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JANE FONDA:

Repercussions of her 1972 Visit to North Vietnam

by

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### **Abstract**

Jane Fonda visited North Vietnam in July 1972. Her actions during that infamous visit earned her the title “Hanoi Jane”. Many feel she betrayed American troops and the United States; Vietnam veterans still despise the woman after nearly forty years. A factual historical account of her actions, words, and political alliances while in Hanoi provides insight to the strong emotional reactions that continue unabated. Her actions also exemplified the sometimes-narrow line between antiwar ideology and betrayal. Moreover, despite her stated intentions that she simply was an antiwar activist promoting peace, the ongoing debate continues if she committed treason by providing aid and comfort to the enemy.

Her messages broadcast over the communist propagandist Radio Hanoi changed how the American troops perceived the political will of the United States from the beginning of the war to its latter stages. Fonda’s words to the American POWs and servicemen embodied the inextricable connection between public support from the home front and the war effort overseas. Her statements against American prisoners-of-war and active pilots were so devastating that the North Vietnamese used them as a propaganda tool to deflate the morale of the American troops. The iniquitous legend of “Hanoi Jane” continues because Jane Fonda caused irreparable emotional damage to Vietnam veterans.

## **Introduction**

Thirty-seven years ago, actress Jane Fonda visited North Vietnam. Her actions there earned her the title “Hanoi Jane” and thousands of Vietnam veterans today still abhor her. Many feel she betrayed the American troops and the United States. News articles began covering the story immediately after her visit in July 1972, and related articles have continued for nearly forty years. Interview transcripts and published literature document the fallout of her radio broadcasts and the subsequent treatment of the POWs at the hand of their captors. Millions of Americans still link her name with Vietnam, and those who do are not necessarily well over fifty years old. For example, a group of Generation Xers was visiting an Air Force base and the tour included a display of antiquated antiaircraft artillery batteries. One of the visitors sat in the seat and peered through the sights of the gun. A voice from the group shouted, “Jane Fonda!” Typing “Jane Fonda and Vietnam” into a Google search returns 356,000 hits. The vast majority of the information reflects hatred and anger toward her behavior, but a few bits of information support her views and her right to express them. Myths have surfaced over time to cloud what really occurred, however, the facts abound with credible documentation. What happened during her visit still elicits strong emotional responses from former POWs and veterans of the Vietnam era. A thorough examination of what actually occurred and the resulting opinions of former prisoners-of-war and Vietnam veterans give credence to the government’s investigation of possible treason charges against her. Ultimately, the United States government did not indict her for treason or sedition, and she was not held accountable for her actions in North Vietnam. Consequently, the issue of “Hanoi Jane” has transcended the years. To examine the effects of her visit, the truth must first be sorted from the myths, and her stated intentions must be considered along with the opinions of her supporters. The documented facts, coupled with the

effects on the POWs and American troops lead to the conclusion that her actions and anti-American/pro-communist sentiment severely damaged the morale of the American POWs and servicemen in Vietnam.

### **Myth or Fact?**

As with any widely reported newsworthy occurrence, the account of Fonda's visit to Hanoi changed and became embellished over time. A story that quickly spread among veterans was that when Jane Fonda met with seven POWs, they each surreptitiously slipped a small piece of paper with their social security number into her hand as she shook hands with them individually. They intended for Miss Fonda to take the information covertly back to the United States so that their families and loved ones would know that they were still alive. After accepting the slips of paper, she purportedly promptly turned them over to the North Vietnamese. Ret Col Larry Carrigan was mentioned as one of the prisoners that met with Fonda and pressed the slip of paper into her hand. The North Vietnamese shot Carrigan down in 1967 and he spent years as a POW. By his own account, he never met Jane Fonda and he does not know how his name became associated with the inflammatory story.<sup>1</sup> Edison Miller, a former Marine Corps pilot, was among the prisoners who met with Jane Fonda in 1972. He claims he did not give her a slip of paper and neither did the other six prisoners.<sup>2</sup> Air Force pilot Jerry Driscoll allegedly spat on Fonda, which resulted in such a severe beating that he still suffers from double vision. Driscoll also never met Jane Fonda, "Totally false. It did not happen."<sup>3</sup> Mike McGrath, President of Nam-POWs, also disclaims the myths and refers to them as email hoaxes. He does not want the false stories propagated and attributed to the Nam-POWs organization.<sup>4</sup>

Widespread rumors that her radio broadcasts and antiwar propaganda caused the killing of prisoners had no known factual bases and these allegations are not considered true. However,

there were reported instances of torture directly related to her visit. Michael Benge, a civilian working for the U.S. Agency for International Development, was captured in South Vietnam by the Viet Cong and was in a Hanoi prison in 1972. He recounted his experience, “When Jane Fonda was in Hanoi, I was asked by the camp communist political officer if I would be willing to meet with her. I said yes, for I would like to tell her about the real treatment we POWs were receiving, which was far different from the treatment purported by the North Vietnamese, and parroted by Jane Fonda, as ‘humane and lenient.’ Because of this, I spent three days on a rocky floor on my knees with outstretched arms with a piece of steel re-bar placed on my hands, and beaten with a bamboo cane every time my arms dipped.”<sup>5</sup> David Hoffman’s plane was shot down over North Vietnam in 1971 and he also claimed that he was tortured due to her visit.

The torture resulted in a permanent injury that plagues me to this day. When Jane Fonda turned up, she asked that some of us come out and talk with her. No one wanted to. The guards got very upset, because they sensed the propaganda value of a famous American war protestor proving how well they were treating us. A couple of guards came to my cell and ordered me out. I resisted, and they got violently angry. My arm had been broken when I was shot down, and the Vietnamese broke it second time. It had not healed well, and they knew it caused me great pain. They twisted it. Excruciating pain ripped through my body. Still I resisted and they got more violent, hitting me and shouting, ‘You must go!’ ...I was dragged out to see Fonda. I decided to play the role. I knew if I didn’t, not only would I suffer - but the other guys would be tortured or beaten or worse.<sup>6</sup>

Although some stories are fabricated, there are a multitude of truthful and credible accounts. At the time of her visit in July 1972, there were still hundreds of prisoners being held in North Vietnam and the Viet Cong held scores of POWs in South Vietnam. Jane Fonda’s actions during her two-week NVA-sponsored visit to Hanoi unquestionably had adverse effects on the American servicemen, regardless of her stated intentions.

### **Jane Fonda's Stated Intent and Views of Her Supporters**

Jane Fonda began studying the Vietnam War while living in Paris. Her frequent houseguests were dedicated Communists that stressed the evils of her home country. Initially Fonda felt compelled to defend the United States to her Communist friends, “but then I saw Americans at home protesting the war by the hundreds of thousands, and soldiers deserting. I began to study and read.”<sup>7</sup> Keeping a low profile, she did not speak out publically against the war until two years later in 1970.<sup>8</sup> Perhaps influenced by her communist friends, she announced in a speech at Duke University, “I am a Socialist, I think we should strive toward a socialist society – all the way to communism. I would think that if you understood what communism was, you would hope, you would pray on your knees that we would someday become Communist.”<sup>9</sup> By the end of 1970, Fonda was drawn into the antiwar movement and gained national visibility for supporting GIs and veterans in their endeavors to end the war.<sup>10</sup> Prior to the fateful visit to North Vietnam, Fonda’s antiwar activities included speaking at GI coffeehouses and college campuses, using her celebrity status to encourage the audiences to oppose the war and urge them to consider the perspective of the Vietnamese. She suggested to her audiences that it might be better to receive a dishonorable discharge than to have to serve in Vietnam. She talked about filing for conscientious objector status and told them where they could get legal assistance if they chose that option.<sup>11</sup> Fonda believed that most soldiers wanted peace and freedom, and someone needed to speak up in their support. She enlisted the help of writers, musicians, and other actors to form a troupe to perform the “Free the Army” revue. Banned from military bases, the revue performed in coffeehouses near the bases.<sup>12</sup> In 1971 she lectured “...it is time for the American people to know that the My Lai massacre happens daily in Vietnam. It is not an isolated incident and it is not the result of individual soldiers going

crazy, freaking out on dope, or going criminally insane. It is the result of the policy formulated in our government, by our leaders, by the CIA, by the Pentagon, by the Joint Chiefs of Staff. These things happen, perhaps on a lower level, but they happen daily in South Vietnam.”<sup>13</sup> She had hoped to travel to Hanoi to carry letters to POWs as early as March 1971, but a new air assault endangered the commercial air corridors and all visas for international visitors were cancelled.<sup>14</sup>

As an invited guest of the communist’s North Vietnamese Committee of Solidarity with the American People, Fonda ostensibly traveled to Hanoi in July 1972 as a peace activist and antiwar protestor. She departed for North Vietnam intending to deliver hundreds of letters for American prisoners-of-war from their families and to observe the effects of U.S. bombing raids.<sup>15</sup> Fonda arrived in Hanoi dressed in black pajama pants and a white tunic, meeting her hosts with greetings from the revolutionary comrades in America. She believed if the Vietnamese could see the Americans as potential friends, the Americans could also see the Vietnamese as friends.<sup>16</sup> She insisted her only objective was to meet with the North Vietnamese to help end the war.<sup>17</sup> Her purpose for the two-week visit was to film life in the war zone and investigate the bombing of the dikes.<sup>18</sup>

Damaged dikes posed a grave problem for the North Vietnamese peasants with the upcoming rainy season; resulting floods had the potential to cause death by drowning and subsequent famine due to the loss of rice crops to flood waters. The issue of the dikes was already an international concern to which President Nixon angrily responded that if the dike system were indeed a target, it would be mostly destroyed within a week. Many of the dikes ran parallel to roads and railways; others were near bridges or petroleum tanks. Inevitably, some of

the dikes were collateral damage. The State Department reported, “The evidence shows conclusively that there has been no intentional bombing of the dikes.”<sup>19</sup>

Fonda personally examined bomb craters and filmed villagers manually filling the holes. She believed that the United States was purposely and systematically bombing the dikes; she did not think the dike damage was related to military targets. She claimed, “In the area where I went it was easy to see that there are no military targets, there is no important highway, there is no communication network.”<sup>20</sup> Fonda stated, “Our government was lying to us and men were dying because of it, and I felt I had to do anything that I could to expose the lies and help end the war.”<sup>21</sup> The North Vietnamese government showed Fonda rubble of damaged hospitals and schools in the bombed villages, as well as damaged dikes and destroyed antiaircraft sites.

The destruction horrified Fonda and she asked her hosts to allow her to make radio broadcasts to the American pilots; she felt it was her moral imperative to do so. She asked the American pilots to stop the raids into North Vietnam. She wanted the pilots to think about what they would see on the ground if they ever visited the places they blasted.<sup>22</sup> Following a visit to the Bach Mai hospital, Fonda made a radio broadcast telling the pilots that the hospital had been purposely targeted and bombed, resulting in the destruction of patient-filled wards and hospital equipment, as well as the deaths of some doctors. She asked them why they would follow orders to destroy a hospital or bomb a school.<sup>23</sup> “I appealed to them to please consider what you are doing,” she stated at a news conference, “I don’t think they know.”<sup>24</sup>

During another radio transmission, Fonda described the Vietnamese as she saw them, “Every man, woman, and child in this country has a determination like a bright flame, buoying them, strengthening their determination to go forward, to fight for freedom and independence.”<sup>25</sup> Fonda viewed the North Vietnamese as fighting to defend themselves from the American

aggressors.<sup>26</sup> She saw them as a peasant people who posed no threat to the United States.<sup>27</sup> In one of her radio broadcasts to the POWs, she said, “The people beneath your planes have done us no harm. They want to live in peace...if you knew the Vietnamese under peaceful conditions, you would hate the men who are sending you on bombing missions.”<sup>28</sup>

Fonda felt justified in her antiwar speeches, claiming the people who spoke out against the war were the patriots.<sup>29</sup> She said, “I cried every day for America. The bombs were falling on North Vietnam, but it is an American tragedy.”<sup>30</sup> Fonda claimed she did not want the U.S. to lose the war or for the soldiers to be killed, she just wanted our country out of the war.<sup>31</sup>

She did not regret making the trip to North Vietnam or making her antiwar views known. Perhaps Fonda believed she was acting in the long-range interest of the United States to which she owed allegiance and to which she remained loyal.<sup>32</sup> Tom Hayden, one of the founders of the Students for a Democratic Society and former California State Senator said of his ex-wife, “Fonda was neither wrong nor unconscionable in what she said and did in North Vietnam. Erased from public memory is the fact that Fonda’s purpose was to use her celebrity status to put a spotlight on the possible bombings of Vietnam’s system of dikes.”<sup>33</sup>

Author Mary Hershberger wrote that the public memory of Fonda’s opposition to the war became tangled with the loss of the war. Hershberger also believed the allegations of Fonda’s betrayal of her country and causing harm to the American POWs in Hanoi were false; she had not participated in secret political activities; and her antiwar action was a model of democratic dissent.<sup>34</sup> “Jane Fonda became the perfect target for those who found defeat in Vietnam inexplicable and humiliating.”<sup>35</sup> In spite of the harsh criticism, Jane Fonda remained a much-admired icon to many. Supporters felt Fonda exhibited courage by speaking out in opposition of

the war. She jeopardized her career and maintained composure in spite of the intense scrutiny of her actions.<sup>36</sup>

Not all Vietnam veterans felt contempt for Fonda or her actions and considered her as a possible means to help end the war. As stated by one veteran: “When I was in Ashaw valley being shelled by artillery fire coming from Laos and the rounds kept walking closer and closer to my foxhole, I prayed to Jane to get me the hell out of there. I was no more upset with Jane than I was with many of her critics who never put their life or reputation on the line to take any action concerning the war other than to make a profit.”<sup>37</sup> The Vietnam Veterans Against the War (VVAW) was an influential anti-war organization during the era, with 25,000 members at the height of the war. Jane Fonda supported the group financially and frequently spoke at antiwar rallies set up by the VVAW.

Fonda has never apologized for her opposition to the Vietnam War and claimed she never will.<sup>38</sup> She never thought the visit was a mistake and maintained a sense of pride for making the trip. She only regretted being photographed sitting in a North Vietnamese antiaircraft gun site, which she claimed conveyed the wrong message of her intent to help end the war and stop the killing.<sup>39</sup> At the time, she thought sitting in the place of the young North Vietnamese at the antiaircraft site would express solidarity with the reality of their lives.<sup>40</sup> Sixteen years later, in 1988, she apologized for her poor judgment on national television. Fonda publically stated that she would go to her grave regretting that photograph.<sup>41</sup> Her apology included a message to the men who were in Vietnam: “My intention was to help end the killing and the war. But there were times when I was thoughtless and careless about it, and I’m very sorry I hurt them, and I want to apologize to them and their families.”<sup>42</sup>

During a *60 Minutes* interview in 2005, Fonda spoke of the fury against her that continued for over 30 years, “It makes me sad, because I think it’s ill-placed anger. I understand that I am a lightning rod, and I know why the anger is there.”<sup>43</sup> In a 2007 interview, Fonda said, “That whole ‘Hanoi Jane’ thing isn’t really about what it seems to be about. There’s a gender and class aspect to it: I’m a privileged, famous woman sitting on that gun. I handed it to them – it’s my fault.”<sup>44</sup> For many Vietnam veterans the apologies were too little and too late. Former POWs recounted what actually occurred as a result of her antiwar actions during her visit in 1972.

### **Her Actions and Subsequent Effects**

Fonda’s North Vietnamese hosts provided a guided tour to predetermined bomb-damaged military and civilian sites, which incited her to request to send radio messages to the American pilots. As a result, she made ten live and taped radio broadcasts over the propagandist Radio Hanoi. She interviewed seven American POWs who were forced to meet with her. In the latter part of her visit, she met with senior communist officials.

The American troops were forced to listen to her radio broadcasts as she lamented the crimes committed against the Vietnamese. Inside the Hanoi Hilton prison camp, her words were broadcast repeatedly day and night until, as one prisoner said, “we almost went fucking crazy.”<sup>45</sup> She referred to the pilots as “American imperialist air raiders”.<sup>46</sup> The guards broadcast a taped recording of Fonda singing with a group of women; the song was called “Fuck the Army”.<sup>47</sup>

The much-publicized meeting of Jane Fonda with the group of POWs was a staged “press conference” by the North Vietnamese. The scheduled meeting with the POWs was not held at the prison; in fact, Fonda did not visit POW camps. Although the seven POWs were from the infamous “Hanoi Hilton”, Fonda never requested to visit the prison camp. The seven prisoners

were bused to the headquarters of the Army film studio on the outskirts of Hanoi. They lined up and sat in a row across a table from Jane Fonda. Prior to the scheduled meeting with the prisoners, one of them was tortured until he agreed to appear.<sup>48</sup> Fonda claimed during her long talk with the prisoners, they told her that they were being treated humanely, they were not being tortured, and they were eager for the U.S. to pull out of Vietnam. They were clad in purple and red striped uniforms and ate dinner with Fonda while the event was captured on camera. Their facial expressions appeared stressed and dazed. With cameras clicking and prisoner guards present, the POWs unsurprisingly told her that they were being treated humanely. Later Fonda recounted, "When I asked them if they were brainwashed, they all laughed. Without exception, they expressed shame at what they had done." She followed that statement with an attack on American prisoner-of-war camps where she claimed that American captors tortured North Vietnamese prisoners.<sup>49</sup> The meeting with the pilot POWs gave Fonda encouragement; she said they were reading and putting their lives together in a better way and hopefully they would return home as better citizens than they were before they left.<sup>50</sup> Fonda made a radio broadcast announcing to prisoners and the American troops that during her long talk with the seven POWs, they assured her they were in good health and they exchanged ideas freely. She stated they were disgusted with the war and wanted their loved ones back home to become active in the peace movement. She said the POWs assured her they were well cared for.

The statements made over the radio about her meeting with the seven pilots were not true. The meeting was not a casual free exchange of ideas. They did not tell her they were disgusted with the war or that their loved ones should join the peace movement, and they were not in good health.<sup>51</sup> Doug Clower, a Navy pilot shot down early in the war was held captive for eight years. He recalled as he was listening to Fonda's radio message, claiming that the North Vietnamese

were treating the POWs well, he watched through a window as his friend was being severely beaten by prisoner guards.<sup>52</sup>

Fonda claimed the pilots were using bombs and weapons that were illegal and, by doing so, they were war criminals. She asserted in Germany and Japan such war criminals were executed according to international law. She accused the Americans of bombing non-military targets, such as villages, hospitals, factories, pagodas, and dikes. She asked them if they could justify being murderers and told them that their mothers did not raise them to be killers.

POWs were not the only intended audience for her broadcasts; she also targeted active duty pilots and ground troops. She specifically addressed servicemen “in cockpits of Phantoms, F-4s, B-52s, the Anglico Corps, on the 7<sup>th</sup> Fleet, the Constellation, the Coral Sea, the Hancock, Ticonderoga, the Kitty Hawk, the Enterprise”...<sup>53</sup> Fonda referred to the Vietnamese fighters as her “friends”. In her radio broadcasts, she asked how the American pilots liked being used as pawns.<sup>54</sup> Fonda denounced their acts as immoral.

Perhaps these actions seemed immoral to some college students and perhaps a few politicians, but the POWs were men at arms and it was their duty to follow orders and uphold the policies of their elected civilian leaders. The prisoners thought they had been doing their duty and being called immoral struck at their hearts, at their concept of honor.<sup>55</sup> Henry Kissinger thought Fonda seemed intent on publicizing the North Vietnamese cause. He said, “She knew precisely what she was doing – she wanted Hanoi to win. What she did was totally immoral”.<sup>56</sup>

Excerpts from her radio transmission describing her impressions at the end of her two week visit to North Vietnam included “I saw Vietnamese actors and actresses perform the second act of Arthur Miller’s play *All My Sons*, and this was very moving to me - the fact that artists here are translating and performing American plays while U.S. imperialists are bombing their

country.” and “...I think Richard Nixon would do well to read Vietnamese history, particularly their poetry, and particularly the poetry written by Ho Chi Minh.”<sup>57</sup> The North Vietnamese people and their communist ideology greatly impressed Fonda and she expressed those thoughts through her radio broadcasts.

The Hanoi radio messages were translated and broadcast to South Vietnamese youth, students, women, and military. Fonda labeled the South Vietnamese troops as “cannon fodder for U.S. imperialism” and added that U.S. presence in Southeast Asia was racial aggression in a white man’s war. She described U. S. bombings of South Vietnamese troops as wanton, perhaps accidental, and showed a lack of concern for their lives by the white American officers in Vietnam, in the Pentagon, and in the White House. Fonda added yet another condemnation of America by stating, “We know what U. S. imperialism has done to our country in the United States, and so we know what lies in store for any Third World country that should have the misfortune of falling into the hands of the United States and becoming a colony”.<sup>58</sup>

Jane Fonda also made the following quotes, characterizing her two-week visit: “I am very honored to be a guest in your country, and I loudly condemn the crimes that have been committed by the U.S. Government in the name of the American people against your country.” “We have understood that we have a common enemy – U.S. imperialism.” “We have followed closely the encroachment of the American cancer in the southern part of your country, especially around Saigon. And we hope that very soon that, working together, we can remove this cancer from your country...” “We thank you, (the Viet Cong and the North Vietnamese) for your brave and heroic fight.” “The Vietnamese people will win.”<sup>59</sup> Near the end of her visit, Fonda met and socialized with high-ranking North Vietnamese officials. During her meeting with Nguyen Duy Trinh, Vice Premier of North Vietnam, Fonda expounded on how deeply impressed she was with

the Vietnamese people's determination to emerge victorious. She also told him that his people would "certainly triumph over the Americans".<sup>60</sup>

As information of what she said in North Vietnam returned to the United States, critics were doubtful that she came up with the verbiage on her own, as she claimed. Jane Fonda was a relatively young actress who lacked political knowledge, was ignorant of history, and had nearly non-existent experience in international affairs.<sup>61</sup> Yet she suddenly knew about neocolonialism, the 1954 Geneva Accords, what constituted military targets, various aircraft models, the names of the aircraft carriers off the coast, and types of ordnance. She made reference to Anglico (Air Naval Gunfire Liaison Company), an elite group of the Marine Corps. By citing accurate information using proper jargon, it seemed obvious that she was reading from a script created by professional propagandists sprinkled with Fonda's occasional ad-libs. The critics also thought that some of her diatribes contained words and syntax that sounded as if English were not the first language of the writer. It was apparent to the critics that the political language did not originate with Jane Fonda and she was a willing participant in collaboration with the Communists.<sup>62</sup> When Fonda met with the seven POWs, she gave the impression of reading from a script. One of the POWs said at one point she got lost in what she was saying, went back and repeated exactly the same words for a few sentences, as if to get back on track.<sup>63</sup>

After returning to the United States, Fonda made a television appearance on the Dick Cavett show, a popular talk show during the 1970's. Her greeting to the audience was a raised fist, the Black Panther salute. She reportedly sounded shrill and arrogant and her comments contained gross factual errors. She stated the imperialist American aggressors were only pursuing the Vietnam War because the U.S. wanted the region's "tung and tinsten" (tin and tungsten).<sup>64</sup>

CIA contractor Edward Hunter analyzed the Radio Hanoi broadcasts and doubted Fonda was intelligent enough to have composed the speeches without coaching. He thought her utterances disclosed skilled indoctrination. The chair of the House Internal Security Committee Richard Ichord agreed with Hunter and said the proof was in her use of military terms that would not have been within her knowledge.<sup>65</sup>

When Fonda returned from North Vietnam, she continued touring college campuses, telling college students that she brought them greetings from our Vietnamese brothers and sisters. She expressed grief over the war damage she had seen in North Vietnam caused by the American forces and showed off a new piece of jewelry given to her by the communists in Hanoi - a ring made from the melted parts of a shot-down U. S. aircraft.<sup>66</sup> She continued her disparaging remarks against the POWs well into the next year, when the prisoners began returning home.

By 1973, several national newspapers began publishing accounts of prisoner torture. Although she believed there were some incidents of torture (“Guys who misbehaved and treated their guards in a racist fashion or tried to escape”<sup>67</sup>), she did not believe it was as widespread as the POWs were reporting. Jane Fonda was quoted as saying the POWs were “hypocrites and liars”.<sup>68</sup> Secretary of Defense Elliot L. Richardson lashed back at Fonda with his statement, “That remark by Jane Fonda was an egregious insult to all of our returning prisoners. A person making such a judgment is badly motivated or simply fails to want to understand what he or she can plainly perceive.”<sup>69</sup>

Credible military officers were describing the incomprehensible atrocities delivered by the North Vietnamese captors during their imprisonment. Medal of Honor recipient Colonel George “Bud” Day suffered a macabre ritual torture among other forms of torment and beatings.

His captors looped a rope around his shoulders and tightened the rope until his shoulders nearly touched, and then hung him by his arms from the rafters of the torture room, literally tearing his shoulders apart. He was left hanging for hours.<sup>70</sup>

A prisoner since 1967, John McCain suffered through a period of time when he was beaten every two to three hours. He had cracked ribs, broken teeth, and when he could no longer stand, he was kicked in the head.<sup>71</sup> Beginning in 1968, John McCain endured nearly two years of solitary confinement during which he slowly began to regain some use of his badly broken arms. By 1969, he started to keep down more food after a long bout with dysentery.<sup>72</sup>

Former POW Mike McGrath explained, “The unbearable pain of torture invariably brought screams from the prisoners. To prevent the screams, the Vietnamese guards would stuff dirty rags into your mouth with a rusty iron bar that would chip the teeth and tear the skin off the roof of the mouth. If you resisted by gritting your teeth, the guard would continue to shove until your teeth broke or you opened your mouth.”<sup>73</sup>

Another former POW recounted his harrowing experience:

I still marvel at their ability to torture, without conscience or remorse, an injured man almost to the point of death. I had a severed humeral head... and the humeral head of my left arm was severely dislocated and shoved next to the ribs and scapula. My knee was dislocated. I had compression fractures in least two areas of my back. The back fractures left me powerless to move my head or hold my head up when they sat me up. My chin hung down on my chest. The pain in my left arm was agonizing. Yet they brutally tortured me for three days by twisting my good arm behind my back until my right shoulder and right elbow were dislocated. I tried to scream, but they had stuffed dirty rags between my teeth and into the back of my throat. I gagged and snorted and blew snot from my nostrils in a desperate attempt to get enough air to breathe and stay alive. After the three-day intense hourly sessions, they left me lying on the floor for the next 15 days to see if I lived or died. I couldn't sleep as every time I passed out from exhaustion, my broken left arm slipped from the grip of my right hand and I would begin screaming in pain. I had to stabilize the left arm at all costs. I couldn't lay it down in any position, even on my chest. I had to hold it and stabilize it at all times.

By the end of that 15 days with no sleep I was stark raving mad and in delirium. I couldn't remember days or sometime distinguish days from nights...so I made a mark on the wall each sunrise. I had to stabilize my arm for the next several months. Luckily, I found a nail in a wall and tied my wrist in an upright position to the nail. This allowed me to fall into deep sleeps while in a delirious state. Then the dysentery started...shitting 40 times a day, living in my own filth. Well, you get the idea. They were bastards. Some of us were lucky to live. Others died.<sup>74</sup>

Amid all of the information becoming known, Fonda still maintained her claim that the POWs claiming they were tortured were probably exaggerating for their own self-interest. Her response to the POWs' increasing number of accounts of brutal mistreatment and widespread torture was "We have no reason to believe that U.S. Air Force officers tell the truth. They are professional killers."<sup>75</sup> She believed, the POWs she met were not tortured, starved, or brainwashed.<sup>76</sup> As the stories of torture began to gain credence, she stated, "Tortured men do not march smartly off planes, salute the flag, and kiss their wives. I also want to say that these men are not heroes."<sup>77</sup> Fonda added that the condition of the returning prisoners should speak for itself to prove that they had not been tortured. Yet, it was the very condition of those men that made believers out of skeptics of POW torture. The North Vietnamese were guilty of heinous treatment of American prisoners and they were apparently successful at fooling Jane Fonda, who perhaps should be classified as a "dupe".<sup>78</sup>

Jane Fonda's statements, broadcast over loud speakers to American prisoners-of-war, and over the radio to the active duty, had a devastating effect on their morale. Her actions went against tradition; visiting Americans, famous entertainers, and movie stars, were expected to boost the morale of the soldiers, as was the norm during World War II. Fonda was not the only celebrity to visit North Vietnam. Singer/songwriter Joan Baez visited Hanoi and parts of North Vietnam during the Christmas bombing in December 1972. She traveled with a peace delegation

to deliver Christmas mail to American POWs. Baez saw the communists as violators of human rights and criticized their government. After returning to the United States, Baez started a petition to condemn Hanoi's brutal policies and garnered eighty signatures from former anti-war activists. Fonda not only refused to sign the petition, she sent Baez an eight-page letter condemning Baez and the eighty who did sign for criticizing Hanoi.<sup>79</sup>

The troops went into the war knowing that there were large numbers within the United States' population that did not support the war effort. Men were dying, and those that survived were putting their lives at great risk to fight communism in a country seemingly on the other side of the world. The POWs that languished for years at the hands of their captors were beaten and tortured. They lived and suffered in conditions that were incomprehensible to American society, yet they were accused of being war criminals by a famous American actress, a sex symbol of the 60s and early 70s. To American servicemen with pinups of Jane Fonda in their lockers, the betrayal was as if Betty Grable had made Nazi propaganda radio broadcasts from Berlin during World War II.<sup>80</sup> This indicated to the prisoners that the American public had lost the political will to support them. These men were trying to hold on to their sanity, physically survive the horrendous conditions, retain some personal integrity, and remain loyal to their country. They did not need to be undermined by Jane Fonda.

Air Force pilot Dick Vaughn was shot down in 1971 and held prisoner until 1973. He stated the interrogators at the prisoner camp would often say "we cannot beat you militarily; however, with friends like Jane Fonda, we will defeat you." He further claimed the North Vietnamese tried to wear them down; make them believe they were war criminals and puppets of the Nixon administration.<sup>81</sup> These terms and accusations gleaned from Fonda's radio broadcasts. These North Vietnamese thought processes were corroborated by Army Colonel Bui

Tin, commander of the tank column that broke through the gates of the South Vietnamese Presidential Palace in 1975. Tin was later interviewed and explained, “The antiwar movement was essential to our strategy. Every day our leadership would listen to world news over the radio to follow the growth of the American antiwar movement. Visits to Hanoi by people like Jane Fonda gave us confidence that we should hold on in the face of battlefield reversals.”<sup>82</sup>

One Vietnam veteran equated her actions with the will of political leadership in the United States. “Yes, there was a movement against the war, students who were afraid of being drafted. They in no way held sway over any part of the government and our will to win the war. When ‘Hanoi Jane’ made her trip and no repercussions were forthcoming, it gave the anti war movement a legitimacy not possessed before. She single handedly proved the politicians had no will, the tide was turning.”<sup>83</sup>

Joan Maiman was a medical worker for the Red Cross in Vietnam. She said, “I watched young men who went to their death believing their country hated them because of Jane Fonda’s antiwar activities.”<sup>84</sup> Not all Vietnam veterans were in favor of the war. Some lost their affiliation of support after they returned home and others were against the war while they were still in Vietnam. Yet both groups felt Jane Fonda betrayed them. “The feeling was that she should have separated the war from the warrior and did not.”<sup>85</sup>

Colonel “Bud” Day was a ranking officer at the Hanoi Hilton at the time of the Jane Fonda’s visit. He summed up his feelings about Fonda’s radio broadcasts, “It’s difficult to put into words how terrible it was to hear that siren song that is so absolutely rotten and wrong. It was worse than being manipulated and used. She got into it with all her heart. She wanted the North Vietnamese to win. She caused the deaths of unknown numbers of Americans by buoying

up the enemies spirits and keeping them in the fight.”<sup>86</sup> Her actions and words were devastating to the Americans in Vietnam; and she was not being held accountable for her actions.

### **Investigation of Treason**

The United States Constitution’s definition of treason under Article III, Section 3: *Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.*<sup>87</sup> The Logan Act was enacted in 1799 with the intent to prohibit United States Citizens without authority from interfering in relations between the United States and foreign governments.<sup>88</sup> An excerpt of the Sedition Act of 1918, Article III describes sedition: *Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or to promote the success of its enemies, or shall willfully make or convey false reports, or false statements, . . . or incite insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct . . . the recruiting or enlistment service of the United States.*<sup>89</sup>

Newspaper articles questioning Fonda’s remarks in Hanoi appeared as early as August 4, 1972, less than two weeks after her return to the United States. The Veterans of Foreign Wars adopted a resolution at the annual VFW convention urging the prosecution of Jane Fonda and classified her as an “unofficial ambassador for peace and a traitorous meddler in official Government security”.<sup>90</sup> The Justice Department began the scrutiny of her radio broadcasts soon after the transmissions were aired on Radio Hanoi. Legal authorities were doubtful that Fonda could be charged with treason since the United States was not officially at war; Congress had not

declared war on North Vietnam. Charging Fonda by means of the Sedition Act was a possibility since it did not require an official declaration of war. Charges from several congressmen that Fonda's tour of North Vietnam, in conjunction with her radio broadcasts were treasonable acts prompted the Justice Department's investigation and the House Internal Security Committee's probe<sup>91</sup>

Fonda did not provide military intelligence, supplies, weapons, money, or ammunition to the North Vietnamese government; however, she was guilty of spewing propaganda easily considered anti-American and outwardly pro- North Vietnamese. Alternatively, as her supporters claimed, she was practicing her right to freedom of speech.

Fonda reacted to the investigations and possibility of charges saying the government could study the radio transcripts; she had nothing to hide. Her reply was "Given the things that America stands for, a war of aggression against the Vietnamese is a betrayal of the American people. There is the treason."<sup>92</sup>

The House Internal Security Committee sent a letter to the Attorney General in mid-August 1972. The letter stated, "In the event the Justice Department determines the broadcasts of Jane Fonda from Hanoi during July, 1972, do not constitute treason or sedition, or that her conduct cannot be reached by existing statute for any other reason, then the department is requested to furnish a report to the committee with recommendations for legislation which would be effective to impose criminal sanctions under similar circumstances in the future."<sup>93</sup> Nine months later the House Internal Security Committee approved legislation that would outlaw unauthorized visits by American citizens to nations fighting the United States. The Justice Department supported the bill, under which the president could restrict trips unless he deemed them to be in the interest of the U.S.<sup>94</sup> In the end, the bill failed on the House floor.

The Justice department decided not to move against Fonda with charges of treason or violations of the Logan Act. As for charges of sedition, the House Internal Security Committee did not find anything in her radio transmissions to incite military personnel into “doing anything other than to think”.<sup>95</sup> At the time of these decisions, there was widespread conjecture among critics that Justice Department officials feared making an antiwar sacrificial victim out of Jane Fonda. However, the ambiguity of the legal of her actions remained unanswered.

Henry Mark Holzer practiced law for 42 years and became a professor emeritus at the Brooklyn Law School. After his retirement, he took on the challenge of studying “Hanoi Jane” and through a legal lens determined whether she should have been tried for treason. He did not seek to answer if she would have been convicted by a jury; his goal was to determine whether there was sufficient evidence to submit to a jury. Holzer stated there were four requisite elements of the crime of treason: intent, overt act, two-witness proof, aid and comfort. All four elements need to be proven beyond any reasonable doubt to constitute treason.<sup>96</sup>

Holzer believed Fonda exhibited intent because she intended the consequences of her voluntary acts. It was a distinct possibility that she knew or believed that North Vietnamese propagandists were working in the interest of North Vietnam. Fonda knowingly participated in the propaganda campaign aimed at undermining the morale of the embattled POWs and the American troops in the field. This may have proved treasonous intent to a jury.<sup>97</sup>

Throughout Fonda’s visit, her actions were overt and clearly showed intent. The following are only a portion of the numerous examples:

- While touring the War Crimes Museum, which displayed ordnance and artifacts allegedly used by American troops in Vietnam, Fonda made pro-Communist and

anti-American statements in the company of Communist North Vietnamese civilians and military officials and members of the international press.

- During her tour of a hospital, again in the company of the North Vietnamese and international press, she made anti-American and pro-North Vietnamese statements. In one of her broadcasts, she mentioned the hospital and her belief that the Americans had purposely targeted the hospital as well as schools.
- At the site of bombed dikes and populated areas, Fonda made anti-American remarks to her usual entourage of North Vietnamese and members of the press. The dikes were a source of many of her diatribes, which she repeated many times throughout her tour.
- Her pro-North Vietnam remarks and anti-American sentiment continued while visiting a textile factory and villages in the countryside.
- Fonda made the first of the ten live and taped radio broadcasts on 14 July. All of her transmissions to the POWs and American troops in the area were laden with anti-American and anti-military statements. She blatantly undermined the morale of the Americans serving in Vietnam and those held captive.
- Fonda held a press conference in Hanoi and described her activities since arriving in North Vietnam. She purportedly continued with pro-communist remarks.
- During her meeting with the seven POWs, Fonda harangued them with her propaganda.
- At a meeting with North Vietnamese Vice Premier Nguyen Duy Trinh, Fonda continued with her anti-American sentiment and told him his side would surely win.

- In the company of North Vietnamese Communists and international press members, Fonda posed for photographs in the control seat of a North Vietnamese anti-aircraft gun, feigning taking sight on an imaginary American aircraft.<sup>98</sup>

The federal treason statute of the Constitution requires that the overt acts with intent must be proved by the testimony of two witnesses. Members of the international press were following the tour throughout the two weeks and were witness to her anti-American and pro-communist remarks. Countless numbers of POWs and service men in the field heard her radio broadcasts. Seven POWs listened to her rehearsed speech propagandizing the shameful wrong- doings of the Americans in Vietnam and extolling the North Vietnamese people. There were hundreds of witnesses to her actions, not merely the required two.

In providing aid and comfort to the enemy, Fonda's actions went beyond sympathy for the enemy. She seemingly severed her allegiance to the United States, and it appeared that she crossed the line with her pro-North Vietnam propaganda. She actually promoted the North Vietnamese cause because her broadcasts and other conduct had a devastating effect on the morale of the POWs and troops in the field. The North Vietnamese were encouraged to continue the fight because Jane Fonda was destroying the will of the U. S. servicemen. CIA contractor Edward Hunter's analysis revealed, "What comes from a source on one's own side commands attention, under any circumstance. When the enemy can obtain the assistance of a national of the country it is fighting, to propagate its material in his or her own country, and also to broadcast it personally over the enemy's radio, going to its capital city to do so, it has achieved a form of war propaganda for which there is no professional term – except, perhaps, the old-fashioned word, treason."<sup>99</sup>

With all of the evidence and expert analysis of Fonda's actions in Hanoi, Holzer's legal opinion was that she could have been indicted for treason. Her statements contained lies about the United States, its leaders, its motives, and actions in Vietnam. Communist propaganda was underlying every line of her broadcasts. Her remarks undermined the morale and military effort of our soldiers in the field and our prisoners in jungle camps and North Vietnamese prisons.<sup>100</sup>

The reasons leading to the decision not to indict her were very convoluted. The decision not to subpoena her for investigation before the House Internal Security Committee was never clearly explained. Holzer believed the answer was political in nature, not legal. "What our government feared was being made to look stupid by the likes of Jane Fonda and the rabble-rousing counsel whom she doubtless would have employed. The government of the United States feared losing the case before a jury."<sup>101</sup> Basically, the United States did not want to risk making an anti-war martyr of Jane Fonda.

### **Conclusions**

The Vietnam War was a difficult and confusing time in the history of the United States. Many Americans were not in favor of the war and protests abounded on college campuses and at public gatherings, but Jane Fonda spoke openly against the war and the men sent to fight it. She saw the North Vietnamese as the victims and the Americans as the aggressors attacking a peaceful people.

The myths surrounding the occurrences of her fateful trip to North Vietnam were a side effect to the extremely controversial issue. Vietnam veterans researched the evidence to expose the hoaxes and strove to keep the available information factual.

Jane Fonda's reasons for her actions and statements hold some merit. As a peace activist, she did want the killing to stop and the war to end. Perhaps she really did regret the photograph

of her singing and laughing with the North Vietnamese as she sat perched on a gun site, wearing a North Vietnamese helmet; however, the telling photograph is etched into the minds of thousands of Vietnam veterans. The adage “a picture is worth a thousand words” holds true in this situation. She did not regret her radio broadcasts filled with anti-American propaganda. Her accusatory words incited anger and sadness in the hearts of the American troops. An American motion picture icon had turned against them. Her radio broadcasts were inflammatory and disheartening to the American troops that were forced to listen to Hanoi radio. Her actions were extremely detrimental to the morale of the troops, in particular the prisoners-of-war.

“Jane Fonda and Vietnam” has been a topic of interest for nearly forty years. Thousands of Vietnam veterans are still extremely emotional about what happened in 1972 with Jane Fonda’s visit. Her perceived betrayal of them is a deep-seated pain. The veterans are aging, but this story will not die with them. The story has been passed down to subsequent generations and continues to intrigue the curious. The name Jane Fonda cannot be mentioned without the connection to Vietnam and the demoralization of Americans serving in Vietnam.

Her stated intentions for the radio broadcasts were to inform the pilots of what they were doing; to provide the perspective from the ground; to tell them about the carnage and devastation left behind after the bombing and strafing. However, her broadcasts went far beyond relating the conditions in North Vietnam; she questioned their morality, their very souls. She accused them of murder, said their government was lying to them, that they were nothing but pawns, and that the North Vietnamese would win. Jane Fonda’s actions went beyond protesting the war; she gave every indication of being pro-Hanoi. Whether she was a willing participant or an unknowing pawn of the North Vietnamese government was never truly determined. Nonetheless, the propaganda spread as the communists had hoped.

The United States government chose not to prosecute Jane Fonda for her actions in Hanoi. Because of this, to Vietnam veterans, she was never held accountable for the devastating damage she caused them.

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- <sup>2</sup> Ibid
- <sup>3</sup> Ibid
- <sup>4</sup> Ibid
- <sup>5</sup> "Jane Fonda", <http://www.DiscoverTheNetwork.org>
- <sup>6</sup> Ibid
- <sup>7</sup> Christopher Andersen, *Citizen Jane, the Turbulent Life of Jane Fonda* (New York: Henry Holt and Company, 1990), 165.
- <sup>8</sup> Mary Hershberger, *Jane Fonda's War, A Political Biography of an Antiwar Icon* (New York: The New Press, 2005), 6.
- <sup>9</sup> Allan H. Ryskind, *Human Events*, Washington: Apr 18, 2005. Vol. 61, Iss. 14,1-2, ProQuest Newspapers, Research Library
- <sup>10</sup> Mary Hershberger, *Jane Fonda's War, A Political Biography of an Antiwar Icon* (New York: The New Press, 2005), 25.
- <sup>11</sup> Ibid., 57.
- <sup>12</sup> Ibid., 42
- <sup>13</sup> Ibid., 37.
- <sup>14</sup> Ibid., 36.
- <sup>15</sup> Jane Fonda on Her Way to N. Vietnam, *Los Angeles Times (1886-current file)*, July 8, 1972; ProQuest Historical News Papers Los Angeles Times (1881-1986), A9.
- <sup>16</sup> Mary Hershberger, *Jane Fonda's War, A Political Biography of an Antiwar Icon* (New York: The New Press, 2005), 80, 84.
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- <sup>20</sup> Jane Fonda Appeal Reported by Hanoi, *New York Times (1923-current file)*, July 15, 1972; ProQuest Historical News Papers The New York Times (1851-2006), 9.
- <sup>21</sup> Fonda: 'Hanoi Jane' was a mistake, <http://www.msnbc.msn.com>
- <sup>22</sup> Mary Hershberger, *Jane Fonda's War, A Political Biography of an Antiwar Icon* (New York: The New Press, 2005), 86.
- <sup>23</sup> Ibid., 87.
- <sup>24</sup> Jane Fonda Here, Explains Plea to Pilots From Hanoi, *New York Times (1857-current file)*, July 29, 1972; ProQuest Historical News Papers The New York Times (1851-2006), 9.
- <sup>25</sup> Mary Hershberger, *Jane Fonda's War, A Political Biography of an Antiwar Icon* (New York: The New Press, 2005), 91.
- <sup>26</sup> Jane Fonda, *My Life So Far* (New York: Random House, Inc, 2005), 296.
- <sup>27</sup> Ibid., 294.
- <sup>28</sup> Ibid., 306.
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- <sup>36</sup> *Ibid.*, 187.
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- <sup>41</sup> Carol Burke, "Why They Love to Hate Her", *The Nation*, March 4, 2004. Vol. 278, Iss. 11, 14.
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- <sup>47</sup> *Ibid.*, 245
- <sup>48</sup> *Ibid.*, 245.
- <sup>49</sup> Christopher Andersen, *Citizen Jane, the Turbulent Life of Jane Fonda* (New York: Henry Holt and Company, Inc., 1990), 258.
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- <sup>52</sup> Jed Babbin, "The POWs Speak", *The American Spectator*, Bloomington: April 2004. Vol. 37, Iss. 3, 44. ProQuest Newspapers, Research Library
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- <sup>62</sup> *Ibid.*, 68.
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<sup>97</sup> *Ibid.*, 134.

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