestic politics in Laos.

Two other concerns about scope conditions are also worth briefly addressing. First, readers might wonder how to make sense of the Nixon Administration’s later acknowledgement of American casualties in Laos and the overt incursion into neighboring Cambodia (1970). The theory’s main scope condition is states’ valuation of limited war. Decision-making in the Johnson and later Nixon Administrations during Vietnam differed substantially in both the relative urgency of reaching a war settlement and specific leaders’ view of escalation risk. Regarding urgency, Nixon and Kissinger were eager to find a settlement to exit Vietnam for both geostrategic and domestic political reasons. This made them more willing to consider transgressing previous lines regulating American use of force to speed the end of the war. Moreover, Nixon in particular held an unusual view of the value of risk generation in coercing adversaries (i.e. “Madman Theory”). These two critical differences led the Nixon White House to do a number of things, including mining Haiphong Harbor and overtly entering Cambodia, which intentionally invited escalation dangers to coerce Hanoi to the bargaining table. The escalatory implications of official acknowledgement were, if anything, helpful in this different political context.

Readers may also wonder about the importance of international law. Was acknowledgement’s role artificially inflated by the unusual neutrality status of Laos? Is the theory more broadly applicable? I would argue focusing on the specific legal character of Laotian neutrality misses the deeper diplomatic significance for which law was merely a proxy. Neutrality was not coercively enforced; its importance was as a legal codification of the basic mutual

commitment by external powers to refrain from intervention inside Laos. In a counterfactual world in which that mutual understanding was more tacit, states would still have been highly sensitive to officially confirming intervention. This is underscored by the comparatively loose legal context in other cases. International law regarding Israel's nuclear weapons arsenal, a classic "open secret," is far from definitive given that Israel has never been a member of the Non-Proliferation Treaty. Acknowledgement still seems to matter here. Moreover, little international legal clarity regarding the use of unmanned weapons platforms did not prevent American leaders from ritualistically denying strikes in places like Pakistan and Yemen. The role of law compared to other factors in deliberations about open secrecy is an interesting question for future research.

## VI. Conclusion

Military leaders often chafed against the various constraints imposed by civilian and diplomatic leaders during the Vietnam War.<sup>94</sup> One of the least intuitive constraints was in Laos, where covert operations known to both domestic audiences and adversaries were hamstrung by the need to avoid official acknowledgement.<sup>95</sup> Why was avoiding an overt violation of the neutrality of Laos important, even when American covert transgressions were known? This article uses the open secrecy of Washington's role in Laos during the 1964-1968 period of the Vietnam War as a window into the broader politics that follow secrecy's exposure. Theoretically, I argue the continued value of open secrets is driven by the independent role of acknowledgement and its impact on conflict escalation dynamics. To assess these claims empirically, I take advantage of an historical oddity: the management of a long-standing covert operation by a bureaucratic actor (i.e. the U.S. Department of State) that more candidly declassifies its material than the usual

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<sup>94</sup> Rosen, "Vietnam and the American Theory of Limited War."

<sup>95</sup> Shultz Jr., *The Secret War Against Hanoi*.



administrators of covert action programs (i.e. Central Intelligence Agency; Department of Defense). Doing so offers a rare window into how high-level American leaders predicted and reacted to regular media leaks and the value they placed on avoiding official confirmation.

The findings of this article are far from historical trivia. Israel's nuclear weapons status has long been widely known but ritualistically unacknowledged, leading one book-length treatment to be deem it the "worst-kept secret" in contemporary international politics.<sup>96</sup> In the United States, the Bush and Obama Administrations ritualistically refused to acknowledge widely reported drone strike programs in places like Yemen and Pakistan for nearly a decade.<sup>97</sup> Iran's cooperation with forbidden partners like Israel has been periodically exposed, creating an "open secret," but persistently denied.<sup>98</sup> Unacknowledged military intervention in places like Eastern Ukraine has even been linked to a new Russian way of war, sometimes called "hybrid warfare," that takes into account the inevitability of exposure and the value of avoiding overt violations of international law and alliances.<sup>99</sup> In an era of WikiLeaks when exposure is both less predictable and likely more routine, understanding the politics of exposed secrets is essential.<sup>100</sup> Even more important is understanding why and under what conditions open secret state behavior remains

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<sup>96</sup> Cohen, *The Worst-Kept Secret*.

<sup>97</sup> Cora Currier, "How the Gov't Talks About a Drone Program It Won't Acknowledge Exists," *ProPublica*, September 13, 2012, <http://www.propublica.org/article/how-the-govt-talks-about-a-drone-program-it-wont-acknowledge>; David Carr, "The Inconvenient but Vital Drone Debate," *The New York Times*, February 10, 2013, <http://www.nytimes.com/2013/02/11/business/media/the-inconvenient-but-vital-drone-debate.html>; "Secret Memos Reveal Explicit Nature of U.S., Pakistan Agreement on Drones," *The Washington Post*, October 23, 2013.

<sup>98</sup> Trita Parsi, *Treacherous Alliance: The Secret Dealings of Israel, Iran, and the United States* (Yale University Press, 2007), 23, 107.

<sup>99</sup> Alexander Lanoszka, "Russian Hybrid Warfare and Extended Deterrence in Eastern Europe," *International Affairs* 92, no. 1 (January 1, 2016): 175–95, doi:10.1111/1468-2346.12509.

<sup>100</sup> Ann M. Florini, "The End of Secrecy," in *Power and Conflict in the Age of Transparency*, ed. Bernard I. Finel and Kristin M. Lord (Palgrave, 2002); American Bar Association Standing Committee on Law and National Security, Office of the National Counterintelligence Executive, and National Strategy Forum, "No More Secrets: National Security Strategies for a Transparent World," Post Workshop Report, (March 2011), [http://www.americanbar.org/content/dam/aba/migrated/2011\\_build/law\\_national\\_security/no\\_more\\_secrets\\_final\\_report.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/2011_build/law_national_security/no_more_secrets_final_report.authcheckdam.pdf).

politically useful. Doing so equips scholars and policymakers with the conceptual tools and political logics for understanding why their own covert action programs may be capable of withstanding exposure, as well as what factors are important for reactions to such measures.

There is much potential in future research on open secrecy and the politics of acknowledgement more broadly. This article analyzes open secrecy about uses of military force during war. Other work could assess open secrecy about other aspects of war such as violations of international law regarding civilian protection or the presence/absence of peace negotiations.<sup>101</sup> Future work might also assess open secrecy and acknowledgement in other empirical domains, as when draft treaties on international trade or intellectual property leak.<sup>102</sup> Scholars could return to non-political science findings like those I review above to recover alternative mechanisms by which acknowledgement may matter, including emotional implications that I do not address here. Future research might also zero in on domestic politics, exploring what kinds of institutional and normative conditions encourage non-acknowledgement. Moreover, while this article has analyzed acknowledgement as a unilateral state decision, there is much more to be done to incorporate challenges to implausible denials by other states or non-state actors, the emergence of collective non-acknowledgement,<sup>103</sup> and the role of international organizations.<sup>104</sup>

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<sup>101</sup> Cohen, *States of Denial*.

<sup>102</sup> Jonathan Weisman, "Trans-Pacific Partnership Seen as Door for Foreign Suits Against U.S.," *The New York Times*, March 25, 2015, <https://www.nytimes.com/2015/03/26/business/trans-pacific-partnership-seen-as-door-for-foreign-suits-against-us.html>.

<sup>103</sup> See discussion of collective non-acknowledgement in Glaser and Strauss, *Awareness of Dying*; Friedell, "On the Structure of Shared Awareness."

<sup>104</sup> Michael Barnett and Martha Finnemore, *Rules For The World: International Organizations In Global Politics* (Cornell University Press, 2004).

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