

Village versus State: The Evolution of State-Local Relations in Vietnam until 1945

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Abstract

The traditional perception of the village as a closed and self-regulating corporate community has more often than not overstated its high degree of autonomy, downplaying thereby the interaction between the state and the local social units. This article aims at bringing some rectification to this type of misrepresentation by considering the dynamics of state-local relationship from the standpoint of the strategies laid out by the successive central governments in Vietnam to endeavour to integrate the rural communities into the national space.

Keywords: Canton (*tổng*), communal charter (*hương ước*), communal house (*đình*), council of notables (*hội đồng hào mục*), private land (*tư điền*), public land (*công điền*), register of fields (*điền bộ*) and of recorded inhabitants (*đình bộ*), village chief (*xã trưởng* or *lý trưởng*)

Under China's political control and owing to China's influence from the Tang period on, the Vietnamese rural commune (referred to in the ancient Vietnamese language as *kê*, *chạ*, *chiềng*, etc., and commonly as *làng*—village) started to assume the Chinese term *she* 社 and to be called *xã*, as it took on the role of the primary administrative unit of society. The term *xã* was generally adopted under the Trần dynasty, when with the reorganization of the regional administrative system in 1242 large villages (*đại tư xã*) and small villages (*tiểu tư xã*) were distinguished, and officials (*xã quan*—*xã chính*, chief, *xã sử*, secretary, *xã giám*, assistant) were appointed to each *xã* [*Toàn Thư* 1985: II, 16; *Cương Mục* 1998: I, 462]. It was also in 1242 that the first census of the population was carried out, and the resulting rolls served to determine the amount of taxes and other contributions that were to be paid to the state. However, the *xã* did not as a general rule represent the smallest unit of the regional administration even after this reform, partly because the command the Trần court could exercise over the entire country was tenuous, to say the least.¹⁾

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1) For a general discussion of the socio-economic conditions of the ancient Vietnamese village, see, among other publications, Nguyễn Thế Anh [1998]. Detailed analyses of different aspects of the socio-economic life of four villages in the delta of the Red River are presented in Papin & Tessier [2002].

Nevertheless, much has been made of the village at all times as the basic unit of Vietnamese society, as the major point of reference for the Vietnamese people's behaviour and for its socio-political characteristics.²⁾ Opinions concur that Confucian influence in shaping the Vietnamese traditional elite must be balanced against the fundamental importance of the village at the grassroots of Vietnamese society. In particular, the village is often said to have been independent of central authority as "a state within a state" behind its thicket of bamboo, bounding its inhabitants into a meaningful whole that links place with identity, and dealing with all its own affairs independently. Being nearly self-sufficient, most of the villages certainly found little cause for contact with either the government or other communities: theoretical discussions on the economic mode of operation of villagers have more often than not focused on "closed corporate communities," imagining therefore the villagers as homogenous and resistant to change.³⁾ In other words, the relevant social and political concerns of most Vietnamese were concentrated within the village itself, according to the Vietnamese proverb having it that "each village strikes its own drum and worships its own deities," which suggested that every village was a unique, distinct, compact and isolated community, with its specific charter (*hương ước*), customs and laws, its own manners and mores, and its communal house (*đình*) serving both as the administrative centre and the place of worship for the guardian spirit, whose sacred powers, sanctioned by a royal certificate, were believed to secure the village's prosperity. Predating supposedly the establishment of monarchical power, communal charters were at first known by word of mouth, but under the Trần dynasty many villages already had a written *hương ước*. The charters grew and evolved along with village life, eventually covering the whole gamut of social existence.⁴⁾

Spelling out the rules and rituals associated with every village festival, celebration and anniversary, enumerating the principles governing agricultural production and economic life, defining the rules governing human behaviour and relationships within

2) What appears to be "local" has been usually linked to key concepts such as "traditional" and "authentic" to create the myth of village autonomy, which uncritical assessments by both Vietnamese and foreign scholars have contributed to reinforce [see for example McAlister 1971: 30-33, following Mus 1952: 23-35], saying nothing about the fact that "locality" has often been shaped in relation to outside forces of change.

3) Village studies have been overwhelmingly preoccupied with representing the Vietnamese nation as a "nation of villages." Most works on rural Vietnam describe the village as an inward-looking place profoundly oriented towards the traditional past, with its political autonomy, economic self-sufficiency, and closed corporate organization (reinforced by the practice of village endogamy) constituting a stable, self-contained microcosm [for example, Phan Huy Lê *et al.* 1993]. However, the divergent "moral economy" [Scott 1976] and "rational economy" [Popkin 1979] analyses of the Vietnamese rural communities have in a way contributed to revise some of the misconceptions about peasant resistance to change.

4) See, for one, Grossheim [1996: 103-123; 2001].

the village, detailing the measures designed to ensure law and order, the *hương ước* contained therefore a mixture of administrative rules, customary laws and religious guidelines the purpose of which was to regulate the interactions and relationships of each village's society. The existence of these bylaws had led to the famous adage "The customs of the village have precedence over the laws of the king" (*Phép vua thua lệ làng*). In reality, these bylaws were always scrutinized by officials to make sure that they did not go against the spirit of imperial laws. As a matter of fact, the villages were far less autonomous than the popular saying would suggest, and the degree of independence varied with the central government's ability to carry its policies out. Most of the time, nevertheless, the dynamics of state-local relations were characterized by transactions over the state's access to local resources, and those transactions would reflect the tensions brought about by the state's attempts for political, economic, and cultural integration. There were of course inevitable differences in the pattern of village administration and society between North, Centre, and South, as beneath the broad picture of institutional conformity there was probably considerable diversity in actual village arrangements, particularly regarding differences of origin and size, and patterns of power and wealth involving the dominant village families. Nonetheless, there is no doubt that, in the course of the *Nam tiến*, the southward progression of the Vietnamese, the same essential traits had been taken south and reproduced in a new environment.⁵⁾

State and Village in the Kingdom of Đại Việt

The communal charters, with their special features in structure, relationship and tradition, contained anyway potential germs of centrifugation, as they were bound to clash with the rules and edicts from the central government. The emperors of the Lê dynasty, for one thing, were well aware of these separatist tendencies, and attempted to limit the scope of the *hương ước*, in order to wrest power and authority back to the centre.

Indeed, as soon as it was established, the Lê court moved vigorously toward Đại Việt's centralization, determined as it was to control the villages for the sake of the stability of political power, the management of manpower, and the expansion of arable land. In 1428 Lê Thái Tổ had new family and land registers drawn up and made the distinction between three categories of villages, small (*tiểu xã*) of less than 50 families, run each by 1 *xã quan*; average (*trung xã*) from 50 to 70 families, with 2 *xã quan* each; and large (*đại xã*) of over 100 families, with 3 *xã quan* each [*Cương Mục* 1998: I, 844]. But it was Lê Thánh-tông who set the appellations of the authority of the village heads and the mode of their appointment: in 1462 he changed the title of *xã quan* to *xã trưởng*, then in

5) See, for example, Hickey [1964], describing the history and institutions of the village of Khánh Hậu in Long An province, south of Saigon. As for recent case studies, see Kleinen [1998] and Papin [forthcoming].

1465 ordered the officials of *huyện* (sub-prefectures) and *châu* (districts) to summon the *xã trưởng* to the capital with the census registers in view of collating them [*Toàn Thư* 1985: II, 408]. In 1488 he decided that sub-prefects and district chiefs were to choose and appoint the head of every commune, together with his secretary (*xã sử*) and assistant (*xã tư*), among former students (*nho sinh*) or graduates (*sính đồ*), and ordained that prefecture and district officials were to prevent the nomination of two or more *xã trưởng* among relatives in the same village (this order was repeated in 1496) [*ibid.*: II, 507, 519].⁶⁾ Thereby the concern was expressed for having available for peacekeeping local officials sufficiently infused with the official way of thinking to be loyal defenders of the monarchy. In controlling village administration, the aim was thus to consolidate central authority through the expansion of population and the dissemination of Confucian ethics. For, even if he recognized implicitly that the villages were managed by men from their very midst by having the officials of the *huyện* and *châu* appoint those recommended by the villagers to the post of *xã trưởng*, Lê Thánh-tông would not tolerate the independence of the rural communities.

Therefore, it does not appear, as has been too readily asserted [UBKHXH Việt Nam 1971: 275], that the villagers elected the *xã trưởng* on their own accord and that the autonomy of the village had expanded during the reign of Lê Thánh-tông. Above all, the central government's will manifested itself through the prerequisites imposed on the person of the *xã trưởng*. Indeed, to be qualified as *xã trưởng*, the recipient had to be a learned person as well as a mature and virtuous member of a good family. There was also a provision in the *Hồng Đức thiện chính thư* (The Book of Good Government of the Hồng Đức Reign) to the effect that if a *xã trưởng* would form cliques or harm public morals, then the person that recommended him first should be punished [Yu Insun 2001: 164]. Expected to be the “vanguard of moral transformation,” the *xã trưởng* had therefore the duty to provide the villagers with guidance and to lead them towards goodness and away from immorality [*ibid.*: 165].

The reforms accomplished under the first Lê emperors marked the high-water point in the degree to which the state endeavoured to control the resources of the country. They were actually associated with the fiscal demands of the royal government: a new fiscal base for the state was laid, with the formalization of a new pattern of land tenure, in which public lands (*công điền*) were regularly parcelled out among the inhabitants,⁷⁾ and at the same time served to guarantee the village's collective obligations to the state (the communal land taxes and the head taxes levied on the registered villagers were to

6) In 1490 the number of *xã* amounted to 6,851 [*Toàn Thư* 1985: II, 510].

7) The distribution of land was the extreme form of interference that the state could assume in agricultural production and land possession: the state retained the right to elaborate the whole system of land usage, to decide on the size of land-holdings for all of its subjects, from the lowest to the most notable. For the regulations on land allocation of the Hồng Đức period, see *Cương Mục* [1998: I, 1145, 1149].

provide the public treasury with regular revenues), while private lands (*tư điền*) allowed a pattern of independent peasant production to develop.⁸⁾ Allotting a more substantial role to smallholding peasants and tenants, the new social order would reinforce the kingdom by providing larger rural revenues and permitting more effective penetration of the countryside, as the regulation of the disposition of communal lands would enable the central government to strongly inject itself into local village affairs. The reforms contributed also to the stabilization of the rural communities: communal lands were to be distributed periodically, every six years, to all of the villagers and the distribution was to be determined by the social rank of each individual; they could neither be sold nor transmitted by inheritance; the formation of large land holdings was forbidden. The principal objective of the Lê fiscal system as it took form in the 1430s and 1440s was especially to keep private hands off the *công điền*. In so doing, the government achieved considerable success in keeping the villages and their resources locally independent and directly linked to the capital [Whitmore 1997: 668]. On the district level, in jurisdictions of 30–70 villages, district officials gathered census data and promoted textually based Confucian social norms. The officials' principal new tasks included the encouragement of agriculture, the standardization of weights and measures, and the promulgation of exhortatory moral precepts [*Toàn Thư* 1985: II, 499–500]. On the sub-district level the 1480s saw a major effort, as mentioned above, to restructure the role of the *xã trưởng*, in order both to consolidate district efforts and to bring Confucian ideology deeper into society.

The officials of the sub-prefectures and the districts not only saw to the distribution of land, they also directly collected poll and land taxes. As the accuracy of the registration of the different categories of villagers was fundamental to the determination of the taxes to be paid to the state and the periodical redistribution of communal lands, their duty was to directly supervise the classification of adult males during the compilation of the registers of households (*đình bộ*) and lands (*điền bộ*). But the *xã trưởng* were supposed, every four years, to revise these registers, for the drawing up of which they were directly responsible, and on which the imposition of taxes and the recruitment of manpower for military service and corvée labour (*công dịch*) were founded.⁹⁾ Neverthe-

8) Yumio Sakurai argues that the autonomy of the village, centred on the distribution of state land (*công điền*), was weakened by encroachments made by the state in the early Lê period [Sakurai 1987]. Private ownership was attested by a royal ordinance of 1135 stipulating the conditions for the sale and the purchase of rice fields [see Ngô Kim Chung 1987].

9) At least four types of register were usually kept: two for the benefit of higher-level officials, the other two for use solely within the village. In the former category were the *điền bộ* (register of fields) on which the assessment of land tax was based; and the *đình bộ* (register of recorded villagers subject to obligations), which—although listing only some of the inhabitants—formed the basis of the village's assessment for corvée and personal taxes. The other two records were the *sổ thu thuế* (tax collection list) used to allocate the tax burden among the inhabitants; and the *sổ hạng xã* (list of categories of people) used for the actual allocation of communal lands.

less, it was not up to them to decide who would be liable for conscription: the state based on the *đinh bộ* to enlist those individuals liable for military service.

Lê Thánh-tông, however, seemed to have been unable to regulate the village completely. In fact, while forbidding the application of the private village code (*tục lệ*) which had long been the basis for village customs, he tolerated it in some way by allowing it to survive on the condition that it were rewritten by a person of virtue within the village. He was probably not averse to allowing the village a certain amount of autonomy provided that this did not go against national interests. Thus, if the need temporarily arose for the distribution of communal land following the promotion or dismissal of an official, the death or coming of age of a village member, freedom was given to the *xã trưởng* to carry it out.

Anyway, the early period of the Lê dynasty corresponded to an era of peace, when the central government exercised effective control over land, private and communal, when banditry was minimized, when public works were maintained, and when the local village elites, who held positions of leadership thanks to their economic status or their kinship and education, were the most strictly regulated, to the benefit of the population at large. But a change took place in the first half of the sixteenth century, with a decline in the political importance of the monarchy as the result of the internal political conflict which caused the breakdown of central authority, until then remarkably effective and stable. The state of civil war monopolized the attention of the men of power, for whom the priority was the strengthening of their military supremacy rather than the control of the villages. The ensuing deterioration of state authority unleashed the centrifugal tendencies characterizing village society, each village going in the direction of increasing its own autonomy, since it had no recourse but to solve its own problems by itself. Although few historical sources referred to the situation within villages during this period, it is possible to infer, from what we could gather from the documents of the time, that by then the rural commune had considerably freed itself from central government supervision. The weakening of governmental control benefited mainly the position of the village elites, who took advantage of population dispersal resulting from the civil wars to usurp land and create vast estates, while impoverished peasants attempting to escape state demands of taxes and corvée (and forfeiting their rights to communal land in so doing) sought to bind themselves and their services to wealthy families in return for protection and economic security [Ngô Kim Chung 1987]. Furthermore, the troubled times introduced a third social actor into the binary organization of state-village relationships, with the sudden increase of the floating population of migrant labourers, itinerant peddlers, religious figures and criminal groups that had always existed outside state and village control.

While the military demands of civil war strained the resources of the system, the deteriorating socio-economic situation required that measures be taken to restore social order. Therefore, in the mid-seventeenth century, when the north-south confrontation

between the Trịnh and the Nguyễn entered a period of respite, the Trịnh lords sought to strengthen state authority in the name of the restored Lê dynasty, and at the same time to reinstate the social order within the village by stressing Confucian ideology. Trịnh Tạc's Confucian-oriented policy concentrated first on revitalizing the bureaucratic system and on keeping land and manpower out of the private control of influential families (*thế gia*). In 1653, a decree detailed the functions of local officials who were in direct contact with the population, and the penalties against official encroachment on property rights [Tạ Văn Tài 1988: 204–206]. In order to gain a better control of the countryside, the central government concentrated on institutionalizing the social and political elements of the local population [Nguyễn Thế Anh 1994b: 374–375]. Some 8,900 villages covered then the lowlands of what is now northern Vietnam; at the bottom of the administrative hierarchy, they were more crucial than ever not only for taxation and military service, but also for the maintenance of social order. In 1658, instructions were given to prefecture and district magistrates to nominate as *xã trưởng*, *xã sử* (secretary) and *xã tư* (assistant) individuals chosen among honest, uncorrupted, just, diligent and learned people, or Confucian students. Those village chiefs would represent their communities to the government, handle judicial cases, and explain to the people the court's moral precepts twice a year. Thus directly appointed by district officials, the village chiefs were more integrated than before into the governmental structure of the kingdom [Yu Insun 1990: 125–129]. If the villagers still had their word to say concerning the choice of their administrators, the latter, once appointed, were considered as parts of the national mandarinat: the system of evaluation of the *xã trưởng*'s merits, introduced in the Cảnh Trị reign (1663–71), rewarded their zeal with promotions to district offices (*huyện quan*) [Hiển Chương 1974: III, chap. 14]. But the submission of the village chiefs to the official evaluation system would mean that henceforth negligence of duty or behaviour deviating from the Confucian line would no longer be tolerated from them. On the other hand, they were required to report annually all the legal cases of their villages, closed or not, to district officials.

State interference into village affairs reached a further step with the specification of new regulations on the registration of the population and the levy of taxes, for the purpose both of cutting down on peasant movements and keeping the peasants tied to their land and their villages, and of eliminating evil practices by village authorities and securing for the state the necessary revenue and manpower. It was decided after 1664 to replace the census system enforced up to then with a “stabilized regime” of registration (*bình lệ*), each village being given a fixed taxation and manpower quota, and tax collections and the mobilization of manpower placed under the direct surveillance of province and prefecture officials [Cương Mục 1998: II, 324–325]. No longer allowed to negotiate the calculation of their taxation, the villages could supposedly be more tightly controlled. Nonetheless, as since 1662 the village authorities were held responsible for apportioning the incidence on households of the share of the government's requirements

for revenue to be met by the commune (assessed by the district mandarins), the state in fact relinquished its control over individuals. By concentrating its growing demands upon the villages as administrative units rather than dealing directly with persons or families, the state lost contact with individual villagers.

Political stability did not last long, however. The last two decades of the seventeenth century witnessed a deepening administrative crisis, as the incompetence and corruption of the officials in charge of enforcing law and order caused the discontent of the people and thus undermined the position of the central government. The result was an increasingly turbulent countryside. The particular case of the village of Đa-giá-thượng (in present Ninh Bình province) shed light on the failure of the authorities in securing order: having built a rest house for travellers, its inhabitants would, after dark, put to death all those who stopped by to seize their belongings; their industry lasted for more than 20 years before it was discovered in 1694 [Nguyễn Thế Anh 1994b: 379].

The crisis was sharpened by natural disasters, themselves in part the result of administrative shortcomings, above all the neglect of irrigation works. Several provinces were severely hit by floods or droughts and their unavoidable sequence of famines: Sơn Nam in 1663; Thanh Hóa in 1667 and 1679; Sơn Tây, Sơn Nam and Thanh Hóa in 1684; Sơn Nam and Hải Dương in 1694; Thanh Hóa in 1695 then again in 1702. Relief work was slow and ineffective, and as usual, deprivations intensified the tendency of the peasants to leave their villages and wander. They either took shelter under the power of the wealthy families, or joined bandit gangs, or made up the main body of insurgents in the popular revolts that broke out for instance in 1681 in Hải Dương, or in 1683 in Sơn Tây. The social and political consequences of this situation were reflected in the drop of the recorded population in the registers. Those who did not leave their village had to bear the entire fiscal burden. Opportunity was offered in this way to the rich and powerful to accumulate in their hands both private and communal land. Only in 1711 did the government try to check the process by prohibiting influential families and mandarins from gaining control of large estates and large numbers of followers [Cương Mục 1998: II, 399]. Thus, after Lê Dụ-tông ascended the throne in 1705, financial disaster was threatening the central government as state resources had been sharply reduced: over a total of 206,311 fiscal units inscribed on the roles in the beginning of the eighteenth century, only 64,267 (less than one third) actually paid taxes to the government; the rest was attributed as allowances to the aristocracy and to military and civil officials [Nguyễn Thế Anh 1994b: 380].

Against such a background of social instability, the diverse efforts made to secure the collection of taxes and manpower needed by the state could hardly achieve their aim. With the promulgation in 1711 of the ordinance on the equal distribution of land (*Quân cấp công điền lệ*) [Cương Mục 1998: II, 398–399], the government resigned itself to take into consideration village conventions: it was no longer up to district officials to decide upon the order of priority for the allocation of *công điền*, henceforth carried out according to

the ranking of the villagers as determined on their own initiative. Furthermore, the responsibility of land redistribution was entirely entrusted to the *xã trưởng* [*Hiển Chương* 1974: VI, chap. 30]. This led to a shift in the concept of *công điền*, considered more and more as land owned in common by the village rather than as state land. Another consequence was the generalization of the fraudulent practice of omitting the registration of *công điền* in land records, since duty was not to be levied on unregistered land (*lậu điền*). The decision made in 1722 to tax private land for the first time had certainly something to do with the diminution of land revenues due to such a practice. Then in 1723 Trịnh Cương introduced a new system of taxation called *tô-dung-điều* (land, head, and service) modelled on that of the Tang dynasty of China [*Cương Mục* 1998: II, 439–441]. Tantamount to an abrupt increase of the tax load, this new system was bound to come up against the opposition of the villages, and had to be abolished in 1730. A new modus operandi for population census was then adopted, whereby the *xã trưởng* were called on to report the increase or decrease in population to be recorded, but no actual resurvey of the population was carried out [*Hiển Chương* 1974: VI, chap. 29; *Cương Mục* 1998: II, 474]. Thence, it appeared impractical to tax and conscript villagers individually, and ever since the imposition of taxes and military service on the village as a unit was established as a normal procedure.

The last step of the autonomy of the villages in the choice of their heads was taken in the eighteenth century. Phan Huy Chú noted indeed in his *Quan chức chí* (Mandarinal Offices) that beginning with the Long Đức (1732–35) and Vĩnh Hựu (1735–40) reigns, the designation of the communal authorities was left to the villagers, and district mandarins no longer proceeded to the examination of their records in view of their promotion to higher positions. The right bequeathed to villagers to select their *xã trưởng* meant the resignation of the state in its efforts to control the village and, consequently, a greater dependence of the *xã trưởng* on the village elite, because in the absence of state support, it was not possible for the *xã trưởng* to restrain the power of the notables, and he had to gradually become their follower. Of course, subsequent edicts to regulate the village would still be promulgated from time to time, but they were nothing more than vain attempts of the state to reassert its jeopardized authority.

By the end of the Lê dynasty the development of self-government in the *xã* had gone so far that the commune was the only legal entity with which the government had dealings. It had become so much more important than the family that even penal responsibility was deemed collective. For example, the discovery of a corpse on the village's land (which included not just the houses but also fields and forest up to the territory of the next commune) could lead to the uprooting of the village and banishment of its members or to the levying of such a crushing collective fine that the villagers chose to abandon hearth and home of their own accord and flee elsewhere. In any event, having established its own autonomy, the village presented already some of the features that were to characterize it in the nineteenth century, under the Nguyễn dynasty.

State and Village under the Nguyễn Dynasty

When he got down to lay the foundations of a modern state, Gia Long, the founder of the Nguyễn dynasty, had to restore first an administration and an economy devastated by 30 years of civil war during the Tây Sơn interlude. If the reconstruction of the social and political order took some time, the regime set up by Gia Long was an absolute monarchy. Confucianism was made central to the administrative structure, in view of reinforcing the state's control over the society. Bureaucratic centralization closely modelled on borrowed Chinese institutions (in 1812 legislation was revised with the substitution of a new law code inspired by the code of the Qing to the old *Hồng Đức* code of the Lê) was the weapon with which the Nguyễn dynasty fought centrifugal trends, military and political, in the provinces [Woodside 1971].

However, the effect of the reforms undertaken by Gia Long (1802–19) and his successor, Minh Mệnh (1820–41), was to emphasize the symbolic unity of a national state but to do little to secure it by practical means. Stress was laid, to a much greater degree perhaps than under the previous dynasties, on the need for the emperor to approve, by the issue of certificates of appointment, the tutelary spirit to be worshipped in each village as a way of confirming village harmony and obtaining prosperous harvests. It was by investing the village god with its stamp of approval that the state exerted control over village religion, bringing thus the Vietnamese countryside under state authority from within through the village matrix. But when the vermilion signature and seal had been appended, it was as if the emperor had thereby discharged his responsibility for good government in that particular village once and for all, relying on the Confucian maxim “Like the boiling of a small fish, the government of a large state should not be overdone” [Duncanson 1968: 57]. The centralizing state, even as it brought localities into a greater degree of conformity with a set of overarching Confucian normative patterns, gave the impression of allowing for localized variations. Yet, while the cult of the tutelary deity symbolically communicated the political fact of village autonomy, it also served to maintain the presence of the emperor who alone could, and must, deliver credentials to each tutelary deity before it could exercise its guardianship over the village properly. In this way, what could stand for the instrument of village immunity from governmental encroachment became the instrument of direct linkage to the throne.

In reality, the structure of power was not actually very impressive: at any one time, probably fewer than 2,000 individuals performed mandarinal functions as full laureates of the civil service examination system revived by Gia Long in 1807, a rather small number of administrators for a society of perhaps 9 or 10 million people [Smith 1973; 1974]. On the other hand, the substantial extension of the territoriality of the dynasty created problems in the construction of the political order, and contested identities kept

on growing at the margins that the Vietnamese political center controlled imperfectly. The pioneer plains of the Đổng Nai and the Mekong in particular, originally part of Cambodia and only gradually brought under Vietnamese control, still remained a frontier land under the first emperors of the Nguyễn dynasty. Thus, of the 1,024,388 officially recorded male taxpayers in all of Vietnam in 1847, only 165,598 of them lived in the six southern provinces, and southern land-holding patterns were not surveyed until 1836 [Nguyễn Thế Anh 1970: 28–29; Huỳnh Lứa 1987]. Indeed, the attempted political, economic and cultural integration did not go without strains, as the apparatus of the Confucian state seemed alien-remote in space, superfluous in purpose, and more often than not in conflict with the village's interests or those of its leaders. At any rate, the villages acted part way to meet the government's efforts at administrative centralization, agreeing to the state's access to local resources in order to maintain a degree of autonomy. As a result, the Hải Vân pass stood out apparently as the geographical divide between two forms of village organization. North of the pass, most villages had been established during the state-sponsored migration of peoples from areas of the northern Hanoi-based kingdom, and their charters were rooted in a system of communal land tenure dating from the Lê times. South of the pass, less "traditional" communities made up part of the territory of the Nguyễn *chúa* in the seventeenth and eighteenth centuries and had become the point of departure for further southward expansion by the Vietnamese. The advance of the pioneer front and distance from the political center explained that southern communities had at their disposal more private land, and this was reflected in the three different scales of land taxes applied to the North, the Centre and the South.¹⁰⁾ On the contrary, concerning the system of conscription, each village in the Centre was required to draft 1 infantryman (*lính*) for every 3 registered inhabitants (*đinh*), whereas the ratio would be 1/5 for the South, and only 1/7 for the North. Such a system was indicative of the higher degree of reliance the imperial government held for the inhabitants of the Centre, as well as its greater control of the population of this region.¹¹⁾

Under these conditions, the village appeared outwardly as an agricultural settlement marginally attached to the state, superficially touched by its "Great Tradition." Its economy, which was somewhat below self-sufficiency, neither called for state support nor

10) Detailed in Nguyễn Thế Anh [1970: 94–116]. The land registers (*địa bạ*) and census records (*đinh bạ*), compiled meticulously since 1807 as part of the administrative reforms, provided a fundamental tax base.

11) Recruits chosen by the villages tended to be the "unsettled" (*dân lậu*, not recorded in the registers) and landless, although the practice was expressly forbidden. Upon demobilization, soldiers were encouraged, as in earlier generations, to found fresh *đồn điền* (agricultural colonies), especially in the South: these were supposed to constitute pockets of loyalty in otherwise unreliable regions. But how far could this device really secure loyalty must remain an open question, for desertion even from the ranks was notoriously widespread, and rebels seemed to flourish in the vicinity of the *đồn điền* just the same.

encouraged undue state depredation. Even the head and land taxes, and other state dues, such as public and military service, were assessed by the central government on the basis of figures supplied by the village itself, and levied on the village as a unit depending upon the taxable population.

But a rather special institution, known as the *tổng* (canton), linked the villages to the central administration. A *tổng* was an administrative unit composed of two to five villages placed under the authority of a chief, and sometimes a sub-chief as well. These persons' duties to the central government, via the head of the sub-prefecture (*huyện*), were to collect taxes from their area and to draft military recruits. In practice, they became the messengers, brokers and mediators poised between the government and the villages. They transmitted orders down and requests up. Their status and mode of recruitment reflected a delicate balance between the centre and the periphery. They were selected by the district or prefecture mandarins from the lists submitted to them by the villages to be affected. Their selection was acknowledged and honoured by a formal, though provisional, appointment from the court. If they served satisfactorily for three years, the appointment became permanent and they were given the title of mandarin at grade 8 (*bát phẩm*). Three additional years of service with a perfect record would move them to grade 7 (*thất phẩm*), but that was as far as they could go. They enjoyed exemption from taxation and corvée labour, but their salaries were not comparable to those of the regular mandarins. For these reasons, villagers considered them still very much their own people, of a kind with their notables. The assimilation of the *tổng* officers into the mandarinat was symbolic rather than substantial, but a very clever symbol it was, for while it conferred honour on the villages, it also reminded them that they were integrated into a larger scheme of things called the nation [Trương Bửu Lâm 1982: 20]. The *tổng*'s importance as an administrative unit was seen in the manner in which an individual formally identified himself in nineteenth century Vietnam: he always mentioned successively his name, his village, his *tổng*, his district, his prefecture and his province [Điền Lê 1962: 45-47].

At the level of the village (*xã*) the basic elements were the *lý trưởng*, the village headman, responsible to the bureaucracy for collecting taxes and executing court orders, and the *hội đồng hào mục* (or *kỳ mục*), the council of notables, or elders, who deliberated and decided on matters concerning the village. The council established policy and was ultimately responsible for execution as well. It managed the properties of the village, particularly its public lands, which in principle it allotted to residents uniformly since 1840, after Minh Mệnh put an end to the regime based on ranks set by Gia Long in 1804 and decreed the equal repartition of communal land (*quân cấp khẩu phần điền thổ*) [Nguyễn Thế Anh 1970: 94-108]. The revenues from public lands provided the notables with a set of funds for the community's annual budget. The major expenditure in that budget went towards the rituals and celebrations organized annually in honour of the tutelary deity. The council of notables also administered justice, especially to settle civil

disputes, but offences involving members of two or more villages in the same *tổng* required the attention of the *tổng* chief, while murder, treason and other serious breaches of the law would have to be settled higher up.

The council of notables consisted of as many members as were qualified to sit on it. These included: all villagers 60 years or older, officials of the central government in temporary residence at the village (occasioned by mourning, for example), degree-holders not engaged in a mandarin career, former executive officers, and wealthy men who held minor titles purchased from the central government. The composition of the council of notables indicates that many of its positions were simply honorific. The very old notables and those in temporary residence at the village could not have contributed to the council deliberations. The articulate and influential members, therefore, were likely to have been degree-holders or, at least, literate persons. They, in addition, often doubled as village officials since literacy was mandatory in these responsibilities. Rather sparse in the villages, the literati, nevertheless, held considerable power and consolidated their position as the ruling class, supporter of the state Confucian ideology.

As the council was too large a body to function on a day-to-day basis, its routine chores were delegated to village officials (*hương chức*) whose number depended upon the size of the village and its population. The head of the village was the *lý trưởng* (chief of village) who functioned as liaison between the *tổng* officers and the village council. His principal tasks were: to keep the population and land records (*đình bạ* and *địa bạ*), collect taxes, call up draftees, and recruit manpower for state projects. Selected by the village council for a term of three years, the *lý trưởng* could be reappointed: many in fact held their posts some 20 or 30 years (which fact infers that the post of *lý trưởng* was considered worthwhile in terms of power and prestige). The two assistants to the *lý trưởng* were the *cai thôn* (village commissioner) and the *cai tuần* (police commissioner). The *cai thôn* supervised all public construction of roads, canals, dykes, etc. He saw to the proper maintenance of the communal house (*đình*), the symbolic centre and gathering-place of the village, and the place of worship of the tutelary deity of the community. Village order was maintained by the *cai tuần*. He organized night watches and was otherwise responsible for the internal security of the community.

An adequate picture of the real structure of power in the village system of Nguyễn Vietnam is yet to be specified, particularly concerning the relationship between villagers and mandarins and the precise nature of the concentration of power. Records of the Confucian examination system indicate the procedures by which a small number of individuals, drawn probably from the wealthier elements in their respective villages, could rise to become powerful mandarins at the provincial level or above. At the end of their careers, after their mandarin fortunes had been made elsewhere, those always returned to their native villages, where they maintained the link between the top and bottom of society, while helping to redefine the villagers' everyday life [Papin 1999: 77]. A

great many people who could not be categorized as either village leaders or scholar-mandarins held also influential positions, for example district level officers, who performed tasks not requiring scholarly status, and one may rightfully ask what relationships existed among these “invisible” categories of people. And certainly, those families which produced scholars and high officials would assign other clan members to look after the family shrine and estate, and perhaps to control affairs in the clan’s native village. Anyway, education, wealth, age, all these could be made to serve in the council of notables, to whom belonged the effective decision-making power in the village administration.¹²⁾ It remains that the bipolar distribution of political responsibility between the court mandarins and the village-based scholar-gentry had led to the existence of a dual power at the village level.

Anyway, the central government, represented by the district magistrates and their staff in the administrative seats of the *phủ* and *huyện*, seemed far away and meant above all two things: taxes and conscription for military service or corvée labour for the construction of dikes, irrigation canals, city walls, roads, bridges. Under such a regime, custom inevitably became the rule rather than law. The village held in fact complete sway over the lives of its residents, which allows some authors to characterize the administration of Vietnamese communes as exploitative [Popkin 1979: 98–109]. Decisions on individual tax rates were normally made by the council of elders on the basis of the number of registered stakeholders, legitimate villagers declared in the *đình bạ* registers and therefore known to the central government. But there existed a floating population of unsettled farmers who attached themselves to the village as landless agricultural labourers and were classified as *dân lậu* (the uncontrolled, in violation of the law, who deliberately evaded taxes or who were too poor to pay taxes), not counting temporary residents or “outsiders” classified under the categories of *khách hộ* or *ngoại tịch*. It was in the interest of the village leaders, however, to retain the illegal and undefined status of this rural proletariat: first, the smaller the number of registered residents, the less the amount of taxes, corvée requirement, and military assessment imposed on the village; secondly, those who were not on the village register were not eligible for the not easily stretchable communal lands.

Certainly, the central government’s demands for corvée labour and for the provision of local materials for road making or for building granaries, ports, citadels (and also the palaces and royal tombs at Huế) fell on rich and poor in equal measure. But they weighed most heavily upon the peasants, who hardly shared the religious or political purposes which inspired their rulers’ building mania. Indeed, the bureaucracy that the Nguyễn strove to build, in spite of its apparently understaffed structure, exceeded the needs of an agricultural society based on a subsistence system. The lot of the masses stayed

12) From this viewpoint, Philippe Papin supposes that the *lý trưởng* was not actually the notables’ man, but the man of a clan, a family, a lineage [Papin forthcoming].

unimproved, because of a resolutely agrarian but ineffective policy, which kept the economy stagnating in the self-sufficiency scheme of a small-scale agriculture, in no way shifted to commodity production, even in less “traditional” southern communities marked by more private property and greater participation in the South China Sea trade. Thus, even though rice had become an item of maritime trade, the Vietnamese emperors stifled any gain that might have accrued to the delta areas on this account by placing a ban on the export of rice, in observance of the ancient precept of Confucian economics, the so-called “ever-even granary” (*kho thường bình*), whereby grain surpluses in good years should be stocked by the government when prices were low and sold again to equalize the market in bad years when prices were high [Nguyễn Thế Anh 1970: 139–141].¹³⁾

Above all, the central government failed in the end to overcome the resistance of the village authorities in the contest for land control, the most essential aspect of the peasants’ subsistence base.¹⁴⁾ The problem of landlessness remained in fact unsolved, as, faced with the tendency of influential people in the village to misappropriating land, the government would rather endeavour to have fallow land cleared and increase rice production than implement land redistribution by confiscating private land. In reality, such a measure as that applied in 1839 in the province of Bình Định to impound half of the private holdings in the province and to turn the estates thus confiscated over to the villages of the province as communal property to be distributed periodically amongst their villagers was quite exceptional [Nguyễn Thiệu Lâu 1951; Nguyễn Thế Anh 1970: 108–116]. Then, despite multiple previous reiterations of the ban on selling communal lands, in 1871 Tự Đức resigned himself, under the French threat, to tolerate the sale of communal lands in order to finance his army. Four years later, in 1875, with the same end in view, he launched the reform of the land tax, which ultimately sanctioned the evolution of the structure of land ownership towards the extension of private property at the expense of communal lands [Nguyễn Thế Anh 1994a].

Thus, the situation immediately prior to the arrival of the French was one of a weak state, unable to manipulate any aspect of the life of the peasants in a manner favourable to the development of support, political or fiscal, of the central government by the villagers, and consequently unable to unify and organize Vietnamese society solidly enough to keep external enemies at bay. The central government even gave the

13) From this viewpoint, the Nguyễn’s economic policy seemed to be in regression compared to the policy of the Lê, whose code illustrated a legal tradition that accommodated international trade, market exchange and private property rights. In particular, strict rules on the regulation of foreign trade helped to reinforce the image of an inward-looking Vietnam, while the rigidity of the Nguyễn court’s bureaucratic preconceptions about how foreign trade should be conducted put a brake on commercial development [see Woodside 1971: 261–281; Nguyễn Thế Anh 1999].

14) For a precise example, see Papin [1996].

impression of losing interest in the local affairs of the villages, more or less left to their own devices for the problems concerning the security of their inhabitants or the maintenance of their water control works, guarantee of good harvests [Nguyễn Thế Anh 1992: 13-25; 1995].

French Colonial Administration and Vietnamese Village

The formation of the Union indochinoise meant for Vietnam the dismantlement of its territorial unity, while the bureaucracy of the “protected” Vietnamese king was merged into a highly centralized system dependent exclusively on the competence of France’s representatives, who surrogated themselves to the authority of the king on the one hand, and his mandarins on the other, for the effective exercise of power. Under such a regime of protectorate, the distinction between direct and indirect rule was legal rather than practical. However, the trait that, on the surface, gave the French system the character of indirect rule was especially the preservation of the autonomy of the village. Indeed, albeit some details (such as land registration) over which practice differed between the colony of Cochinchina and the protectorates of Annam and Tonkin, the main features of traditional village administration by notables and of internal allocation of liability for land tax, of liability for *corvée* and for military service continued much as before.

Nonetheless, it must be said from the outset that French colonisation replaced the dual authority of state bureaucracy and communal council with a unitary administration that allowed for the transformation of the space of rural life into a nationally and internationally connected economic space. Local institutions were not only altered by the direct actions of the colonial government; they also underwent radical changes because of the socioeconomic impact of colonisation. The village leaders’ economic responsibilities towards their own community diminished as the colonial regime introduced new ways and means to consolidate the authority of the central government, and effected an economic penetration that subtracted increasing percentages of resources. French rule opened also the country to capitalist economic development, and this development had profound effects on rural life. The specialization, integration and monetization of the economy massively disrupted social relationships, not counting the fact that colonial interventions transformed village social relations by creating a widened gap between conflicting sets of leadership criteria (Confucian values of age and generation against changing access to education, wealth and social power). The permanency and intimacy of shared values which had helped to check abuse in the past gave in thus to the stronger imperatives of modern economics. In particular, the commercialisation of the countryside resulted in the dislocation of rural populations, as labour and land were shaken loose from their historic roots and mobilized as

resources¹⁵: the proof is that, when the French administration came in the 1930s to implement thorough statistical surveys of land ownership and land distribution, it was not interested in village structures but only in the application of “modern” categories of individual (or household) ownership, tenure, etc. [Henry 1932].

Through their economic policies, the colonial authorities forced therefore the villages into the overbearing world of the state. Some institutional restructuring was effected, in so far as the village councils of notables and the village leaders were subjected to demands that they carry out administrative functions for the colonial administration. In other words, they were required to become the agents and servants of a central power that, to make matters worse, also held confusingly alien views. What happened in the councils of notables of colonial times deviated from earlier patterns: the sudden disappearance of the traditional balances between country and town, the role of which was no longer limited to that of a mere administrative centre, and between the literate and the common man disrupted the mechanism of authority. As power changed hands, leaving the countryside for the town, while the realm of knowledge became peripheral to politics, the village matrix ceased to function.

All the reforms the French attempted to introduce at the local level simply confirmed further the fact that local institutions no longer served local needs. Village leaders had to collect on behalf of the colonial government such taxes as having increased tenfold over what they had been in traditional times.¹⁶ They were obliged to implement the laws of the colonial government, including the highly unpopular law against local production

15) Cf. for example Nguyễn Thế Anh [1987]. In the Mekong delta, the process of agricultural development between the end of the nineteenth century and the 1920s produced in some areas a pattern of landownership and tenure quite uncharacteristic of traditional Vietnam, with the formation of two social groups, the *điền chủ* (landowners) and the *tá điền* (tenant farmers), the former group including both absentee large landowners and small land owners, whose living conditions were not necessarily very different from those of the *tá điền*, squeezed between the French colonial authorities and the large landowners [see Brocheux 1995].

16) Indochina's fiscal regime was established in 1897 by governor general Paul Doumer who introduced the common general budget funded by the proceeds of indirect taxes (customs, taxes on opium, alcohol, salt, etc.), while revenues from direct taxes (land and poll taxes) were assigned to the regional administrations. Until the mid-1920s, alcohol, salt and opium excises supplied up to 70 percent of all the taxes the colonial regime collected. In general the formal tax burden on Vietnamese peasant families, measured both in money terms and in relation to rice yields, increased significantly between the 1890s and the 1930s. Attempts to impose any kind of “progressive” direct taxation in rural areas were doomed to failure, however, given the limitations of rural administration. On the other hand, the colonial authorities tried their best to eliminate formal exemptions from personal tax on the ground of official status. An important reform was the abolition of the *grande corvée* (unregulated forced labour for major public works) in Cochinchina in 1881 and the commuting of the *petite corvée* (five days' labour on village maintenance) for a small tax payment to the budget of the *xã*, which then hired labour instead. The reform was applied later in Tonkin and Annam: reduction to 48 days a year and, after intermediate reductions, absorption into ↗

of alcohol. They were responsible for controlling banditry and preventing rebellion in their local communities. The village that supported or harboured a rebellion was severely punished. Among the possible penalties were the dissolution of the village community and its annexation to neighbouring villages, the confiscation of property belonging to villagers, and the levying of fines against the leaders and notables of the village.

Under these conditions, many qualified men shirked participation in village councils or in village leadership positions, rather than serve as agents of a government for which they received little or no benefits and for which they made themselves vulnerable to the resentment of both villagers and authorities. Those who sought positions on councils tended to be those who were more concerned with their personal fortunes than with promoting communal interests. As early as 1902, the crisis affecting the administration of rural communities was obvious to the Lieutenant-Governor of Cochinchina as he wrote. "The recruitment of notables becomes, unfortunately, more and more difficult in some provinces; the prosperous and honorable families show a certain repugnance for these perilous functions, which thus too often fall into the hands of those who are unskilled, and even, sometimes, dishonest" [Osborne 1969: 151].

The difficulty was not confined to Cochinchina, where there was no pretence of indirect rule; the countryside of the two protectorates of Annam and Tonkin was affected as well. The core of the problem lay in the French compulsion to control Vietnamese villages in ways never before attempted by the Vietnamese court. The colonial government's fear of resistance lurking in the countryside motivated it to assert this control in many ways, including that of imposing its ideas on how a country should be run, that is, always from the centre. Given the motivations of the French, it was only normal that they would want to see on the council of notables persons on whose allegiance they could count. Attempts were, therefore, made by the colonial authorities, repeatedly, with all means at their disposal, to pack as many of the village councils as possible with candidates of their choice, in total disregard of the traditional village criteria for selection.¹⁷⁾

Yet, despite their recognition that the village social organization was deteriorating, the French implemented policies that purported to bring some order to the chaos of communal administration, but had the opposite effect of causing further disintegration of communal life. In 1904, a decree reduced the number of notables in the councils and defined the functions of these members in terms of the requirements of colonial local

↘ the personal tax in Annam in 1918 and in Tonkin after 1920. It was to trigger, nevertheless, a large movement of protest in 1908 in Central Vietnam [see Nguyễn Thế Anh 1973; 1992: 214-216].

17) For example, the incident reported by Smith [1968: 61-63], in which a slate of Catholics took over an entire council of notables in the province of Tân An in 1895-96.

administration rather than the needs of the local community. In 1921, communal elections were established in Tonkin, then in 1927, the councils' autonomy was increased in both Tonkin and Cochinchina, with the provision however that the notables were subject to approval by the province chief. The purpose of these measures was to invest a limited number of notables in each *xã* with responsibility for actual performance, in replacement of the informal assemblies of the past in which all the notables had had a voice but no responsibility. They were presented as a step toward the establishment of democratic institutions at the local level, but in reality they undermined the authority of the councils in the eyes of villagers, whereas they increased rather than diminished the bickering, corruption, and local factionalism that were traditional to Vietnamese village life [Pinto 1946: 38–42].

Actually, the consequence of the intervention of the colonial administration in village affairs was that it alienated the notables from the rest of the population. Whether particular notables continued to be chosen by the villagers or in fact received their appointments from the government was immaterial; in practice, they quickly ceased to represent their fellow villagers. Instead, they turned into agents of a central government which demanded their total allegiance, at no return wage, for the government paid them no salary. It simply amended the traditional village convention to say that the notables should now act on its behalf, exclusively. Accordingly, initiative gave way to administrative routine, and personal relationship yielded to bureaucratic detachment. The glaring abuses of the notables described in novels and other writings of the colonial period derive largely from that altered relationship.¹⁸⁾ Village administrators no longer needed their constituents. They experienced a new freedom in their positions, which allowed them to manipulate land allotments, taxes and so on.¹⁹⁾ Their fellow-villagers could no longer make or unmake them, as the last word now rested with an outside power.

The colonial authorities, whether through insensitivity or necessity, transmitted through the notables requirements that far exceeded the normal expectations of the old court of Huế. For example, on behalf of rational management, demands were made that the centuries-old tax assessment based on the village as a whole be converted to one based on individual villagers and individual pieces of land. Where the notables of the past had sometimes downgraded the tax value of the village and showed flexibility in assessing the dues of villagers from year to year, every man was now to be tied singly and inexorably to his prescribed share. Improved recording and auditing techniques, coupled with accurate and frequent land surveys, made it very difficult for villagers to under-

18) In particular Ngô Tất Tố with his work *Việc làng* (Affairs of the Village), see Boudarel [1991].

19) The imposition of taxes, direct and indirect, created indubitably the opportunity for the dominant “rich” elements in each village to use their influence to the disadvantage of poorer families, as the increased burden would be less than equitably distributed between rich and poor in each village community.

report figures, as they had done from time immemorial. To make sure that the notables executed their tasks as ordered, the French marked off their personal fortunes as security for the quota of village revenue.

The most serious breach of village trust occurred when the colonial government required of the notables that they inform their administrative superiors of all village activities that touched in any way upon the interest of the government; this, in addition to filing regular reports on a number of assigned issues. As for customary law, the French authorities made that defer, whenever possible, to French law. Whereas disputes in traditional Vietnam had been settled essentially through arbitration and practically all derelictions and crimes short of manslaughter or high treason were adjudicated in the villages themselves without outside interference, village notables had as additional obligation to function as judiciary officials, whose presence at the district capital could be required everyday, as one case or another needed settlement. These extra duties burdened the notables greatly at the same time as it fanned the resentment of their fellows. For these reasons, although a seat on the council could be used lucratively, many shied away from the ignominy it carried. Therefore, responsible persons respected for their traditional qualities saw little reason to squander away their social prestige on an office which, changes notwithstanding, remained subordinate to French interests. This, inopportunistly, gave the more marginal elements of society the chance to emerge in village councils.²⁰⁾

When the Second World War broke out, the French were caught still fighting this battle for the loyalty of competent men. The war made it even more necessary that they should win the Vietnamese away from Japanese influence. Consequently, a decree was issued in 1941, abolishing all formal elections of notables and allowing instead for the selection of these men by informal consensual agreement. It was then too late. The degradation of the sociopolitical institution of village council, much debased because of its subservience to the French administrative machinery, had been such that the deterioration in the relationship between villagers and their leaders had become irremediable.²¹⁾ At the village level, the foundation of leadership had completely grown estranged from the population. Appointed by the colonial administration or by one another with the acquiescence of the colonial administration, the notables were seen as detrimental to the interests of villagers. Their legitimacy had long ceased to stem from the recognition

20) To quote Smith [1968: 64], "In a report of 1922, the Governor of Cochinchina complained that the notables of the villages were for the most part very inferior to their task, not only because of their barely elementary education, but even more because they bring to their work a routine spirit hostile to every new idea." The fact was, the report continued, that fewer and fewer people wanted to become notables so that good candidates rarely presented themselves for office.

21) For other assessments concerning changes in the villages, see Woodside [1976: 118-148], Popkin [1979: 83-183], and Luong V. Hy [1992: 51-126].

of an authority derived from personal virtue and attainment, as in the past. It was therefore easy for Việt Minh propaganda to denounce them as the henchmen of an intolerable regime, when it concentrated on mobilizing the peasants against taxation, corvée labour, rice requisitioning by the administration to meet Japan's requirements for food supplies.²²⁾

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22) For more details, cf. Nguyễn Thế Anh [2002].

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