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A
VIETNAMESE

DISTRICT chief

IN
ACTION

DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C. 20523

A
VIETNAMESE
DISTRICT
chief
IN
ACTION

Luther A. Allen

Pham Ngoc An

1963

MICHIGAN STATE UNIVERSITY VIETNAM ADVISORY GROUP
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Preface to the Vietnam Studies Publications

In 1955 Michigan State University began a program of technical assistance to the Government of South Vietnam, supported by a contract with the predecessor agency of the United States Agency for International Development. Through this program Michigan State University provided technical advisors in the broad field of public administration, including police administration. In recent years, most of this advisory service has been devoted to strengthening the teaching, in-service training, and research programs of the National Institute of Administration, an agency in Saigon created by the Vietnamese Government to strengthen the public service generally.

Members of the Michigan State University group have included specialists in the field of public administration, police administration, economics, anthropology, psychology, sociology and other special fields. In the course of over seven years of technical cooperation in Vietnam, members of the Michigan State University group have contributed a large number of surveys and studies of various types, training documents, and reports containing recommendations on various administrative problems.

This document is one of many prepared in Vietnam as a part of the work of the Michigan State University group. It was written for a specific purpose and under particular circumstances and should be read with these qualifications in mind. It is being reproduced and made available at this time for the use of the Agency for International Development, and is not intended for general circulation. We suggest that this study be used with the understanding that additional materials are available from the earlier MSUG studies which appeared in mimeographed form, and that it fits into the broad context of a technical assistance program as part of the U. S. foreign aid program in Vietnam.

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Preface

It is the thesis of this study that the district chief more than any other Vietnamese administrator has direct contact with a significant sector of the population. As the lowest official appointed directly by the Central Government, the district chief has frequent and intimate dealings with village officials, local notabilities, and the peasant mass, and thus, can symbolize the degree of trust and effectiveness of the Central Government in the countryside. If this generalization be true, it is indeed surprising that both the legal texts referring to the district level of administration and the published materials on this subject are less developed than those for any other level.

As the title of this study is meant to suggest, this is not a systematic study of the district level of administration throughout Vietnam. The main body of material upon which this work has been built was an intensive empirical investigation of the activities of a single district chief in a province of Central Vietnam. During the week from February 27 to March 4, 1961, the authors observed at first-hand the activities of the district chief of Dien Ban, in the Province of Quang Nam. These activities included an *ad hoc* meeting of representatives of notabilities of the district, visits to four villages (including a village open meeting on the budget), a meeting of the Agricultural Association of Dien Ban, a meeting between the district chief of Dien Ban and the district chief of a neighboring district, a secret interview between the district chief and fifteen woodcutters, a session of instruction of village chiefs in budgetary procedures, a conciliation procedure conducted by the district chief, and a dinner given by the province chief. In addition, the

authors held extensive interviews with district and village officials and also with selected residents of the district whose opinions could be evaluated in the context of their status in the community. The body of source material for concrete examples and for all of Chapters 3 and 4 comes from the foregoing personal observations and notations of the authors.

The district selected for this study is a heavily populated but predominantly rural area of the coastal lowlands located close to the provincial seat. A new province chief had been appointed in July 1960, and in September, an experienced and dedicated new district chief was called from a smaller district in the neighboring province to the north not only to deal with the continuing day-to-day problems of this populous underdeveloped area but also to face the threat of possible increased Communist activity emanating from the mountainous area bordering Laos. At the time when the field research for this study was conducted, the new district chief had already familiarized himself with the personnel and problems of the villages under his supervision, and he was at the point of initiating reforms in the direction of increased local representation. Consequently, the focal point of this study is the activity of a dynamic district chief in an evolving situation. This activity was concerned with the problem of developing confidence between the local population and the new official designated by the Central Government for this area. In this situation, the role of the district chief appears extensive and significant.

It cannot be assumed that the role of all district chiefs in the Republic of Vietnam is equally broad and vital, nor is the district under review typical of all districts in the Republic. The study of an established district chief in a smaller province with a province chief who is more active in his contacts with the local population would produce much less positive conclusions in regard to the role of a district chief. Furthermore, the fact that the district under review here is heavily populated but rural makes it a typical of most South Vietnamese districts though more typical of the units of administration of underdeveloped Asian countries with a higher density of population than the Republic of Vietnam.

Finally, as a district in Central Vietnam, the District of Dien Ban in Quang Nam stands in contrast to units of local government of the south because of the depth of its five-hundred-year-old historical and administrative traditions. Here it is possible to review and evaluate traditional Vietnamese institutions of local government in the light of revolutionary transformations and upheavals of the past twenty

years. The fact that the new district chief of Dien Ban was seeking to revive certain of these traditions and to adapt them to the problems of contemporary South Vietnam is, in the opinion of the authors, justification for the emphasis given to administrative history in Chapter 1 and to the ideas and activities of the new district chief in Chapters 3 and 4. Chapter 2 which deals with the administrative pattern on the district level represents a preliminary (if not pioneer) effort to describe in formal and also in practical terms this unit of Vietnamese administration. By no means should it be considered as definitive. Rather it amounts to a tentative sketch based upon a review and evaluation of Vietnamese administrative history alongside the activities of one district chief who is treated as a possible model. Thus the conclusions drawn at the end may lack general applicability throughout the Republic of Vietnam, but, it is submitted, they may suggest constructive reforms at least for some areas harmonizing past tradition with the will and needs of present-day South Vietnam.

The authors wish to express their gratitude to the National Institute of Administration of the Republic of Vietnam and the Michigan State University Advisory Group for making possible this study. In its preparation, there has been a remarkable mutual exchange between an experienced Vietnamese administrator and an American political scientist. The former, who served as a district chief in Quang Nam Province, and lived in the district chosen for study here in the late 1930's was able to make extraordinary use of the brief period of on-the-spot investigation and to evaluate observation in the light of his own past experience as well as of the historical literature pertaining to this topic. The latter, a visiting Smith-Mundt Professor of Political Science at the Faculty of Law in Saigon, sought to give organization and a more Western objectivity to the undertaking. Inevitably, errors and bias color a study of this sort, and the authors accept full responsibility, the Vietnamese author primarily for Chapters 1 and 2, and the American for Chapters 3 and 4. With this reservation, the authors wish to thank Mr. Bui Quang Khanh, Mr. Paul Shields, and Dr. John D. Donoghue for making available to them information which they gathered in Quang Nam in late February and early March of 1961. Finally, the authors are most grateful to Mr. Vu Quoc Thong, Dr. Lloyd Woodruff and Dr. Jason L. Finkle for reading critically portions of this manuscript. Their suggestions have improved the quality of the work. The authors again wish to make clear that they assume full responsibility for inadequacy and error which may remain in this enterprise.

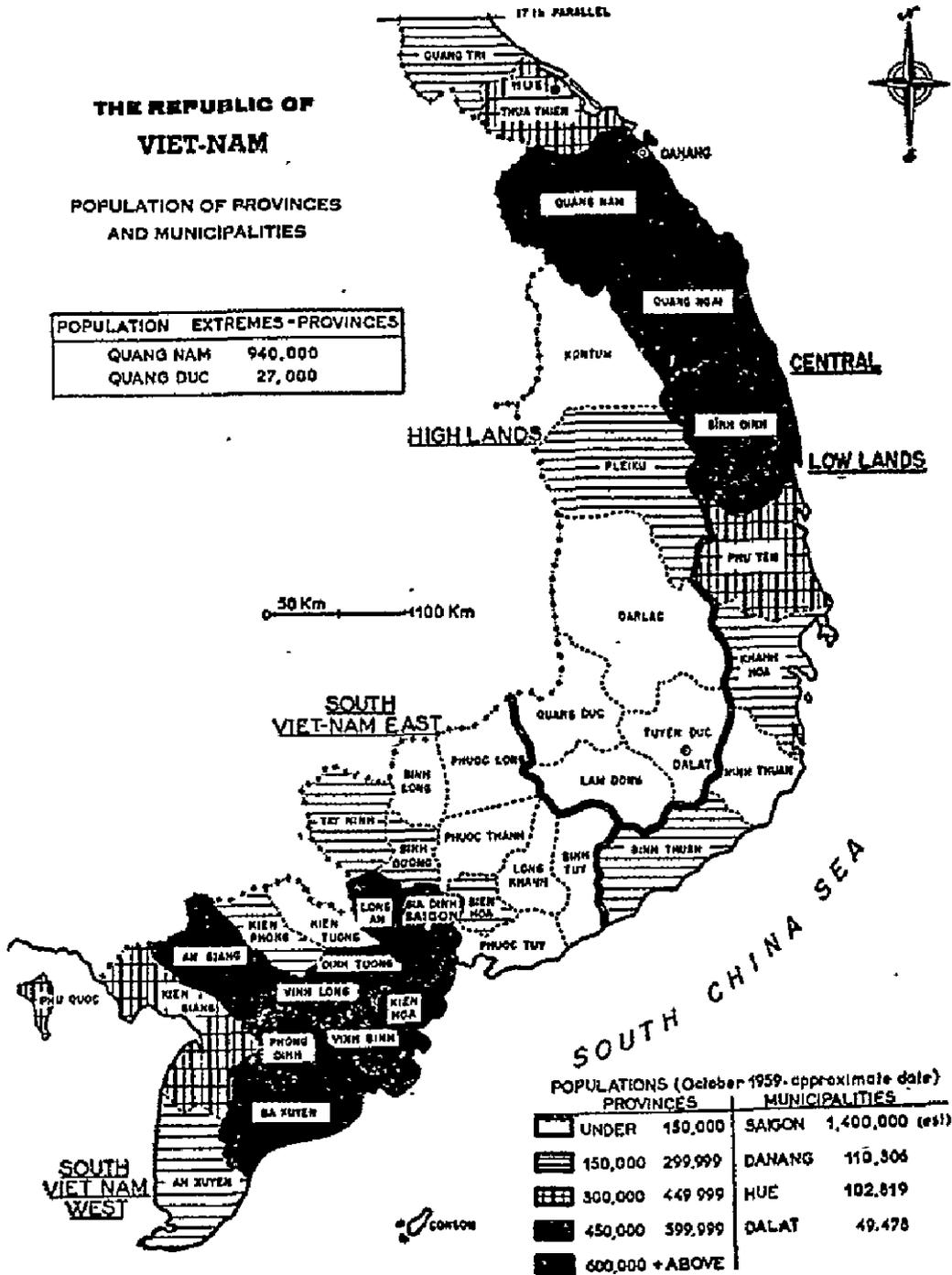
Saigon, May 1961

LUTHER A. ALLEN PHAM NGOC AN

**THE REPUBLIC OF
VIET-NAM**

**POPULATION OF PROVINCES
AND MUNICIPALITIES**

POPULATION EXTREMES - PROVINCES	
QUANG NAM	940,000
QUANG DUC	27,000



POPULATIONS (October 1959, approximate date)

PROVINCES		MUNICIPALITIES	
UNDER 150,000	SAIGON	1,400,000 (est)	
150,000 299,999	DANANG	110,306	
300,000 449,999	HUE	102,819	
450,000 599,999	DALAT	49,478	
600,000 + ABOVE			

AGRICULTURAL BOUNDARIES - SF/ABC, 1960

1 | *The Setting*

GEOGRAPHY AND DEMOGRAPHY

Location, Limits, Area

The Province of Quang Nam, in Central Vietnam, is the largest of all the provinces now under the Republic of Vietnam in size as well as in population. Its area covers 11,386 square kilometers and its population amounts to almost one million. Quang Nam is located beneath the 16th parallel,¹ about 150 kilometers from the 17th parallel. The latter divides the nation of Vietnam into two zones along the Ben Hai River.

The province area extends from the western mountains to the eastern plains of central delta rivers. It is bounded on the north by the Province of Thua Thien whose boundary traverses a branch of the Vietnamese Range. The latter is crossed by National Road number one from Hanoi to Saigon via the Pass of Hai Van, somewhat misnamed "Col des Nuages" by the French engineer Albert Pouyanne who constructed this precipitous portion of the highway which serves one-way traffic only.²

¹According to the Yalta Agreements of 1945, the 16th parallel marked the limits between the Chinese and the English forces disarming the Japanese Army in Indochina.

²Many Vietnamese are mistaken when they say Ai Van, literally Pass (in the) Clouds--instead of Hai Van, literally Sea (and) Clouds.

FIGURE 1

STATISTICS FOR THE PROVINCE OF QUANG NAN, CENTRAL VIETNAM

DISTRICTS	Area sq/km	POPULATION			LOWLANDS			HIGHLANDS		
		Low Lowlanders	High- landers	Elec- tors ^a	Villages (xa)	Village Coun- cilers	Hamlets (thou)	Vil- lages	Village coun- cilers	Hamlets
Hoa Vang	385	99,174		53,104	20	91	79			
Dai Loc	355	72,112		38,153	14	58	93			
Dien Ban	269	183,526		93,777	30	142	144			
Duy Xuyen	292	87,446		45,915	19	85	69			
Thang Binh	451	126,360		67,312	20	62	118			
Tam Ky	389	157,549		81,295	27	100	202			
Que Son	530	89,455		43,783	23	70	114			
Tien Phuoc	540	42,891		25,492	14	42	85			
Hau Duc†	676	3,522	5,699	6,111	3	11	15	11	31	51
Hieu Duc†	758	17,813	2,232	10,782	6	24	32	8	31	20
Hiep Duc†	2,404	14,800	1,098	8,326	7	21	25	7	26	22
Thuong Duc†	3,833	16,737	2,258	11,154	3	13	25	18	54	61
Hoi An†	4	16,618	0	10,236	1	5	5			
	11,386	928,001	11,287	500,440	187	724	1006	44	142	154
				939,288						

Source: Records of the Directorate General of Land and Topographical Survey, as of December, 1959.

†Minor districts newly created in mountainous areas.

‡See page 3.

^aElectors are persons of either sex over 18 years of age.

Quang Nam also has common boundaries with Southern Laos and with Kontum, a province of the Central Vietnam Highlands. These mountainous boundaries pose many problems of Communist infiltration, and have served as refuge to oppositionists to the regime in power in Saigon.

The Province of Quang Nam is divided into twelve districts and the City of Hoi An (See Figure 1, page 2). Dien Ban, the most largest district in population, has the smallest area of all districts in Quang Nam. The entire territory of Dien Ban is a large delta plain of rice fields and dry lands, with some hills in the Village of Thanh Son, near Dai Loc District. The area is rural, and thus most of the population is engaged in agriculture or fishing. Fishing is important in Dien Ban because it is bounded on the east by the Sea of Vietnam, traditionally called the South China Sea, and on the north, west, and south by four other districts of the same province (Hoa Vang, Hieu Duc, Dai Loc and Duy Xuyen). Since Dien Ban is closed to the provincial headquarters, district chiefs of these four neighboring districts find it relatively easy to visit the district headquarters in Vinh Xuong Village on their way to Hoi An. In effect, the seat of the Quang Nam provincial government in Hoi-An City is surrounded by the territory of Dien Ban District. From the provincial headquarters to the district headquarters, there are only 10 kilometers or 15 minutes of hard-surfaced road.

Under the formal ordinance No. 57-a of the President of the Republic, of October 24, 1956,³ Hoi An City is classified simply as a village of Dien Ban District. But, the seat of the Quang Nam provincial government gives it some particularities. In regard to police administration, Hoi An has no village-type police councilor, but instead has a police chief, appointed by the Secretary of State for the Interior in Saigon. This police chief serves directly under the province chief of Quang Nam. In the field of public administration, theoretically, under ordinance No. 57-a, the district chief of Dien Ban has power over Hoi An, but in practice, the Hoi An village councilors work directly with the district chief who acts as judge of peace. This arrangement results in more rapid decision making in Hoi An, and thus Hoi An is, in fact, autonomous.

Communications

The Trans-Vietnam Railway and the National Road Number One from Saigon to Dong Ha, near the Ben Hai River at the seventeenth parallel, cut across the District of Dien Ban for a distance of about 7½ kilometers

³*Official Journal of the Republic of Vietnam*, No. 50, October 29, 1956, p. 2708.

each. A new gravel road goes along the sea coast from Hoi An to Danang.⁴ There are also in the east-west direction 2 provincial roads and 3 inter-village roads which are passable for automobiles most of the year. Traffic is relatively heavy, and the local population use the cheapest means of transportation for a rural community: trucks, carts, buses, scooters and bicycles. Private automobiles, however, are rare.

The two rivers bounding or cutting across the District of Dien Ban are navigable to sampans and junks. The Thu Bon River, the most sizeable one in Quang Nam Province with its northern source in the neighborhood of Laos, forms the southern boundary of the District of Dien Ban. Hoi An is located on one channel of this river. The Thu Bon represented the extreme southern limit of the French military operations in Central Vietnam (Annam) from 1947 until the Geneva Agreements of 1954. The Vinh Dien River flows across Dien Ban from south to north, through the City of Danang, into the Bay of Danang. The Village of Vinh Xuong, which includes the two hamlets of Vinh Dien where the new district headquarters are located, is bisected by this river.

Dien Ban is weak in telecommunications. There is a telephone system in Vinh Dien, but it is only for military use. There is no electric power plant in Dien Ban (the City of Hoi An not included) and only a few people use portable radio sets. People who are too poor to buy radios may listen to the loudspeakers of the information branch of Vinh Dien which broadcasts a daily bulletin of news mimeographed in Hoi An. There is also a car equipped with radio and loudspeaker which the Provincial Service of Information in Hoi An can make available in Dien Ban for broadcasting information materials provided by the central government.

Population: Size and Ethnic Composition

According to the census of 1959, the population of Dien Ban was 183,526 inhabitants (not including the 16,616 inhabitants of Hoi An).⁵ This was the largest population of any district in Quang Nam Province, and was exceeded by other districts of South Vietnam only by a suburban Saigon district⁶ located in Gia Dinh Province. There are 97,102 electors (persons

⁴The Chinese characters for Danang are pronounced To'Nan by the traditional Chinese population. But when Westerners came to Danang they made use of Chinese interpreters and hence adopted the name Touron in the 17th century which became Tourane under French rule (See page 12 Quang Nam in the 17th century).

⁵These figures come from the National Institute of Statistics in Saigon.

⁶District of Go Vap, Province of Gia-Dinh, Southeast Vietnam, area 58 square kilometers, and population 190,085 inhabitants. Density of population: 3,277 inhabitants per square kilometer. Go Vap is a part of Greater Saigon, the population of which totals 1,400,000 inhabitants and is more urban than rural.

over eighteen years of age: males 48,450—26 percent of the population, females 48,692—27 percent, and 86,424 children—47 percent of the population. These figures show that the population is relatively young. The average density of population in Dien Ban is 655 persons to the square kilometer, high for Vietnam, but far below that of certain portions of Indonesia, India, and China. The population of Dien Ban District is essentially rural.⁷ There are 35,882 families, grouped for administrative purposes into 1,620 interfamily groups (*lien gia*), 144 hamlets (*thon*) and 30 villages (*xa*). From 10 to 60 families constitute an interfamily group under a chief who is responsible for furthering understanding and support of government policies, and for the organization of self-protection and self-assistance of the group.

The hamlets (*thon*) are the rural settlements, small villages or communes, which existed officially as independent units under the canton level before 1956. They were regrouped since this date into thirty new organized villages (*lien xa*) or simply "*xa*" (See page 31).

Ethnically, almost the entire population of Dien Ban is Sino-Vietnamese, i.e. Mongoloid⁸ locally called "*Kinh*." This Vietnamese noun, meaning "capital," suggests a literal translation as "townsmen" as distinguished from "mountain people"; but today perhaps it is best translated as "lowlanders" since only a small portion of the Vietnamese of the Central Lowlands live in cities or towns such as Danang and Hoi An.

The population of Hoi An is largely Chinese, and before 1956 this ethnic group was concentrated in a foreign colony known as Minh Huong Village which exists today as Hoi An Chinatown, much like Cholon, or the Saigon Chinatown. The Hoi An Chinese have automatically acquired Vietnamese citizenship under Ordinance No. 48 of

⁷The Vietnamese village (*lang*) was traditionally set up as a '*xa*' or 'commune.' '*Lang*' was a geographical category, an agglomeration, while 'commune' was a sociological category, a kind of 'association.' This expression is borrowed from Maurice Courant in *En Chine, Coutumes et Institutions, Homes et Faits*, (Paris, 1901), page 54.

⁸The Vietnamese city (*ke cho*), on the contrary, was not a commune. Etymologically, it was a place, a market where merchants came from great distances. It was generally sufficient to establish residence in the city to gain citizenship there. Thus the city was an agglomeration opened to everybody.

⁹The village constituted a more or less closed group. Citizenship in the village was exclusive, especially in regard to those coming from other areas. It was always necessary to ask for admission to the village (*oao lang*), a procedure which suggests naturalization in international private law."

Vu-Quoc-Thuc, *Economie Communiste du Vietnam*, (Hanoi: Presses Universitaires du Vietnam, 1951), p. 17.

¹⁰In 1950, at least 92 percent of the entire population of Vietnam lived in 'communes' or traditional villages. The remaining eight percent were 'townsmen,' but they remained under the communal influence. While they lived in the cities, many of them kept ties with their native villages. They continued to be enrolled on the village registers, to pay their head tax and to receive their portion of village lands. Every year, at Tet or at the feast of Tutelar Genie, they sought to return to their villages where they generally maintained a small home. In a word, the townsmen kept one foot in village and remained half-peasant." *Ibid.*, p. 18.

See also the comparison between the Chinese village organization and the Vietnamese village organization in Nguyen-Huu-Khang, *La Commune Annamite, Etude historique, juridique et economique*, (Paris: Sirey, 1946), p. 16.

¹¹P. Huard and M. Durand, *Connaissance du Viet-Nam* (Paris: Imprimerie Nationale, 1954), p. 39.

August 21, 1956, as have their compatriots of Cholon, but unlike the latter, practically all of Hoi An's Chinese speak Vietnamese.

There are neither "*Thuong*" (mountain people or Highlanders)⁹ nor foreign residents in Dien Ban. Although the territory of Quang Nam Province was a portion of the Kingdom of Champa until the 15th century, today there are no Cham people in this area, save for a very few descendants of Cham-Vietnamese intermarriages.¹⁰

Religious Traditions

Today, in Dien Ban, most of the inhabitants simultaneously practice the cult of the ancestors as taught by the Chinese moralist Confucius, Buddhism of the Mahayana or Great Vehicle, and various forms of Taoism, such as the cult of Kitchen Genie.¹¹ In each village, there generally is a new pagoda built by the Society for Buddhist Studies, and several older pagodas or temples.

The Catholic minority is smaller than in most districts of Southern Vietnam. The main churches are located in Hoi An, Vinh Dien and Vinh Phuoc. There are also some Protestants and Cao daists.

An ideal in the moral teachings of Confucius is the state of "*quan-tu*." Under this concept, a traditional Vietnamese seeks to improve his character by trying to attain the status of *quan-tu*, that is to say a gentleman or well-bred man of fine feelings with good education and good social position, one who always places his dignity above his interests.¹²

Education

Traditionally, the population of Quang Nam had the reputation of being well lettered¹³ and of having a critical spirit, which has been memorialized with the saying: "Quang Nam hay cai" (Quang Nam often discusses). Consequently, for centuries, the District of Dien Ban has had the reputation of a high valuation of knowledge. It has always had a relatively high percentage of students who mastered Chinese characters in a series of competitive examinations.

⁹The old name "*Moi*" (savage) is now obsolete.

¹⁰Ruins of Indrapura (Splendid City), an ancient capital of Champa, can be seen at Bang An, Dong Duong and Tra Kieu. Bang An is a hamlet in Dien Ban District, and the village headquarters of Vinh Hoa is located just in front of the ancient brick Cham Tower.

¹¹P. Huard and M. Durand, *op. cit.*, pp. 48-49.

¹²P. Huard and M. Durand, *op. cit.*, p. 85. A model of *quan-tu* born in Dien-Ban was Hoang-Dieu the Governor of Hanoi, who hanged himself after his defeat by French Commandant Henri Riviere in 1882. See Hoang-van-Han: *Ha-Thanh That Thu va Hoang-Dieu* (The Fall of the Citadel of Hanoi and the death of Hoang-Dieu) (Hanoi, Song-Nhi, 1949), *passim*.

¹³Being well lettered or *lettre* was a precise term related to early mastery of Chinese characters. Students who succeeded in a series of competitive examinations gathered permanent status in the community. (See "The mandarins" below page 18)

With the French occupation, mastery of the French language tended to replace mastery of Chinese characters. The latter type of education died out gradually in the early 20th century, remaining alive only in the pagodas for Buddhist studies and, on a lower level, for the practice of Chinese medicine.

Today, the only secondary school of Dien Ban (Nguyen-Hieu Secondary School) is located in Vinh Dien. This building was constructed between 1956 and 1958 under the Community Development Program. It is semipublic; i.e., expenses are covered by student fees, gifts from private persons and organizations, and a subsidy from the Central Government in Saigon. It has some 20 teachers for about 1,000 pupils. There are also 32 three-grade elementary schools with 100 teachers and about 5,000 pupils, and 109 one-grade village schools with 109 teachers for about 7,000 children. Finally there are 200 popular classes for the elimination of illiteracy with 200 instructors for about 10,000 in attendance, generally people over 50 years of age.

The number of schools in Dien Ban is insufficient for the needs of the district. The high school goes only through first level (fourth class; i.e. three years before the baccalaureate). Consequently, better students go on to secondary schools of the second level in Hue, or Saigon for completion of their baccalaureate. Those who go to the third class secondary school in Hoi-An, Danang, or Qui Nhon must complete their baccalaureate at schools in the cities mentioned above.

Health

In Dien Ban District, there are 4 infirmaries with a total staff of 9 persons, 12 maternities staffed by 11 nurses, and 31 first aid dressing boxes. There is no doctor in the district, so, for medical care, people must go to the sizeable hospital in Hoi An with its small staff of doctors or to the bigger and better staffed hospital in Danang.

Certain *lettres* are known as Chinese medical practitioners. Their practice is based on the medical literature found in traditional Chinese books. They prescribe vegetable medicines which they provide to villagers at low cost. One such practitioner of Chinese medicine has a thriving practice and exerts great influence from his apothecary shop on the main street of Vinh Dien (See page 48).

ECONOMY

Land Tenure

The total area of the District of Dien Ban is 272 square kilometers

(27,200 hectares), the smallest area of all the districts in Quang Nam. But unlike most other districts, it is not mountainous. The fertile plain occupies 157 square kilometers (15,700 hectares); i.e. 57 percent of the total area. Thus, Dien Ban has a pronounced agricultural and rural character.

In accordance with Vietnamese tradition, cultivated lands are divided into two categories: first the wet lands suitable for the cultivation of rice or "*dien*," which are the most valuable lands and are thus highly taxed, and, second, the dry lands or "*tho*" which are used for other crops. In Dien Ban, the former occupy 8,200 hectares or 52 percent of the cultivated lands, while the latter total 7,500 hectares or 48 percent.

Both the wet rice fields and dry fields are in part public and in part private property. By tradition, the public lands are inalienable and imprescriptible consisting of (1) lands newly cultivated and the beginning of the foundation of the village, (2) lands given by the emperor or by other donors, and (3) lands belonging to the rebels which have been confiscated.¹⁴ In Central Vietnam, public property of the villages or village lands were, some five hundred years ago, given by the ancient emperors to those who served them, particularly when they resettled immigrants in the new conquests. (See page 12). The Province of Quang Nam has a larger proportion of public village lands than any province of Central Vietnam. In contrast, the Province of Binh Thuan, at the southern limits of Central Vietnam, has no public village lands whatsoever.

In Dien Ban, public rice fields (*cong dien*) occupy 5,383 hectares or 34 percent of the cultivated land, and other public lands (*cong tho*) 4,598 hectares, 30 percent of the cultivated lands. Thus, the total area of public land is 64 percent.

A large percentage of both, 30 percent, is rented every year (formerly every three years), and this rent which accrues to the village treasury forms the main source of village income.¹⁵ The remaining 70 percent of the public lands are freely allocated for cultivation to all electors of the village for a period of one year.¹⁶

As a juridical person, the village may also have private property, (private village wet fields (*bon-thon-dien*) or private village land (*bon-thon-tho*), which it acquires by purchase, gift, or concession of uncultivated lands. But in Dien Ban such village private land does not exist.

¹⁴M. Schreiner, *Institutions Annamites* (Saigon, 1900), Vol. II, p. 85.

¹⁵For example, The Village of Vinh Hoa which the new district chief visited on March 1, 1961 was preparing a budget totaling 399,000 piasters for its population of 4,080 inhabitants. The 2,023 electors who shared 70 percent of the village lands asked the district chief to increase this quota by a reduction of the percentage allowed to the budget.

¹⁶Prior to 1956, public lands were allocated for a period of three years to males only.

Agriculture

Altogether 56 percent of the total land area of Dien Ban is cultivated. Nearly 85 percent of the population are agricultural workers. (See page 5)

The most productive paddy fields have two crops a year, and because of intensive cultivation under the technical guidance of the provincial service of agriculture in Hoi An, the record production of rice per hectare reaches 2,500 kilograms, a maximum in Vietnam.¹⁷ Vietnamese farmers use grasses and the manures of buffaloes, oxen or pigs—rather than human excrement as they do in North Vietnam—for fertilizers. In addition, chemical fertilizers have been provided through foreign aid.

But the principal need of rice plants is of course water. Many vestiges of an advanced system of irrigation established by the Cham people are still visible. Since the Vietnamese occupation of the country five hundred years ago (See page 11), buckets with ropes moved by hand, or norias moved by pedals or water wheels are used to pump the water onto the fields. Small pumps are also used for irrigation, but the cost is much higher. In 1930, an irrigation system by pumps and canals was set up in Vinh Dien, but it was damaged during the Second World War. It has since been repaired and used, and under a program of technical assistance a Chinese expert from Taiwan will review, revise and improve this system (See page 52).

According to the records of the district chief, the main products of Dien Ban for 1959 were 11,040 tons of rice, 994 tons of manioc (cassava) 962 tons of Indian corn, 873 tons of potatoes, 560 tons of cane sugar, 369 tons of peanuts and 32 tons of beans. The quantity of 11,040 tons of rice provided only a little more than one half of the requirements of the local population. This figure is doubtless deceptively low, due to the usual false declarations as well as to the recent crop failures. In any case, Dien Ban, with its large, dense population, has few items to export, such as a small quantity of cane sugar, peanuts and canella¹⁸ which go to the port of Danang for shipment. The population consumes most of the other crops, such as corn, manioc, potatoes and beans, and it is necessary to supplement the local rice crop with yearly importation from Southern Vietnam, especially when there is a severe rice shortage such as in January 1961 (See page 50).

Breeding and poultry raising are widespread in Dien Ban. Most families raise some buffaloes, oxen, pigs, chickens or ducks, and silkworms, which produce a high quality silk (See page 12).

¹⁷The average production in Taiwan is 3,000 kilograms.

¹⁸Canella is an aromatic bark of a tree used as a condiment or as a tonic. According to the records of the Chamber of Commerce of Danang, it is exported to France and U.S.A.

Fishing

The population along the seashore and the rivers generally are fishermen totaling five percent of the working population of Dien Ban. In addition to a wide variety of seafood, which is a most appreciated part of the Vietnamese diet, Dien Ban produces swallow's nests gathered on the islands of Cu lao chum (literally cluster of islands, Tan Hiep Hamlet, Cam An Village) which are the basis for luxurious soup.

Fishing contributes substantially to local diet. Efforts have been made for the development of fishing during the last decade, but the exporting of sea products from Dien Ban is unknown, save for approximately fifty kilograms of swallow's nests purchased from the government monopoly by the highest bidder (ordinarily Chinese) for export to Saigon and overseas.

Handicrafts and Small Industries

Another five percent of the population of Dien Ban is engaged in small industries. The manufacture of earthenware and bricks takes place in Vinh Dien and Cam Pho. Fish sauce for family use is prepared in Cam-An. Silk, cotton and rayon are woven in Ky Lam, and peanuts and cane sugar are processed in Phu Ky.

Trade

Finally, another five percent of the population engages in small business. Some retail stores are located in Vinh Dien, the business center of the district, and numerous others are spread throughout the entire area of the district.

Some small industrial plants (breweries, automobile repair shops, and the like using a labor force totaling some hundred workers), transportation agencies, hotels, restaurants, and stores are located in Hoi-An and Danang. A small portion of the population living in Dien Ban go to one or the other of these cities to work, to eat, or to shop. Otherwise the population of the district may be described as entirely rural.

Labor

The workers in the handicraft and small industries or agriculture of Dien Ban are not organized into associations. Their pay is one of the lowest in Vietnam; it varies from 30 to 40 piasters a day for unskilled labor. Many workers therefore emigrate from the district, especially to Saigon or Danang where wages are higher. There are difficulties involved

in leaving their villages. Authorization is required from the village chief who may, in turn, seek the advice of the district chief. A major population shift took place from 1957 to 1958 when 22,316 residents of Quang Nam were moved to the provinces of the Central Highlands or to those of the Southwest where they were resettled into new villages under the program of resettlement of the central government.

Conclusion

In many ways, Dien Ban is characteristic of a traditional Vietnamese district. It is located in a low-lying delta area of Central Vietnam, the type of living area most preferred by the Vietnamese. The Vietnamese, it must be remembered, are chiefly an agricultural people of the plains and still have some fear of the mountainous regions where "the water is unhealthy" and the people "savages." The population of Dien Ban is almost entirely Vietnamese. It is concentrated but rural. Agriculture is the dominant occupation while few engage in small industry or business. This agricultural area, moreover, operates essentially at a subsistence (or sub-subsistence) level. Exports are very modest, and the population depends on periodic supplements to its own rice production from the richer area of the southern delta. More than other areas of Vietnam and like more densely populated Asian countries, Dien Ban clearly begs for economic development. At the same time Dien Ban (as well as Quang Nam Province as a whole) has a long tradition of local administration going back at least five centuries. Thus, in age as well as in density of population, Dien Ban stands out from other areas in the Republic of Vietnam, but at the same time it has more in common with ancient administrative traditions of other Asian countries.

HISTORY

Quang-Nam: An Important Frontier March in the Expansion of the Vietnamese.

Under the Tran dynasty, the territory of Dien Ban District belonged to the Province of Amaravati (Ly) of the Kingdom of Champa. In 1306, Che-Man (Jaya Sinhavarman III), King of Champa, married a Vietnamese princess, Huyen Tran, and brought to the Tran crown as dowry portions of the provinces of O and Ly, the Cham names which were changed to Thuan-Chau and Hoa-Chau.¹⁰ But the relatively few Vietnamese who occupied the new provinces were continuously threatened by the former owners of the land.

¹⁰This territory corresponded to the present-day Vietnamese provinces of Quang Binh, Quang Tri, Thua Thien and Quang Nam.

The Vietnamese General, Do-Man, in 1402, was victorious over the Cham army in Co-Luy (Quang Ngai today) and founded the Thang-Hoa Lo or Thang-Hoa March, which corresponds to South Quang Nam and Quang Ngai provinces today. He brought in and resettled Vietnamese soldiers, prisoners, settlers, and workers. But the Kingdom of Champa knew a final period of greatness with King Che-Bong-Nga (1360-1390) who fought the Vietnamese army and sacked the territory of Vietnam many times. Hence the resettlement of Vietnamese into districts and villages became only definitive when King Le-Thanh-Ton took the capital of Champa, Vijaya (Qui-Nhon today) and changed the name of Thang-Hoa Lo into Quang Nam Thuayen (1470) which then spread as far south as the present town of Nha Trang.²⁰

Administrative History

ORIGIN OF THE NAME DIEN BAN

The name of Dien Ban was given to a small district (*huyen*) in the south of Hoa-Chau in the late 15th century. Etymologically, Dien Ban comes from this Chinese verse: "*Dien quoc-gia u Thai-son ban-thach chi an,*" which may be translated: "*Build the nation strong as the table stone of the Thai mountain.*"²¹ This verse evokes Vietnamese pride in their victory over the Cham army which had been threatening them continuously.

ADMINISTRATION OF THE NEW CONQUESTS

In 1611, Lord Nguyen-Hoang promoted the *huyen* Dien Ban to the rank of *phu* (big district), separated it from Hoa Chau Province, and included it in Quang Nam Dinh (settlement territory).

By this time the port of Faifo (Hoi An today) had been founded. There Vietnamese products, raw silks, ebony and other precious woods, canella, sugar, and rice, were exchanged for Chinese, Japanese, Philippine, or Malayan products such as porcelains, paper, tea, silver, arms, sulphur, saltpeter, and other items. In 1618, Father Cristoforo Bori commented:

The most beautiful port where foreigners disembark is located in Cacciam Province. Ships enter it by two estuaries, Pulluciambello and Touron. The Japanese and Chinese have built there a town, Faifo, which is so large that there is a Japan town and a China town. Each one has its own chief and lives under its own laws and customs.²²

²⁰Georges Maspero, *Le Royaume de Champa* (Paris-Bruxelles, Les Editions Van Oest, 1928), p. 121, 189 and 216. Also D. G. E. Hall, *A History of South-East Asia* (New York: St. Martin's Press, 1955), p. 178.

²¹Thai-son is the Vietnamese pronunciation of the Chinese characters Wou t' ai-chan: the name of a mountain range going up to an elevation of 3,000 meters and located in Shansi Province, North China.

²²"Cacciam" refers to Quang Nam, and Pulluciambello to Poulo Cham, or Cu Lao chum, a group of islands which constitutes the Hamlet of Tan Hiep, Cam An Village, source of the delicacy of swallows' nests.

The French navigator, Pierre Poivre, added:

The Portuguese do not have any factory in Faifo and stay only long enough to exchange their goods for Vietnamese products called commodities.

This trading by the Portuguese lasted, according to Poivre from February to September during which time they submitted themselves to the ways and customs of the country and became slaves of the mandarins. According to the same observer, the Portuguese denounced the Dutch, accusing them of seeking to conquer Cochin China as they had Indonesia.

By 1636, the Dutch had established a "counter" in Faifo, but since they also traded with the Lord of Tonkin, enemy of the Lord of Cochin China, many battles occurred between the Dutch and the Cochin Chinese. The English East India Company sent a merchant named Peacock to Faifo in 1613 and a mission led by Bowyear in 1695, but neither effort produced any effective results.²³

In 1802, Gia Long reunified the three regions (*Bac-Ky*—Northern Region, *Trung-Ky*—Central Region, and *Nam-Ky*—Southern Region) into a nation which he called Vietnam (Viet of the South); but the Chinese Emperor invested him only as King of Annam (Tranquil South). His successor, Minh-Mang, disliked this name of Annam given by his suzerain and therefore proclaimed himself Emperor of Dai-Nam (Greater South), suggesting by that name his ambition to extend Vietnamese territory towards the south and to establish his domination over the two kingdoms of Laos and of Cambodia. This ambition was accomplished. In 1834, the frontiers of Dai-Nam covered the eastern parts of Laos and Cambodia. At this time, what is now called the Plain of Jars in Laos became the Vietnamese province of Tran Ninh, the Frontier Marches for Security, and what is now called the Plain of Tonle-Sap, Tran Tay Thanh, the Frontier March of the West.²⁴

The Mandarins

Under the Vietnamese Emperor, Minh-Mang (1820-1840), civil servants or mandarins received a new statute. Chinese civilization, according to a sympathetic French scholar, had developed a model role for the mandarin.

As a man who had mastered many Chinese characters or letters (hence *lettre*), the mandarin qualified to administer his fellow citizens. Ideally, he consecrated his science and his experience to the happiness of the people. Thus, in Annam, for the intelligent man only one ambition was possible, to become a mandarin, and thus to fulfill the duties of a *lettre* toward his fellow citizens and his country, according to

²³Charles Maybon, *Histoire Moderne du Pays d'Annam*, (Paris: Plon, 1919), p. 50; Hall, *op. cit.*, p. 356.

²⁴Le Thanh Khoi, *Le Vietnam, Histoire et Civilisation*, (Paris: Les Editions de minuit, 1955), p. 333. See also the map of Dai-Nam under Minh-Mang in the Appendix, 15.

this Chinese conception of society. It was an error to believe that Annamese mandarins were simply lettered men possessing a verbal science but having no practical experience. The mandarins were in fact distinguished on the basis of merit. Power was not concentrated in a religious sect or in an hereditary aristocracy. The mandarins came from the people and were in constant contact with them through their families and their villages which helped them at the beginning and took pride in their success.²⁵

Mandarins were selected especially among students graduated in academic competitions held every three years.

The district chief was ordinarily a mandarin of low rank in keeping with the fact that his was the lowest appointive position in the imperial hierarchy. The canton and village chiefs were outside this hierarchy as representatives of the population. The name of the position of district chief was *tri-huyen* or *tri-phu*, which meant "the man who knows the district."

According to the precepts of Confucius, Mencius, and other ancient traditions, the mandarin district chief was supposed to manage the general interests of the population of his constituency just as good parents manage the interests of their children. Hence the ancient Vietnamese phrase for a district chief was *dan chi phu mau* (father and mother of the people).

Finally, it must be added that there was no separation of executive, legislative and judicial powers at the district level. The mandarins were at the same time administrators and judges and, as far as legislative powers outside the realm of village customary law were concerned, all power belonged to the Emperor acting as Son of the Heavens.

THE NOTABILITIES

Under the Vietnamese monarchy, from the district level up to the level of the provinces and also to the departments of the Central Government which were located in Hue, all staffing consisted of mandarins as delegates of the imperial power. There were no representatives of the people. "The central authority did not deal with individuals (*dan*) but only with collectivities except when criminal affairs were involved."²⁶

In contrast, at the village level,²⁷ there were representative bodies and Councils of Notabilities. The latter was the basic community of Vietnamese administrative organization. It consisted of persons of high rank, the notabilities (senior notables or grand notables) such as princes, mandarins, graduate students, elders over sixty years of age, former village councilors, businessmen, which formed an oligarchy recruited by

²⁵Jules Boissiere, *La Societe Annamite et la Politique Francaise* (1896) as cited by Pham-Quynh, a Vietnamese scholar lettered in French as well as in Chinese in a lecture given in Hue on June 28, 1938 to the newly recruited mandarins.

²⁶Paul Mus, *Vietnam: Sociologie d'une guerre* (Paris: Editions du Seuil, 1952), p. 23.

²⁷At the canton level there was no Council of Notables.

cooptation. Thus the Council of Notabilities (*Hoi-dong hao-muc*) had an entirely automatic composition and the number of senior members varied from 10 to 30 depending on the size and reputation of the villages.

The law encouraged settlers to establish many villages and it was possible for as few as 30 inhabitants claiming 50 mau (25 hectares) to found a new village. In so doing, a designated village founder (*Khai-canh*, literally "begin cultivation") became the *ex officio* chairman of its Council of Notabilities, and after death, tutelar genie of the village.

The opinions of the grand notables bore great weight in the affairs of the village. In effect they chose the village executive officers or minor notables, and, in all village meetings, they were seated as chairmen and served as advisors. They officiated at divine and ancestral services. Their chief or village chairman was called *tienchi* or *thu-chi* (the first to sign all papers destined for superiors: mandarins, emperor, or divinities). He was the dignitary who received the head of a sacrificial animal (buffalo, pig or goat) offered to the divinities.²⁸

Under the Council of Grand Notables, there were the village executive officers or minor notables consisting of one village representative (*ly-truong*), one deputy representative (*pho-ly*) and a certain number of village councilors. The minor notables were elected by universal suffrage in all villages. They met, however, under the chairmanship of the senior members and their votes had to be approved by the mandarin district chief. The village chief was not powerful because he was subjected to the leadership of the Council of Notabilities. As executive officer, he made reports to the district chief.²⁹ In sum, the mandarin tradition (organized autonomously at the village level) dominated the formal election of minor officials. Yet it may be suggested that the traditional elective principle at the local level was an institution which might be expanded in a more democratic way with the revolutionary upheavals of the 20th century.

The grand notables administered village affairs and played the dominant role in the establishment of the village customary (or common) law (*huong-uoc*) the strength of which has been characterized in the proverb: "The law of the King is less effective than the customs of the village."³⁰ *Huong uoc* means village agreement, and this body of

²⁸On the autonomous character of the traditional Vietnamese village or commune, see Vu Quoc Thong, *La Decentralisation Administrative au Vietnam* (Hanoi: Presses universitaires du Vietnam, 1952), p. 35. On its responsibility, see Nguyen Huu Khang, *op. cit.*, p. 191.

²⁹Today this joint executive responsibility remains unchanged. See L. W. Woodruff, *Local Administration in Vietnam* (Saigon: Michigan State University Advisory Group and the National Institute of Administration, 1960), p. 23. "In contrast to all of the other units of local administration, responsibility is not centered on an executive; although the village chief occupies a more elevated position, nevertheless higher authorities are oftentimes inclined to charge the entire council with the effective performance of some task."

³⁰"The law expresses the will of the sovereign. To these injunctions are added the equally imperious exigencies of custom which rules in the same spirit as the code the problems not anticipated by it." P. Huard and M. Durand *op. cit.*, p. 109.

village common law prescribed special rules or rituals for the main events of life, such as graduation and appointment to the position of mandarin (*quan*), marriage (*hon*) mourning (*tang*), and ceremonies (*te*).³¹

THE FRENCH OCCUPATION

From 1862 to 1884, when the French proceeded to occupy Vietnam, they managed as separate entities the Northern Region (*Bac-Ky*) which they called the Protectorate of Tonkin (*Dong-Kinh* in Vietnamese, *Tongking* in Chinese, meaning literally East Capital), the Central Region (*Trung-Ky*) to which they gave the name of Protectorate of Annam (a name formerly given by the Chinese Emperor, see page 13, and the Southern Region (*Nam-Ky*) which they called Cochin China, a foreign name which existed neither in Vietnamese nor in Chinese but which originated in the 16th century and was used by European navigators and missionaries.³²

During the French period, the Nguyen Emperors remained in Hue where they continued to manage local administration through their mandarins, under the supervision of a Resident Superior of France in Annam, who, in turn, was under a Governor General for Indo-China. In Tonkin, the Vietnamese Emperor delegated permanently his powers to the Resident Superior of France in Hanoi, and, in Cochin China, all his powers were ceded to a French Governor. In 1888, Hanoi, Haiphong, and Touraine were fully ceded to France.

The French protectorate arrangement for Annam explains the fact that in Central Vietnam some formal continuity was maintained with Vietnamese administrative traditions. At the province level, the Quang Nam provincial government remained in the citadel of Vinh Dien, on the very spot where new district headquarters of Dien Ban are now located. But the Administrator Resident of France for Quang Nam preferred to establish his headquarters in the city of Faifo (Hoi An) from

³¹"The organization of Vietnamese villages was not a creation of the laws, but was simply recognition by the King of existing institutions. The King's Ordinances were not concerned with organization of the villages, so much as with assuring a certain overall order in the state (collection of taxes, recruitment for the army). The King's laws dealt occasionally with general agrarian reforms, organization of public order, and the needs and possibilities for the state in money and in soldiers. Local customs covered a variety of matters. Among these, first of all, was village organization including village taxes on heads, on lands and on sales, and also matters on local justice. The largest area included family and private matters such as the extent of paternal authority, rules in regard to the cult of ancestors, marriages and deaths. These customs were derived from local standards of right and wrong, from ritual prescriptions of Confucius, and from certain ordinances of the King seeking uniform customs throughout the realm." Nguyen Huu Khang, *op. cit.*, p. 64.

³²The term "Cochin China" originally referred to what was Annam and is Central Vietnam today, while what was Cochin China under the French was originally Lower-Cochin China. This word, Cochin China, was suggested in part by the Vietnamese words "*Ke-cho*" (Capital, literally people of the market) which were mispronounced by Japanese and Westerners as "*Che-ce*" or "*Co-ci*." To this flimsy Vietnamese derivation the word "Cochin" which actually referred to a west coast settlement of India was misapplied. "China" was added to distinguish "*Ke-cho*" from Cochin, India.—Alexandre de Rhodes, *Histoire du Royaume de Tonquin*, (translation Albi, Lyon, 1831), as cited by Georges Taboulet—*La Geste Francaise en Indochine* (Paris, Adrien-Maisonneuve, 1955), Tome I, p. 53.

which he supervised all acts and decisions of the Vietnamese provincial authorities, effectively controlling the activities of the district chiefs as well as those of the canton and village chiefs despite the nominal autonomy of the indigenous administration under the emperor.³⁴ It must be noted, however, that the French paid the same respect to the mandarins and notabilities as had been the case under previous independent Vietnamese emperors. With the decline of the old examinations in Chinese characters in the early 20th century, new district chiefs were chosen from among mandarins of French formation. After the reform of the mandarinat, Bao-Dai recruited new mandarins among the graduate students (*licencies*) of the French Faculties of Law, one of which had been established in Hanoi, in a yearly competitive examination common both to Tonkin and to Annam.³⁵

On the other hand, during the French period some notabilities were appointed to the newly created Provincial Advisory Councils and a few to the Grand Council of Economic and Financial Interests of Indo-China (a mixed French-Indo-Chinese body). These notabilities tended to be pro-French, and those whose loyalty to French rule was doubtful and especially those Vietnamese who had risen up against foreign domination were disbarred.³⁶

At the village level, an ordinance of Bao-Dai on January 5, 1942 called upon the grand notables for greater participation in village affairs, but at the same time it reduced the number of elected officials to a minimum. Only the deputy village chief (*pho-ly*) was elected, while the village chiefs, deputy canton chiefs, and canton chiefs were appointed generally with promotion of the next lower authority.³⁷

THE JAPANESE OCCUPATION

During the period of Japanese occupation from 1940 to 1945, there was very little intervention in Vietnamese local administration. What clearly developed under Japanese control was the undermining of French prestige. French administration broke down completely on the night of March 9, 1945. On March 11, the Japanese army rendered to the Vietnamese Emperor his former authority over the whole territory of Vietnam.

³⁴For example: The elections for the canton chief were held under the chairmanship of the French deputy province chief (*administrateur-adjoint*).

³⁵Decree of Bao-Dai, July 3, 1933.

³⁶The French administrators used the term "notabilities" for those Grand Notables who lived in the cities, reserving the term "notables" for those remaining inside the bamboo hedge. They published a local "Who's Who" entitled *Souverains et notabilites d'Indochine* (Hanoi: Gouvernement General de l'Indochine, 1943).

³⁷Vu Quoc Thong, *op. cit.*, p. 154.

THE VIET-MINH

Five months later, on September 2, 1945, the Viet-Minh revolutionary movement proclaimed the Democratic Republic of Vietnam and set up an entirely new administrative and governmental organization patterned after the early Soviet system.³⁸ All aspects of traditional Vietnamese administration, emperor, mandarins, ministries, province and district chiefs, as well as councils of grand notables and minor notables, were done away with.

Under the Viet-Minh Constitution of 1946, the traditional pattern was replaced by elected assemblies for the Central Government in Hanoi, regional governments in Hanoi, Hue and Saigon and for each province, district, and village. At the highest echelons, the three regions (*bo*) and the interzones (*lien khu*) and Popular Assemblies (*Hoi-dong Nhan-dan*) were chosen indirectly by lower-level popular assemblies while the latter were directly elected. At each echelon there was also a deliberative assembly directly elected by the population and an executive organism, the Administrative Committee (*Uy-ban Hanh-Chanh*) appointed by the former in the parliamentary tradition.³⁹ These Administrative Committees had the role of controlling the activities of all committees and assemblies under their jurisdiction and approving the decisions of lower administrative levels. They also were to judge in appeal the decisions made at the provincial level and to promulgate the ordinances issued by the Central Government for application to the region. They could call upon the armed forces for emergency needs.

In short, the avowed purpose of the revolutionary government was a democratic administrative decentralization. But after the outbreak of the Viet-Minh-French war, all of these assemblies were replaced by "Committees of Resistance and Administration" (*Uy-Ban Khang-chien/Hanh-Chinh*) with a political rather than an administrative character and leadership. Increasingly this political control became concentrated in the hands of Communist cadres.⁴⁰ Since the District of Dien Ban was located in the area bordering the Touraine French operation zone, its Committees of Resistance and Administration were integrated into the Viet-Minh Military Interzone V and continued to work underground until the Geneva Agreements of 1954.

THE NATIONAL GOVERNMENT

Towards the middle of 1947, the French-protected Administrative Assembly for the Central Region (*Hot-Dong Chap-Chanh Trung-Ky*) re-

³⁸*Ibid.*, p. 293.

³⁹Bernard Fall, *The Viet-Minh, 1940-1960* (Paris: Librairie Armand Colin, 1960), p. 75.

⁴⁰*Ibid.*, p. 79.

established the province chief of Quang Nam and the district chief of Dien Ban with the village chiefs, but did not revive the canton chiefs. Instead the government of Central Vietnam sought to create new intermediary administrative representatives (*dai-dien hanh-chanh*) at a higher level as part of their resistance to Communist activities, particularly in mountainous areas where there were fewer villages spread over a larger area. These new administrators became district chiefs of newly established districts in the mountainous areas under ordinance number 51-a mentioned above.

NEW ORGANIZATION UNDER THE REPUBLIC

During the period 1954 to 1956, the former "*thon*" (small villages or hamlets) and "*xa*" (villages or "communes" of normal size) were consolidated into grouped villages or "*lien-xa*," as had been urged by the French. As a result, each village acquired a more sizeable population, more resources, and more income with a budget embracing at least part of such expenses for the community as the market, the school, the village hall, local roads, and bridges.

The formal position of those new consolidated villages (*lien-xa*), now commonly called by abbreviation "*xa*," was spelled out by Ordinance 57a mentioned above and by instructions in the Circular 115a of the same date emanating from the president of the republic. The organization as well as the staff of the village was defined by Circulars Number 802—BTT/VP of June 28, 1956 of the Secretary of State for the Presidency, 74—BNV/HC of January 11, 1957, 1642—BNV/HC of April 2, 1957; and 2941—BNV/HC of May 27, 1957. Former urban centers such as Hoi An City were reduced to "village" status by Ordinance Number 50 of August 28, 1956 in order to integrate them more fully with provincial administration.⁴¹

DIEN BAN TODAY

Although not as old as districts in North Vietnam, Dien Ban stands out as a district in the Republic of Vietnam with a very strong administrative tradition and with relative continuity over the last five hundred years. The solid administrative structure of the villages with their autonomous Councils of Notables did not suffer as much from the series

⁴¹The circulars dealing with the new consolidated villages were not published in the *Official Journal*, but the ordinance dealing with "village" status for certain former urban centers is found in *Official Journal, Republic of Vietnam*, Number 89, September 3, 1956, p. 2174. See Nguyen Khac Nhan, *Administrative and Political Organization of Vietnam* (Saigon: National Institute of Administration, 1960), p. 133. See also L. W. Woodruff, *op. cit.*, p. 4 (provinces), p. 17 (districts), p. 23 (cantons), p. 27 (villages), and p. 35 (hamlets).

of upheavals of the post-World War II revolutionary period as other sections of Vietnam. The incomplete pattern of local administration set up by a short-lived Communist regime in this area was soon destroyed and the broad outlines of a national administrative pattern have since been introduced. At the present time, it may be possible to fill in these broad outlines with measures designed to fuse certain traditional aspects of Vietnamese administration with the needs of a stronger and more democratic pattern appropriate to the 20th century.

2

*The Administrative Pattern
on the District Level*

There is little by way of official description of the district unit in present-day administration of the Republic of Vietnam. The legal texts do not make clear the relation of the district chief either to his superiors (from the province chief to the president of the republic), to those who work at the same level as he, or to those who are under his jurisdiction or supervision.

The limitations imposed on any study by the slim legal basis for the role of the district chief are obvious. But the fact that this study resulted from empirical observation of a well-trained, dynamic new district chief in a populous, long-established district of Central Vietnam promotes the hope that it may provide significant data for future hypotheses about a position in Vietnamese administration which is itself a dynamic and perhaps crucial link between central governmental authority and the "grass roots" (rice roots) opinion and institutions of a free Vietnam.

VERTICAL: UPWARDS

THE PRESIDENT

Traditionally, the mandarin district chief was the lowest civil servant appointed by the emperor. Today it is the Central Government in Saigon which decides upon the appointments of higher civil servants at the district level and above.¹ The President may also order the promotion or removal of a district chief; otherwise contact between the President and a district chief occurs only in the event of a presidential visit to the district.

The district chief has no authority to make reports directly to the Central Government. Under article five of ordinance number 57a, the province chief is authorized to make reports to the presidency and to executive departments on the activities of personnel appointed by the President and of public services operating within his provinces. He may also contact the presidency when he requires armed forces for emergency needs.

SECRETARY OF STATE FOR THE INTERIOR AND OTHER DEPARTMENTS AND AGENCIES

As in the case of his relation to the President, the district chief has no direct contact with the Secretary of State for the Interior. The latter gives instructions and guidance on general policies or programs for application or adjustment to provincial or municipal needs only to province chiefs and mayors of designated municipalities.² On the other hand, province chiefs and mayors make many reports to the Secretary of State for the Interior, emergency reports when necessary and in any case periodic reports (mainly monthly) on political as well as general administrative matters. In so doing, they ordinarily include copies of the district chief's reports which often form the basis of their own opinions. Copies of the reports of province chiefs and district chiefs are also sent to the delegate of the government for the region. The reports from the province chief to the Ministry of the Interior are of greatest concern to the district chief and, as was mentioned above, are supposed to be sent regularly every month. But reports also are supposed to be made from the province chief to other executive departments and agencies such as the National Office of Agriculture Credit. Occasion-

¹Ordinance of the President of the Republic Number 57a of October 24, 1956, Article 15 stipulates: "The district chief is appointed by the President of the republic who considers proposals from the province chief." The President also names and removes province chiefs and regional delegates. *Official Journal, Republic of Vietnam*, Number 50, p. 2708.

²There are 38 provinces and 4 municipalities in the Republic of Vietnam. Their heads, province chiefs or mayors, correspond directly with the departments of the Central government in Saigon according to article five of ordinance 57a of October 24, 1956 issued by the President of the Republic.

ally, excessive administrative burdens such as the preparation of presidential elections lead to emergency reports in place of the regular reports expected by other departments and agencies.

In addition, officials of the Security Service at the province level can make reports to Saigon on the activities of the district chief. Thus alongside the regular reports from the province chief, security reports can serve as additional checks on performance at the district level.

DEPUTIES TO THE NATIONAL ASSEMBLY

The relationship of the district chief to deputies of the National Assembly representing his district is not defined but, as a delegate of the Central Government, the district chief may seek to establish contact with them. There are in Dien Ban two deputies to the National Assembly. One represents 17 villages of Dien Ban and the other 13 plus the City of Hoi-An.³ The former deputy, a mandarin, lives in Hue while the latter, a professor, lives in Hoi An.

Neither deputy had visited the villages of his constituency since the arrival of the new district chief. While cooperation between the district chief and the deputy living in Hoi An had been achieved in dealing with the rice shortage in January (see page 50) the following direct exchange between district chief and deputy seems to indicate the uncertainty of the deputy's concept of his own role in the district:

I wish to prepare a statute for the deputies to the National Assembly, making clear our duties and our rights. Some inhabitants ask too much from us while we do not enjoy any administrative power and do not have any means of guard or defense during our journeys to the villages.

At this point, the district chief invited the deputy to join him in his next trip to the villages. He took the occasion of this first direct meeting, which occurred on March 4, 1961, to thank the deputy for the five hundred kilograms of rice which the latter had provided for hungry peasants during the rice shortage.

POLITICAL ORGANIZATION

In Dien Ban, a modest organization of the National Revolutionary Movement existed under the indirect control of the district chief. It had 23,000 members in February of 1961 and close relations with the provincial branch. The district chief of Dien Ban served as delegate to party meetings in Saigon. No League of Civil Servants existed in the district, but all members of the district staff were members of the National Revolu-

³For purposes of legislative elections the villages are grouped into "voting units" (*don-oi bau-cu*) having 55,000 electors each.

tionary Movement.⁴ The local organization of the Republican Youth, now undergoing intensive expansion from its initial membership of 3,500 in 1959, was perhaps the most active political body.

DELEGATE OF THE GOVERNMENT FOR THE CENTRAL LOWLANDS

Since 1957, under ordinance number 57a cited above, the province chief in theory does not depend on the delegate of the government. The latter is described only as an inspector (Article 17). But, according to Articles 19, 20 and 21, the delegate is accorded some real powers. He is authorized to assist in the making of periodic reports and proposals directly to the presidency, and also to give his opinions on the management of provincial services. Significantly, the delegate may submit proposals in regard to promotion of province chiefs. He may also give instructions to the province chief in cases of emergency. Under Article 22, he may meet all other administrative officials in his region in order to study security problems. Under Article 23, he may represent the government in ceremonies at the provincial level.

Thus in reality the power of the delegate is extensive and may include the appointment, promotion and removal of district chiefs. Consequently, it behooves an ambitious chief to establish good relations with the delegate. A concrete example was the promotion of the new district chief on Dien Ban to Secretary, fifth class, in the National Civil Service. He held no previous civil service position. (See page 55)

THE PROVINCE CHIEF

The most important and most frequent vertical upwards relationship at the district level occurs between the district chief and his immediate superior, the province chief. In cases of emergency, the former can send correspondence by messenger on jeeps or motorcycles to the province chief, but he generally prefers to see the latter, even at home and at night, in order to discuss problems and to receive immediate instructions with entire confidence. There are no telephone connections between them. Ordinarily the district chief receives mail from the province headquarters in Hoi An twice daily, and he addresses his reports to the province chief by the same messengers.

These communications cover a great variety of subjects. During the week of February 27 to March 4, approximately one hundred letters and instructions were sent by the province chief of Quang Nam to the district chief of Dien Ban, and a similar quantity of answers and reports was submitted by the latter to his superior. It should perhaps

⁴See R. G. Scigliano, "Political Parties in South Vietnam under the Republic," *Pacific Affairs*, Vol. XXXIII, No. 4 (December, 1960), p. 333.

be noted that this was a particularly busy period for the district chief because he has just begun preparation of the presidential elections scheduled for April 9, 1961.

The province chief has all general administrative powers as well as budgetary and fiscal powers. He exercises them automatically without consultation of the district chief. This is the case when he asks the Central Government in Saigon for money for the salaries of district chiefs and their staffs under the provisions of the national budget.⁶ The province chief does ask the opinion of the district chief in most cases involving the interests of villages or villagers since the district chief is himself actually and directly responsible. The province chief spends most of his time in his office, while the district chief spends a much larger portion of his time in the field, developing direct contact with the villagers. Examples of subjects upon which the province chief asks the advice of the district chiefs are the appointment, promotion, and removal of village councilors; quantities of seeds and fertilizers needed in the district; information in regard to applications for agricultural credit; statistical data on the district which is compiled at the provincial level; and of course security developments within the district. In the event of criticisms arising in the district and sent to higher levels, the province chief may communicate the nature and sources of such criticisms to the district chief. (See page 57)

Under the province chief but alongside and independent of the district chiefs is the Military Organization of Quang Nam (*Co-Quan Quan-su Quang-Nam*). This group belongs to the Second Military Zone of the Republic of Vietnam with headquarters in Hue. Some of these troops (Platoon Seven) are stationed in barracks located in Dien Ban, but the district chief has no direct contact with this organization. He must go through the province chief when he wants to call for assistance from the local forces of the national army.

In general, the district chief refers all local policy matters such as budget, distribution of lands, and security to the province chief when further instructions are needed.⁶ In short, at the province level, the role of the district chief consists of receiving guidance on general policies or programs for application to district needs. Consequently the district chief must report to his superior the results of these applications and give him suggestions for improvements in the future. These sug-

⁶Since the new district chief holds a position above his cadre level (Secretary, Fifth Class), he has a "forfeitory" salary of about 12,000 piasters a month which precludes family and cost of living allowances for his wife and three children. Pending construction of larger quarters in the district headquarters, he lives modestly in Hoi An. He has no private car and travels to the district headquarters and elsewhere in the official jeep. He considers his salary satisfactory.

⁶The district chief of Dien Ban, however, made no immediate report to the province chief of Quang Nam on developments at a tense meeting of notabilities in late February. (See page 45).

gestions, if approved, could help him rise to a higher position or at least to achieve special distinction among fellow district chiefs.

HORIZONTAL ORGANIZATION AT THE DISTRICT LEVEL

THE DISTRICT HEADQUARTERS

Before 1945, the seat of the District of Dien Ban was the Village of An Quan (today called Vinh Phuoc), located in the southwestern corner of the district but only three kilometers from Quang Nam citadel in Vinh Dien. In December of 1946, the Viet Minh opened fire on the French in this area, destroying many public buildings, private houses, and places of business including the seat of the Resident of France in Hoi An, the traditional provincial headquarters of Quang Nam located in the above-mentioned citadel and built under the Vietnamese Emperor, Gia Long, as well as the former district headquarters of Dien Ban. Shortly after this wave of destruction the Viet Minh retreated to the south of the Thu Bon river. A few days later the French army landed at Danang, occupying that city and the surrounding territory of northern Quang Nam Province.

Towards the middle of 1947, the provincial administration of Quang Nam was re-established in Hoi An, but this time French administration was replaced by a unified and autonomous Vietnamese administration. Somewhat later the offices of the District of Dien Ban were set up in a private house rented in Vinh Dien. In late 1959 and early 1960, a new district headquarters was built in Vinh Dien Hamlet (Vinh Xuong Village) within the Gia Long citadel, on the very spot where the imperial Vietnamese provincial headquarters of Quang Nam had been located prior to World War II. The building was inaugurated on February 20, 1961.

The new building is a one-story brick structure with a tile roof, a central meeting room and office opening onto two wings which contain additional offices and also limited facilities for the district chief. The surrounding grounds are enclosed by a barbed wire and bamboo barrier, and there are four low concrete pillboxes on the corners of this enclosure. The moat of the original citadel makes a considerably larger enclosure accessible only by narrow roadways and bridges. Within the first enclosure and behind the new headquarters building there are several obsolete barracks for self-defense guards and storage buildings covered with sheet iron for their equipment.

STAFF

The district chief of Dien Ban is assisted by a personal staff of fifteen civil servants paid out of funds of the national budget and allocated to him by the province chief. This staff consists of a chief secretary, 10 secretaries,⁷ a messenger, 2 manual laborers, and a driver. The chief secretary is responsible for the management of various bureaus at the district headquarters, and he replaces the district chief when the latter is absent. The 10 other secretaries and the messenger are theoretically designated to perform the functions of the following 11 bureaus: (1) general and personnel administration; (2) political and judicial affairs; (3) economic affairs; (4) finance and taxation; (5) military affairs; (6) identity cards; (7) civil status (registry of births, deaths, marriages, and legal transactions); (8) youth and physical education; (9) education, social welfare, health, and labor; (10) agrarian reform and agricultural credit, and (11) correspondence and records.

In practice, there is no sharp separation between these "bureaus" and the secretaries are often asked to help their fellow-secretaries when work piles up and must be accomplished rapidly. The volume of paperwork is constantly increasing in the district. For example: The bureau which delivers identity cards is always busy during the entire week. People come every day from the various villages in the district in large numbers in order to secure or maintain the all-important identity card which is essential for any regular travel outside one's own village.

In view of the large population of the district the regular secretarial staff is clearly too small. By way of temporary compensation the district chief recruits and pays out of village funds an assistant secretary at 1,500 piasters per month and about ten employees (*cadres* for reconstruction, *can-bo xay dung*). The latter are in fact self-defense guard members (*dan-ve*) transferred from their security duties to paperwork.

CIVIL GUARDS

In the realm of security organization, each district theoretically has its own civil guard under the command of the district chief. In Dien Ban, however, there is a platoon of only 45 civil guards (*bao-an*) paid by the province chief out of the funds of the national budget and assigned to the district. At the present time, this unit is stationed in Hoi An and in various villages of the district and is completely under provincial authority. The civil guards are armed with carbines and are provided with thirty bicycles. The head of the platoon has a pistol. He also serves as commander of the district's self-defense guards.

⁷Three of these ten secretaries were moved to the province entailing severe shortage of staff. (See page 103)

SELF-GUARD ORGANIZATION

The Self-Defense Guard Organization in Dien Ban is relatively strong and serves directly under the district chief. The 345 men of the self-defense militia office of Dien Ban play the main role in the defense of the district headquarters and of the villages of the district. All of them are dressed in black uniforms and wear peaked caps reminiscent of Japanese soldiers. They are armed with daggers, sticks, and ropes and have tattooed on the left arm in black ink the evocative slogan, "Sat Cong," (Let's kill Communists)! (See page 43) They lack a sufficient number of carbines and ammunition and they sometimes must use old guns or fowling pieces.

Six of the self-defense guards serve as a bodyguard for the district chief. At least two armed guards accompany him wherever he goes. The district chief himself always carries a pistol and, when remaining in his quarters, disguises himself as a self-guard by wearing black pajamas.

Altogether, there are 11 "cantonal" groups of 25 self-guards each. Each group has charge of the security of 4 or 5 villages. The rule for these groups is to move continuously, to remain mobile all the time in order to face any attack or pursue any disturber of the peace. They are supposed to bivouac rather than to live with the villagers, and the rule is to remain in one place a maximum of three days. The nonobservance of this rule can lead to disastrous consequences. (See page 39) Their formal duties and responsibilities are, first, to fight Communists and, second, to maintain peace and order. They help the village police chief in making arrests and they may also make arrests themselves, bringing offenders to the village council or to the bureau of political and judicial affairs of the district for disposition. The self-defense guards of Dien Ban receive a modest salary of 900 piasters per month, 600 piasters of which comes from the national budget while 300 piasters comes from the provincial budget.

OTHER SECURITY AGENCIES

In addition to the civil guard and the self-defense guard units, there are also three small organizations dealing with security. All three are located in Vinh Dien and are available for aid to the district chief.

First is a branch of the National Security Organization consisting at the district level of 1 head and a staff of 12. It assists the district chief with special information and can report to the district chief, although it has direct communication with Saigon. Ordinarily, this service provides the district chief with information and investigation of political

activities. In cases of emergency, however, the new district chief may prefer to perform this task himself for purposes of greater dispatch. (See page 40)

Second is a district gendarmery located in Vinh Dien with 1 chief and 2 men. It is under the authority of the provincial gendarmery located in Hoi An. The latter consists of a platoon under the province chief and supervising four gendarmeries. The gendarmery of Dien Ban makes investigations in criminal and other cases involving military personnel. Such investigations take place upon the initiative of the province chief, of the district chief acting as his delegate, or of a judge of the Provincial Tribunal of Quang Nam. The Dien Ban gendarmery makes reports to the provincial gendarmery and sends a copy to the district chief. Its competence spreads over the whole territory of Dien Ban.

Third is the police station in Vinh Dien. Its chief and its four policemen are under the service of the police of Hoi An. Unlike the local gendarmery, the local police have power only in the two hamlets of Vinh Dien, Village of Vinh Xuong.

DISTRICT TECHNICAL SERVICES

A number of technical administrative services (other than those concerned with security) operate in the District of Dien Ban under the joint control of the respective ministries in Saigon and of the province chief. The district chief exercises supervision over these services, but his role is very limited because he is already overburdened with the tasks of direct administration in this heavily populated district.

Among the district technical services, there is the information branch which is located at the main crossroad of Vinh Dien and is well known to the peasants for its big radio set and loudspeaker. This service has a chief and a staff of four. There is also a civic action team which helps the district chief in a variety of social and economic activities such as the construction of schools, infirmaries, and roads. It has a team leader and seven cadres.

Such education and health facilities as exist in the district operate under the National Departments of Education and Health. The district chief may propose new construction and staffing. In the former case Central Governmental approval and assistance is necessary, while in the latter case local personnel may be chosen within the formal requirements laid down by Saigon. Finally, there are the post office, the railway office, and the excise office of Vinh Dien. The district chief may be called

upon by these offices in case there are needs for repairs of communications or noncompliance with regulations.

The head and staff of these services, which may total as many as ten or more persons, are appointed by the respective departments in Saigon. They are paid by the province chief out of funds from the national budget for which he acts as delegate to carry out national orders applying to his province. The district level branches of these services are influenced by political directives at the provincial level which may in turn be influenced by the advice of the local district chief. The district chief makes yearly reports on the performance of these agents to the province chief who, in turn, transmits them to the appropriate departments of the Central Government, adding his own opinions as he sees fit. At the same time, the district level services receive constant technical guidance from their departments in Saigon.

OTHER DISTRICT LEVEL ORGANIZATIONS

There are also on the district level units of other organizations of a less governmental and a less formal administrative character.

Among those established by decree or presidential circular, there are three dealing with services: (1) the Committee on Agricultural Affairs (*Uy-Ban Nong-Vu*) assisting the district chief in carrying out agricultural reforms, (2) the Anti-Illiteracy Committee (*Uy-Ban Chong-nan Mu chu*) which promotes and inspects popular literacy classes throughout the district, and (3) the Community Development Committee (*Uy-Ban Phat-trien Cong-Dong*) which publicizes the desirability of building new homes, new roads, and new techniques and services.

In addition, there are district level organizations promoting political doctrine such as the Social Affairs Committee (*Uy-Ban Xa-Hoi*) which stresses the philosophy of personalism underlying economic and social development of the Republic of Vietnam, and the Anti-Communist Denunciation Committee (*Uy-Ban To-Cong*) which seeks to explain to the population the nature of the Communist threat and the error of Communist belief.

Still other organizations encouraged by the government but designed as private voluntary groups have been formed at the district level. The Association of Agricultural People (*Hiep-Hoi Nong-Dan*) for Dien Ban has 12,236 members. There are many very small pump cooperatives making use of material provided by American aid for irrigation of paddy fields. There are also many weaving cooperatives at the family level.

In the fields of health and education, there are (1) the Society for Charity and Birth Protection (*Hoi Phuoc-Thein Bao-Sanh*) with 350 members, (2) the Oriental Medical Association (*Hoi Dong-Y*) with 150 members, and (3) the Classical Studies Association (*Hoi Co-Hoc*) for the preservation of Asian literature and morality, the national vice-chairman of which is the deputy of Dien Ban to the National Assembly.

COMMUNICATION BETWEEN DISTRICT CHIEFS

In theory, there is no formal relationship between district chiefs in the same province and neighborhood. Regular informal contacts, however, become necessary for effective defense of neighboring villages against Communist activities since weaknesses in the defensive precautions of border villages affect the security of neighboring districts directly. Likewise general problems such as the receptiveness of students and young people to subversive propaganda necessitate constant cooperation between neighboring district chiefs in Quang Nam Province. (See page 39)

VERTICAL: DOWNWARDS

The two preceding sections have dealt with the numerous and varied activities of a district chief in his relations upwards to his superiors and horizontally to his assistants and colleagues. But the district chief is much more occupied by his relations with the villages and the villagers.

VILLAGE ORGANIZATION AND THE FUNCTIONS OF THE DISTRICT CHIEF

The district chief of Dien Ban is responsible for the administrative management of 30 villages, which are in turn grouped into 144 hamlets which, prior to 1956, were independent units.

As described above, the traditional village enjoyed a political status approximating that of "a state within a state." But under French rule and with the independence and development of the country in these two last decades, the village had opened its doors. Today, the administrative body of the village organization is called the village council (*hoi-dong xa*), and it has four basic elements: (1) a village chief (*dai-dien xa*, literally village representative), (2) a police chief (*uy-vien canh-sat*, literally delegate for police), (3) a finance official (*uy-vien tai-chanh*, literally delegate for finances), and (4) a youth representative (*Uy-vien thanh-nien*). In the more populous villages, 1 or 2 other councilors may be added, and such is the case for the District of Dien Ban, where the average number of village councilors is 5 (142 councilors

for 30 villages). But, as the village budgets of Dien Ban are not sizeable, the impact of crop failures or excessive special taxes imposed by a district chief may mean that village councilors go without pay for months, and occasionally, some must be dropped (See page 51). Seventeen village officials were removed shortly after the arrival of the new district chief (See page 58) and relatively few of these had been replaced. Low pay, periods of no pay, threat of removal and nonreplacement by superior administrators, and threat from Viet Cong terrorists, all contribute to the low esteem and difficult recruitment of village officials from the elite. These positions tend to fall to less qualified candidates, some of whom may be overimpressed with the honor and amenable to petty corruption. An example of the shortage of able village personnel was the village chief of Cam An, a 57-year-old teacher who presented his resignation because of ill health one year ago, and asked the new district chief again to be relived on the latter's visit to the village on March 1, 1961. Due to the village chief's competence and experience, the district chief urged him to stay on for one more year.

The village officials deal with political affairs, the anti-Communist campaign, information programs, youth, and with day-to-day administrative matters (law enforcement, tax collection, health, vital statistics, justice, and public works). They are appointed by the province chief on the basis of proposals from the district chief. They receive a modest allowance paid out of the village funds (1,700 piasters per month for the village chief of Vinh Hoa and 1,800 piasters for his colleague of Thanh Trung). Under ordinance 57a mentioned earlier, the village council has the powers and privileges of a corporate body, a juridical person. It may adopt a budget,⁸ levy taxes, purchase and sell private property, and perform other collective functions. All of these functions are, however, closely supervised by district and provincial authorities.

The district chief assists his superior, the province chief, by assuming responsibility for general administration, especially supervision of the inferior units of administration within his jurisdiction (villages and hamlets), and the coordination of the various offices and technical services that have been established in his organization (See page 27). His functions pertaining to *general administration* include the application of laws and programs of the Central Government, collection of vital statistics, guidance and supervision of local taxation and budgetary activities, administration of local security, public health, agricultural

⁸The resources of the village budget are: village taxes or fines, supplementary percentages on national taxes, and rent of thirty percent of public village lands. The village budget also supports assessments by the district chief. For example: The cost of the dinner given by the district chief of Dien Ban to the notabilities on February 27, 1961 after the anti-Communist meeting (See page 46) was paid by such an assessment with some 3,000 piasters prorated among the thirty villages of the district.

extension, public works, authorization for family ceremonies, and extra tasks which may be requested by the province chief or the delegate of the government for the region. The district chief also has judicial powers, such as reconciliation procedures and the adjudication of minor civil and criminal cases (fines and imprisonment from 1 to 10 days). For example: Acting as a judge of peace with the assistance of a secretary, the new district chief reconciled two neighbors in a judgment in the collection of a debt already rendered by the Tribunal of Danang, but not yet executed (March 3, 1961). Finally, while the district chief's main powers are essentially executive, he also has legislative powers. He not only takes care of publication and diffusion of laws and regulations, but according to an ancient custom which has been revived (See page 15), the new district chief of Dien Ban asked the notabilities of the villages under his jurisdiction to create a new customary village law against Communist activities going beyond the regular statutory laws of the Central Government (See page 43).

FORMAL RELATIONS TO VILLAGE CHIEFS AND COUNCILORS

The new district chief of Dien Ban has constant contact with his "administered," and instead of working on reports and other papers,⁹ he spends much of his time visiting the village chiefs and councilors. A good district chief must be well trained in the field of human relations. His model qualities have been from time immemorial virtue, modesty and contact with the people (*dao-duc, binh-di, can-dan*).

On circuit, the new district chief spends long periods in the village halls, examining new plans for the program of civic action, budget and other finance registers, as well as civil status registers. In sum, he serves as practical teacher in a wide variety of administrative matters. Furthermore, after much empirical investigation, the district chief may gain sufficient knowledge to make sound proposals to the province chief.

At least, ten concrete examples of the varied administrative activities of the new district chief occurred during the last week of February 1961. First was an inspection of the work of local unemployed on a recently washed-out road to Lien Tri dam, Thanh Trung Village (See page 51). Second, in Thanh Trung village, the new district chief met a cultivator who had planted two hundred tobacco plants on the road, since the roadway had long been out of use. The approach of the new road work would necessitate confiscation before the plants were

⁹Between the district chief and the village chiefs, exists the same variety of correspondence than between the province chief and the district chief. In Dien-Ban, all the village chiefs use typewriters.

ready to be harvested. The planter wanted to be reimbursed for 200 piasters, and the district chief gave him 400 piasters (See page 58). Third, in Vinh Hoa Village, he encouraged the village chief to explain to the young men of the village self-defense body the economic risks they would run if they should leave Vinh Hoa and go to work at another place (See page 58). Fourth, he also examined a claim made by the villagers who had come back to the village recently for a portion of public land included in the thirty percent reserved to the budget. He decided that if the villagers wanted to cultivate these lands, they must pay an assessment in order to balance the budget. Fifth, in Cam An Village, the district chief studied the proposals of the village chief for motorization of twenty junks and replacement of traditional ramie nets by nylon fishing nets. Sixth, at the same time, he listened to complaints about the consequences of the new De Vong dam on fishing and cocconut growing in the Cam An littoral of the inlet, now fresh water rather salt water (See page 51). Seven, in the same village, he also examined the question of the possible resignation of the village chief also referred to above, bearing in mind new appointments or promotions for replacement of other village councilors already removed (See p. 58) Eight, in Vinh Phuoc Village, he used very formal procedures in examining the claims of the villagers in a town meeting where he maintained order despite some marked hostility against the village chief, accused of having overcharged taxes and false attribution of public lands (See p. 59). Nine, as advisor to the "Association of Agricultural People of Dien Ban," the district chief made recommendations for the improvement of irrigation in Vinh Dien, importation of rice from southern Vietnam, and of using insecticides. He encouraged the cultivation of peanuts, and, finally, gave his opinion about the use of technical assistance from Taiwan (See p. 52). Ten, he presided over a meeting of the village councilors for a training course on office management given by his second clerk (See p. 59).

In these varied administrative duties the new district chief was able to show his skill, knowledge and competence. He showed skill, when he controlled road repair (first example). He showed competence on petty administrative matters, such as the reimbursement of tobacco plants (second example), and on more important matters such as the persuasion of self-defense guards to remain in their village (third example). He manifested knowledge about personnel management when he examined question of staffing village councils (seventh example). In budgetary activities, he examined the distribution of public lands (fourth example) and presided over a "town meeting" reviewing the village budget (eighth example). In the field of economic development,

he listened to complaints about previous development projects (sixth example), and he studied possible motorization of junks and agricultural problems (fifth and ninth examples). Thus in the specific activities of one week the role of a district chief appears varied, extensive, and intimate in this supervision of villages from above.

POLITICAL RELATION TO RICE ROOTS

Much more important, although informal, are the political relations of a district chief to the "rice roots" of Vietnam, to the notabilities who effectively lead the villages, to the village councilors who are their official representatives, and finally, to the peasants themselves who live at the roots of the rural society.

As indicated (See page 15), traditionally, the notabilities played a dominant role at the village level, a role established by customs. The revolutionary upheavals of the last two decades, however, have reduced this role; the Councils of Grand Notables vanished in 1945 and have not been re-established. Nonetheless, notabilities retain influence in the villages, and it was perhaps the measure of the new district chief that he sensed the need to enlist their cooperation in the tasks of combating Communism and to re-establish, at least to a certain extent, their advisory councils. (See page 43 and page 61).

The traditionally elected village councils now are appointed, but here again, a district chief finds himself dealing with public sentiment in his decisions for removal or replacement. Today, the village council plays the dominant role in village administration, in contrast to its position of subordination to the Councils of Grand Notables in the past. The problem of democratization at this level remains.

Essentially, what the district chief needs as the symbol of the Central Government at the local level is the confidence and active support of the peasant population. Economic development, which is understood, supported by the local population, and effectively carried on by higher authorities, offers perhaps the most certain avenue to such confidence. But confidence, it may be suggested, depends on effective communication between the local population and the immediate superior governmental representatives.

3

Problems Confronting the New District Chief of Dien Ban

SECURITY PROBLEMS

SOME GENERAL OBSERVATIONS

The major problem confronting administrators in the Republic of Vietnam in early 1961 was clearly the problem of security against terrorist acts and political infiltration by the Viet Cong. While the most serious Communist activity was taking place in southern provinces, notably in the delta area between the mouths of the Mekong and Bassac rivers, by late October of 1960, official pronouncements indicated the development of serious Communist military action in the central highlands area bordering southern Laos, in the Province of Kontum which is located just to the south of the mountainous portion of the Province of Quang Nam.

Prior to this time, Quang Nam, like other provinces of Central Vietnam, had been relatively free of Communist activity. It was perhaps significant that Quang Nam Province as a whole had submitted to Viet Minh administration from 1945 to 1947, and from the latter date

to 1954 Viet Minh control continued in the southern portion of the province. The population, however, retained an anti-Communist reputation, and such opposition forces as appeared tended to be nationalists remnants of the Dai Viet (Great Vietnam) and Vietnam Quoc-Dan Dang (Nationalist Party of Vietnam) which fled to the mountains in 1956.¹

After the one and one-half year period of Viet Minh and administration of the District of Dien Ban, from August of 1945 to February of 1947, the Viet Minh fled to the south, and Dien Ban was reoccupied by the French forces. From March to July of 1947, Dien Ban was a no man's land with French army control by day and Viet Minh control by night. After July, the French had reinstalled administration in Hoi An and Dien Ban, but nighttime Viet Minh activity continued for much of the period up to the time of the Geneva agreements since the neighboring district to the south, Thang Binh, remained under Viet Minh administration throughout the entire Indochina War. During this period most of the notabilities and wealthy people evacuated their village domiciles for Hue, Nha Trang, or Saigon, returning to Dien Ban only after Geneva. As a result of the Geneva agreements, many young avowed Communists left Dien Ban for North Vietnam. This period of Viet Minh total and partial administration doubtless left a legacy of divided loyalties. A major task of post-Geneva administration in Dien Ban has been the compilation of data on the loyalty of every citizen.

As was suggested above, Dien Ban, as a part of Quang Nam, had enjoyed relative security from Communist infiltration, between 1954 and 1960. The previous district chief developed a reputation for firm and effective action against Communist activity. Under his administration an elaborate system of identity cards served to control movements between villages and to other districts, leaving a heavy administrative burden at the district level. But the mountains in the western portion of Quang Nam harbored *Thuong* (mountain) tribes whom the Viet Cong were in the process of subverting. In addition, Vietnamese Communist cadres both from North Vietnam and from families in Quang Nam could utilize mountain communication systems and nocturnal mobility in the central lowlands for sporadic attacks on security forces and for the distribution of Communist tracts.

The new district chief came to Dien Ban after having served for two years as district chief in what was reputed to be the most secure district in all the Republic of Vietnam, Quang Dien, in the Province of Thua Thien. Quang Dien is located in the lowlands some thirty kilometers to the north of the Vietnamese imperial capital of Hue. From

¹Snigiliano, *op. cit.*, p. 338.

the start the new district chief's first preoccupation was to combat rising Communist activity whether stemming from infiltration from the mountainous districts to the west as he had already discovered, flowing from the seacoast which so far had not been a serious source), or emerging from cadres who were related to the population in his district and whose return posed a particularly complicated problem. It must be borne in mind that since the Geneva Accords of 1954, residents had left for North Vietnam and records were maintained on their relatives. In early 1961, the most difficult and important problem was to try to maintain adequate records regarding possible Communist agents among the population. This task fell largely upon the district chief and was an enormous burden, particularly in a very populous district such as Dien Ban.

In addressing a representation of the notabilities of his district, the new district chief voiced clearly his preoccupation with security against Communist activity:

You gentlemen, notabilities, *lettres*, you have suffered very much under the Communist regime. Now the Viet Cong distribute tracts, spread their colors (flags) at many places, and ask many people to join them to go to the North or to the mountains, and we do not have the means to punish these activities. They operate aboveground and underground.

Concrete Cases

IN A NEIGHBORING DISTRICT

In the adjacent District of Duy Xuyen to the southwest of Dien Ban, the Viet Cong had attacked a village some fifteen kilometers from the district office in December of 1960. Normally the self-defense units moved their encampments every three days, but in this instance they had stayed in the same encampment for a week or more, giving the Viet Cong time to learn of their relative immobility and to attack them. Two out of the thirty self-defense men were killed and approximately fifteen guns were captured by the Viet Cong.

Clearly the security problem required cooperation between district chiefs. Any such cooperation required an informal horizontal channel supplementing the hierarchical formal structure of local administration. The new district chief already had held frequent informal meetings with the army captain who now was the district chief of Duy Xuyen, 4 of which had taken place over the previous 2 weeks. At their meeting on February 28, they agreed that, from the political point of view, Quang Nam was more seriously infiltrated than the coastal province

of Quang Ngai immediately to the south. This was due no doubt to the fact that Quang Nam, unlike Quang Ngai, had a mountainous sector bordering southern Laos. Their consultation centered upon the problem of guarding villages located on the adjacent boundaries. They agreed that if some of the villages were exposed without enclosures, self-defense, or secret information services, Viet Cong infiltration could succeed at such points and undermine the protection system of the whole district. Consequently, they examined security in their adjacent border villages. They went on to survey the activities in their respective districts of school boys and young men who seemed attracted to Communism.

IN DIEN BAN

The clandestine distribution of Communist tracts was the most pervasive and concrete activity within the District of Dien Ban in early 1961, and in the detection of such activity the district chief relied upon the administrative resources of his own district.

At seven o'clock, one morning in December of 1960, the self-defense unit operating in the Village of Thanh Son, adjacent to the more mountainous district of Dai Loc to the west, discovered some 50 plastic envelopes each containing 2 Communist tracts distributed on a road regularly inspected by the unit.

The previous inspection of that road by self-defense units had occurred at four A.M., and there was a constant control and record of persons using the road at night. Hence the district chief was able to focus suspicion upon the self-defense cadres who had guarded the road that night and the recorded travelers. District office records provided him with information on much of the population in this village with indications of persons who had been suspected of working for Viet-Cong propaganda in the past. Especially suspect were relatives of individuals who had gone to North Vietnam or former agents or members of the Communist party. Thanks to the control of transit from one district to another, the district chief had a record of persons who for any reason (generally "business") travel from Dien Ban to Dai Loc and of those who receive anyone in their home who comes from another village or district. A major source in the compiling of these records for the villages of Dien Ban was a file of secret notebooks on the coming and going of visitors to homes of previously designated suspect persons. These notebooks were kept by all four of the neighbors of such persons. They were given to the district chief for him to check in such concrete cases as this. The new district chief had already made use of a similar system in his

previous district, and in the case at hand he used his discretion to narrow the number of suspects to five. In this case the self-defense cadres in his opinion seemed to have been reliable.

Among the 5 suspects, 1 woman who traveled the road between 4 and 7 A.M. was identified as the wife of a man who had previously gone to North Vietnam and also as the relative of a young man who regularly traveled to the neighboring district as a woodcutter. Upon interrogation, it was indicated that both suspects had probably met Viet Cong agents on at least one of their daily treks into the mountains and that she had presumably dropped the fifty envelopes on the road early that December morning. The investigation required four days and, by the time the district chief was ready to turn over both suspects to the security services in his district, the suspected Viet Cong agents in the mountains had had time to elude capture. Both suspects in Dien Ban had since been emprisoned. In sum, the district chief played the major role in tracking down suspects while the self-defense corps delivered the Communist tracts to district headquarters before many, if any, villagers dared pick them up and read them.

Elements of the population of Dien Ban were aware that Communist tracts had been distributed. The contents, according to one learned notability, were simply the slogan: "Down with the United States — Diem clique." Most of the tracts held in the district office were well printed and hence presumably originated in North Vietnam while a few were adequately mimeographed, presumably prepared in Viet Cong hideouts in the mountainous portion of Quang Nam. In the tracts there were no specific references to Quang Nam or Dien Ban. Rather the tracts were prepared separately for specific groups among the people of the Republic of Vietnam such as peasants, fishermen, self-defense corps personnel (for whom a poem was composed), and "Officers and Soldiers" of the army. If the tract addressed to the latter group was typical, they were skillfully composed in good Vietnamese, concealing their North Vietnamese, Communist inspiration.

The central theme of the tract addressed to officers and soldiers of the South Vietnamese army was the purported implantation of American imperialism in place of French colonialism, transforming the "peace" established under the Geneva accords of 1954 into a militarist regime, a new colony more totalitarian than any regime in Vietnamese history, and a military base for a new war. Thousands of innocent southern people, according to this Communist tract, were killed or held as prisoners and mistreated, their lands expropriated, and their houses removed, while they were forced to work without pay and to

become soldiers. Conditions were becoming progressively more miserable, the tract claimed, while traditional culture and patriotism were being transformed into vulgarity and slavery. Soldiers and officers were described as the children of factory and agricultural workers, of small private proprietors of the nation who had grown up during the (Viet Minh) struggle against French and Japanese invaders of the past. Some of them, according to the Communist tract, had taken up arms (with the Viet Minh) and had lived under the roof of (Viet Minh) "democracy" and therefore were called upon as children of the nation, born to have a revolutionary spirit and to love their country, to build it up. Instead the American-Diem clique was taking them away from the family, from the rice fields, the factories, and the schools under a false and deceptive appropriation of nationalism and independence which was buying soldiers and officers as a means to fight revolution and the people. Broken hearted at the sight of brother killing brother and nauseated by the proud, haughty American advisors, the stifled anger of soldiers and officers was, in the words of Communist propaganda, boiling inside, troubling the conscience, and raising great doubts. This could not go on, it was argued. Soldiers and officers must rise up as the popular waves of school children, students, and soldiers had already risen up against Syngman Rhee in South Korea, Kishi in Japan, and Menderes in Turkey who were all described as good servants of American imperialism. The situation was very critical and soldiers and officers should not hesitate much longer. The tract counseled them to rise up courageously and unite to fight against the United States and Diem.

Throughout the tract, there was no reference to Communism, to Ho-Chi-Minh, or to North Vietnam. The experience and role of the Viet Minh during the Indochina war was only implied. The main appeal was a passionate evocation of the anti-colonial, anti-imperialist, and *nationalist* ingredients of the Viet Minh struggle which had been arrested and was to be stabilized by the Geneva Accords of 1954. Within this framework there was a brief reference to the class origins of soldiers, but this implied a broad alliance of the industrial proletariat, the peasantry, and small proprietors, a popular front tactic eschewing, for the moment, a more doctrinaire class and revolutionary approach and making such greater use of the anti-imperialist, anti-colonialist language and traditions of the Communist world than of more orthodox Marxism. Peace was the underlying theme, a peace which could only come from the unspecified but avowedly nationalist rather than Communist and totalitarian character of the North Vietnamese regime. This peace theme, however, camouflaged an appeal to mutiny as part of the general subversive tactic which had been revived in South Vietnam in 1959 and 1960.

Whether these tracts would make many converts in Dien Ban was difficult to ascertain. There were a few American military advisors stationed in Danang and serving as instructors to various elements in the Military Organization of the Province of Quang Nam. Americans as such were very infrequent visitors to Dien Ban. Communism when explicitly evoked generally was violently condemned. The restrictions of life in the district were probably much like those which had been suffered for the past 15 or 20 years. Some elements in the district had lived under local Viet Minh administration, at least at night, during the Indochina war, and while this experience had made some conversions and provided some cadres, on the whole the traditional elements, particularly the learned notabilities, were strongly anti-Communist. The younger generation, perhaps, was more open to this kind of Communist propaganda. In any case not all tracts could be picked up by the self-defense corps nor could the distribution be completely stopped. The security problem inevitably (and perhaps in a much more substantive way) was a political problem. The new district chief, with his civilian administrative background, saw it in this broader light and, in late February, sought to mobilize the most traditional elements, the learned notabilities in order to elicit a more total anti-Communist response from the local population, at the same time implying the re-establishment of local self-government. The latter had ancient roots in the district. It would be revived to supplement the constitutional, legal, and administrative apparatus already developed for the anti-Communist struggle by the Central Government in Saigon.

Mobilization of the Notabilities

PURPOSES

The new district chief's personal guard had the words *Sat Cong* tattooed on his arm and proudly shown. *Sat Cong* means "Let us kill Communists," all Communists, not just the Viet Cong. Anyone who willingly wears such a permanent avowal advertises his faith at the risk of death to himself should he fall into Communist hands. The Sino-Vietnamese word, *Sat*, is archaic, evoking the slogan—*Sat Dat* (Let us kill the Mongol General who sought to invade Vietnam), which patriotic Vietnamese remember as utterance of Marshall Tran-Hung-Dao successfully fulfilled in the late fifteenth century. Such a tattoo manifested, in the opinion of the new district chief, a fundamental anti-Communist faith just as the crucifix in his office manifested his own devout Catholicism and just as the altars to ancestors in the homes of villagers reflected their traditional beliefs. Already faith in the government of President Ngo Dinh Diem was

promoted by the huge portrait of the president mounted behind the district chief's desk, altars to him in the homes of notabilities, and the frequent signs painted on the poorest villagers homes proclaiming "Long live President Ngo."

The new district chief was an avowed missionary for an anti-Communist religion in every village. His major purpose was anti-Communist indoctrination, the establishment of automatic anti-Communist reflexes at the rice-roots level. Just as a good Vietnamese Buddhist worships regularly his ancestors and Buddha and just as a good Vietnamese Catholic goes regularly to Mass, seeking to practice in his daily life the moral precepts of traditional religions, so in Dien Ban did the new district chief seek to create what he hoped would be reflexive, habitual anti-Communist action at the village level. Beyond the apparatus and the activity of the Central Government, he sought to create a new chapter of village common law (*huong uoc*), devoted to the new menace of Communism and shaped to changing Communist tactics.

His proposals were set forth in a draft entitled "Customary Law for Security and the Fight against Communism" (See Appendix B). Each village was to establish its own village guard with the mandatory participation of all but the very young, pregnant women, and mothers of very young children, and the crippled and the aged (Article I). The villagers themselves were to penalize those who were negligent or disorderly in the performance of guard duty. Villagers were to offer rewards to those who provided valid information about Communist activity and especially to those who capture a Viet Cong agent. All villagers were to cooperate in the construction of a village enclosure, generally a thick bamboo fence, punishing those who pilfered or destroyed it (Article II). Each villager was to collaborate in the establishment of a village alert, and those who failed to contribute to the alert or neglected it were to perform from 1 to 3 days work which would increase the income of the village (Article III). In Article IV, families with brothers, sisters, or children who had left the village after 1956 in order to join the Communists were to have their houses moved to special areas of concentration in order to facilitate control of them. No villager was to have any relations with these families once they had been regrouped. Their village lands were to be distributed among the remaining villagers.

According to Article V, persons speaking in favor of Communism, that is making propaganda indirectly by means other than printed tracts or radio broadcasts, were to have their village lands expropriated for periods ranging from 3 to 6 years. Also, those who gave refuge to Communists organizations (Article VII and those who served Communism

(Article VIII) were to have their houses taken down and regrouped in the area of concentration and their village lands confiscated for six years. Similar concentration was to be imposed upon Communist agents who had left the village recently and who returned to carry on activities (Article IX). These were the main proposals submitted by the new district chief to a meeting of representatives of the village notabilities of Dien Ban for transmission and possible ratification by their respective villages.

In addition, the draft prepared by the district chief proposed spontaneous local sanctions against those who work above ground for Communism, (Article VIII) but this article was voted down by the notabilities as were several more stringent penalties attached to the above mentioned items.

The entire draft was designed to go beyond the existing legal basis for anti-Communist action on the part of the Central Government under Law 10/59 (for the text of this law, see Appendix A). The provisions of that law imposed severe penalties for broadly worded crimes by Communists and was already the object of vicious attack in Communist propaganda. The new district chief, however, considered Law 10/59 to be inadequate in countering Communist activity since it reflected the rule of law and represented only the tradition of statutory enactment at the level of the Central Government of the Republic of Vietnam. Clearly the new district chief intended to expand, to make more total anti-Communist action, by mobilizing the archaic apparatus of village common law to supplement this statutory law already instituted by the Central Government and applied by its administrators in the provinces. The latter, in his opinion, was inadequate to ferret out Communist agents before they had committed offenses such as distributing tracts. In the name of extending democracy on the village level, he was taking steps to conjure up a new village customary law which, alongside the traditional customary rules for dealing with family disputes and village religious practices, could now adapt to the pressing threat of expanding Communist activity.

METHODS

The draft proposals, on the whole, emanated from the new district chief who claimed that they were his own ideas which he had already put into practice in his previous district. Before committing them to paper, however, he held consultations with three selected notabilities who had been close to the previous district chief and who came from three different villages of the district. The three counselors were respected

by other notabilities. One was the most aged notability in the district, a former teacher of Chinese characters who once had served as secretary at the province chief's office. A second was remembered as a former customs official until his dismissal by the French and as a journalist on the staff of an anti-French newspaper in Hue during the 1930's. The third had once served as a district chief in Khanh Hoa Province. The three conferred with the new district chief on Monday morning, February 27, over the wording of Articles I, II, and III. During the lunch and siesta period, the district chief had the entire draft typed with several copies for distribution to the "Great Meeting of Notabilities against Communism, District of Dien Ban" which opened at 3:30 p.m. Following the presentation of the draft and discussion a dinner and traditional Vietnamese theatre were to be offered.

A few days before, typed invitations for this meeting had been sent out to village chiefs who were instructed to select 1 or 2 representative notabilities from each of the 144 hamlets of the district. The village chief of Cam An distributed his invitations to known anti-Communists among the local notabilities. On the other hand at least one of the notabilities was among those who had sent protests over the policies of the previous district chief directly to the government in Saigon. Between 150 and 200 notabilities came to the district headquarters on Monday afternoon, some hobbling on canes and many carrying black umbrellas to protect themselves from the hot sun during the long walk directly from their villages or from the bus station located in the center of Vinh Dien.

The program began with the usual worn recording of the national anthem and then a brief but effective expository speech by the new district chief in which he explained the purposes and methods of the meeting. In a masterfully engaging manner he, the young Western-dressed agent of President Ngo Dinh Diem (whose dress in the large picture behind the district chief was also Western) sought communication and confidence from this traditionally dressed Vietnamese rural gathering. "You must agree with me," he began, "that our first need at the present time is to destroy Communism," whereupon all the notabilities agreed.

The way to administer best is to follow principles put forth by our moralists, Confucius, Mencius. Every period has its own aspect . . . The words may change, the times change too . . . But the basic desires of the population remain the same. They will always ask for security of life, pleasure to work, and they will insist that the rights of every person be respected by the government with just appreciation of the fundamental worth of the human person who respects the rights of the community. (All agree!)

Every day the Communists increase and change their propaganda and their practices with new programs and methods. Even so must we change ours in order to fight them more effectively.

In my opinion the best program, the perpetual method to fight Communism, is the customary village law. It is not enough that every individual fight Communism and that the government fight Communism. It is necessary that the whole people fight Communism by means of the customary village law. In our customary law we find many answers to the problems of burials, marriages, periods of mourning, the principles of cults, the regulation of society, health, and welfare. But our customary law lacks a part dealing with Communism which did not exist when the ancient rules were drawn up.

I am submitting to you a draft and I ask you to submit it to the whole population of your villages because that is a democratic way to check their opinion and to respect their rights to express freely their opinions. Our objective of fighting Communism is always sought in this democratic way . . . The present national law 10/59 covers only Communist activities which are very apparent, and no other law answers the needs of this fight which is so pressing. We must therefore set up a popular customary law at the level of all the villages in order to meet this need . . . At present we lack sufficient means to punish Communist activity which does not come under the rule of existing law . . . I ask for your vote on this question. Do we begin immediately our fight against Communism?

"Yes" was the immediate response of the gathering of notabilities to this last rhetorical question, whereupon the district chief skillfully transformed the meeting into a directed discussion which in turn became a lively and intense criticism of certain more stringent proposals contained in the original draft.

The discussion began with light touches. Chivalrously the all male and all elderly representatives granted exemption from guard duty to women over 45 (while male exemptions remained at 60 and above) because, in the opinion of one notability "women become older sooner than men." No one, however, raised the question of whether women ever become as wise as men! Merrily the elderly males decided that the exemption for pregnancy should begin after 3 months out of proposals ranging from 1 to 6 months. One penalty which was added was a provision for the guilty party to carry around the village a poster proclaiming his guilt.

The representative notabilities were then encouraged to fill in the details of penalties against disorder and neglect of guard duty with 1 day of required labor for the first offense, 2 for the second, and 3 for the third, whereupon the district chief would intervene and establish further punishment with fines. Rewards were to be paid for out of a village fund which the district chief (from the chair) suggested might be established by the payment of one piaster from each elector. In the case of large rewards for the capture of bone fide Viet Cong, the district and province chiefs would add substantially to the village funds for such purposes, and the notabilities suggested that the district chief would add substantially to the village funds for such purposes, and the notabilities suggested that the district chief establish the high amounts (beyond 3,000 piasters) appropriate for each case. Indeed on one item the notabilities made more explicit the penalties for Communist activity,

adding the provisions already stipulated under law 10/59 to the proposed penalties against persons who speak in favor of Communism (Article V).

But the tone of the meeting was, on the whole, one of apprehension over certain extreme provisions in the district chief's original draft. Tension mounted in the room about an hour after the meeting began and remained high until the district chief ended the meeting at 6:30 p.m. In the original draft, under Article IV dealing with families who have brothers, sisters, or children who have left the village after 1956 in order to join the Communists, there was a provision that the children in such families were not to be allowed to attend the village schools.

Doubt was raised by one strong-faced notability dressed in blue when he rose to warn that "it is very difficult to have everybody contribute to the fight against Communism, especially the aged." Immediately he made a direct attack on the provision to prevent children of such families from attending the public schools. This provision, he declared, would violate precepts of Confucius which he quoted in Chinese! There was much tumult in the room.

The district chief immediately tried to suggest that Vietnam now had a free, democratic, and new regime in which not all of Confucius proverbs would apply. But the current of opposition had already spread too extensively among the notabilities. Summing up the spirit of this opposition, an influential and shrewd notability known more as the Sino-Vietnamese doctor with his headquarters at the main crossroads in the village of Vinh Dien than as a *lettre*, addressed the gathering:

It is not democratic to forbid the frequentation of the public schools by the children of these families, and under the new regime of the Republic of Vietnam we must have justice and charity in harmony with our own moral tradition which stems from the teachings of Confucius and Mencius. The President himself always recommends virtue, so we must allow all the children to go to school in order to give them the new ideas of freedom and of the fight against Communism. If not they will remain illiterate and imitate their parents.

This intervention was followed by that of a middle-aged representative who, in contrast to the rest of the representatives, wore Western dress and who supported the district chief on forbidding the children of such families to go to school. But by this time the murmurs in the gathering indicated a warm response to the Sino-Vietnamese doctor's opposition and, in the ensuing vote, all but a handful raised their hands to strike out the provision preventing the children from attending the public schools.

Similar provisions with regard to the children of those who give refuge to the Communists (Article VI) and those who work above ground for Communism (Article VIII) were suppressed after discussion in which one notability opined that "the government wishes to educate much more than to exact penalties." Another provision under Article VI that "all the people are to sever relations with (these families) for one year after they have been freed by the government" was attacked and suppressed by the gathering because, in the view of one notability:

If the government freed them, the village has no reason to keep them away. It is enough to have their houses in the area of concentration.

The additional penalties under Article VII, expropriation of the village land for 3 additional years and excommunication from relations with villagers for 1 additional year were likewise stricken out. Article VIII, which appeared to have been hastily drawn up, clearly contradicted the rule of law with the provision that "all people can give them the penalties they wish." In the discussion, it was pointed out that under this proposal "people can kill them and the government loses information from them. We already have Law 10/59." The gathering voted this provision down, and a similar provision under Article IX (Communist agents who have left the village recently and who return to carry on activities). Again in this article provisions prohibiting children from such families from attending the public schools and prohibiting the villagers from having any relations with these families were stricken out.

Thus the meeting was transformed from one of simple ratification of the original draft to a tense discussion and serious reduction of penalties largely in a humanitarian direction. The notabilities balked at certain provisions which might penalize innocent people and justify lawlessness at the village level. They thus sought to impose limits to this extension of anti-Communist activity, and they did so with sincere and courageous exercise of a democratic process which the district chief himself had encouraged.

The latter closed the meeting with further encouragement for such procedures by reminding the notabilities again (he had already suggested this in the opening speech quoted above) that, even in its now modified form, this was only a draft proposal which each village was free to accept, further modify, or even reject in subsequent meetings at the village level. Some notabilities already were making preparations for such meetings within the next few days. Once these meetings had acted it could then be said that the villages of Dien Ban had autonomously enacted a village common law (*huong-uoc*) for the new conditions of the

anti-Communist struggle. Furthermore the district chief announced to the gathering that, with the approval of the province chief, he would soon establish advisory councils of notabilities for each village, a proposal implying the resurrection of a traditional representative institution of Vietnam.

ECONOMIC PROBLEMS

While security was the major preoccupation of administration in Dien Ban, the anti-Communist struggle was not only political but economic in its dimensions. The immediate problems posed by the recent crop failures, difficulties posed by certain previous efforts at economic development, and present steps toward further economic development were all pressing tasks for the new district chief of Dien Ban.

RECENT CROP FAILURES

In the spring of 1960, unseasonable dryness had reduced the rice crop. Then during the autumn of 1960 the weather turned unusually cool and wet. Local floods and insects added to the damage to crops which this second season brought. In January, a shortage of rice developed in this populous but not highly productive rice-growing region. Action was taken on the provincial level. For the entire province, the Central Government made available extra rice from Saigon for distribution. Fifty kilograms of rice per family were made available to each of 935 poor families in Quang Nam who were to be allowed to pay for it after the next harvest. At the same time the district chief asked the two deputies of the National Assembly elected from his district for help. The deputy from the constituency in which Hoi An is located responded with five hundred kilograms of rice for distribution to Dien Ban peasants in January. Neither deputy had visited the villages in his constituency, and this was the first time the new district chief had met one of the deputies. The second deputy replied by letter from Hue that he had nothing to add.

In addition, the crop failures had increased unemployment and local floods necessitated road repair in the province. Here again, the Vietnamese government had set aside a fund of 2,141,000 piasters for a public works program to reduce unemployment in Quang Nam. The program provided for wages at higher than the customary rate, because these wages included a measure of charity assistance (*hung-cong dai-chan*). In Dien Ban especially, it made available a sum of 330,000 piasters for repair of the road to the dam of Lien Tri as well as 120,000 piasters

to strengthen the dam of De Vong. The district chief use these funds to give work to unemployed who were designated by each village, and paid 40 piasters a day rather than the authorized 47 piaster rate² in order to provide more jobs. On February 28, the district chief personally supervised the road repair with efficiency, demonstrating the proper mixture of sand and cement and returning one hour after his first inspection to find considerable progress in the work.

In at least 3 of the 4 villages which the district chief visited during the last week of February, there were serious budgetary problems due primarily to a decline in local tax collection because of the recent crop failures. In the Village of Vinh Hoa, for example, 1 of the 4 hamlet chiefs who normally assist the village chief had to be dropped from the 1961 budget because of the carry-over of the deficit which developed in late 1960.

In addition, however, there was evidence that the previous district chief had imposed many special expenses. The village chief of Thanh Trung gave this as the reason why he had had no pay for his own work in the village for many months. Similar reports of nonpayment of village officials were noted in the Village of Cam An. Beyond these immediate reasons there was also, of course, the problem of instituting effective budgetary practices on the village level, a process of administration, education and democratization in which the district chief played a constant and demanding role.

ECONOMIC DEVELOPMENT

Under the previous district chief many projects for economic development had been undertaken in Dien Ban. The dam of De Vong provided a bridge for a second road between Danang and Hoi An and kept out salt water from the inlet, thus making possible irrigation and extended cultivation of rice for at least one of the several villages bordering that body of water.

Most conspicuous, however, were the 28 village resettlement projects (i.e. the remodeling and rebuilding of old villages). Typically these were small new villages with model houses of three standards, built usually of brick. These had developed rapidly during the last two years but work on many of them had been left unfinished for several months. Villagers in at least one of these new settlements were charged 100 piasters each as a special tax, and work on the project was required of them without remuneration.

²In Dien Ban, wages vary from 30 to 40 piasters a day for unskilled labor.

The new district chief had not made decisions in late February in regard to completion of the unfinished projects. He was, however, seeking to initiate at least one new project in the Village of Vinh Hoa with funds he hoped to secure from the Agricultural Credit Office in Saigon. Authorization of this project would require the cooperation of the province chief. The new district chief had already made several requests without success. A map of the new settlement had already been prepared. Once an agreement between the Agricultural Credit Service, the district chief, and the village chief could be reached, there would be plans for developing irrigation, a pumping system, and a textile factory. The money, according to the new district chief, would help the peasants to build their own houses.

At the fishing village of Cam An, the district chief discussed with the aging village chief there the possibility of borrowing 400,000 piasters, through the Fisheries Service at the province level, to motorize twenty fishing junks, thus making for more efficient transport to and from distant fishing waters and also contributing to security in the event of hostile Viet Cong penetration by sea. At the same time the district chief discussed the possible introduction of nylon fishing nets in place of the traditional ramie nets, again with the assistance of the Fisheries Service at the province level.

At a meeting of the "Association of Agricultural People" of Dien Ban on March 2, the prospective implementation of technical assistance in agriculture under the direction of experts from Taiwan was discussed. Dien Ban had been chosen for an experiment in developing irrigation by pump and increasing rice production. The district chief pointed out that previously the irrigation plant by pumps and canals had been rented from a private individual for such pump irrigation as existed in the district. He would now seek a loan of 600,000 piasters from the Agricultural Credit Office in Saigon, thus saving 68,000 piasters a year, the difference between the previous cost of renting (120,000 piasters) and the interest on the proposed loan (42,000 piasters). The Chinese experts, according to the original plan, were to spend four months in Dien Ban and to concentrate their experiment in one village. The district chief, with the approval of the audience, promised to urge the experts to extend their activities over a longer period of time to a much larger portion of the district. Thus both at the individual village and at the all-district level, the new district chief constantly sought to raise hopes of further economic development. In private he confessed his dreams of rural electrification and modern public water supplies in the villages which at present lack electricity and rely largely on the rivers or on a few village wells for their water.

STAFF PROBLEMS

Any visitor to the district headquarters offices could see for himself the enormous amount of paper work required at the district level. Each day long lines of district inhabitants awaited their turn to verify or have replaced the all important identity card required of all 93,777 electors of the district. Beyond this job were the many other activities and communications at the district level.

By late February, the chief of Information for Dien Ban had been moved to another district, but a replacement was expected shortly. In addition, however, three secretaries had been moved to the Province of Pleiku. Thus the over-all regular staff of Dien Ban had been reduced to ten (excluding one assistant paid out of village budgets). Consequently, though Dien Ban was by far the most populous of the 12 districts of Quang Nam, it ranked 7th in size of regular district staff, followed only by the 4 newly designated districts in the thinly populated mountainous area.

As a temporary measure, the new district chief was interviewing possible local recruits, but he was clearly distraught over the recent reductions in size of his regular staff. It is within the power of the province chief to move staff about among the districts in his province. In this case, however, he would have to request three additional secretaries for his province unless he was prepared to reduce the staff of other districts. As a consequence of this problem, the new district chief visited the province chief in Hoi An before coming out to his own district headquarters early on the morning of March 1 and registered a complaint over the loss of the three secretaries, asking for replacements as quickly as possible. The province chief made no direct reply, but in a meeting between the new district chief and the deputy province chief in charge of personnel administration on the following morning, the latter promised: "I shall give you three secretaries as replacements and, if you wish, I shall move all the present secretaries to other districts and provide new replacements."

Whether the deputy province chief could commit his superior to such action was not clear, but the implication that the previous district chief's staff might better be entirely replaced suggested the problem of the confidence which a new district chief may need from his staff. He had already given evidence of possible lack of confidence on the morning of February 28, when he asked a delegation of woodcutters to provide him with confidential information to help him evaluate the performance of his subordinates. The woodcutters promised to give him a report in 1 or 2 weeks. Clearly the size and quality of the staff not only indicated

the relative prestige of a district chief in the eyes of his superiors, but was an important element in the accomplishment of the broad and complex tasks of a new district chief seeking the confidence of the inhabitants of his district.

4

The District Chief and Democracy

SOME GENERAL OBSERVATIONS

It is the theme of this study that the district chief, more than any other official of Vietnamese administration appointed by the Central Government, has direct contact with a significant but approachable segment of the population of the country. As a symbol of government authority and policy, he is judged by the local population, and while his own security of tenure depends upon the confidence he earns from his superiors, the confidence he inspires from the population of his district is the ultimate test of his effectiveness. As a trained and experienced administrator, the district chief can serve as teacher of modern administrative techniques and as propagandist for new policies to the local officials and population under him.

The new district chief of Dien Ban was not a military officer as so many of the recent appointments on the district and provincial levels in the Republic of Vietnam. He had a modest formal education, having achieved a French primary school certificate and having reached the stage of candidacy for the first baccalaureate but nonetheless capable

of teaching Vietnamese, French, and sciences in a good private school in Hue after fleeing North Vietnam. More important was the length and character of his administrative experience. Before 1954, he had served as assistant district chief of Hiep Son in Tonkin. Then, from 1957 to 1958, he served as the administrative representative (equivalent to district chief) for a new relatively unpopulated mountainous district, Huong Dien in Thua Thien). Finally, as has already been suggested, he made a good record as district chief for the District of Quang Dien in Thua Thien, between 1958 and 1960. The career of this relatively young man (aged 38) thus reflected extensive in-service training and experience on the district level, and thus his case might serve as something of a model, especially since the man gave the impression of being dedicated, intelligent, honest, and sensitive both in his devotion to the anti-Communist struggle and to the needs and desires of the local population.

In general, it has been demonstrated that the period 1945 through 1960 of Vietnamese administrative history has been one of repeated upheaval, and the period 1956 to 1960 had been marked by a decline in traditional village level representation with the new ordinances giving the province chiefs the power to appoint and remove village officers in place of the traditional elections and the active role of councils of notabilities. In practice the decision to remove village officers was more likely to be made on initiative from the district level. The relative continuity of the administrative experience of the new district chief for Dien Ban, however, could serve as a wise countervailing factor. Thus it may be suggested that no activity of the new district chief of Dien Ban was more interesting nor, in the long run, more constructive than his initiative (coordinated at least in some cases with general government policy) to introduce (or reintroduce) representative institutions of control at the village level.

PETITIONS FROM NOTABILITIES

In the District of Dien Ban, some critical opinion was expressed in regard to village resettlement projects undertaken by the the previous district chief. According to one learned notability, the previous district chief had built brick factories and sold bricks to the villagers who were engaged in building the new settlements. The location of some of the new settlements was questioned. One unfinished new village between Hoi An and Vinh Dien was known to be located in land which was of poor quality for rice growing. The establishment of new settlement in some cases challenged traditional patterns of housing and cultivation. The

new dam at Cam An was destroying fishing and cocoanut crops in the hitherto salt water inlet. The advantages of the new settlements and projects had not been understood by some of the population, and there was some irritation over the extra taxes and free labor accompanying the new projects and some questioning of the advisability of certain undertakings by traditional elements of the population whose influence over local affairs had been reduced over the previous few years.

By late 1959, this criticism took the traditional form of petitions from certain notabilities to representatives and officials of the government. One such petition, according to one of its ten signatories, complained that some of the new settlements were "not useful" and were "disturbing the people very much." Initially such petitions were sent to the deputy who did not reply. A subsequent petition was sent with one copy addressed to the chief of the province of Quang Nam, one to the delegate at Hue, one to the ministry of the Interior in Saigon, and one to the presidency. A copy was addressed as a letter to a newspaper in Saigon but it was not published. Instead the petition was returned to the province chief, who, in turn, informed the district chief.

Among the critics of the previous district chief, it was believed that their petitions contributed to his removal which took the form of resignation in October of 1960. Since a new province chief had taken office in Quang Nam in July, they believed that he, as an honest man, had made the decision. The latter, however, claimed that the removal was initiated by his predecessor.

The new district chief, as has been noted before, came to Dien Ban on the recommendation of the delegate at Hue with a good record in a smaller district. He and the previous district chief were cousins, and the latter not only stayed on in the district headquarters for one month after the arrival of the new district chief but also continued to pay frequent visits to district headquarters in his new automobile. He did so on the afternoon of February 28. He had become an affluent business man in Danang.

The new district chief admitted that his predecessor had made some "blunders," but he tended to sympathize with his fate by referring to the strains placed upon all district chiefs in their relations with their superiors and by referring specifically to the reports sent by the province chief and also by security officials directly to Saigon. But, as was indicated above, work had stopped on the uncompleted village resettlement projects undertaken by the previous district chief, and the new district chief had not yet decided whether to complete them.

THE DISTRICT CHIEF AND THE LOCAL POPULATION

GENERAL ADVICE AND ORIENTATION

The new district chief from the start concentrated upon establishing confidence among the population of his district. His efforts suggested that, once he had familiarized himself with the situation, he tacitly admitted the need for reforms, removal of officials perhaps too closely identified with the "blunders" of his predecessor and the institution of new formal organs for the expression of criticism as well as the implementation of policy on the local level.

On his arrival, he visited all 30 villages of his district and many of the 144 hamlets as well. In his initial contacts, he delivered the message that peasants must develop agriculture and practice economy, indicating what he meant by imparting practical advice on better techniques of agriculture and admonishing peasants to go to work in work clothes rather than finery and to get to work early in the morning. He continued to make visits to village headquarters, presumably at least once a month, though during the last week in February he visited only four.

REMOVAL OF VILLAGE OFFICIALS

The new district chief successfully recommended to the province chief the removal of 17 village officers out of the 142 in his district. Eleven of these were village chiefs (i.e. chiefs of more than one-third of the villages in the district). He did so on grounds of corruption or incompetence but at the same time tacitly implied the question of confidence. He intended to remove perhaps fifteen other village officials in the future, claiming that the process takes time and requires skill. In the case of the removal of the finance officer of the Village of Cam An, the village council suggested a successor whom the new district chief refused to recommend to the province chief because, according to his records, the man had once been a Communist and hence was ineligible under the law.

ADMINISTRATIVE AND BUDGETARY ACTIVITIES

The new district chief sought to symbolize justice in his administrative acts and to promote more regular budgetary procedures at the village level. Thus he was conscientious in dealing with specific problems raised at the village level. In the Village of Thanh Trung, he discovered that a villager had planted tobacco plants on land where a new road was about to be made. On the spot he determined a generous payment to the planter for confiscation. In the Village of Vinh Hoa, 20 young men of the village,

trained as self-defense guards, (out of a total of 36) had asked permission to leave the village to go to work on the railroad in a neighboring district. He encouraged the village chief to stress the economic risks in the young men's proposal (though both were concerned primarily over the weakening of security which would ensue). Both agreed, however, to allow a few of the twenty to go for a brief period, trusting they would find out for themselves that they could earn more money by returning to the village.

In every village in the district, the new district chief sought to exercise personal control over the local budget and encouraged more professional local administrative practice. In visits to village offices, he checked records and made recommendations on new procedures and new forms of taxation. Furthermore, he held periodic meetings with all village councilors at the district headquarters for purposes of training in the keeping of records. This program was part of a course disseminated by the National Institute of Administration in Saigon. In the meeting of March 2, the village councilors were instructed by the district secretary for military and self-defense affairs on techniques and procedures of office management. Among the questions asked by village councilors was this one: "Is it necessary to keep records when the Viet Cong can destroy them?"

VILLAGE LEVEL "TOWN MEETINGS"

More interesting, however, was the new district chief's message of January 6 to all village chiefs instructing them to hold meetings at least once a month for purposes of control of the village budget. These meetings were to be open to all villagers, thus suggesting the traditional New England town meeting. Such a meeting was held in the Village of Vinh Phuoc on March 1. Some fifty villagers attended, a smaller number than at the previous meeting held on February 25. The district chief and his political and judicial officer presided from chairs, while the local village chief stood by at one side and produced upon demand such records of local fiscal affairs as he could. The district chief urged those who attended to give their opinion freely but to behave in an orderly fashion (especially since they were hosts to professors from Saigon and from Massachusetts). Rough words ("I'll break anyone's arms and legs!") were expressed in support of the village chief's autonomy on budgetary matters, but the district chief skillfully exercised his power of control, claiming to have his own means to get information about village budgets. He then raised a question in regard to the expenditure of rents from village land and the number of registered voters who were

not exempted from paying taxes. He made recommendations to use the funds to pay the village council and to post a list of those who were exempt from taxation on the wall inside the village headquarters. He criticized the removal of funds from one chapter of the local budget to another, warning the village chief that claims could be made against him for such irregularities. The latter replied that the village finances had suffered during the last year because the previous district chief had required many special expenses. While the role of the villagers in this "town meeting" was largely that of spectators to the control exercised by the district chief over the village chief, some spontaneous questions were put from the floor. In most cases, the questions indicated dissatisfaction over high taxes charged by the village chief. In one case the question of ownership of land which had recently developed by accretion along the Thu Bon river bank was raised. Two enterprising villagers were already cultivating this rich rice land, but the village as a whole sought to subsume the new land into the category of public or village land. One of the cultivators argued that his private holdings had been wrongfully reduced and thus he felt entitled to prescription of the new land as compensation. This judicial issue, however, became too complicated for the district chief when the cultivator produced original deeds made out in Chinese characters as evidence. Since it was nearly 1:00 p.m., the district chief terminated the meeting and by implication left the legal issue for solution at the local level by more lettered notabilities!

THE PROBLEM OF CONFIDENCE AND THE PROSPECTS FOR LOCAL REPRESENTATION

In the "town meeting" in his inspections of the villages, and in the *ad hoc* meeting of district notabilities, it was apparent that the new district chief was already gaining popular confidence. He already was personally acquainted with some 20 out of the 150 to 200 notabilities who came to the meeting; and one of them, a critic of the previous district chief, claimed that the population liked the new district chief because the latter seemed to like the people. It would be too strong to say that he had established full confidence. The population probably remained reserved and mildly skeptical though clearly pleased with changes that already taken place in Dien Ban and especially with the prospects of further reform of a more institutional character.

Clearly, there was interest in the possible revival of local representative institutions. Such reforms were implied and modestly commenced with Presidential Circular Number 5-NV (Ministry of the Interior), December 7, 1960. Under this legal text, a representative of the

local Republican Youth organizations was to be added to each village council. It was to be noted that the principle of election by the local youth group stood in contrast to the appointment and removal of village officers by the province chief under the hitherto prevailing formal arrangements set up by the Republic of Vietnam. In pursuit of this new circular, the youth organizations in the villages of Dien Ban had, by late February, already elected from their ranks one representative for each village council. This could be interpreted as the first step on the part of the Central Government in the direction of a return to the elective village councils, a Vietnamese tradition which had been abandoned in 1956. These meetings, according to the new district chief, were attended by an average of twenty cadres of the youth movement and in most cases there were lively contests.

The *ad hoc* meeting of representatives of the notabilities was itself an experiment in the revival of representative institutions with manifest capacity to influence policy. At the end of this meeting, the new district chief promised that he would suggest to the province chief that advisory councils of notabilities be established (in the light of Vietnamese administrative traditions he should perhaps have said "re-established") for each village in order to guide the relatively young and inexperienced members of the village councils. He expected these councils to be established after the presidential elections in April, and he assured the notabilities that these councils would be given powers, have immunity, and that their opinions would be respected. Thus the new district chief on Dien Ban was seeking to restore an ancient Vietnamese representative tradition and perhaps to rejuvenate and broaden it, thus seeking to build a free Vietnam on a foundation "strong as the stone of the Thai mountain."

5 | Conclusion

THE IMPLICATIONS OF THE HISTORY OF DIEN BAN

The District of Dien Ban is located in the largest and most populous province of the Republic of Vietnam. Situated on the coastal plain but not far from the mountains which border Laos, it is traversed by important north-south communications, but its internal communications are limited. It has a very dense population which is predominantly agricultural. The economy operates at a subsistence level with necessary importation of rice alongside limited exports. While an extreme case for Vietnam, the district is perhaps more typical of other more populous Asian countries. The situation begs for economic development.

Unlike the more southerly portion of Vietnam, this area has deep historical traditions. Once the center of the Kingdom of Champa, it has been Vietnamese since the fifteenth century. The District of Dien Ban dates back to that century, and the Chinese verse upon which its name is based ("*build* the nation strong as the table stone of the Thai mountain") may serve as a symbol of the importance of the district level in the consolidation of a Vietnamese state. For centuries this district and

province were staffed by mandarins appointed by the Vietnamese emperor while, at the village level, councils of notabilities played a dominant role in village affairs including the formulation and application of customary village law. Elective village councils served alongside these councils with limited administrative functions.

The development of foreign trade through the port of Faifo (Hoi An today) symbolized Western penetration which, by the late nineteenth century, resulted in a French administration superimposed on the traditional Vietnamese. With this development the citadel of Quang Nam (which forms now one of the two hamlets of Vinh Dien and serves as the district seat of Dien Ban) housed a traditional Vietnamese provincial administration while the dominant French provincial authority was established in Faifo. Unlike the French colony of Cochin China, Vietnamese central and local authority and traditions continued, though in weakened form since they were subject to French directive and French cultural influence.

Since 1945, however, the continuity of this administrative tradition has been broken by revolutionary upheavals. Temporary Viet Minh control produced a new pattern of elective councils which in practice came under Communist control. The re-establishment of national authority led to the consolidation of provincial authority in Vietnamese hands at Hoi An, but the councils of notabilities at the village level disappeared. Since 1954, villages have been regrouped into larger entities and village officials have been appointed by the province chief on the recommendation of the district chief. By 1961 it could be suggested that, in a spirit both of consolidation and reform, village institutions might benefit by the partial revival of councils of notabilities and by the application of the elective principle to village councils. In such reforms and in other activity to stimulate communication between villagers and the play a constructive and crucial role, not only in ancient Dien Ban but elsewhere in Central Vietnam and, perhaps with modifications, in the south as well.

SUGGESTED ADMINISTRATIVE REFORMS

The legal basis of the position of district chief in the Republic of Vietnam is ambiguous. In practice much depends upon the relative size of the province and the strength of local administrative traditions. In his notes for a prospective study of a district in Vinh Long Province, Professor Joseph J. Zasloff remarked that at the district level "a great deal of paper work is handled without the policy decisions that one finds at the province level nor the disputes to settle or the people to deal with in such

numbers at the village level." In Dien Ban the authors observed much paper work but also many policy initiatives emanating from the district chief, some of potential significance for other districts of Vietnam such as the revival of village councils of notabilities, and many smaller ones dealing with possible economic development and with day-to-day village problems. The confidence and approval of the province chief could be assumed in most of these activities. But what stood out in the role of the district chief of Dien Ban was the scope and intimacy of his contact with villages and villagers as well as with representatives of notabilities and of other groups on the district level. Hence the ambiguous legal basis by no means limits the potential role of the district chief in the Republic of Vietnam but rather makes possible diverse adaptations to diverse regions and traditions plus potential experimentation in the direction of reform.

A distinction may therefore be made between the formal, subordinate, and relatively impotent position of the district chief and the practical dynamic possibilities in this position. Appointed by the President of the Republic on the nomination and/or approval of the delegate and the province chief, the district chief depends upon the province chief for directives from the Central Government, allocations from provincial and national budgets, staffing at the district level, and the appointment and removal of village officials. In practice, the knowledge which a district chief has of his district can play a major role in the decisions of the province chief applying to his district.

Such knowledge is gained in the supervisory role which the district chief exercises over the villages. This role amounts to close control and intervention in regard to village budgets, a wide variety of local administrative and personnel decisions which village officials refer to the district chief, and to proposals for economic development which the district chief may successfully recommend to higher authority for action. This discrepancy between the limited formal powers of the district chief and the wide practical authority which he may exercise suggest the advisability of the following reforms: (1) the creation of a district budget with some autonomy, (2) steps to encourage the recruitment of better district chiefs, (3) the provision of more adequate staff at the district level, and (4) the improvement of village level administration.

A DISTRICT LEVEL BUDGET

Theoretically, the district is only an intermediary level between the province and the villages. Hence it has no autonomous budget and its financial support comes from the provincial budget and from assessments

prorated among the villages of the district. The former may lead to excessive dependence on the province chief while the latter may lead to dissatisfaction with *ad hoc* assessments of village budgets by the district chief.

In fact, it may be contended that there are effective budgetary activities at the district level involving the tapping and controlling of all village budgets. Since many villages have very few resources and are too poor to bear the expenses of new development programs, the richer villages may help them by giving a certain percentage of their budget to a fund of compensation (*Quy bo-tro*) which is now at the disposal of the province chief only.

But it may be suggested that an autonomous budget for the district chief would be an appropriate reform for reducing high assessments of villagers by district chiefs and the concomitant local grievances.¹ If a portion of the tax on village lands and other resources which now goes solely to the provincial and national budgets were made available to the district, this move might reduce the excessive demands made on a district chief in his tasks of controlling the village budgets in his district and this also might promote greater village autonomy, an objective which the new district chief of Dien Ban is already encouraging.

RECRUITMENT OF DISTRICT CHIEFS

Much depends upon the training and ability of a district chief, and the observations made in Dien Ban strongly support the appointment to important districts of dedicated and intelligent men already experienced in district level administration. The cultivation of career administrators on the district level is a practice which, in the opinion of the authors, should be encouraged. Increased in-service training at the district level of carefully selected graduates from the National Institute of Administration may also serve as a possible source for recruitment of better district chiefs.

THE NEED FOR STAFF AT THE DISTRICT LEVEL

At the present time the staffing of the district office of Dien Ban is inadequate while the demands made upon the district chief are excessive. It is proposed that staffing at the district level be increased, at least in populous districts of large provinces. Although a district budget would reduce the demands made on a district chief, it would at the same time

¹Do van Ro, "Let us try to suggest a means to help the village budget become self-sufficient," *Hanh-Chanh Khao-Luan* (Administrative Studies and Comments), (Saigon: Ministry of the Interior, 1958), Vol. II, p. 32.

make possible more adequate staffing which, in any case, could be usefully employed in Dien Ban.

In the increased staffing at the district level, it is proposed that young civil servants (under thirty-five) be rotated for at least one year from Saigon to a district for training in the field. This reform could provide a source for future district chiefs as well as greater understanding and communication between the capital and the rice-roots of Vietnam.

THE STRENGTHENING OF VILLAGE ADMINISTRATION

President Ngo Dinh Diem has recently stated that:

... Vietnam has been independent now for only six years. Consequently the political infrastructure in the villages needs to be strengthened at the same time as the development of the country under our republican regime demands many trained administrators at the lowest level in the villages and also the organization of the youth which is the living force of the nation.²

The authors are in wholehearted agreement with the observation made by the president. In their opinion there is a lack of administrative competence at the village level. The simplest budgetary and administrative techniques are not sufficiently understood or adequately practiced. There are problems in recruiting able officials and, in turn, there is, in some cases, insufficient confidence in the existing village officials on the part of the villagers.

The holding of "town meetings" for the review of the village budget in the presence of the district chief is a promising initiative which entails both education from above and growing understanding and confidence from below. The re-establishment of councils of notabilities as advisory bodies on the village level which has been promised for Dien Ban reflects the application of Vietnamese administrative tradition to this problem. An active role on the part of these bodies plus the possible periodic convocation of representatives of the notabilities on the district level could do away with the impulse of critical notabilities to petition the Central Government on questions of a purely local nature and strengthen confidence between influential elements of the local population and administrators at the district level.

The re-establishment of the elective principle for village councilors is a twentieth-century reform which might serve as the long-range goal in local reform. The recent directive providing for election of a representative of organized youth to village councils had introduced a new post for which there was serious competition and selectivity in the villages of

²Press Conference of President Ngo Dinh Diem, Saigon, April 7, 1961, *Journal d'Extreme-Orient* (special edition), April 8, 1961.

Dien Ban. In time this principle might be extended. With high quality district chiefs having adequate staff and budget, autonomy could grow on the village level. This growth however must be coordinated with the development of more competent administration. In the short run, in-service training of graduates of the National Institute of Administration assigned to the district level but expected to go out regularly to the villages to serve as technical advisers on local administration would be a feasible first step.

In the opinion of the American coauthor, it might be desirable at some future point to initiate a voluntary Vietnamese "Peace Corps" of dedicated and able young administrators from Saigon willing to live behind the bamboo fences of the villages for extended periods of time in the interest of consolidating and renovating local administration and developing more perfect communication between the most developed and the least developed sectors of the nation.

It is recognized that present conditions of the anti-Communist struggle impose serious problems in the peaceful and progressive development of local administration. But it is submitted that the latter is a fundamental aspect of the struggle. The courage and determination to extend this struggle to areas where administration is weakest requires the heroic qualities of the warrior mobilized for the delicate tasks of the statesman at the rice-roots level. These qualities exist among the younger generation of Vietnamese. May they be asked to volunteer in the task of building a free Vietnam "strong as the table stone of the Thai mountain"?

APPENDIX A

LAW NUMBER 10/59 OF MAY 6, 1959—Punishing acts of sabotage, offenses against the security of the nation, the life and property of the population, and establishing Exceptional Military Tribunals.

The National Assembly has discussed and voted.

The President of the Republic promulgates the Law number 10/59 of May 6, 1959, punishing acts of sabotage, offenses against the security of the nation, the life and property of the population, and establishing Exceptional Military Tribunals.

PART ONE

The crimes of sabotage against national security, life and property of the population

ARTICLE 1. Shall be punished by death penalty with total or partial confiscation of their property, and, in the case of military personnel, forfeiture of all rights pertaining to military status, those who commit or intend to commit the following crimes having the aim of sabotaging or damaging national security, or damaging life and property of the population:

1. Voluntary killing, poisoning or kidnapping
2. Destroying or rendering useless totally or in part by means of explosives, fire burnings or any other means:
 - a) Houses or habitations with or without occupants, churches, pagodas, temples, storehouses, plants, workshops, farms and any other appurtenances belonging to private persons;
 - b) Public houses, public buildings, public services, public plants, warehouses, and generally any structure of any category belonging to the government, and any other property, movable or immovable, belonging to the government or controlled by it, or submitted to the regime of exceptional concession or national management.
 - c) Any type of craft going in the air, on earth, on water and any type of vehicle;
 - d) Mines, with their engines and equipment;
 - e) Arms and munition, military equipment and material, posts, directorates, services, storehouses, plants and any structures concerned with national defense or police;
 - g)¹ Crops and other agricultural products, animals and equipment for agriculture, forests of any kind;
 - h) Means of telecommunications, post-office, broadcasting services, systems of production and distribution of electricity and water, houses or buildings and equipment dealing with the exploitation of such systems;
 - i) Dams, barriers, means of communication, railways, airports, seaports, bridges and other constructions pertaining to bridges or ways mentioned above;
- k)² Big and small rivers which are passable for junks and rafts, and canals.

ARTICLE 2. Shall be sentenced to penal servitude for life, with total or partial confiscation of property, and, in the case of military personnel, forfeiture of all rights pertaining to military status, those who, with the aim of sabotage or damage to national security, life or property of private persons, commit or intend to commit the following crimes:

1. Plundering with arms, or plundering by two or more people;
2. Holding up traffic on road or on water by means of terrorizing or threatening with arms or any other means;
3. Threatening directly or indirectly for purposes of killing, burning houses, crops or kidnapping;
4. Disturbing the holding of the markets or impeding it;
5. Destroying or acting for sabotage not mentioned in the above articles.

ARTICLE 3. Shall be sentenced to the penalties provided in Article 1 or 2 cited above, those who hold membership in an organization or have a contract in order to help prepare or perpetrate the crimes specified in these two articles.

ARTICLE 4. The main guilty parties, accomplices or instigators under the jurisdiction of the Exceptional Military Tribunals, as specified in Part Two of the present law could not gain extenuating circumstances.

¹The letter *j* does not exist in the Vietnamese alphabet.

ARTICLE 5. Shall be exempted from the penalties or shall gain extenuating circumstances for the crimes under the jurisdiction of the Exceptional Military Tribunals, those who give first to the government or to the military, administrative or judicial authorities information which helps in the capture of the guilty parties or their accomplices, before these crimes were committed or were intended to be committed, and before or after proceedings against them were taken.

Yet, the guilty parties exempted may be sentenced to protective custody or deportation for a period of time fixed by the tribunal.

PART TWO

Organization of the Exceptional Military Tribunals

ARTICLE 6. Are established three Exceptional Military Tribunals with seats in Saigon, Ban Me Thuot and Hue.

The territorial competency of the Exceptional Military Tribunal of Saigon includes the provinces of South Vietnam.³ The territorial competency of the Exceptional Military Tribunal of Ban Me Thuot includes the provinces of the Central Vietnam Highlands. The territorial competency of the Exceptional Military Tribunal of Hue includes the provinces of the Central Vietnam Lowlands.

As the needs arise, other exceptional military tribunals may be established by decree. And the designation of territorial competency of the new and old tribunals may be also fixed by decree. Any subsequent modification to these territorial competencies may be established by decree.

The Exceptional Military Tribunal shall have offices in the headquarters of Courts of Appeals, Tribunals of the first instance, or Justices of the Peace with extensive competency, if they do not have their own headquarters. They shall judge in these offices or, if necessary, in any place when they move out of them.

ARTICLE 7. The composition of an Exceptional Military Tribunal is:

—An officer of the rank of Commandant or above, and graduated from a faculty of law: Presiding Judge.

—The prefect, mayor or province chief of the territory where the tribunal holds court, or their representative: Assistant judge.

—An officer of the rank of commandant or above: Assistant judge.

The Presiding judge or the assistant-judges shall be appointed by administrative orders of the secretary of state for National Defense, or the secretary of state, deputy-chief for National Defense.

ARTICLE 8. An officer of the rank of commandant or above shall have the role of government commissioner, and one or several officers of the rank of commandant, the role of deputy government-commissioners.

These officers shall be appointed every six months by administrative orders of the secretary of state for National Defense or the secretary of state, deputy-chief for National Defense. In case of shortage of commandants, captains or lieutenants could be chosen if there is no objection thereto. When the need arises, immediate appointment of officers for replacement may be made according to the above procedures.

ARTICLE 9. The clerk's office shall be headed by a senior clerk, with the assistance of some clerks, secretaries and typists. These civil servants shall be appointed by administrative order of the secretary of state for National Defense or the secretary of state, deputy-chief for National Defense.

ARTICLE 10. All this personnel must take oath before the tribunal of cassation, and prior to their entry into service. The oath shall be written.

ARTICLE 11. Are under the competence of the Exceptional Military Tribunals:

1) Crimes defined in the Articles 1, 2 and 3 of the present law, the guilty party may be a private person or a military man.

2) Crimes of espionage and treason, as defined by ordinance No. 47 of August 21, 1956.

3) Crimes of interrupting and sabotaging the economy and finances of the nation, defined by ordinance No. 61 of October 3, 1955.

4) Crimes defined by the penal law under the competence of the Exceptional Military Tribunals.

³South Vietnam, in Vietnamese local organization, refers to former Cochin China which now consists of the southwestern region and the eastern region of the Republic of Vietnam.

ARTICLE 12. When a case is under the competence of the Exceptional Military Tribunals, the secretary of state for National Defense or the secretary of state, deputy-chief for National Defense issues an ordinance exposing the causes for which the guilty parties are to be judged directly without opening examining procedures.

ARTICLE 13. The government commissioner reads the accusation, declares the competence of the Tribunal, and gives all details pertaining to the crime.

ARTICLE 14. The government commissioner to the Exceptional Military Tribunal, in his investigation of crimes under the competence of the latter, has power to summon all agents of the public force.

ARTICLE 15. The Exceptional Military Tribunal holds its meeting for judgment within three days after it has received the ordinance of the secretary of state for National Defense or the secretary of state, deputy-chief for National Defense, as specified in Article 12. The direct convocation before the tribunal, issued by the government commissioner, shall be notified to the accused 24 hours prior to the session.

ARTICLE 16. The accused has the right to ask the help of a lawyer for his defense. If he has no lawyer, the government commissioner or the presiding-judge must call a lawyer for the defense of the accused.

ARTICLE 17. The Exceptional Military Tribunal judges in the last instance, and the judgment cannot be appealed to the Court of Cassation.

ARTICLE 18. The judgment pronounced by the Exceptional Military Tribunal shall be executed according to the procedures fixed by articles 93 to 98 of the Military Penal Law.

ARTICLE 19. In case of the death penalty, the judgment is executable only after the request of grace is refused.

ARTICLE 20. If necessary, a decree shall establish procedures of execution of the present law.

ARTICLE 21. All dispositions contrary to the present law are abrogated. The present law shall be published in the Official Journal of the Republic of Vietnam.

Signed: NGO DINH DIEM
Saigon, May 6, 1959

APPENDIX B

DRAFT OF A CUSTOMARY LAW FOR SECURITY AND THE FIGHT AGAINST COMMUNISM

ARTICLE I. —*Village guard.*

Shall be exempted: the older persons over 60 years of age, wounded soldiers, and cripples.

Must perform this work: young persons, male and female of 18 years of age and over.

Duties: Women shall work at day only (except when they are sick or pregnant, when children are born and when the latter are very young).

—Men shall work day and night, according to the needs of the village.

Penalties:

A. Against those who cause disorder, who come late to guard duty, and are sleeping on guard: from 1 to 3 days of obligatory work.

B. Against those who refuse to guard: from 3 to 5 days of obligatory work, with possibility to pay a fine of 30 piasters for 1 day of work, if the village agrees.

Rewards: For those who give true information leading to results: 1,000 piasters. For those who capture a Viet.Cong: 3,000 piasters.

ARTICLE II. *Village enclosures*

All the people must contribute to the building of the village enclosures and give bamboo for this purpose, according to the needs.

Penalties against those who destroy the enclosures:

- Rebuild the part destroyed with their own bamboo.
- One to three days of compulsory work for those who live in the village, or bring the guilty parties to the district chief if they do not live in the village.
- If they destroy voluntarily on behalf of Communist activity, they will be punished according to Article 7 of the present customary law.

When the enclosures are (naturally) destroyed, all the villagers must rebuild them again. Every one or every inter-family group have to take care of a section, in order to plant bamboos and brambles, which will last for a long time.

ARTICLE III. Alert when Communists come to the village

All the people must contribute to the alert.

Rewards: 3,000 piasters for those who capture Communist.

If someone is killed or wounded by the Viet Cong, his wife and children get an allowance from the village (*To be discussed profoundly*).¹

Penalties: Against those who neglect the alert or do not contribute to it, according to each case: From 1 to 3 days of obligatory work, or they must organize some work which will increase in the village budget the amount of money used for rewards.

ARTICLE IV. Families who have brothers, sisters or children who left the village and joined the Communists.

Penalties: In order to avoid any relationship with the Viet Cong, such families must move their houses to an area of concentration fixed by the village for the purpose of their control. Nobody is to have relationship with these families.

-Expropriation of their own village land (definitively), and if they are married, of their wife's village land for three years.

-The children of the guilty parties shall not be allowed to go to village school, if they have young children.

ARTICLE V. Persons who speak in favor of Communism. (indirect propaganda.)

Expropriation of their own village land for 3 years for the first time, and for 6 years for the second time.

ARTICLE VI. Persons who give refuge to Communist organizations.

-Must be captured and taken before the government representative.

-Shall have to take down their houses and to rebuild them in the area of concentration.

-Shall be expropriated from their village land for six years.

-Their children shall not be allowed to go to village school.

-All villagers shall not be allowed to have any relationship with them for one year after they have been freed by the government (ostracism).

ARTICLE VII. Persons who serve Communism.

Same penalties as above (ARTICLE VI.)

With expropriation from their village land for 3 additional years (total 6 years), and ostracism for 1 additional year (total 2 years).

ARTICLE VIII. Persons who work above ground for Communism.

-Against the guilty parties: The villagers may give them any form of penalty they like, immediately after their capture.

-Against their families: As specified in Article VI, against those who give refuge to Communists.

ARTICLE IX. Communist agents leaving the village recently and returning to carry on activities.

-Against the guilty parties: As specified in Article VIII, i.e. the villagers may give them any form of penalty they like, immediately after their capture.

-Against their families: As in Article VIII, against the wife and the children, or against the parents if they are single.

For the agents who do not live in the village: the villagers may give them any form of penalty they like, immediately after their capture.

¹Editorial note: The district chief indicated in his draft that he wanted to encourage the assembled notabilities to discuss this paragraph in particular.