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GRIEVANCES AND LAND-TO-THE-TILLER IN VIET-NAM

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by

Keith W. Sherper

with the collaboration of

Phi Ngoc Huyen

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A.I.D.  
Reference Center  
Room 1656 HS

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## PREFACE

Before preceeding into the text a short note is in order for the reader to obtain a clear understanding of the term "grievance". For the sake of clarity a distinction is made between serious grievances and complaints. Serious grievances need investigative or other major action and include disputes (between two or more parties) and abuses. Examples of serious grievances include false land registry, coercion by some party, refusal to implement the reform and all court cases. Throughout the paper serious grievances are referred to as "grievances", "disputes", "abuses", and "actionable grievances". Complaints, on the other hand, are of a less serious nature and do not necessitate investigative action, but instead require some explanation. Examples of complaints include delays in title distribution, inquiries about interpretation of aspects of the law and demands for farmland. This broad category is noted in the paper as "complaints", "inquiries", "requests", and "demands".

## CHAPTER I

### INTRODUCTION AND CONCLUSIONS

Land-to-the-Tiller is more than a technical redistribution of land just to eliminate tenancy. It has an ultimate objective of broadening the rural base of support for the government by increasing equity among the populace. Therefore, fair implementation of the law becomes an essential element of the land reform. This paper addresses the situation regarding grievances associated with Land-to-the-Tiller. It is concerned with the quality rather than the quantity of the land reform. Improper implementation of the law could offset the favorable quantifiable aspects of land distribution.

The study is the result of a collaborative effort with the Directorate General for Land Affairs (DGLA)<sup>1/</sup> to investigate and analyze all available information on the subject of grievances and to generate new data, as feasible. Our review is limited geographically to MR 3 and MR 4. We have examined the present administrative grievance system as well as the judicial process for land reform disputes. In addition, we have analyzed data concerning number, kind and location of grievances. Because a ranking interest of the Government of Viet-Nam (GVN) and USAID/ADLR is with the question of latent, unknown grievances in the villages, we have structured our analysis according to reported and unreported grievances. Based on the evidence we examined and on our personal judgments, we have arrived at the following conclusions:

<sup>1/</sup> Keith W. Sherper, Bureau for Technical Assistance, A.I.D., Washington, D.C. and Phi Ngoc Huyen, Chief of Inspectorate, Directorate General for Land Affairs, MLRAFD, Government of Viet-Nam. The study was conducted during the Sherper TDY to Viet-Nam, August 8 - September 15, 1972. Special acknowledgement for portions of the analytical work is extended to the Control Data Corporation Research Group headed by Dr. Henry C. Bush, on contract to USAID/ADLR, Saigon.

1. The Grievance System

- (a) A significant portion of grievances are being settled in ways not specifically prescribed by Land-to-the-Tiller regulations. Particularly, rules on conciliation methods are often avoided in lieu of using traditional ways.
- (b) Grievance reporting procedures by villages as instructed by the Directorate General for Land Affairs (DGLA) and not followed closely, so relatively few problems get reported upwards through this system.
- (c) The total number of grievances received by the DGLA from all sources affect approximately one percent of all tenants and landlords involved in the program.
- (d) Over one-half of all grievance actions received by the DGLA originate from landlords.
- (e) About 10 percent of the grievances received by the DGLA are actionable, and the rate is fairly constant.
- (f) There has been a large proportion of outstanding unsettled actionable grievances (40 percent), indicating long delays in settlement of cases. However, in late 1972 a special effort reduced unsettled grievances to a level of seven to eight percent.

2. Land Courts

- (a) The number of disputes handled by Land Courts is very small relative to the total land reform program.

- (b) Court judgments tend to be biased in favor of landlords.
- (c) The National Land Reform Council, with advice from the Central Agency for Land Courts, effectively counter unfair court judgments, thereby providing ultimate justice in application of the land reform through the courts.
- (d) Land Courts do not seem to have adequate or full knowledge of Land-to-the-Tiller regulations.

3. Reported Complaints and Grievances

- (a) The largest single reported grievance is false registration of worship land. Most resulted in early stages of Land-to-the tiller.
- (b) Following worship land, the next highest categories of reported grievances are (1) various forms of landlord coercion and (2) refusal or connivance by village officials to implement the land reform. The three categories account for 70 to 80 percent of all reported grievances.
- (c) Both An Giang and Chau Doc Provinces have more reported complaints and grievances than any other province.
- (d) An Giang Province has atypical tenure, land holding patterns and socio-economic conditions so that its high grievance/complaint reporting level cannot accurately be compared or extended to other areas of the Delta.
- (e) Knowledge of injustices associated with the An Giang-Chau Doc False worship land registration cases might have a negative effect on attitudes toward land reform in the Western Provinces.

- (f) Tenant Farmers' Union involvement in land reform grievances has been very limited, but probably helpful where applied.

4. Unreported Complaints and Grievances

- (a) Records of grievances generally remain within the village unless the matter cannot be settled there.
- (b) There is a consistence between reported and unreported grievances with respect to both the type of disputes and the proportion of each category of grievance reported or unreported.
- (c) Serious grievances or disputes have a greater chance of being reported than complaints or inquiries.
- (d) Most unreported complaints are for land by landless laborers and military. In addition, there are numerous unreported complaints about delays in title distribution and compensation, and about petty corruption by village officials.
- (e) Although the level of unreported complaints seems quite high, taken as a whole they do not seem to have a damaging effect on the impact of the program.
- (f) Serious grievances or abuses, whether reported or unreported, tend to center on specific hamlets or villages.

CHAPTER IITHE GRIEVANCE SYSTEM

After promulgation of the Land-to-the-Tiller law on March 26, 1970, a number of mechanisms were devised to report and act on grievances and complaints associated with the law. They include the Village Land Distribution Committee, the Village Land Registrar, reporting standards set up by the Directorate General for Land Affairs (DGLA) and the DGLA Grievance Office in the Inspectorate.

At the village level complaints and grievances are officially to be handled by the Village Land Distribution Committee (VLDC).<sup>1/</sup> This committee is in fact a conciliation organ with respect to grievances and its authority is limited to suggesting a method of settlement. It does not have definitive power of settlement for any kind of dispute. In unsuccessful cases, either side may take its dispute to the Land Court. However, in many villages the VLDC is not serving the conciliatory function as it is empowered and directed to do. There are numerous locations where the Village Agriculture Committee established under the Diem land reform (Circular 67 of October 1958) is hearing disputes. This committee is composed of two landlords, two tenants and the Village Chief.

One member of the VLDC is the Village Land Registrar (VLR), a position established shortly after the outset of the new land reform. The VLR is the village official chiefly responsible for the technical aspects of land distribution and related documentation; as such he must have a clear knowledge of the law and implementing regulations. He is

<sup>1/</sup> Responsibilities of the VLDC regarding disputes are set forth in Decree 138-SL/CCDD/PTNNN November 8, 1971, which amends the basic implementing Decree 072 of June 1970. See Appendix A.

the local official who is to provide advice to the Village Chief and VLDC on all technical matters pertaining to the reform program. The VLR's main source of technical backstopping comes from the Team Leader, an employee of the Province Land Affairs Service (PLAS), who serves several villages. According to instructions issued by the DGLA<sup>2/</sup> the Team Leader (together with the Village Land Registrar) is advisor to the village in conciliation of land reform grievances; however, due to higher priority for land distribution, compensation and other activities the Village Chief often does not utilize either this source or the VLDC for conciliation purposes. Consequently, numerous disputes are settled in the traditional manner, meaning without the use of committees. In such cases, the Village Chief will invite both parties in for a review, then he mediates a decision with them. Even though such decisions may not be in keeping with the law, compromises are often accepted by both sides. The correctness and fairness of settlements is in direct relation to the quality of village officials, particularly the Village Chief. Some have a good knowledge of the law and a sense of justice, and apply these characteristics accordingly. Others have vested interests in money or through relatives, causing them to ignore proper implementation of Land-to-the-Tiller (LTTT).

In sum, just application of LTTT at the village level is largely dependent on the quality of village leadership. We doubt whether it would be useful to undertake the task of rating qualitatively all villages

<sup>2/</sup> Circular 61-DD/DTT/TT dated December 21, 1971, issued by the DGLA. See Appendix B.

involved in LTTT. But there does seem to be a relationship between the quantity and quality aspects of implementing LTTT. Hence we would suggest examining both of these factors in "problem villages" that lag in implementation. This is both feasible and increasingly important as the program draws to a close.

Although the Province Land Affairs Service (PLAS) Chiefs do not officially enter into disputes they often serve as either direct arbitrators or provide advice to Village Chiefs on how to treat particular cases. The kinds of cases handled by the village mainly tend to concern who is the proper landowner, who is the proper tiller and boundary disputes. Those disputes we reviewed were often very complex, encompassing inheritance, family relationships, verbal and written contracts, sub-leasing, exemption of land and new occupants tilling the land. Village level officials mediate the bulk of these disputes, seldom informing the PLAS of the problem or the outcome.

The PLAS generally examines those cases brought to its attention which hinder distribution activities and cases referred to it by the DGLA. The function of PLAS personnel is to advise the VLDC on conciliation of disputes, but not to take part in decision making.

Beginning in late 1971, the DGLA instituted a formal system for reporting disputes and grievances from the village level to central.<sup>3/</sup> According to the instructions each village is to report monthly to the Province Land Affairs Service (PLAS) on a prescribed form some basic

<sup>3/</sup> Circular 61-DD/DTT/TT dated December 12, 1971. See Appendix B. Prior to issuance of this circular, the village level was not instructed to report cases to the PLAS. Responsibilities of both the PLAS and the village were not clearly defined.

information regarding all disputes that take place. A sample form is attached to Circular 61, in Appendix B.

The PLAS is in charge of following all village cases of grievances, but cannot fulfill this requirement because of incomplete and irregular village reporting. In reality it appears only 15 to 20 percent of villages make reports and this is done on a sporadic basis. Also villages tend to report only the most serious disputes, usually those which they are unable to resolve at the village level. Typically three to five disputes are reported when a report is made.

The PLAS is responsible for consolidating all the village reports each month and forwarding this information to the Directorate General for Land Affairs (DGLA). The Grievance Office within the Inspectorate receives these forms and maintains a grievance log.

In June 1972 the DGLA established a Grievance Office under the Inspectorate with the full time responsibility of dealing with grievances concerning Land-to-the-Tiller. Prior to this time one man handled the task above. The new office consists of four professionals and two clerks. All complaints and grievances that reach Central, no matter from what source are directed to the Grievance Office. This includes the monthly report submitted from province land services, newspaper articles and letters sent to various government offices and personnel such as the President, Prime Minister, Congressmen, the Ministry and the DGLA.

The first action by this office is to separate documentation into two categories: (1) complaints and (2) actionable grievances<sup>4/</sup>. Complaints

<sup>4/</sup> The reader is reminded of the distinction in complaints and grievances used throughout this paper. Serious grievances need investigative or other major action and include disputes (between two or more parties) and abuses. Complaints are less serious and include inquiries, demands and requests.

generally are grievances which arise from misunderstanding or lack of knowledge of the law, often consisting of demands or inquiries regarding clarification of certain aspects of the land reform. The bulk of grievances received by the Grievance Office are in this category of complaints and inquiries, all of which are sent to the Directorate of Land Reform where a letter of explanation is sent to the complainant informing him of his situation relative to the law. No further action on this category is considered necessary, or taken. The balance are grievances which are actionable and require investigation. The Grievance Office obtains a dossier on the case, reviews it, makes a recommendation and dispatches it to the appropriate office for action. Most of the grievances are disputes between two parties. Usually the PLAS Chief is asked to contact the two sides and then determine a solution based on the law. In such cases as abuses by the local military and malfeasance by local officials where the problem is beyond the scope of the PLAS Chief, he must refer the matter to the District or Province Chief for investigation. In case of charges against PLAS personnel the PLAS Chief or members of the Inspectorate must examine the situation. If there are accusations reported against the PLAS Chief, senior officers of the DGLA investigate them. To facilitate action on grievances, as well as other aspects of the land reform, the central DGLA Inspectorate has assigned personnel to regional offices in Can-Tho and Bien-Hoa. All actionable grievances are logged, and settlement or completion of action must be reported to the Grievance Office.

The magnitude of grievances reported to the Grievance Office is very small in relation to the Land-to-the-Tiller program. From the beginning of Land-to-the-Tiller in March 1970 through August 31, 1972, a total of 7,150 grievances, complaints and inquiries of all kinds have been received by the DGLA.<sup>5/</sup> When this number is juxtaposed against 585,856 parcels of land having titles already issued to farms and 40,783 landlords compensated,<sup>6/</sup> the low (1.1 percent) proportion of reported complaints and grievances can be seen.<sup>7/</sup>

GVN records classify 6,395 of the 7,150 total as complaints or inquiries; therefore, they are responded to in writing without any investigative action. These complaints or inquiries are categorized in Table 1.

5/ Report on Settlement of Disputes from LTTT, August 1972. (Vietnamese), Directorate of Land Reform, DGLA, Government of Viet-Nam, September 8, 1972.

6/ DGLA/USAID official statistics of August 31, 1972, Saigon.

7/ As of December 31, 1972, 9,078 grievances, complaints and inquiries of all kinds have been received by the DGLA. As of December 31, 748,637 plots have been transferred to farmers and 50,140 former landlords have been compensated. The proportion of grievances and complaints remains 1.1 percent (same sources as above).

TABLE 1  
COMPLAINTS OR INQUIRIES<sup>8/</sup>

<u>Category</u>	<u>Number of Cases</u>
Organizations (e.g. TFU)	91
Agencies (primarily letters received by other Gov't agencies)	321
Newspapers (letters and articles)	260
By Landlords	4,223
- Request retention of land for self-cultivation	441
- Request exemption from expropriation	1,021
- Offers for voluntary expropriation	52
- Ask about compensation regulations	1,260
- Ask about declaration regulations	53
- Matters related to worship land	301
- Disputes with tenants	203
- Miscellaneous problems	892
By Tenants	1,500
- Request to continue cultivation	57
- Request land distribution	558
- Disputes with landlords	492
- Miscellaneous problems	832
- Request direct purchase from landlord	11
Total:	6,395

The majority of the above reported complaints and inquiries were received during 1970, the first year of the program. This reflects, at least in part, an early unfamiliarity with the program, a quest for more details and soliciting for landlord exemption and farmer inclusion in the land reform. Monthly statistics of grievances in the early part of the program are unknown, but the more recent

<sup>8/</sup> Report on Settlement of Disputes from LTTT, August 1972, DCLA.

figures support the evidence of a fairly constant level of inquiries and complaints. The figures for June, July and August 1972 are 116, 77, and 121 respectively.<sup>9/</sup>

Similarly, the number of serious grievances reported in recent months has been nearly uniform, thereby showing a decrease as a percentage of farmers and landlords affected by LITTT.<sup>10/</sup> Of the total of 755 such grievances received by the DGLA through August, 1972, 3.2 percent (241) came in June, July and August. This continuing low level of grievances in spite of the increasing number of individuals involved in LITTT may be, in part, due to the fact that after two years the program is at a stage where knowledge and provisions of the law are relatively widespread and implementation has greatly progressed.

<sup>9/</sup> In September 1972, 634 inquiries and complaints were received by DGLA; in October, 471; in November, 607; in December, 456. The extent of the LITTT program increased during these months. Total "clientele" affected (applications for land title by tenant farmers plus claims for compensation by landlords) increased from 690,471 as of August 31, 1972, to 742,261 during September, to 780,081 during October, to 821,765 during November, to 867,006 during December. Complaints and inquiries received by the DGLA were .09% of the persons affected in September; .06% during October; .07% during November; and .05% at the end of December 1972. Sources are monthly DGLA/USAID official statistics.

<sup>10/</sup> In September 1972, 82 serious grievances requiring investigation were received by the DGLA; in October, 66; in November, 62; in December, 62. As a percentage of the total "clientele" affected by the LITTT program they are .011% during September; .008% during November; and .0072% at the end of December 1972. Same source as above.

TABLE 2

Actionable grievances are categorized as follows:

Disputes between landlords and tenants not related to village or PLAS officials	131
Disputes and grievances regarding village personnel not carrying out their duties properly	255
Disputes and grievances regarding PLAS personnel not carrying out their duties properly	124
Grievances that landlords or military have hindered implementation of the law	70
Miscellaneous matters related to the LTTT program	98
Inspection of personnel grievances indirectly related to LTTT	<u>77</u>
	755

One-half (379) of the grievances in Table 2 are against village and province personnel for not properly fulfilling their duties in connection with the land reform. In contrast less than ten percent (70) of the actionable grievances reported concern landlords or military impeding implementation.

Over 40 percent (322) of the 755 grievances were not yet settled as of August 21. The apparent reason for this was the delay in completion of field investigations. Sometimes the PLAS Chief has been slow to look into the matter. Sometimes the District or Province Chief is asked to investigate, and responses from their offices have been slow.

In addition, settlement of disputes has been given a relatively lower priority in LTTT implementations. However, in late 1972 a special effort sharply reduced outstanding unsettled grievances to a very low level.<sup>12/</sup>

Decree 138 (Appendix A) establishing village responsibility concerning grievances is designed to deal with disputes within the framework of distribution needs, and not compensation. The decree states that the VLDC will determine the land distribution whether or not the case is settled by the Committee and if unresolved the complainant can bring it to the Land Court.

There is no specific local level means for resident landlords to receive assistance in compensation grievances. Nor, of course, is there a way to effectively redress grievances against local officials without going elsewhere. This, then, raises the question of what alternative courses of action are open to the complainant, either farmer or landlord, in such cases. The answer appears to be that it is up to the personal initiative of the aggrieved to take his case beyond the village.

<sup>12/</sup> In September the proportion of grievances not yet settled was reduced to 30%; in October to 14%; in November to 8%; by the end of December to 7%. Sources are Report on Settlement of Disputes from LTTT (monthly), DCLA, Government of Viet-Nam.

CHAPTER III

LAND COURTS

The stated purpose of establishing Special Land Courts outside of the normal civil court system is that land reform policy and Land-to-the-Tiller constitute a major reform which is not wholly within the juridical boundaries of the Courts of Justice; it also encompasses political, social and technical areas. As such, land reform disputes judged solely by virtues of civil law would fail to attain the goal of the reform policy. In effect, the Special Land Court System blends judicial and executive powers, but leaves the final power in the hands of the executive.

Special Land Courts were first prescribed in Ordinance 57, the basic land reform law under President Diem, in 1956. The courts were authorized in a 1957 decree,<sup>1/</sup> and their organization and responsibilities defined in a 1958 decree.<sup>2/</sup> Wherever Courts of the First Instance exist, Special Land Courts are permitted. To date only four Special Land Courts have been set up - Saigon, Long An, Dinh Tuong and An Giang. However, in places not having Special Land Courts, the local Court of First Instance assumes this responsibility. In 1970, 13 Courts of Conciliation were redesignated Courts of First Instance expanding the total to 36; therefore, Special Land Courts may be held nearly anywhere the land reform is implemented. (See Appendix C for a listing.)

1/ Decree 498-DT/CCDD dated 27 November 1957.

2/ Decree 558-DT/CCDD dated 5 December 1958.

The composition of Special Land Courts includes a Presiding Judge, two incumbent Assessors and two substitutes, a Public Prosecutor (Commissioner) and one or more clerks. The Presiding Judge is usually the Presiding Judge of the local Court of First Instance. The Assessors are administrative officials appointed by the Ministry of Land Reform and Agriculture and Fisheries Development (MLRAFD) decrees. The Public Prosecutor is the local PIAS Chief. The clerk, also appointed by the MLRAFD, serves as court reporter.

As Commissioner, the PIAS Chief presents documentation to the court regarding the case. Lawsuits brought before the Special Land Courts are exempt from all fees and procedures. All sentences handed down by Special Land Courts must be reviewed by a National Land Reform Council (NLRC). Therefore, the status quo of cases is to be respected between the disputing parties until the National Council has made a decision; court sentences are not to be executed until after a NLRC decision. The National Council's conclusion is final and cannot be appealed.

The National Land Reform Council is composed of a representative of the Prime Minister as Chairman and Ministers of Agriculture and Land Reform, Justice, Interior, Economy, Finance and Labor and the Director General of Planning as members. The Director General of Land Affairs serves as spokesman. In practice, the Minister of Land Reform and Agriculture chairs the National Council. This body is supposed to meet quarterly, but in fact until March, 1972 had not met that regularly.

Prior to submission to the NLRC, provincial Land Court decisions are sent to the Central Agency for the Land Courts. This Agency is within the Ministry of Land Reform and Agriculture. It consists of the Secretary General of the Ministry, a Commissioner General of Land Courts and clerical assistants. The Commissioner General, a lawyer, reviews each judgment received from Special Land Courts. Based on his familiarity of land tenure and land reform regulations he makes a recommendation to the NLRC to uphold the sentence of the Land Court, to overturn the sentence of the Land Court or to request additional information. It is these recommendations - to approve or disapprove - that the National Council acts upon.

The number of disputes associated with Land-to-the-Tiller that have been brought before the Special Land Courts remains small in comparison to the size of the program. Two sessions of the NLRC were held in 1971 to review a total of 123 cases. In 1972 three sessions have been held: March to decide 50 cases, June to decide 105 cases and October to decide 107 cases. A total of 274 outstanding cases recently received by the Central Agency of the Land Courts remain for examination in another NLRC session planned for January 1973.<sup>3/</sup> There is not a large current backlog. The total of 659 cases judged by the Special Land Court System since March 1970 indicates the paucity of disputes being brought up through the legal system relative to the size of the program. The four established Special Land Courts mentioned above appear to be handling about one-third

3/ A NLRC session was held January 12, 1973 to review these cases.

of Land-to-the-Tiller court cases. Other provinces having significantly large numbers of cases are Ba Xuyen, Kien Giang, Phong Dinh, Vinh Binh and Vinh Long. A close comparison of the 659 court cases with the 1,027 serious grievances noted in Chapter II establishes the fact that a large portion of reported actionable disputes and grievances are finding their way to the courts.

The frequency of Special Land Court sessions at the province level varies, but tends to run once every three or four weeks. The An Giang and Long An courts have had by far the largest number of cases. As of August 15, 1972 they had handled or were presiding over 36 percent of all land reform court cases in the country.<sup>4/</sup> Often cases brought before Land Courts undergo long delays prior to reaching judgment. Typically cases in Long An are drawn out over 8-10 hearings, held once a month. This places undue hardship on the farmer who often must travel long distances to the provincial capital. The reasons for delay are usually either lack of a deposition or other information, or representation by only one party. It seems the first impediment to delay could be resolved by having someone at the court insure all documentation is submitted before the hearing. There are indications the inordinate delays have in some cases discouraged farmers from pursuing disputes in the courts.

Another factor that apparently has dissuaded more farmers in areas of fairly close proximity to Land Courts, particularly Long An and An

<sup>4/</sup> 755 through August 31, 1972, plus 272 from September through December 31, 1972, page 12 and footnote 10.

<sup>5/</sup> List summarizing Activities of Land Courts and Courts of First Instance Regarding Land Affairs from July 16, 1972 to August 15, 1972, DCLA.

Giang, from taking disputes to the courts is the reputation of biased judgments in favor of landlords. A review of 29 cases at the Long An Land Court in 1971 showed 16 judgments in favor of landlords and 13 in favor of tenants.<sup>6/</sup> However, 10 of the 16 judgments favoring landlords were later reversed by the NLRC in Saigon, validating the view of court bias held by some farmers.

The National Land Reform Council, based on recommendations of the Commissioner General of Land Courts, has overturned many Land Court judgments, most of which previously favored the landlord. An analysis of the 105 cases reviewed by the NLRC in June, 1972 and of the 107 reviewed by them in October, 1972, is given in Table 3.

TABLE 3<sup>7/</sup>Categories of Cases Reviewed by the NLRC

	<u>June</u>	<u>October</u>
LTTT disputes between landlords and tenants or ex-tenants	52	53
LTTT disputes between tillers and former tillers	14	6
Disputes between middlemen and tenants	4	1
Disputes between tenants and village officials	0	1
Cases rejected	21	25
Cases postponed	7	17
Cases which the NLRC declared the Courts incompetent to judge	7	2
Cases not involving LTTT	<u>0</u>	<u>2</u>
	105	107

<sup>6/</sup> Summaries of Land Court Cases from Long An, USAID/ADLR/MR III.

<sup>7/</sup> Records of the Commissioner General of Land Courts, DGLA.

Our main concern is with examining the landlord-tenant disputes noted in the first category of Table 3. Disputes between tillers and between middlemen and tenants were all judged the same by both the courts and the NLRC, as well as unanimity on all the cases declared incompetent for judgment by the Land Court System. The reasons for rejection by the NLRC of 45 (21 + 25) cases have not been analyzed, but the implications are discussed below.

An analysis of the 105 (52 in June and 53 in October) landlord-tenant disputes reviewed by the NLRC shows that in 78 cases (38 in June and 40 in October), or 74 percent of them, the landlords were plaintiffs. This indicates the low propensity of tenants to pursue their grievances against landlords in the courts. Interestingly, in 64 percent of the cases included in this sample the Land Court ruled in favor of the tenant, and the decision was upheld by the NLRC. However, the NLRC overturned another 28 percent of the court judgments favoring landlords, granting the cases to tenants. An additional nine percent were judged for landlords and the decisions upheld by the National Council. The large percentage of Land Court Cases reversed by the National Council indicate unfamiliarity of land law by the courts, landlord favoritism in the courts, strict interpretation of the letter and spirit of Land-to-the-Tiller by the NLRC, or a combination of these factors.

The kinds of landlord-tenant disputes being brought to the Land Courts are almost exclusively dealing with claiming land back by

landlords, claiming tilling rights by tenants and rents. The following table shows the proportional breakdown in the 105 such cases reviewed by the NLRC in June and October sessions.

TABLE 48/LANDLORD-TENANT DISPUTES REVIEWED BY THE NLRCIN JUNE AND OCTOBER, 1972 SESSIONS

	<u>Number</u>	<u>Percent</u>
Claiming tilling rights, by tenants	24	23
Claiming land back, by landlords	61	58
Claiming back rent, by landlords	3	3
Claiming both land back and rent, by landlords	14	13
Claiming both tilling rights and exemption from lease contract, by tenants	3	3
	<hr/>	<hr/>
	105	100%

Judging by this sample, it can be seen that by far the largest concern of landlords is to get their land back, and the greatest worry of tenants is to obtain or maintain tilling rights in anticipation of ownership.

Finally, a note should be made regarding the 46 cases (21 in the June session, 25 in October) where the court's judgments were rejected by the NLRC. To reject a case is, in effect, to rule against the plaintiff and for the defendant because there is no appeal beyond the NLRC. Of 42 cases (4 are discarded because they are not landlord-tenant disputes),

8/ Analysis of the records of the Commissioner General of Land Courts, DGLA.

the landlord is the plaintiff in 32. More importantly, all 42 judgments by the Land Courts favored the landlords. Rejection by the National Council, therefore, had the effect of ruling in favor of the tenants in all these cases. Inclusion of these results with the 105 landlord-tenant disputes examined by the NLRC shows that in effect 48 percent rather than 27 percent of the cases were reversed by the National Council.<sup>9/</sup> Further calculations using the entire universe (105 + 42 = 147) of landlord-tenant disputes indicates the Special Land Courts judged in favor of tenants 54 percent of the time, while the NLRC decided for tenants in 94 percent of the cases.<sup>10/</sup>

Further supporting evidence of the results in the above sample may be obtained by an analysis of twenty precedent land court cases prepared by the Commissioner General of Land Courts in early 1972. The nature or kind of the disputes is the same as those analyzed above. Nearly all the cases involved reversal of Land Court judgments to favor the tenants.

In summary, it can be said that the Special Land Court system, as it currently functions, ultimately performs fairly in applying the spirit as well as the letter of the land reform. This is in large part to the credit of the Central Agency of the Land Courts and the National Land Reform Council. Land Courts, although they have access to expertise through the Commissioners (PLAS Chiefs), appear to either lack knowledge of the Land-to-the-Tiller law and its supporting documents or else wrongly

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<sup>9/</sup> 105 reviewed cases plus 42 rejected cases divided by 29 reviewed cases reversed plus 42 rejected cases effectively reversed.

<sup>10/</sup> Land Courts ruled in favor of tenants in 80 cases (36 in June and 44 in October) of 147. NLRC decided in favor of tenants in 97 cases (upheld and reversed court decisions) plus 42 rejected cases effectively reversed, from a total of 147.

give deference to other acts of civil law. The quality of courts varies greatly from province to province. Realizing past attempts to better inform the courts about the land reform through distribution of precedent cases and recognizing the inherent sensitivity of the courts to Executive power over them exercised by the NLRC, it still remains that a much greater effort is needed to educate the courts on land reform.

There is the further problem of utilization of the courts by farmers. Apparently they are discouraged with court decisions and long administrative delays. Broader publicity is needed on final results of court cases and farmers need more information and assistance regarding filing suits and court process.

CHAPTER IVREPORTED COMPLAINTS AND GRIEVANCES

One task of our study was to determine the extent and significance of complaints and grievances. For analytical purposes we have viewed complaints and grievances as reported or unreported; this Chapter examines the former. Detailed analyses were made of reported incidents from data collected from USAID/CORDS files,<sup>1/</sup> DGLA grievance dossiers, Vietnamese newspaper articles and court records. Based on the results of our evaluation, it may be concluded that probably with the exception of numerous false worship land cases in the Western Provinces during early stages of LTTT, reported grievances are insufficient to seriously impair the land reform's political and social goals. There have been reports of isolated instances of serious abuses by individuals or by localities, but not numerous enough to have an over-all detrimental impact on the program.

The examination of the DGLA grievance dossiers was described in Chapter II. As noted there, only 755 serious or actionable grievances had been received from March 1970 through August 1972 (1027 through December 1972). Meanwhile 451,356 farmers had received 680,404 hectares of land as of August 31, 1972. Even if one considers all reported complaints and actionable grievances together, only about one percent of all landlords and tenants in the program are affected.

The following discussion considers a series of independent analyses, albeit somewhat overlapping in case coverage from the standpoints of

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<sup>1/</sup> United States Agency for International Development (USAID)/Civil Operations and Rural Development Support (CORDS).

grievance category and geographical location. We examined 449 actionable cases of the DGLA Grievance Office which involved 684 grievances.<sup>2/</sup> Some cases had multiple grievances or multiple plaintiffs. The results are shown in Table 5. The largest single grievance, 23 percent of the total, is false registration of worship land by landlords. A high proportion of these incidents are geographically located in An Giang and Chau Doc Provinces. Another 32 percent of grievances concern various forms of coercion against tenants by landlords and hindrance or conspiracy with landlords by GVN officials to prevent implementation of Land-to-the-Tiller. Twenty-six percent (118 of 449) of all cases examined are from An Giang and Chau Doc, the majority concerning false registry of worship land.

A second source of data carefully analyzed was grievances and complaints reported in USAID/ADLR and CORDS/MR III-MR IV documentation, and a Land-to-the-Tiller incident log kept by Dr. Henry C. Bush. A file search was made of each of these sources and cross-checks carried out to avoid duplication. This analysis involved 1,128 complaints and disputes, excluding specific large scale violations in nine villages. The details are presented in Tables 6 and 7. The same categorization of complaints and grievances was used as for the examination of DGLA dossiers mentioned above. The proportion of complaints and grievances by category is largely the same in the two sources; the significant difference is for false worship land registration, which according to GVN records are 23 percent

<sup>2/</sup> The basic tabulation and analyses of these dossiers were conducted by the Control Data Corporation research group on contract to USAID/ADLR.

but are 41 percent of the cases found in American files. This disparity may be accounted for by the fact that the "An Giang package" of 373 false worship land declarations was excluded from the DGLA analysis and included in the other. Allowing for the fact there is some duplication of cases between the two sources (DGLA and American) they still appear to otherwise strongly validate each other.

A third source of data separately analyzed was the court cases, briefly reviewed in Chapter III. It is difficult to compare the court cases with the other work because they mainly represent landlord initiatives and as such tend to be highly biased. In addition, the important category of false worship land registration by landlords is absent from the court case analysis. However, it should be noted that during our examination of the actionable grievances reported to the DGLA, large numbers of the cases became lawsuits in the courts. Consequently, we assume there is considerable overlap between the two but it is limited to certain categories.

An independent evaluation was also made of 49 Vietnamese newspaper articles collected by MR IV concerning Land-to-the-Tiller grievances covering the period January 1971 - June 1972.<sup>3/</sup> Both the newspaper articles and the visits by aggrieved include a large portion of grievances already reported in data sources included in the above mentioned analyses.

<sup>3/</sup> The basic tabulation of this data was made by Mr. Richard Eney, Director of Land Reform, CORDS/MR IV, CanTho.

GRIEVANCES AND DISPUTES FROM DGLA RECORDS<sup>4/</sup>

<u>Category of Grievance</u>	<u>Number</u>	<u>Percent</u>
<u>False registry as worship land, by landlords</u>	162	23
<u>Coercion of tenants, by landlords</u>	135	19
Evictions: 46		
Threats or violence: 58		
Collecting back rent: 23		
Annulling or preventing transfer: 8		
<u>Refusal to implement LTTT, or connivance with landlords, by village officials, to prevent or annul transfer</u>	89	13
Refusal to implement LTTT: 48		
Connivance with landlords: 41		
<u>Error, by local officials</u>	65	10
Distributed exempt land: 31		
Distributed land to other than present tillers: 21		
Title issued for only part of plot: 12		
Paid compensation twice: 1		
<u>Corruption for money or land, by officials</u>	47 <sup>a</sup>	7
Demand money to process compensation: 14		
Demand money to process title applications: 13		
Distributed land to friends, relatives who are not tillers: 9		
Unspecified corruption: 10		
Demand payment for title distribution: 1		
<u>Demand for exemption of their land, by landlords</u>	47	7
Allege it was or was intended to be worship land: 9		
Allege special hardships: 33		
Claim they are owner-operators: 5		
<u>Delay, hindrance in compensation, by GVN officials alleged by landlords</u>	38	5
<u>Demand for LTTT implementation or for title, by tenants or applicants</u>	41	6

<sup>a</sup>Not included is one village listing 80 tenants (counted as 1).

<sup>4/</sup>A universe of 449 dossiers involving 684 grievances, with the noted exceptions. If an individual had multiple grievances, each grievance is tabulated. In cases of unspecified numbers of tenants, they were considered as 4 complaints (an assumption of 2 1/2 ha./tenant and 10 ha./landlord.)

[continued]

GRIEVANCES AND DISPUTES FROM DGLA RECORDS\*

<u>Category of Grievance</u>	<u>Number</u>	<u>Percent</u>
<u>Tenants or applicants ineligible for title</u>	36	5
Alleged to be hired laborers: 9		
Not actual tillers: 16		
Not "real" long-time tenants, but "new", recent or "subtenants": 7		
Unspecified reasons: 4		
<u>Delay in distributing titles by GVN officials, alleged by applicants</u>	4	1
<u>New owners afraid; want to return titles</u>	5	1
<u>Malfeasance by local officials against landlords</u>	4	1
Threat to transfer or expropriate land if owners do not pay back taxes: 2		
Falsifying landlords' declarations to obtain land: 1		
Urging tenants to apply for exempt land: 1		
<u>Land-grabbing by hoodlums, mainly military</u>	11 <sup>b</sup>	2
Rent shakedown by non-owners: 2		
Use of force to impede application for title: 2		
Eviction and land-grabbing: 7		
TOTAL:	684	100%

<sup>b</sup>Excluded are one case of 137 and one case of 595 farmers displaced by ARVN squatters; they are not necessarily tenants and it may be outside LTTT.

GRIEVANCES AND DISPUTES IN MR 3

<u>Category of Grievance</u>	<u>Number</u>	<u>Percent</u>
<u>False registry as worship land, by landlords</u>	5 <sup>a</sup>	5
<u>Coercion of tenants, by landlords</u>	76	74
Evictions: 58		
Threats of violence: 5 <sup>a</sup>		
Collecting back rent: 12 <sup>a</sup>		
Annuling or preventing transfer: 1		
<u>Coercion of officials, by landlords: Violence</u>	1	1
<u>Coercion of landlords, by tenants: Violence</u>	1	1
<u>Refusal to implement LTTT, or connivance with landlords, by village officials to prevent or annul transfer</u>	15	14 <sup>b</sup>
Refusal to implement LTTT: 10		
Connivance with landlords: 5		
<u>Error, by local officials</u>	2	2
Distributed exempt land: 2		
<u>Demand for exemption of their land, by landlords</u>	2	2
Allege it was or was intended to be worship land: 2		
<u>Delay, hindrance in compensation, by GVN officials, alleged by landlords</u>	1	1
TOTAL	103	100%

<sup>a</sup>All cases in Long An Province

<sup>b</sup>47% in Long An Province; 33% in Bien Hoa Province

<sup>5</sup>sources: USAID/ADLR and CORDS/MR3 records.

GRIEVANCE AND DISPUTES IN MR 46/ TABLE 7

<u>Category of Grievance</u>	<u>No.</u>	<u>Percent</u>	<u>Distribution and Exceptions</u>
<u>False registry as worship land, by landlords</u>	459	44	343 (75%) in An Giang. 102 (22%) in Chau Doc.
<u>Coercion of tenants, by landlords</u>	183	18	28 evictions (62%) in Chau Doc. 25 threats or violence (50%) in Bac Lieu.
Evictions: 45 Threats or violence: 50 Annuling or preventing land transfer: 33 Collection of or claims for back rents: 55			14 preventions or annulments of title (42%) Bac Lieu. All back rent claims occurred in Phong Dinh. All were TFU mediations. In 1 of 36 villages of Sadeq, all applicants were forced to pay back rents.***
<u>Refusal to implement LTTT, or connivance with landlords to annul or prevent land transfers, by village officials</u>	90	9	In 1 of Kien Giang's 34 villages there are 25 "general disputes"*** In 1 of Kien Phong's 45 villages there are "numerous disputes"*** In 1 of Vinh Long's 64 villages, officials refuse to act on "the majority" of applications***
Refusal to implement LTTT: 24 Connivance with landlords: 66			
<u>Error, by local officials</u>	30	3	
Distributed exempt land: 14 Distributed land to other than present tiller: 0 Title issued for only part of plot: 16			
<u>Corruption for land or money, by officials</u>	84	8	
Demand money to process compensation: 13 Demand money to process title applications: 18 Distributed land to friends, relatives who are not tillers: 12 Demand payment for title distribution: 41			11 (85%) in Phong Dinh. 10 (55%) in Kien Phong. In 1 of Kien Phong's 45 villages, VLDC distributed an entire island to nontillers. 595 are excluded from LTTT title.*** 15 (37%) in Sadeq. 13 (32%) in Chuong Thien. In 3 of Kien Phong's villages, about 200 have paid bribes for titles. In 1 village of Kien Phong 78 have paid bribes for titles.***

\*\*\*Not included in tabulation.

[continued]

GRIEVANCE AND DISPUTES IN MR 4\*

TABLE 7 [continued]

<u>Category of Grievance</u>	<u>No.</u>	<u>Percent</u>	<u>Distribution and Exceptions</u>
<u>Demand for exemption of their land, by landlords</u> Allege it was or was intended to be worship land: 38 Allege special hardships: 15 Claim they are owner-operators: 10	63	6	28 (58%) in An Giang. 10 (26%) in Kien Phong.
<u>Delay, hindrance in compensation by GVN officials, alleged by landlords</u>	43	4	20 (47%) in Dinh Tuong.
<u>Demand for LTTT implementation or for title, by tenants or applicants</u>	0	0	
<u>Tenants or applicants ineligible for title</u> Alleged to be hired laborers: 3 Not actual tillers: 13 Not "real" long-time tenants, but "new", recent or "subtenants": 32	48	5	11 (85%) in Kien Hoa. 20 (63%) are in 1 of Kien Tuong's 13 villages.
<u>Delay in distributing titles by GVN officials, alleged by applicants:</u>	15	2	13 (87%) in Kien Hoa.
<u>New owners afraid: want to return titles</u>	0	0	
<u>Malfeasance by local officials against landlords</u>	0	0	
<u>Land-grabbing by hoodlums, mainly military</u> Rent shakedown by non-owners: 4 Use of force to impede applications for title: 0 Evictions and land-grabbing: 6	10	1	1 case of 137 evicted by military, in Chau Doc***
TOTAL:	1,025	100%	8 villages, of 733 having LTTT goals in MR 4, violating LTTT in major ways, and 1 flagrant case of land-grabbing by military persons

\*\*\*Not included in tabulation.

6/Sources: USAID/ADLR and CORDS/MR 4 records.

The following table summarizes the number of grievances by subject category extracted from Vietnamese newspapers.

TABLE 8 7/

COMPLAINTS AND GRIEVANCES FROM VIETNAMESE NEWSPAPERS

	<u>1971</u>		<u>Jan.-June 1972</u>		<u>Total</u>	
	<u>Cases</u>	<u>Individuals</u>	<u>Cases</u>	<u>Individuals</u>	<u>Cases</u>	<u>Individuals</u>
Worship land claim	6	27	4	25	10	52
Unjust distribution	4	5	3	5	7	10
Compensation squeeze	1	1	3	3	4	4
Landlord retention claim	11	45	1	1	12	46
Labor contract fraud	1	14	0	0	1	14
Landlord repossession effort	4	25	1	60	5	85
Compensation request	2	2	2	3	4	5
Miscellaneous	2	2	4	11	6	13
	—	—	—	—	—	—
Total	31	121	18	108	49	229

Examining the individual grievances, rather than cases, as we did in the earlier analyses, we find the same patterns of grievance categories emerging once again - false worship land registry, attempts to retain land by various methods, and efforts (coercion) to repossess land account for 80 percent of grievances reported in newspapers

7/ "Summary of Newspaper and Directly-Reported Complaints,"  
Memorandum by R. Eney to Files, August 24, 1972.

The comparable figure for DGLA dossiers is 55 percent (which excludes the "An Giang package" of false worship land claims), and the figure for data from American files is 73 percent. With respect to location, Table 9 gives a breakdown of the same newspaper data by province.

TABLE 9<sup>8/</sup>

COMPLAINTS AND GRIEVANCES FROM VIETNAMESE NEWSPAPERS  
(BY PROVINCE)

<u>Province</u>	<u>1971</u>		<u>Jan.-June 1972</u>		<u>TOTAL</u>	
	<u>Cases</u>	<u>Individuals</u>	<u>Cases</u>	<u>Individuals</u>	<u>Cases</u>	<u>Individuals</u>
An Giang	8	32	2	25	10	57
An Xuyen	0	0	0	0	0	0
Ba Xuyen	2	26	3	62	5	88
Bac Lieu	1	1	0	0	1	1
Chau Doc	6	34	2	2	8	36
Chuong Thien	0	0	0	0	0	0
Dinh Thuong	3	3	2	2	5	5
Go Cong	1	1	0	0	1	1
Kien Giang	1	1	1	1	2	2
Kien Hoa	1	1	0	0	1	1
Kien Phong	1	1	5	6	6	7
Kien Tuong	0	0	0	0	0	0
Phong Dinh	1	1	1	1	2	2
Sa Dec	1	1	0	0	1	1
Vinh Binh	1	15	0	0	1	15
Vinh Long	<u>4</u>	<u>4</u>	<u>2</u>	<u>9</u>	<u>6</u>	<u>13</u>
Total MR IV	31	121	18	108	49	229

3/ Eney Memorandum of August 24, 1972 cited Page 32

As in the other analyses, a disproportionate share, 40 percent (93 of 229) of the complaints and grievances emanate from An Giang and Chau Doc Provinces. There is also an unaccountably high number of grievances reported by Ba Xuyen, 5 cases with 88 aggrieved; it appears to be the result of an incident centered on one or two villages.

Because of the concentration in An Giang and Chau Doc of reported violations of Land-to-the-Tiller, some special mention needs to be made about this area. Several factors differentiate it from the rest of the country. Of special note is the unusually high level of security relative to the remainder of the Mekong Delta. This region is the center of the Hoa Hao religion which is well organized, but not entirely cohesive. This area is the only part of the Delta where broadcast rice is sown; as a result of poor cropland water control and different cultivation practices, tenure conditions vary from the remainder of the Delta. Farm plot sizes tend to be larger; there are great numbers of absentee farmers living outside the village where the land is located; there is a higher preponderance of middlemen serving landlords; and much land is cultivated by contracted labor. Due to its secure conditions during the past decade, An Giang has been the recipient of huge amounts of development resources not made available to other provinces; hence, there is a relative level of sophistication and wealth not found elsewhere in the Delta. Although it is impossible to determine causality, it is likely some combination of the above factors is related to the unusually high incidence of grievances in the area. Aside from the fact that An Giang and Chau Doc

have more total grievances than other provinces, they contain the predominant number of false worship land registration cases. Factors negating the importance of false worship land declarations are that the land declaration phase of the program was concluded long ago and there is little chance of mass recurrence, and that worship land is only a small portion of the total Land-to-the-Tiller program. On the other hand, it seems the violations and injustices associated with the false declarations can and may be having a detrimental political effect on the land reform in that area. The word about the An Giang - Chau Doc circumstances is likely to have spread throughout the surrounding provinces, at a minimum. This situation could negate, to some extent, the favorable impact brought about by the reform. There are indications that progress is being made on the resolution of the worship land cases and several landlords have withdrawn their demands. Properly settled, these cases could have a salutary effect on the political impact of Land-to-the-Tiller in the Western Provinces.

Mention should be made of one further source of reported data which we examined. The Tenant Farmers' Union (TFU) of the Confederation of Vietnamese Labor (CVT), has assisted some farmers in reporting their complaints and grievances, and in a few cases, has participated in resolving them at the local level. We met with local TFU officials at Can Tho and with senior officials and cadre at Saigon to discuss TFU involvement. Most TFU assistance is directed at their membership, an estimated 90,000 farmers in the Delta. At best, only a few hundred

complaints and grievances have been handled by this organization. It is difficult to differentiate between grievance reporting and mediation services, and other services rendered such as helping to fill out applications and informing farmers of their rights. TFU cadre have brought individual farmer problems to the attention of local officials, have assisted farmers in preparing newspaper articles to publicize demands and grievances and have helped represent farmers in mediating disputes locally. TFU field cadre report their work to the Central office in Saigon and, according to information given us, a copy of the dossier of unsettled cases is transmitted to the DGLA. Our review of the 60-80 cases sent to the DGLA indicated nearly every one of these cases had also been referred to the DGLA from other sources. To the extent TFU cadre publicize Land-to-the-Tiller and provide services to farmers, it should be a boost to the land reform. The president of TFU said that 60-70 percent of their membership were successful in achieving favorable results from the land reform, probably a conservative estimate.

CHAPTER VUNREPORTED COMPLAINTS AND GRIEVANCES

Considered as "unreported" are those complaints and grievances, whether recorded or not, which are not referred to channels outside the village for action. It has been surmised that there may be large numbers of unreported complaints and grievances at the local level, and that the portion reported accounts for only a minute fraction of the total. Naturally, it is difficult to determine the extent of this problem. Our conclusions are based on a 72 village survey conducted in August-September 1972, findings of the CDC study on impact of Land-to-the-Tiller,<sup>1/</sup> field reports including Pacification Attitude and Analysis Surveys and personal visits to a number of villages. None of the information from these various sources provide conclusive evidence of the extent or nature of unreported complaints and grievances; therefore our conclusions should be considered educated judgments based on data available and personal knowledge.

The 72 village survey was carried out in at least three villages per province in 17 provinces of MR 3 and MR 4.<sup>2/</sup> A brief questionnaire was designed (Appendix D) and interviews made with knowledgeable village officials by Vietnamese employees of provincial CORDS offices. We attempted to differentiate between serious grievances or disputes and complaints in the survey in order to better elicit information on

1/ The Impact of the Land-to-the-Tiller Program in the Mekong Delta (Control Data Corporation report to ADIR, USAID), December 1972.

2/ All MR 4 provinces except Bac Lieu, Chuong Thien and Kien Giang. The provinces of Bien Hoa, Hau Nghia, Binh Duong and Long An in MR 3.

potentially unreported grievances. The survey revealed that during the past six months the 72 villages had 194 disputes, an average of two to three per village.<sup>3/</sup> "The average village population in the Delta is about 7,000, or 1,100 families. In most Delta villages this means, on average, about 600 families originally farming in tenancy plus say 50 who own or owned farm land they rented out. This suggests disputes and grievances ran only about .5% (1/2%) of the families involved in LTTT during the past six months. Ignoring changes in patterns of disputes and grievances during the 2-1/2 years of the LTTT program...this suggests about 2-1/2% for the whole LTTT program."<sup>4/</sup> This level of disputes (2-1/2%) represents a combination of those both reported and unreported. Table 10 shows the status of dispute settlement, based on the 72 village survey.

TABLE 10Status of Dispute Settlement

84 (43%)	were settled by the village
67 (35%)	were sent to the courts
43 (22%)	were still unsettled
<hr/>	
194	100%

Apparently a fairly large portion of these grievances classified as disputes get reported beyond the village, either through the courts or the DGLA reporting system. On the other hand, discussions with village

<sup>3/</sup> Analysis of the data is contained in a memorandum from H. C. Bush to K. Sherper, dated September 4, 1972.

<sup>4/</sup> Memorandum cited in footnote 3 above.

officials indicate they very often do not inform higher levels about disputes settled in the villages. When asked through the survey whether they keep records of disputes, 46 of 72 villages (64%) replied in the affirmative. Only six of the 72 (8%) send copies to the District level for information.

With respect to the nature of disputes mentioned in the village survey, Table 11 exhibits the major categorizations.

TABLE 11Nature of Disputes in 72 Village Survey

58	(30%)	concern	"who should get title," (e.g. multiple applicants, between applicant and landlord regarding tiller's status, between present and former tiller, etc.)
42	(22%)	concern	"who owns the land"
28	(15%)	concern	whether the land is included or exempt from LTTT, mostly registry as worship land. (An Giang interviewers comment: "many disputes about false worship land not stated by village authorities")
15	( 8%)	concern	disputes about compensation
	<hr/>		
	(75%)		

Since this categorization is different from analysis of reported grievances covered in the preceding chapter it is somewhat difficult to make a comparison. However, if we roughly equate the first three categories above with the three categories of (a) coercion (eviction, threats,

annulling or preventing transfer, back rent claims), (b) demand for exemption from LTTT and (c) false worship land registry that are given in the analysis of American records (Tables 6 and 7), we find them to be 70 percent (788 of 1,128) of the total grievances examined from American files and 67 percent of the above survey. Based on this crude comparison and allowing for the fact that numerous disputes in the village survey are reported upward, it still appears there is a general similarity between the nature of reported and unreported disputes.

Disputes alone do not give a full picture of possible discontent in the villages. The survey queried whether, "aside from disputes about Land-to-the-Tiller...have requests, demands, complaints concerning LTTT or land for farming been received...?" There were a total of 559 such requests reported in the survey. This suggests about five percent of the entire rural population had such complaints during the 2-1/2 years of the land reform program. Table 12 lists the source of requests/complaints.

TABLE 12Requests/Complaints in 72 Village Survey

<u>Source</u>	<u>Number</u>	<u>Percent</u>
Landless laborers	289	52
Veterans, veterans' families	49	9
Soldiers or paramilitary	150	26
Landlords or exlandlords	39	7
Civil servants	23	4
Landless but skilled persons having other occupations	9	2
	<u>559</u>	<u>100%</u>

Mosts are requests for land, and most of them are made by landless laborers and military. The majority come from An Giang and Ba Xuyen Provinces.

TABLE 13Landless Labor and Military Requests/Complaints in Two Provinces

	<u>By landless laborers</u>	<u>By military</u>
An Giang	100	4
Ba Xuyen	35	70

An Giang continues its pattern of being the leading province in grievances of all kinds. Ba Xuyen has some reported instances of military people dispossessing farmers.

The study by Control Data Corporation on the impact of Land-to-the-Tiller contains a chapter on complaints, needs, problems and grievances.<sup>5/</sup> Their survey involved 23 villages in six provinces (Long An, Go Cong, Dinh Tuong, Vinh Long, Vinh Binh and Chuong Thien). The figure cited in the 72 village survey of 2-1/2 percent of all farmers and landowners involved in the land reform having a serious grievance is supported by the CDC study (see Appendix E). Regarding complaints, the village survey we conducted suggests a five percent level of the rural population, whereas the CDC study finds 21 percent, considerably more. A partial explanation for this difference might be that many complaints may often not be registered by farmers with the village officials. (Our village

<sup>5/</sup> The Impact of the Land-to-the-Tiller Program in the Mekong Delta  
(Control Data Corporation report to ADLR, USAID) Dec. 1972, Ch. 11.

survey interviewed officials while the CDC study interviewed a cross-section of villagers.) Serious grievances or disputes, to the contrary, would tend to correlate in the two studies because they are more likely to be brought to the attention of village officials.

In 1971 Dr. Henry C. Bush, CDC, reviewed the Hamlet Evaluation Survey (HES) Village Quarterly Updates of March 31, June 30 and September 30.<sup>6/</sup> His compilation of judgements by District Senior Advisors (DSAs on the question of land disputes in Land-to-the-Tiller is shown on Table 14. DSA's judged 11 percent of the villages in MR 3 and eight percent of those in MR 4 had "important disputes transmitted to higher levels for settlement." If serious disputes or grievances are inclined to be fairly location specific, as we believe they are, it puts the effort to deal with them within manageable proportions.

Finally, regarding unreported grievances, we want to mention field reports and Pacification Attitude and Analysis Surveys (PAAS). Very often the official above the village level responsible for implementing Land-to-the-Tiller has numerous duties which limit his time in villages. Therefore, when visiting villages he is obliged to work primarily with local officials and seldom has an opportunity to privately discuss the program with individual farmer and landlords. This may prevent him from getting the actual viewpoints and problems of the farmers and landlords. Recognizing there are weaknesses to PAAS studies, they do have the advantage of providing a forum for individual villagers to communicate opinions. After reviewing several PAAS surveys interviewing local

<sup>6/</sup> Memorandum from H. C. Bush to R. L. Hough dated November 21, 1971.

people on the land reform, a number of points appear: (1) villagers are willing to talk and do not eschew a variety of complaints that bother them; (2) they are knowledgeable of others' gripes and problems in the vicinity; (3) they candidly tell of irregularities by others including local officials, and (4) although many of their complaints apparently are not reported to officials, the complaints often are petty and might lack substantiation if reported. But there is one particular complaint that shows up with some regularity both in PAAS surveys and advisor trip reports to villages and is not generally found elsewhere; that is, pay-off or "tea money" for local officials to take land applications or to distribute titles. The level of such payments is low, but the practice seems fairly extensive. It tends to be done in specific hamlets or villages. It should also be pointed out that direct contacts with farmers identify villages where no such impropriety exists. Another type of general complaint that often surfaces in discussions with individuals in villages is what they consider slowness in compensation and title distribution. In spite of the fact the program is moving well, one gets individual complaints of this nature. So it appears that given a chance to air their knowledge under the right conditions, villagers will readily transmit it. Further, informal discussions with farmers, extensive examination of regional land reform files and field reports seem to indicate that there is a body of complaints that remain latent and unreported in the village.

DISPUTES BECAUSE OF LTTT

Question: "In this village, were there any land disputes during the quarter as a result of the application of the Land to the Tiller law?"

	MR 1			MR 2			MR 3			MR 4		
	Mar N=	June N=	Sept N=									
<u>Judgments by DSA's:</u>	<u>301</u>	<u>348</u>	<u>365</u>	<u>448</u>	<u>448</u>	<u>459</u>	<u>327</u>	<u>339</u>	<u>398</u>	<u>624</u>	<u>726</u>	<u>741</u>
There were no disputes.	77%	75%	81%	81%	75%	80%	71%	70%	68%	47%	45%	50%
Small disputes unworthy of attention	12%	11%	8%	6%	9%	5%	10%	12%	10%	22%	24%	24%
Disputes already settled by the village	9%	11%	5%	8%	8%	8%	9%	9%	10%	23%	21%	18%
Important disputes transmitted to higher levels for settlement	2%	2%	5%	4%	7%	6%	11%	10%	12%	7%	9%	8%
Disputes with bloodshed	0%	0%	0%	0%	.5%	0%	0%	0%	0%	.16%	.36%	.18%
Disputes where VLRAC's and/or VLR's were kidnapped and/or assassinated	0%	0%	0%	0%	.25%	.25%	0%	0%	0%	0%	0%	0%
<b>Total</b>	<b>100%</b>											
Percentage of villages judged by DSA's	47%	56%	62%	54%	56%	64%	72%	78%	90%	83%	96%	97%
Percentage not judged	53%	44%	38%	46%	44%	36%	28%	22%	10%	17%	4%	3%
<b>Total</b>	<b>100%</b>											

\* Source, memorandum from H.C. Bush to R.L. Hough dated November 21, 1971

In examining unreported complaints and grievances one must assume (1) either they are not sufficiently important to cause the aggrieved to act; or (2) the aggrieved would like to act, but believes it is futile to pursue his problem (e.g. village official may be involved, landlord is considered too powerful); or (3) the problem has been pursued, and ignored or settled by village officials without being reported elsewhere. We suspect that all three of these situations exist. In situation (1) where the individual is not motivated to act, the complaint or grievance should not significantly impair the impact of Land-to-the-Tiller. Situation (2) is the most serious in terms of effect on the land reform; however, it is our judgment that this circumstance does not occur frequently enough to substantially impede the impact of the program. In situation (3) complaints and grievances that are settled by the village may be discounted as further problems, but those ignored by the village remain and could have the same effect as situation (2). Yet there is a distinction; if a grievance pursued to the village level is ignored or unsatisfactorily handled, we would normally expect that type of aggrieved person would take his problem elsewhere to be resolved.

Our overall assessment of unreported complaints and grievances is that they do not generally appear to result in significant harm to the land reform. Serious unreported abuses are likely to be handled by village authorities. The one major exception is when local officials are parties to the abuse. Although there certainly are instances of this kind of serious grievance, our judgment is that they do not seem

to be very numerous. Where such abuses do occur to any extent, they tend to take place in specific villages having incompetent or dishonest leadership. There is a correlation between villages displaying poor distribution performance and those having serious grievances, reported or unreported.

In our opinion, the majority of unreported complaints and grievances are not of a serious enough nature to genuinely disturb the aggrieved or to incite them to act. Granting there are fairly large numbers of such complaints, even the cumulative effect should not have grave implications for the program. In sum, although the quantity dimension of unreported complaints is likely to be quite high, it is certainly not acute enough to warrant a major distraction in program direction.

CHAPTER VI

SUMMARY AND RECOMMENDATIONS

The magnitude of complaints and grievances resulting from Land-to-the-Tiller appears inexorably low. Serious grievances or disputes involve one to three percent of farmers and landlords participating in the program. Lighter grievances classified as complaints, inquiries, demands, or requests encompass five to fifteen percent of the rural population. Neither the level of serious grievances nor that of lighter grievances appear to be severely detrimental to the overall impact of the program. There are, however, specific provinces (An Giang and Chau Doc) and particular villages where grievances and abuses may be impairing social objectives of the land reform.

Serious actionable grievances or disputes are separable from complaint/inquiry type situations. The total grievance-complaint structure as it now operates generally segregates the two. The DGLA classifies according to this breakdown and handles each portion independently; the Land Courts and NLRC typically deal only with serious disputes; and villages usually report only serious grievances requiring further action. Even though actionable grievances are clearly identifiable, the existing system needs to be further improved so as to handle them more effectively.

The official grievance system that is currently functioning deals in large part with grievances from sources other than direct village reporting. Villages are not adhering to the rules of reporting all

complaints and grievances including those settled at the local level. The grievance system has tended to be a slow process for completing actions, but there are signs it is now speeding up. Disputes channeled through the judicial process are biased toward landlords, but are subsequently given balance by the Central Agency for Land Courts and the National Land Reform Council. Courts do not appear fully cognizant of either the letter or the spirit of the Land-to-the-Tillerlaw. Ways should be devised to allow the aggrieved to further improve access to the system. Generally, the system is fairly open for an individual to the village level. The major exception is when village officials are a party to the grievance; in this situation there are some options available to the aggrieved, depending on his knowledge and motivation. However, most recourses beyond the village are inclined to be long and drawn out, possibly dissuading some aggrieved from pursuing them. We would like to suggest consideration of the following recommendations:

1. Give greater guidance to villages on settlement of disputes. Presently the Village Land Registrar (VLR) serves as a member and advisor to the Village Land Distribution Committee (VLDC). The Team Leader is the VLR's contact for technical guidance and both do receive training. However, as noted in Chapter II the VLDC is often not used for conciliating grievances. Guidance is needed in (a) having villages follow the established procedures (i.e. Decree 138) and (b) issuance of materials and/or other forms of information to the VLR and other VLDC members to provide increased knowledge and understanding for conciliation of grievances.

2. Devise ways to more quickly resolve actionable grievances that are outside village competence. These grievances are isolated by the DGLA for special action, but final settlement often takes many months due to procedural delays in field investigation. The few reported grievances (only 1,027 in 2-3/4 years) indicate remedial action should be easily manageable with a minimum of time and manpower. It is suggested that (a) the entire process for handling of actionable grievances be reviewed, and (b) special team(s) be formed to examine cases on-the-spot and push for quick settlement. Present DGLA inspectors should be assigned full time to distribution and compensation activities, and the special teams should deal exclusively with grievances. To facilitate this approach the DGLA has suggested that a representative of the province administrative office and possibly a representative of the respective district office be assigned to work with such team(s), as appropriate.

3. Give high priority to conducting village land inventories to determine delinquent villages. (The recent accelerated distribution program does focus on "problem villages".) Where this accounting shows a low distribution performance there will likely be serious grievances corresponding to it. It is important to determine why performance is low and which grievances exist. Not only officials, but also farmers should be interviewed. The PLAS team sent to "problem villages" should have as part of their work schedule the investigation of grievance issues.

4. Give renewed emphasis to village targeted publicity in order to help insure that aggrieved have access to the system, and to inform them of their rights and recourses. A point of departure might be to determine how a farmer or landlord becomes informed on how to proceed. Consider issuing a brief step-wise pamphlet on "how to". The DGLA Publicity Committee might be assigned this recommendation.

5. Better inform the courts on Land-to-the-Tiller, Use NLRC decisions with annotated references to LITTT provisions, and further legal interpretations if necessary. Widely distribute to the courts, legal profession and province offices.

6. Continue to train and retrain province and village officials involved in carrying out Land-to-the-Tiller regarding ways and means to redress grievances. The province training coordinator with the assistance of a DGLA training team should estimate grievances, report needs and prepare training accordingly. Emphasis should be directed at the VLR, VLDC and Team Leaders.

7. Establish the Village Land Registrar as a permanent function of village organization. With continuity, the man in this position would be fully trained on the grievance process; this together with his administrative knowledge should provide a better focal point for the aggrieved. It should be noted that the Ministry has been trying to attain this recommendation since 1971.

The Republic of Vietnam  
Office of the Prime Minister

No. 172-SL/CCDD/PTNNN

**THE PRIME MINISTER OF THE GOVERNMENT**

Considering the Constitution of the Republic of Vietnam dated 4-1-1967;

Considering Decree No. 394-TT/SL dated 9-1-1969 and succeeding documents concerning composition of the Government;

Considering the actual regulations on land affairs and public property;

Considering Ordinance No. 57 dated 10-22-56 and succeeding documents prescribing the land reform;

Considering Law No. 03/70 dated 3/26-70 setting the policy of "land to the Tiller";

Considering Decree No. 072-SL/CCDD-PTNNN dated 6-5-1970 fixing the procedures for implementation of Law No. 03/70.

**D E C R E E S**

Article 1 Article 33 in Decree No. 072-SL/CCDD-PTNNN is amended as follows:

"Article 33 (new) - At each village a committee called the Village Land Distribution Committee (VLDC) is established with a composition as follows:

Village chief	Chairman
1 representative of village council	Member
Commissioner for Land Reform and Agriculture	Member
Related Sector Chief	Member
Village Land Reform Unit	Member and Reporter
One person of the Village Administrative Committee (without right to vote)	Secretary

The committee is in charge of:

- a. Ownership right census
- b. Actual land status endorsement
- c. Average yield evaluation for expropriated land
- d. Conciliation of land distribution disputes.
- e. Approval of applications for land distribution.

At each meeting held to evaluate average yield of expropriated land and only for this purpose, the VLDC will invite a representative of landlord having land and living in the village to attend the meeting as a member with right of voting. In case votes are balanced, the chairman's idea is the decision.

In the settlement of disputes, the following procedures are applied:

1. Village chief, chairman of the VLDC, summons the two sides of disputers to conciliate and he offers a settlement according to the Committee's idea. The committee will have to settle disputes within a period of seven (7) full days, after the date of receipt of complaint.

2. If the settlement is successful, a report of conciliation is made and is effective immediately after being signed by the two sides. The VLDC, based on this report, will decide the land distribution. The two disputants will have no right to complain after they have signed the report unless the report was processed with dishonest intent.

3. In case the settlement fails, a report is also made with confirmation signatures of the two sides. The VLDC can decide the land distribution after the Committee's judgment. The two sides may sue the case at the local land court.

All conciliation reports successful or unsuccessful must be reported to the Province Land Affairs Service.

If dispute is not settled within the decided time, either side has the right to enter his case before the Land Court of jurisdiction."

Article 2 - The Vice Premier, Ministers of State, Ministers, Vice Ministers and province chiefs are charged, as far as their duties are concerned with execution of the present Decree.

This Decree will be publicized in the Official Journal of the Republic of Vietnam.

Saigon, 3 Nov. 1971

/s/ Tran Thien Kham

Duplicated  
The Director of Cabinet

/s/ Truong Thai Lai

Saigon, December 6, 1971  
No. 61 - DD/DTL/PT

C I R C U L A R

**TO:** Inspectors, Technicians, Representatives of the Ministry of Land Reform and Agriculture, Fishery and Livestock Development in Military Region (MR) 1, MR 2, MR 3, MR 4 and Province Land Affairs Service Chiefs

**FROM:** The Director General for Land Affairs

**SUBJECT:** Settlement of complaints and disputes under the Land-to-the-Tiller Law

**REFERENCE:** - Decree No. 138 - SL/CCDD/PTNNM dated November 8, 1971  
- Memo No. 12.123 - CCDDNN/VP of the Ministry dated November 11, 1971

The Land-to-the-Tiller Law has been raised to the level of national policy, and it requires all levels from central to local implement it correctly and rapidly. The goals for each year must be achieved. Implementation must be just in order to create a broad favorable political influence on the populace.

A good policy badly implemented will lose meaning and cause much damage.

Therefore, disputes and complaints associated with Law 03/70 must be resolved quickly and impartially.

A. Types of disputes and complaints to be settled or investigated by villages and Province Land Affairs Services (PLAS):

1. Disputes between landlord and tenant, except complaints against the Village Land Distribution Committee (VLDC).

These disputes happen due to lack of a thorough understanding of the law (or due to displeasure with the law). For example: The landlord tries to get his land back to cultivate it himself or to establish it as worship land after March 26, 1970, while the tenant wants to hold his tenancy after one or two years of non-cultivation or leaves the land to be worked by someone else, etc.

For such cases, disputes are landlords and tenants (without complaint against the VLDC), so the PLAS concerned can send it down to the village for a settlement.

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Saigon, December 6, 1971  
No. 61 - DD/DTT/TT

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For such cases, disputes are landlords and tenants (without complaint against the VLDC), so the PLAS concerned can send it down to the village for a settlement.

The PLAS should remind the Team Leader of his consultant role for the village in conciliation and in application of access stated in the Prime Minister Decree 138-SL/CCDD/PINNM dated November 8, 1971. Moreover, the team leader should explain to the VLDC each clause in the Law, Decrees and Circulars so that all cases can be properly solved in an absolutely impartial spirit.

The Team Chief is requested to follow up and urge the village to finalize promptly any disputes of this type and he reports the action regularly to the PLAS Chief who will in turn report to Central.

2. Complaints against the VLDC (e.g. injustice, bribery)

For example: The VLDC doesn't distribute land to the present tiller, the VLDC forces the tenant to pay tax or rent to his landlord.

For such cases, the PLAS (or Inspectors) coordinates with the Province Chief's office to investigate the situation on the spot. The PLAS will report the investigation results to the Directorate General for Land Affairs (DGLA) and the Province Chief for appropriate disciplinary action.

3. Complaints against landlords and military for hindering implementation of the law.

For example: They use force to prevent submitting applications for land or prevent cultivation by farmers or act with violence against executing officers.

For such cases, the PLAS must contact the Province or District offices (or depending on the importance of the case, the Inspector or MLRAPD Representative instead of the PLAS) to investigate the situation on the spot. The report will be sent by the PLAS to the DGLA and Province Chief's office for administrative/judiciary measures.

In addition, the PLAS must consult with the Provincial Court to prepare statistics of lawsuits dating from the promulgation of the MPPF law. It is necessary to categorize them into accepted cases, cases under consideration and judged cases.

3. Time limits for settlement of disputes and complaints

Complaints sent by the DGLA to the PLAS for conciliation (or from the PLAS to the village for a conciliation) must be solved quickly and reported to the DGLA within a period of four weeks.

C. Progress reports on disputes and complaints

The PLASs will compile progress reports on all disputes and complaints in the local areas (cases from farmers directly to village, from farmers to PLAS or province office, from DGLA to PLAS, etc.) started from the date of promulgation of Law 03/70.

These reports must be sent monthly to the DGLA (Inspectorate Body) under Form "1" attached herewith. The first report must arrive at the DGLA before December 15, 1971 in order to make a report to the Ministry.

From that date on, they must be sent to the DGLA between the first and fifth of each month. Any village that does not provide full data will be reported by the PLAS to the Province Chief for intervention.

D. Duties of Inspectors, Technicians, and Ministry Representatives in Investigation of complaints

The Inspectors and Ministry Representatives will fill in Form "2" herewith attached with all investigation results requested by the DGLA (Investigations about incorrect implementation by PLAS employees, worship land, etc.).

On each trip to the provinces, you should carry along with you all necessary documentation to facilitate the investigation on the spot and propose a solution in a minimum time.

Moreover, the Inspectors and Ministry Representatives have the responsibility to follow up and supervise every case assigned to the PLAS or village for an investigation to make sure that it is done well and rapidly (check Form "1" kept in PLAS). You should also guide and remind PLASs and villages to conciliate properly in accordance with the Central instructions.

To settle complaints and disputes related to the ITTF program is indeed a problem so hard that the Central (MIRAAD and DGLA) must pay special attention to it. The Inspectors, Ministry Representatives and PLAS Chiefs are charged with strict execution of this Circular.

/s/ BUI HUU TIEM

Cadastral Engineer

cc: Ministry, MIRAAD,  
Deputy Director General, Directors,  
Office Chief, Service Chief

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REPORT ON LOCAL LEVEL INVESTIGATION

FORM #1

From .....

From 3-27-70 to .....

I. Summary of State and Local Courts:

- 1. No. of Cases .....
- 2. Cases accepted .....
- 3. Cases judged .....
- 4. Cases remaining

Case No.	District, village (where heard is located)	Complainant Name, address (office to consider)	Subject of Complaint	PLAS (or village) charged with action (date of receiving complaint)	Review process at the local level	Result of review at the local level
1	2	3	4	5	6	7
<p><b>BEST AVAILABLE COPY</b></p>						

2

Province .....

Month ..... Year .....

FORM # 2

Ord. No.	If complaint is accepted (initials and date)	Complainant name and address (section 21(1))	Subject of Complaint	To whom Inspector (date of receiving complaint and completing section)	Review process at the DOLA	Review process at the local level	Final Result
1	2	3	4	5	6	7	8

**BEST AVAILABLE COPY**

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APPENDIX C

COURTS OF FIRST INSTANCE

Pursuant to issuance of Decree 653-TT/SL dated 20 July 1970, which redesignated numerous Courts of Conciliation to Courts of First Instance, the following is a list of all Courts of First Instance in Vietnam with their respective areas of jurisdiction.

<u>COURT OF FIRST INSTANCE</u>	<u>AREA OF JURISDICTION</u>
Quang Tri	Quang Tri
Quang Tin	Quang Tin
Quang Ngai	Quang Ngai
Quang Nam	Quang Nam
Hue	Hue, Thua Thien
Pleiku	Pleiku, Kontum, Phu Bon
Ban Me Thuot	Darlac, Quang Duc
Dalat	Tuyen Duc, Lam Dong, Dalat City
Phu Yen	Phu Yen
Binh Dinh	Binh Dinh
Khanh Hoa	Khanh Hoa
Binh Thuan	Binh Thuan
Ninh Thuan	Ninh Thuan
Binh Duong	Binh Duong, Phuoc Long & one district of Hau Nghia (Cu Chi)
Bien Hoa	Bien Hoa, Long Khanh
Binh Tuy	Binh Tuy
Binh Long	Binh Long
Gia Dinh	Gia Dinh except 2 districts (Nha Be, Binh Chanh)
Long An	Long An & 2 districts of Hau Nghia (Duc Hue, Duc Hoa)
Phuoc Tuy	Phuoc Tuy, Vung Tau City
Tay Ninh	Tay Ninh & 1 district of Hau Nghia (Phu Duc)
Saigon	Saigon and 2 districts of Gia Dinh (Nha Be, Binh Chanh)
An Giang	An Giang
An Xuyen	An Xuyen
Ba Xuyen	Ba Xuyen & 1 district of Chuong Thien (Phuoc Long)
Bac Lieu	Bac Lieu
Chau Doc	Chau Doc
Dinh Tuong	Dinh Tuong, Kien Tuong
Go Cong	Go Cong
Kien Giang	Kien Giang & 2 districts of Chuong Thien (Kien Huong, Kien Long)

(continued)

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(continued)

APPENDIX C

COURT OF FIRST INSTANCE

Kien Hoa  
Kien Phong  
Phong Dinh

Sa Dec  
Vinh Binh  
Vinh Long

AREA OF JURISDICTION

Kien Hoa  
Kien Phong  
Phong Dinh & 3 districts of Chuong Thien  
(Duc Long, Kien Thien, Long

Sa Dec  
Vinh Binh  
Vinh Long

GRIEVANCE SURVEY QUESTIONNAIRE FOR VILLAGE OFFICIALS

NAME OF VILLAGE: \_\_\_\_\_

NAME OF DISTRICT: \_\_\_\_\_

NAME OF PROVINCE: \_\_\_\_\_

DATE IN VILLAGE: \_\_\_\_\_

QUESTIONS:

1. Who mediates, or decides what will be done about disputes and complaints about LTTT in the village?

If more than one does, check more than one. If one (or more than one) official or office decides most disputes and complaints write "MOST" after the official or office.

- A. The Village Chief \_\_\_\_\_ [ ]
- B. The Village Land Registrar or the Village Commissioner for Land Reform and Agriculture, or both \_\_\_\_\_ [ ]
- C. The Hamlet Chief \_\_\_\_\_ [ ]
- D. The Village Land Distribution/Committee (sometimes still known as the village Agriculture Committee) \_\_\_\_\_ [ ]
- E. The Village Administrative Committee \_\_\_\_\_ [ ]
- F. The Village People's Council \_\_\_\_\_ [ ]
- G. Others (write in what office or official) \_\_\_\_\_
- H. They don't know \_\_\_\_\_ [ ]

2A. Does the village keep records of each dispute about LTTT?

- A. Yes \_\_\_\_\_
- B. No \_\_\_\_\_
- C. They don't know \_\_\_\_\_

2B. If the answer to question 2A is "No", does the village keep records of some types of disputes?

- A. Yes \_\_\_\_\_
- B. No \_\_\_\_\_
- C. They don't know \_\_\_\_\_

2C. If the answer to question 2B is "Yes", write in the kinds of disputes or grievance about LTTT which the village government does record \_\_\_\_\_

2D. If the answer to question 2A or 2B is "Yes", who receives copies of the village government's records (if there are any records) or grievances and disputes about LTTT?

- A. The parties to the dispute or grievance-----[ ]
- B. The Hamlet Chief-----[ ]
- C. The LTTT Team Leader-----[ ]
- D. The Province Land Affairs Service-----[ ]
- E. Other. Write in what other offices or officials receive copies: \_\_\_\_\_
- F. They don't know-----[ ]

3. How many disputes or complaints about LTTT have come to the attention of the village or hamlet officials in this village during the past six months?

Instructions: In column 1 write in the total number of disputes. In column 2 write in the number of disputes that were settled, resolved. In column 3 write in where the disputes which were not settled were referred to (for example, the Province Land Affairs Service, the military unit commander, the District Chief, the Province People's Council, the Courts, the Central Government, the Tenant Farmers' Union, private mediators, or others.)

	1	2	3
A. Disputes concerning <u>who should get title</u> to farm land under LTTT.	_____	_____	_____
B. Disputes concerning <u>who owns</u> farm land transferred under LTTT (who should be paid for it by the Government)	_____	_____	_____
C. Disputes concerning the type of land (worship land, religious land, abandoned land, land exempted from LTTT such as that growing vegetables or fruit trees).	_____	_____	_____
D. Disputes concerning compensation (e.g. procedures, delays, documentation required)	_____	_____	_____
E. Refusals to implement LTTT, charging of special fees to do so, corruption, bribes, etc.	_____	_____	_____
F. Other. Please write in a brief description _____	_____	_____	_____

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4. Which of the following describes the persons involved in disputes about LTTT in this village? Write in the number of such disputes during the past six months.

- |  | <u>Number</u> |
|--|---------------|
| A. Disputes between 2 or more applicants for title to the same farm land.  | _____         |
| B. Disputes between landlords living in the village and applicants for title to the land.  | _____         |
| C. Disputes between absentee landlords or their representatives and applicants for title to the land.  | _____         |
| D. Disputes between two or more landlords about ownership of or compensation for the same land.  | _____         |
| E. Disputes between applicants for title to the land and the Village Land Registrar or Village Commissioner for Land Reform and Agriculture.   | _____         |
| F. Disputes between applicants for title to the land and village or hamlet officials <u>other than</u> the Village Land Registrar or Village Commissioner for Land Reform and Agriculture. | _____         |
| G. Others. Write in the types of persons or officials or organizations or offices. _____   | _____         |
| H. They don't know.  | _____         |

5. Aside from disputes about LTTT in this village, have requests, demands, complaints concerning LTTT or land for farming been received by village or hamlet officials been made by any of the following during the past six months? If so, write in the number.

- |   | <u>Number</u> |
|---|---------------|
| A. Yes, from landless laborers  | _____         |
| B. Yes, from persons who do not farm but who are not laborers (e.g. merchants, skilled workmen) | _____         |
| C. Yes, from veterans' families   | _____         |
| D. Yes, from soldiers or paramilitary persons (e.g. PSDF, PF, RF, ARVN)                         | _____         |
| E. Yes, from landlords.   | _____         |
| F. Yes, from civil servants   | _____         |
| G. Yes, from others. Write in the types of persons _____  | _____         |
| H. They don't know.   | _____         |

• PAGE 4.

APPENDIX   D  

6. Have any disputes or complaints about LTTT in this village, during the past six months, been sent to the Courts? If so, how many?

A. Yes.

Number

B. No.

\_\_\_\_\_

C. They don't know.

\_\_\_\_\_

\_\_\_\_\_

COMMENTS BY INTERVIEWER: Please write down anything else which in your judgment helps explain the above responses concerning village disputes or grievances about LTTT in this village. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

ALDR:KWSherper/HCBush: 8/72

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EXTRACT FROM CDC LTTT IMPACT STUDY

## CHAPTER XI

COMPLAINTS, NEEDS, PROBLEMS AND GRIEVANCES  
RE THE GVN AND LTTT

One can judge how the government is doing politically in the delta from what its rural citizens complain about. In unstructured interviews people, perhaps Vietnamese more than many peoples, tell you their troubles. And politics, by definition, is who gets what and why, and who pushes who around. Table 18 shows what is bothering farmers in Long An, Go Cong, Dinh Tuong, Vinh Long, Vinh Binh and Chuong Thien.

In Table 18:

Economic problems are complaints about prices. The overwhelmingly preponderant one is that the prices of fertilizer and insecticide are so high they cannot afford enough of them.

Basic agricultural handicaps are mainly that their village or hamlet does not have enough land. Others are that they need help to clear more land, need help to fix the irrigation dam, have poor soil, or salt water intrusion, etc.

Technical problems are that they do not know how to use insecticide, that their livestock die for want of vaccines, and such.

Insecurity hazards complain of occasional mines or booby traps in some fields, or of VC intrusion and VC "tax" squeeze.

Technical or administrative complaints against GVN re LTTT or agriculture, which particularly interest us, are regrets that the program does nothing for the landless, grievances about the administration of LTTT (e.g. by an applicant that he applied long ago but has not received title; e.g. by exlandlords that they have not been compensated yet) or about agricultural policies other than LTTT (e.g. that ADB loans are slow or inadequate.)

Table 18

COMPLAINTS, NEEDS, PROBLEMS, GRIEVANCES  
(Some had more than one problem, so percentages sometimes total more than 100.)

<u>Complaints, needs, problems, grievances, by type (see text for details)</u>	<u>Long An</u> N=148 who had 152 problems	<u>Go Cong</u> N=307 who had 131 problems	<u>Dinh Tuong</u> N=150 who had 112 problems	<u>Vinh Long</u> N=181 who had 160 problems	<u>Vinh Binh</u> (73% Cont.) N=112 who had 176 problems	<u>Chuong Thien</u> N=87 who had 137 problems	<u>All 6 Provinces</u> N=935 who had 868 problems
Economic problems	35%	11%	26%	35%	69%	72%	33%
Basic agricultural handicaps	10%	5%	17%	18%	23%	22%	14%
Technical problems	14%	8%	5%	4%	6%	17%	9%
Insecurity hazards	16%	3%	1%	16%	0%	31%	8%
Technical or administrative complaints against GVN re LTTT or agriculture	20%	14%	23%	13%	59%	15%	21%
Complaints of abuse of authority by officials	2%	2%	2%	1%	0%	0%	1%
Worries that the ex-landlord might return and take back the land, complaints that the ex-landlord still hounds them for token rents or back taxes, or fear of what might happen if they had the courage to apply for title	6%	1.7%	1%	1%	0%	0%	2%
Total	103%	42%	75%	88%	157%	157%	66%

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A note on each province's grievances re LTTT:

1. In Long An 13% of those 20% are complaints about the "bad fit" of LTTT, that it leaves some out (e. g. by tenants on worship land who do not see why they should pay rent forever, exlandlords who say they lost by LTTT, landless laborers who say they got nothing.) 7+% are administrative grievances (e. g. by exlandlords that they have not been compensated yet and by tenants who applied long ago and have not yet received titles.)
2. In Go Cong 9% of those 14% are complaints by those left out of LTTT (the landless and tenants on land, particularly worship land, exempt from LTTT). 4% are administrative grievances (by exlandlords that they have not yet been compensated, by applicants that their title has not yet been received or that their title has an error in it.) 1% complain that ADB loans are too hard to get and too small when one does get them.
3. In Dinh Tuong 17% of those 23% are about the "bad fit" of LTTT to the landless and those farming land in tenancy which is exempt from the program, and some from relocated refugees that although they have received title where they now farm they eventually want to return and receive title to land in their native village. 4% are administrative grievances (that compensation is slow.) 2% complain that ADB loans are slow or inadequate, that more miracle rice seed should be available, or that insecticides are not of good quality.
4. In Vinh Long 3% of those 13% are complaints that LTTT excludes the landless and those farming worship land in tenancy. 8% are administrative grievances and most are complaints that they applied long ago but have not yet received title. 2% are that ADB loans are slow or inadequate.
5. In Vinh Binh 58% complain that LTTT does nothing for the many landless! Vinh Binh is 60+% Cambodian, and our sample there was 73% Cambodian. They are poor. 69% complain of high prices. When, as in LTTT, they do receive help from the GVN, more seem grateful than seems true of ethnic Vietnamese, as Table 13 shows. And when, as in our interviews, somebody is listening, they tell you of their poverty and of the many landless. Vietnamese Cambodians tend to be more community-minded and less individualistic than ethnic Vietnamese.

That LTTT does nothing for many landless is their only complaint about LTTT. There is only one administrative grievance, about failure of the Land Court to act.

6. In Chuong Thien 14% are complaints that LTTT leaves out many (the landless, families of war dead, disabled veterans, and tenants paying rent on worship land.) A few object that the law extends to Viet Cong and ex-Viet Cong families. One is an administrative grievance, by a farmer who applied years ago but still has not received his title.

Re complaints about LTTT in all provinces:

1. Complaints that LTTT does nothing for some (the landless, and those who are tenants on worship land) are the only quantitatively significant grumble. 15% of all farm families interviewed murmur that somehow some land should be found for the landless. 27% of such complaints are made by tenants and the landless (N= 148 and 79, respectively); 40% of all landless laborers so complain.

2. Complaints about how LTTT functions:

- a. 18 of 19 exlandlords want their compensation money and have not yet received it. This is 95% of all in-village exlandlords, but only 2% of all farmers.
- b. 12 of 79 applicants for title applied long ago but complain that they still have not yet received title. This is 15% of all applicants but only 1% of all farmers.
- c. 7 complain of title issued by mistake, then recalled; or of errors in their title, usually in the size of the plot. This is only 7% of all farmers. Two complain of landlord coercion (crop seized, eviction.) This is nil.

3. Miscellaneous worries, pre-or post-LTTT, 19 in all---2% of all respondents:

- a. 12 new owners still pay rent or token rent to exlandlords or complain that exlandlords hound them to pay back taxes. This is 2.5% of all new owners.
- b. Tenants who are unwilling to apply for title, for sentimental reasons or because they are afraid of what might happen, are only 2 of 148.

4. Complaints of abuse of authority by somebody in some offices, 8 in all ---.8% of all farmers. Each is unique. Two allege corruption. One expressed doubt that the land he farms is really worship land and therefore exempt from LTTT. Net assertions of injustice are only 5. Examples:

"Brother died and funeral expenses too much. Borrowed from neighbor, couldn't pay back, so had to let him farm the land. Then LTTT, damn, so neighbor declared he had farmed that land for 30 years, so officials gave him title. Chief of village got money. Now he is in jail since last month."

(in Long An)

"One landowner falsely back-dated his land as worship land and so registered it with connivance of PLAS, so his land may not be expropriated and distributed. No way from village records to disprove it. It is back-dated to 1958 and in 1958 there was no village government here. The village was under Viet Cong control until 1970."

(in Dinh Tuong)

We interviewed in "dynamic" villages. But a survey of records of grievances in 72 delta villages, and examination of the grievance records of the Directorate-General of Land Affairs and of all grievances reported through other known channels such as the Tenant Farmers' Union of the Vietnamese Labor Federation and through CORDS and ADLR, USAID channels, and of review of Land Court verdicts by the National Land Reform Council,<sup>52</sup> indicate that (1) about

52. "Grievances and Disputes under LTTT," research by the DGLA, Keith

half of all disputes are settled, apparently satisfactorily, at the village level, (2) false registry of land as worship land, by landlords, to avoid distribution to tenants under LTTT, is a high percentage of all complaints, but is concentrated in the floating rice area of An Giang and Chau Doc, and (3) coercion of tenants by landlords (threats, evictions, collection of back rents or back taxes, etc) is a less high percentage of complaints but about 12-18% of all of them. The significant point is that in a program to distribute 1,000,000 hectares, which has already distributed 800,000 involving 678,000 tenant applicant families and perhaps 70,000 landlords and exlandlords, complaints from all delta sources total only somewhere in the 700-1,100 range. This is less than .2% of all applicants and less than 1.5% of all landlords or exlandlords.

In the delta, with the exception of floating rice area LTTT is a relatively grievance-free program. The assertion continues to be made by some that of course those who do complain about LTTT are "just the tip of the iceberg." But if they do not complain in any significant number to neighbors, or hamlet chiefs, or village officials, or the Village Land Registrar, or various Province Land Affairs Services personnel who pop into villages regularly, or Vietnamese newspaper reporters eager for the slightest hint of injustice, or the Land Courts, or any of the considerable number of central government officials and legislators who have received some complaints of the most diverse sorts from all provinces and from all kinds of plaintiffs (landlords, tenants, title holders, Province officials, village officials) or to interviewers when assured of anonymity, one may ask: "What iceberg? What is the evidence?"

What delta farmers do complain about: Mainly they complain about the high price of fertilizer and insecticides.<sup>53</sup> New owners complain about this more

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53. Other field reports verify this. (E.g. Ernest J. Nesius, AD/ADFA/Agr. Econ/Sup, USAID, memo "Trip to MR4 Aug. 30 and 31," 2 Sept. 1972)

APPENDIX E

than tenants do. 39% of all new owners do, and 30% of all owners before LTTT do, but only 15% of all tenants do. This, like much other evidence shown earlier in this report, suggests that owners are more achievement-oriented and more market-oriented than are tenants.

REPUBLIC OF VIETNAM

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MINISTRY OF LAND REFORM, AGRICULTURE,  
FISHERIES AND ANIMAL HUSBANDRY DEVELOPMENT

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DIRECTORATE GENERAL OF LAND AFFAIRS

TRANSLATION#41-DD/VPC I R C U L A R

The Director General of Land Affairs

to:

- Messrs. - Director of Land Affairs Legislation  
 - Director of Land Reform  
 - Chief Inspector  
 - Chief of Publication Section (LTTT Program)  
 - PLAS Chiefs throughout the country

SUBJECT: Improvement of efficiency in reconciling grievances during the implementation of the LTTT program.

In the implementation of the LTTT program, the explanation of the advocated policy of the government as well as the reconciliation of the disputes or settlement of farmers' grievances have been positively carried out by cadres of all levels, especially since the promulgation of Decree #138 dated 8 November 1971 under which the reconciliation responsibility has been officially assigned to the VLDC, thus gaining fruitful results.

However, the more the program is closer to completion the more necessary it is to completely solve all the latent problems that have been remaining unsolved. It is therefore the duty of the cadres of all levels to make farmers well understand the government policy, help them to be aware that they may have right to lodge complaints at any time with the agency of their trust, especially that they may have right to file applications to have all the disputes relative to their personal interest at the VLDC concurrently Reconciliation Committee, to be settled in a satisfactory manner.

## SUMMARY OF CIRCULAR 4J-DD/VP

The Directorate General of Land Affairs (DGLA) issued a Circular on September 4, 1972, which presents improvements over extant procedures in soliciting and handling grievances. (Circular #4J-DD/VP-attached). For your convenience the key points of the circular are:

At Village Level:

- A. Tenants are encouraged to lodge complaints with the Village Land Distribution Committee (VLDC) or other agency that they trust if unresolved grievances exist.
- B. VLDCs are to make statements of facts on all grievances and record them in a log book for future reference. DGLA will examine and provide reconciliation forms for uniform use by all villages.
- C. Village Reconciliation Committees are to be organized.
- D. VLDCs are required to report monthly the number of reconciliation cases to Province Land Affairs Service (PLAS) for reports to DGLA.

At Province Level:

- A. Each PLAS must establish a Grievance Section to respond to complaints and inquiries.
- B. Grievances which can be resolved by the PLAS must be handled within 15 days or a letter written to the complainant explaining that a longer delay is necessary.
- C. Training sessions on grievances are to be conducted for PLAS cadre to assist them in this area.
- D. PLAS personnel, during their regular field level, are to encourage VLDCs to handle grievances in a satisfactory manner.

At Saigon Level:

- A. DGLA inspectors can resolve grievances "on the spot" at village in technical matters involving the proper interpretation and application of regulations and procedures. When land officials are denounced, inspectors must conduct an investigation.
- B. Guidance books are to be provided the VLDCs to assist them in resolving grievances.

In the present Circular, this Directorate will specify your responsibilities in improving the style of work, so that the reconciliation of the disputes relative to the LTTT law may be effected in a cost-effective manner as follows:

### 1. Duty of the LTTT Publication Section

It is necessary to expedite the explanation of the government policy among farmers through radio-television broadcasts, posters, leaflets, especially it is necessary to stimulate farmers to disclose their personal problems by lodging applications with any agency of their trust. Such grievances and problems will be satisfactorily settled by the competent agencies.

The Publication Section is required to provide the VLDC's with the necessary guidance data such as LTTT-Work guide-books, seek a number of reconciliation reports of good pattern from some available sources for villages to use as reference.

### 2. Duty of the Inspectorate Team

Recently at the DGLA there has been made available by the Inspectorate Team a section specially in charge of settling the grievances received from various sources. If the complaints are of technical management nature such as applications for land by farmers, requests for compensation by landlords, such complaints are required to send to the PIAS's concerned for settlement.

If the complaints are of the type intended to denounce village/hamlet or PIAS authorities' action against the LTTT policy, or aimed at bothering people, the Inspectorate Team will then clandestinely conduct an investigation or coordinate with the PIAS concerned for settlement.

In order to secure people from having to stay waiting impatiently, it is necessary that the Inspectorate Team must shorten its investigation and settlement time to a shortest limit. In case a grievance is related to the complainant's personal interest that requires the Inspectorate Team a certain period of time to be able to gather enough factual data necessary for the settlement, the complainant in question is to be made known about it so that he/she may feel assured to remain waiting patiently. It ought not to remain inactive to make him/her disappointed for admitting that the government is not drawing its attention to his/her grievance, and thus creating a bad impression among the people.

For the inspectors who inspect the LTTT implementation at PIAS's, it is hereby affirmed that they are given full power to solve right on the spot the complaints about technical management and give necessary instructions to correct the errors committed by PIAS's or Villages relative to the advocacy of LTTT policy and technique to implement the work. When returning to Central level these inspectors are required to report to DGLA on what they have done out in the field.

Only in cases of complaints relating to administrative or judiciary competence, the inspectors will not solve right on the spot, but they will gather the factual data to report to DGLA, when necessary.

Each time an inspection is made in villages, the inspectors will require the VLDC's to let them know about the reconciliation situation of the disputes to see if there is some difficulty that needs to be guided for settlement so they will help the village to solve it right on the spot.

If they may get any opportunity to communicate with the people, the inspectors will take advantage of such an opportunity to explain to farmers to be aware that they may have right to lodge complaint when their interest is violated within the implementation of the LTTT law.

### 3. Duty of the Directorate of Land Reform

So far people's complaints relative to LTTT have been forwarded to DGLA, whether through agencies or published on the local newspapers. Those complaints of which the contents are of a personal request nature and relative to the currently applied line, rules and regulations are all distributed to the Directorate of Land Reform for answer.

It is now deemed necessary that length of time for answer be further shortened in order not to keep the people from craving for the answer. In case it is necessary to have the PLAS solve the problem, the settlement must be completed within a given period of 15 days. Beyond this given time a reminder is required. In case it is necessary to wait for PLAS's report to be able to give an answer, it is requested that at the same time with the asking for advice from PLAS, a letter to the interested complainant be sent so that he/she will not have to stay awaiting long.

### 4. Duty of the Land Affairs Legislation Directorate

Throughout the country there are now but 4 provinces having Special Land Court, the rest is concurrently assumed by the local Courts of First Instance.

Although the volume of both civil and land affairs lawsuits are getting greater and greater in number, the courts have tried all their best to judge the land affairs litigations in a most rapid manner, proving a worthwhile contribution of their effort to the implementation of the LTTT program.

In order that the judges may have full reference data during their judgment, it is necessary that the Land Affairs Legislation Directorate collect the patterned jurisprudence that have already been approved by the National Land Reform Council and sent to the Land Courts in the whole country for reference.

### 5. Duty of the PLAS's

PLAS is an agency having considerable contacts with the people who come to inquire about LTTT law or present their problems or grievances. The PLAS's have made a special effort in meeting people's requirements. It is however recognizable that they could not help having the deficiencies that need to be remedied to serve the public more efficiently. Following is what a PLAS is required to put into effect:

a) Have the executive service that is well aware of the line as well as the technique of the work responsible for answering public's questions, verbally if questions are orally asked and by officially written reply if applications are received. In any case, it is necessary to make the interested persons understand and satisfied as advocated the government policy.

If complaint or request is directly sent to PLAS or through agencies by the interested person, it must be replied by PLAS within 15 days. If within this given time no sufficient data are obtained for satisfactory answer, notification to the interested applicant will then be required to have him/her stay waiting patiently for the answer.

b) Team leaders, Group Leaders, and VLR's are to be reminded on a regular basis that when performing their work at villages they should receive people open-armed, behave most openly so that they may gain full confidence to disclose all the problems that have been heavily encumbered within their hearts, to be explained, if their problems are wrong, or made satisfied with their legitimate interest, if their problems are just. It is absolutely necessary to avoid every manner, attitude that could possibly make people so feared and reluctant that they no longer dare to raise their problems.

c) It is strongly requested that the PLAS Chiefs themselves must go out to villages in order to urge and advise the Reconciliation Committees to help the village overcome the difficulties. PLAS's are also required to form groups of qualified cadres to go out to villages on a regular basis in order to urge the reconciliation.

d) It is necessary that short-timed seminars or training sessions for cadres about the work and method for reconciling the disputes be opened by PLAS's so as to improve their experiences and help them solve the difficulties and problems during their routine work performance.

### 6. Duty of the VLDC's

As per Decree #138 of 8 November 1971, the role to reconcile the disputes relative to the implementation of the LTTT law is assigned to the VLDC.

Reconciliation at village level is absolutely necessary, because this reconciliation is successful, it will help the implementation of the LTTT law go on rapidly. In case the reconciliation is failed this legal procedure will help both plaintiff and defendant have sufficient factors to bring the case before the Land Court.

For the foregoing reason, no matter whether the reconciliation of any dispute is successful or not, the VLDC is also to make out a statement of facts and record it into a log to be kept at the village for future reference. The DGLA will examine and provide the reconciliation forms for villages to use such uniformly.

The composition of the Village Reconciliation Committee includes the cadres who are permanently present at the village/hamlet office and who can be called at any time. Thus, villages ought not to hold so long the reconciliation of any dispute, but they ought to fix a longest limit of 10 days after the complaint is received to have the reconciliation session held. Also, they ought not to wait until many disputes are received to have the reconciliation committee meet once, thus discouraging the people because they have to stay waiting so long.

On a monthly basis, the VLDC's are required to report the number of the reconciliation cases to PLAS for report to Central level.

Within the scope of implementing LTTT law, a considerable number of demands and complaints, or petitions have been received by various levels. Despite the land distribution and compensation work has taken almost all the working time and made the best use of all the existing cadres, all levels are contributing their special effort to investigation and examination in order to answer to the public's requirements. As a result, almost all people, especially farmers, have been satisfied.

However, with a continued devotion in serving people, it is hopeful that all levels under DGLA supervision will further improve their style of work so as to solve people's problems and reconcile people's disputes more rapidly. Most important of all, cadres are required to be close to farmers, encourage them to disclose their latent problems, if any, in order to clarify ideology, remove their dissatisfaction, to make them have more confidence in the advocated policy of the government.

When carrying out the work, cadres of all levels are required to communicate with civilian organizations such as Farmers Syndicate, Agriculturists Syndicate, etc. to request their spiritual support and receive their constructive ideas in order to avoid every possible subjective, unilateral or partial deficiencies when solving people's problems and grievances.

cc: Minister of Land Reform,  
Agr. Fisheries & Animal  
Husbandry Development  
(Attn: Planting Group)  
"for information"

Saigon, 4 September 1972  
The Director General of Land Affairs  
s/s Bui Huu Tien  
Cadastral Engineer

(Ref. letter #7848-CCDDNNM/KT.1 dated 2 Aug. 1972 from the MLRAFAHD)