

## The Geneva Accords: Legal Basis for the Peace Movement in Southern Vietnam (1954 – 1956)

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**ABSTRACT:** Following the victory at Dien Bien Phu, the signing of the 1954 Geneva Accords opened the possibility of resolving Indochina War through peaceful means. The Geneva Accords were not merely an instrument to end hostilities; they also established international legal principles upholding national self-determination, peace, and unification. On this legal foundation, numerous peace movements emerged in Southern Vietnam, most notably the Peace Movement, involving intellectuals, artists, lawyers, students, and other social groups. These movements invoked the legal basis provided by the Geneva Accords to engage in legitimate political mobilization, protesting the division of the country, demanding nationwide elections, and promoting peace and democratic rights.

This article aims to analyze the core legal content of the Geneva Accords and their role in legitimizing the peaceful movements in Southern Vietnam during 1954–1956.

**KEYWORDS:** Geneva Accords, peace movement, Southern Vietnam, 1954–1956.

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### INTRODUCTION

On May 8, 1954, the Geneva Conference on Indochina officially commenced in Geneva, Switzerland, with the participation of nine parties: the Soviet Union, United Kingdom, United States, China, France, the Democratic Republic of Vietnam, Laos, Cambodia, and the State of Vietnam. As a result, on July 20, 1954, the parties signed the Agreement on the Cessation of Hostilities in Vietnam, Laos, and Cambodia, accompanied by a Joint Declaration.

The signing of the Geneva Accords marked a pivotal turning point in modern Vietnamese history. Beyond ending hostilities throughout Indochina, the Accords established an international legal framework for restoring peace, independence, and national unification in Vietnam through concrete provisions on a ceasefire, the establishment of a temporary military demarcation line, troop relocations, and especially the scheduling of nationwide general elections for unification in July 1956. While the Democratic Republic of Vietnam in the North sought to comply with the Accords, the State of Vietnam and, subsequently, the Ngo Dinh Diem government in the South openly questioned the legal validity of the Accords and suppressed peace and national unification movements in Southern Vietnam. In response, many peace movements arose in the South, particularly among intellectuals, lawyers, artists, and students, relying on the legal foundation of the Geneva Accords to pursue legitimate political mobilization.

### RESEARCH METHODOLOGY

This article analyzes the core legal provisions of the Geneva Accords and clarifies their role in facilitating public, legal peace movements in Southern Vietnam from July 1954 to the end of 1956. This article employs historical and analytical methods to ensure objectivity and scholarly rigor. The temporal scope focuses on the period from July 1954 to the end of 1956 - i.e., the stage of demanding implementation of the Geneva Accords in Southern Vietnam until the US and the Republic of Vietnam government officially repudiated the agreement.

### RESULTS AND DISCUSSION

#### 1. Historical Context and the 1954 Geneva Accords on Indochina

At the international level, the First Indochina War ended with the decisive victory at Điện Biên Phủ in May 1954, significantly altering the political-military landscape of Southeast Asia. The Cold War, with its opposing blocs led by the United States and the Soviet Union, increasingly shaped global and regional affairs. In France, political instability and anti-war sentiment grew, while China, following its 1949 revolution, began playing a more prominent international role.

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On May 7, 1954, news of the Vietnamese victory at Dien Bien Phu dramatically shifted the dynamics of the Geneva Conference. On May 8, Indochina became the main topic of negotiation. The Democratic Republic of Vietnam delegation, led by Pham Van Dong, represented the victorious party and the legitimate representative of the Vietnamese people's resistance. This was the first time the DRV government participated in a major international diplomatic forum, with 31 official sessions over 75 days, including numerous bilateral and multilateral consultations.

The DRV delegation submitted an eight-point proposal that emphasized ending the war, restoring peace, and guaranteeing the independence, unity, and territorial integrity of Vietnam, Laos, and Cambodia. Meanwhile, the US and UK sought to maintain Western influence, and France was divided between pro-war and pro-peace factions. From May to July 1954, negotiations were tense. Vietnam sought to isolate aggressive forces, especially the US, while seeking support from the Soviet Union, China, and progressive French opinion. Finally, at midnight on July 20, 1954, the Accords on the cessation of hostilities in Vietnam, Laos, and Cambodia were signed, along with a Joint Declaration.

The “Joint Declaration” included the following main provisions: cessation of hostilities throughout Indochina; temporary division of Vietnam at the 17th parallel, with DRV forces regrouping to the North and French and State of Vietnam forces withdrawing to the South; the organization of free, nationwide general elections in July 1956 to unify the country; and guarantees for democratic freedoms, non-retaliation, and non-discrimination against individuals and organizations involved in the resistance, as explicitly stipulated in Article 14(c) of the Accords (U.S. Senate Committee on Foreign Relations, 1967, pp. 50-62).

Regarding Vietnam: “The Conference declares that the settlement of political problems, carried out on the basis of respect for the principles of independence, unity, and territorial integrity, must allow the Vietnamese people to enjoy fundamental freedoms, guaranteed by democratic institutions established following free general elections by secret ballot. To facilitate the restoration of peace, these elections will be held in July 1956, under the supervision of an international commission comprising representatives of states participating in the International Commission for Supervision and Control as outlined in the ceasefire agreement. From July 20, 1955, the authorities in the two zones shall meet to discuss this matter” (Nguyen Trong Phuc, 2014).

Internationally, to supervise the implementation of the ceasefire and facilitate the peaceful transition after the Geneva Accords, the Conference established the International Commission for Supervision and Control (ICSC), a neutral international mechanism consisting of India (Chair), Poland, and Canada. The ICSC was responsible for inspecting, investigating, and supervising the withdrawal of troops, temporary military demarcation, the prohibition of foreign troops and weapons in Vietnam, and monitoring guarantees of civil liberties, including freedom of movement and residence for people in both regions. As the only on-site international body, the ICSC played a vital role in monitoring and reporting on the implementation of the Accords, particularly in regrouping areas and politically contested zones after 1954. Although the United States did not sign the Accords, it issued a statement of “recognition” and pledged not to use force to alter the situation in Vietnam. Nevertheless, the non-participation of the State of Vietnam and the US became the basis for subsequent violations during the Accords’ implementation.

In summary, the Geneva Accords were created in the complex context of the post-1954 international order. With their humanitarian and peace-oriented provisions, the Accords reflected the Vietnamese aspiration for independence and unification but also posed implementation challenges, particularly amid division and external intervention. The Geneva Accords represented a historic diplomatic victory for Vietnam, establishing an international legal foundation for subsequent movements demanding peace and national unification.

## **2. THE LEGAL BASIS OF THE GENEVA ACCORDS**

The 1954 Geneva Accords constituted an international legal document marking the end of the Indochina War and opening prospects for peace and unification in Vietnam. Legally, the Accords represented not only a diplomatic victory but also explicit recognition of Vietnam’s sovereignty, self-determination, and independence. In the “Final Declaration of the Geneva Conference,” the participating parties acknowledged “the independence, unity, and territorial integrity of Vietnam” (Department of State, 1954, p. 164). This recognition served as the legal basis for the peace movements in Southern Vietnam during 1954-1956.

The Accords specified the nationwide ceasefire, troop regroupment to temporary administrative zones on either side of the 17th parallel, prohibition on forming military alliances, introduction of foreign troops or arms, and – crucially - the holding of general elections in July 1956 for national unification. These were provisional measures intended to guarantee a peaceful transition without infringing upon national self-determination, which was one of the Accords’ most important legal principles.

The binding nature of the Geneva Accords resided in their status as a multilateral political-legal agreement, signed and guaranteed by major powers such as the Soviet Union, China, the UK, and France, and acknowledged by the United States. In a unilateral declaration dated July 21, 1954, the US government, although not an official signatory, recognized the outcomes of the Conference and pledged not to use force to undermine the Accords. This affirmed the political and moral responsibility of major powers to respect Vietnam’s self-determination and regional peace.

For patriotic forces in Southern Vietnam, the Geneva Accords provided a legitimate legal foundation for lawful political activities. Demands for general elections, opposition to prolonged division, rejection of US troop presence in the South, and protection of democratic freedoms all derived from the Accords’ specific provisions - particularly Article 14(c), which prohibited

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retaliation or discrimination against individuals and organizations involved in the resistance. In practice, movements such as the Peace Movement directly invoked these provisions in their activities, including public campaigns, petitions, meetings, and leaflet distribution, affirming their legitimacy in both international and domestic legal contexts.

Therefore, the Geneva Accords not only had immediate political value but also established a durable legal foundation, empowering democratic and patriotic forces in Southern Vietnam to organize non-violent struggle, reflecting the nation's aspirations for peace and unification.

### **3. THE GENEVA ACCORDS AND THE PEACE MOVEMENTS IN SOUTHERN VIETNAM (1954–1956)**

After the signing of the Geneva Accords, developments in Southern Vietnam contradicted both the spirit and letter of the agreement. The Ngo Dinh Diem government, strongly supported by the United States, opposed the Accords, swiftly consolidated its power, established a new administrative system, and sought to eliminate opposition, including supporters of the Accords and advocates for peace and national unification. In this context, various peace movements emerged, invoking the legal basis of the Geneva Accords to demand implementation of provisions concerning national self-determination and democratic freedoms.

On August 1, 1954, approximately 50,000 people in Saigon demonstrated from the Gallieni - Kitchener intersection to the city center, celebrating the victory of the resistance, demanding the release of conscripted husbands and sons, the release of political prisoners, and the return of prisoners of war. Participants included workers, students, intellectuals, professionals, small traders, laborers, and farmers, as well as provincial representatives marching in front of Ben Thanh Market, displaying banners demanding strict implementation of the Geneva Accords.

On the same day, the Saigon Cho Lon Peace Movement, directly guided by the Saigon – Cho Lon Regional Committee, was established, drawing together intellectuals and urban workers such as lawyer Nguyen Huu Tho, Professor Pham Huy Thong, pharmacist Tran Kim Quan, and numerous journalists and artists. The movement published the “Peace” bulletin as its official organ, disseminating legal analyses of the Geneva Accords, expressing the Southern people's aspirations for peace, and exposing schemes to sabotage the Accords. The movement's declaration clearly outlined its aims: to consolidate peace in Indochina, ensure democratic freedoms, and achieve national unification through free nationwide elections. Upon its inception, the movement received widespread support from all sectors of Saigon – Cho Lon society, with the establishment of 32 neighborhood and enterprise committees and hundreds of other independent committees. Tran Van Giau noted, “The organization and activities of the Peace Movement's committees at the end of 1954 resembled those of the action committees in 1936... These committees operated openly, functioning as a broad united front” (Tran Van Giau, 1964, p. 86). From Saigon, the movement quickly spread to Hue, Da Nang, My Tho, Thu Dau Mot, and other urban centers in central and southern Vietnam.

Confronted with the rapid expansion of the movement, the Ngo Dinh Diem government responded with harsh repression. By late 1954, the authorities had arrested 22 Peace Movement leaders. As reported in Tin Dien (1955), the International Commission for Supervision and Control determined these arrests violated Article 14(c) of the Accords, which prohibited retaliation or discrimination against former resistance participants. Nonetheless, the authorities prosecuted these individuals for “illegal association,” “disturbing public order,” and even “threatening national security”. Following public outcry, 23 individuals were temporarily released but forcibly relocated to Hai Phong - a move considered “forced relocation under disguise”.

Despite repression, the peace movement left a significant legacy in terms of organization, methods of struggle, and legal legitimacy within the revolutionary history of Southern Vietnam during the early Geneva Accords period.

After the suppression of the Saigon - Cho Lon Peace Movement, other movements quickly emerged, such as the “Movement for Victim Relief and the Protection of Civilian Lives and Property.” Former local Peace Committees became Relief Committees, soliciting support for disaster victims from across the provinces. Relief missions carried banners welcoming the relief movement, demanding government compensation for damages, and calling for the implementation of the Geneva Accords and the organization of general elections for national unification.

Other “Relief Committees” operated openly, attracting numerous lawful organizations such as workers' unions (bus, railway, tobacco enterprises), the Vietnam Women's Association, the Vietnam Education Union, student associations, and more. The “victim relief” movement drew widespread participation, especially among workers, students, and laborers. Donations of money, rice, firewood, medicine, clothing, and other necessities were distributed to affected populations, with many assisting in rebuilding homes. With the Relief Committees' support, disaster victims elected their own representatives to present demands to the Diem government, requesting unhindered relief activities, compensation, and aid.

Although swiftly suppressed, these movements demonstrated the persistent demand for national unification and peace in Southern Vietnam. Despite government repression, they maintained legal legitimacy by relying on the provisions of the Geneva Accords. The expansion of these movements reflected broader aspirations for peace and independence during a complex transitional period. Legal political struggle became a crucial front for protecting forces, building popular support, and maintaining political influence in Southern Vietnam.

Alongside repression of peaceful, democratic, and unification-oriented movements, the Ngo Dinh Diem government officially rejected the general elections and intensified crackdowns. On March 9, 1955, the government declared: “The government does not

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consider itself bound by any Geneva agreements to which it is not a signatory,” listing “unacceptable” provisions such as the prohibition of troop increases, new military bases, the importation of foreign arms, and joining military alliances (Republic of Vietnam Prime Minister's Office, 1954–1975). On July 6, 1955, US Vice President Richard M. Nixon confirmed, “The US fully supports Diem’s position of not participating in national unification elections” (Lê Hai Trieu, 2005, p. 18). Supported by the US, on July 16, 1955, Diêm declared, “There will be no negotiation on general elections; we did not sign the Geneva Accords and are not bound by them in any way” (Many Authors, 1987, p. 25-26). Thus, the government officially repudiated the Geneva Accords’ international legal obligations and resolutely suppressed the popular movements.

The use of the Geneva Accords as a tool for legal struggle attests to the creativity and flexibility of the revolutionary forces in Southern Vietnam during the early post-1954 period. Although the Accords were only provisional and lacked robust enforcement mechanisms - compounded by US non-signature and the absence of the State of Vietnam as a signatory - thus complicating their implementation in the South, the 1954 Geneva Accords nonetheless marked the first diplomatic victory of the Democratic Republic of Vietnam. The Accords compelled France to end its colonial war, recognize Vietnamese independence, sovereignty, unity, and territorial integrity, and laid a favorable foundation for the subsequent national unification struggle.

In a context of division and strict control by the Diem government, the movement’s reliance on the international legal validity of the Geneva Accords allowed it to uphold its just cause, protest violations, demand general elections, and defend democratic rights through non-violent means such as petitions, public declarations, leaflet campaigns, conferences, and peaceful demonstrations. These forms of activism were legal under international law and consistent with Article 14(c) of the Accords, prohibiting retaliation and ensuring political freedoms. This foundation enabled the movement to maintain non-violent struggle, preserve personnel, and safeguard the credibility of patriotic intellectuals - the core of both domestic and international advocacy.

Practically, invoking the Accords’ provisions helped protect revolutionary forces against political persecution and expanded their influence among broader sectors, including students, intellectuals, civil servants, and religious followers, thereby creating a broad political - social front in preparation for subsequent stages of struggle.

Theoretically, the experience of the Southern peace movement contributed vividly to the theoretical framework of the Vietnamese revolution regarding lawful struggle under restrictive conditions. This exemplified President Ho Chi Minh’s viewpoint on utilizing all available forms of struggle, employing “legal and political confrontation” and “using the rhetoric of justice to counter reactionary propaganda”. This practice also reflected the principle that when armed struggle was not feasible, maintaining legal struggle constituted a flexible but long-term revolutionary strategy. In other words, leveraging the Geneva Accords was not merely a temporary political tactic but a logical continuation of a comprehensive, deeply rooted revolutionary political strategy, combining international legal tools with domestic mobilization to protect national interests and the Vietnamese people’s right to self-determination.

## **CONCLUSION**

The 1954 Geneva Accords not only marked the end of the Indochina War but also established an international legal framework for Vietnam’s peace and unification process. In the context of temporary division and the Saigon government’s rejection of nationwide elections, patriotic forces in the South flexibly utilized the Accords’ spirit and provisions to conduct open, non-violent struggle, demanding self-determination, democratic freedoms, and opposing long-term partition.

Although the peace movements of 1954–1956 did not achieve immediate victory and were rapidly suppressed by the Ngo Dinh Diem government, they left a profound legacy of lawful, organized struggle grounded in clear legal foundations. These activities contributed to safeguarding the revolutionary forces, maintaining public support, and asserting the legitimacy of the national unification struggle in the international arena. The combination of international legal instruments and political strategies amid adverse conditions illustrates how Southern revolutionary forces utilized international agreements as tools for lawful struggle within a tightly controlled environment.

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