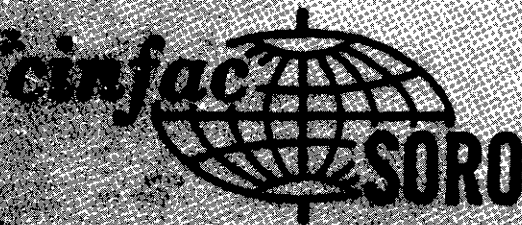



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Research Notes
on the
**VIETNAMESE
VILLAGE COUNCIL**



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RESEARCH NOTES ON
THE VIETNAMESE VILLAGE COUNCIL

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THE VIETNAMESE VILLAGE COUNCIL

SUMMARY

These research notes have been compiled in response to a telephonic request of 14 January 1965 from Mr. Seymour J. Deitchman, OSD DDR&E, for background information -- both past and present -- on the Vietnamese village council. Primary emphasis has been placed on the role, functions, organization and accomplishments of the village councils in lowland communities of South Vietnam. However, the appendices do contain information on the village administrations among the montagnards and in North Vietnam.

Traditionally, the role of the village councils has been to conduct local official business and be a point of contact for higher authority. Today the councils are still of major importance as their activities affect the daily lives of most of South Vietnam's 15 million people living in the scattered villages and associated hamlets.

Historical developments from the pre-colonial period to the present have brought changes to the village councils even though some traditional procedures and values have been retained. Under the early emperors the village administration was autonomous with little or no interference from the central authorities as long as taxes and military recruits were provided.

The French increased the tasks and duties of the councils and reduced the membership size by eliminating all but the administrative positions.

More currently, the Viet Minh and Viet Cong insurgencies have increased the dangers to and responsibilities of the village council and thus encouraged higher authorities to increase participation in village affairs. This has

caused a diminution of the powers and prestige of the councils. In June 1956, a decree from Saigon authorized the province chiefs to replace elected village councils with appointive councils, ranging in size from three to five members.

Throughout the history of South Vietnam, the village councils have usually been composed of the most prosperous and often the best educated villagers. However, in recent years it has become more difficult to recruit qualified men for the village councils, as their insecurity and responsibilities have risen and their prerogatives and powers have fallen.

INTRODUCTION

French sources ¹ were extensively utilized herein in developing the historical aspects of village government, whereas the sections dealing with current organization and functions of the village councils rely mainly on the excellent collaborative studies, footnoted throughout, of certain villages undertaken by American and Vietnamese scholars.

A typical South Vietnamese village to be cited as an example in these notes from time to time is Khanh Hau. This little village in the Mekong River delta has probably been examined more intensively and by more experts in various behavioral sciences than any other small community in Southeast Asia. The village is located about 55 kilometers southwest of Saigon and four kilometers south of Tan An, a market center and the chief town of Long An province. Khanh Hau's population in 1959 was 3,241, living in the six administrative hamlets of the village.

The importance of the hamlets and the even more cohesive units of which they are composed, the households and extended families, should be stressed at the outset. Historical changes and the years of insurgency have loosened the unity of the village and higher authorities have been given a greater voice in village affairs. As a result the prerogatives of the village council have been steadily diminishing.² Some erosion of the cohesiveness of the hamlet and of its families has also taken place. Nevertheless, family loyalty, which has traditionally been the most important force for harmony in Vietnamese society, is still strong today. The crux of family loyalty is filial piety which remains the most respected value in Vietnamese life, and the most significant religious ceremonies continue to be the rites of the family ancestor cult.³

Finally, by focusing attention even more closely - on the villager himself, a healthy perspective may be achieved for understanding continuity and change in Vietnamese village life and its government. The final paragraph of Gerald C. Hickey's book, Village in Vietnam, is brief and pertinent.

In spite of the changes in some aspects of village society, the essential characteristics of the village way of life have persisted. The traditional values, practices, and rituals continue to be honored and observed, and they are being transmitted to the younger generation as they were in the past. The ordinary villager clings to the familiar. His primary concerns are his family and perhaps his farm, and in his war-weary world, his will is the will to survive.⁴

HISTORICAL BACKGROUND TO 1904

The familiar Vietnamese proverb, "the laws of the emperor yield to the customs of the village," describes aptly the governmental situation pertaining in Vietnam's early history. Traditionally the Vietnamese village functioned as a nearly autonomous administrative unit. From the early fifteenth century onwards villages were allowed to govern themselves, provided the demands of the central authorities for financial contributions and manpower for military service were met. Village chiefs were usually chosen by the senior men of the village and by the local people, and each community maintained its own traditions and customs. Each village saw to its own internal order and security and its few public services.⁵

In those early times the important decisions of the village or community were made by the village notables. These included usually the old men, the civil mandarins, the military mandarins, the old officiators of the village genii cult (similar to the still current cult of the Guardian Spirit---of the village), the scholars, and the former administrators of the village or the canton. The first notable was known as the Tien Chi in Tonkin and Annam, and as the Huong-ca in Cochin China. His concurrence or advice was normally required in the settlement of significant financial and juridical problems. His prestige and connections were helpful in the occasional approaches made to the higher authorities. He was first among the notables deserving of a kowtow; and the highly considered pig's head was reserved for the Tien Chi or for certain other notables.⁶

The traditional organizational structures had not been firmly established in Cochin China by the time of the French conquest, as Vietnamese were still moving in to displace non-Vietnamese populations. This made it easier for the French decision to make Cochin China an outright colony and to govern it directly. The approach was different in Annam and Tonkin, where imperial rule and the mandarin system had long prevailed. In Annam the royal authority was preserved under a protectorate closely watched by a French resident superior. Tonkin also was made a protectorate administered by mandarins responsible to French residents. ⁷

When the French arrived in Cochin China, the primitive village organization had not been modified. The village was still administered by a council of notables; its members chosen from among the most influential and the richest of the registered inhabitants.

The notables had their hierarchy and were divided into greater and lesser notables: the first deliberated and took decisions that the second put into effect. Their number, ... varied according to the importance of the resources of the village. ⁸

To handle the general business of the village, the council met, either at fixed intervals, usually twice a year, at the Spring and Autumn festivals or, in emergencies as convened by the Huong-ca or by the mayor (village chief for administration, not necessarily a senior notable). Only the greater notables had a deliberative vote at such meetings. ⁹

Council meetings took place in the pagoda or communal house and dealt with the cult of the genii, the settlement of local disputes, the requisitioning of labor, the voting of the communal budget and the recruiting of soldiers. ¹⁰

The economic aims of the French colonial government demanded more direct intervention by the central authorities in the village affairs than previously. Village officials were placed under tighter controls and compelled to adopt new administrative techniques to improve their records and methods of tax collection. Members of village councils were given a clearer definition of responsibility and told to regularize their procedures in accordance with decisions of the central authorities. Election procedures were formalized for the village councils. All of these steps were aimed at the improvement of administrative efficiency; but the introduction of such external controls into village affairs disrupted the relationship that had existed between village authorities and the local people. ¹¹

Under colonial administration in Cochin China, collateral institutions were placed in juxtaposition to sap the vitality of the village. Inroads were made on its judicial functions. The state stepped in to collect taxes and to supervise the military draft. "Shorn of its powers, the commune's burdens were simultaneously increased." Notables were more and more unwilling to serve; they had the responsibility without any compensating prestige and with daily diminishing powers. Men of mediocre ability alone were willing to take council positions in the hope that they

could wrest more from the people than the state (colonial administration) demanded of them.¹² Another source states that council members undertook grave responsibilities but received no remuneration.¹³

This latter authority further notes that the inhabitants gradually disinterested themselves from the running of their village, and for the following reasons:

1) Increasing and burdening of responsibilities imposed on the notables whom the laws have made liable with their own resources for any infringement of the law made in their village and for the fines for which the delinquents were liable. Sometimes these fines were so high that a single condemnation could ruin all of the notables involved.

2) There was an inadequacy of authority over the inhabitants whom the notables could not legally punish even lightly. To secure a sentence, they had to take the offender to the administrator or the magistrate of the capital.

3) The necessity of receiving orders, attending meetings of representatives of various services at the capital left them travelling back and forth, kept them away from the village more than in it. The duties of the village chief, deputy chief and judicial councilor were crushing and were most often not filled--with any other than citizens without financial resources or morality, without education, who sought to evade as rapidly as possible their responsibilities, whereas a wise administration would have sought to conserve as long as possible, the same notables in the same functions.

4) The habit of most councils of notables--of adding even more notables not in the council. They gave titles on their own authority, to certain well-off members of the community. This discouraged Annamites of the educated class from interesting themselves in participating in the ranks of lesser notables and then going up the hierarchical ladder as fixed by custom. ¹⁴

Some colonial officials recognized the need for reform. The Governor General stated in 1903 that the deteriorating situation was due in large part to a lack of authority given to the notables and to a method of administration which gave too many colonial functionaries the right to summon them. ¹⁵

Table 1. The Traditional and the 1904 Village Councils ¹⁶

<i>Traditional</i>	<i>1904</i>
Huong Ca: First notable, by virtue of age	Huong Ca: First notable; presiding officer and keeper of archives
Thu Chi: Keeper of archives	
Huong Chu: Official advisor	Huong Chu: Deputy chief and inspector of village services, reporting to first notable
Huong Su: Intermediary between village and mandarins	Huong Su: Advisor on laws and regulations
Huong Lac: Advisor of the council	
Huong Truong: Advisor on execution of orders from higher authority	Huong Truong: Advisor on village budget and assistant to teachers
Huong Chanh: Official advisor	Huong Chanh: Arbitrator of minor conflicts among villagers
Cau Duong: Village magistrate	
	Huong Giao: Instructor of young notables and secretary of council
Huong Quan: Police chief	Huong Quan: Police chief; supervisor of transportation and communication
Thu Bo: Treasurer	Thu Bo: Guardian of rolls and accounts, village buildings and materials
Huong Than: General administration	Huong Than: Intermediary between judicial authorities and council
Xa Truong: Intermediary between administration and Village Council	Xa Truong: Executive notable; intermediary between administration and Village Council; conservator to village seal; tax collector
Thu Bo: Tax officer	
Huong Hao: General administration	Huong Hao: Executive notable
Huong Nhut: First notable	
Huong Nhi: Second notable	
Huong Le: President of ceremonies and rituals	
Huong Nhac: Chief of musicians	
Huong Am: Organizer of public fetes and banquets	
Huong Van: Composer of verses in the mood of the Guardian Spirit of the Village	
Thu Khoan: Guardian of the communal paddy land.	
Cai Dinh: Guardian of the dinh	

EVOLUTION FROM 1904 TO 1962

The French authorities had issued rulings from time to time which altered village administration; for example, beginning in 1890 they introduced the land tax and a head tax.¹⁷ However, the administrative legislation of 1904 marked the first attempt by the colonial government to standardize the structure of the Vietnamese political institutions. As a result the village councils became smaller and non-administrative positions, such as those concerned with the Cult of the Guardian Spirit of the Village and with village celebrations, were eliminated. "Some of these sacred functions were absorbed by the cult committees, which emerged unofficially in every village subsequent to the legislation."¹⁸ The primary functions of the cult committees are to organize and perform rituals honoring specific village deities, particularly the Guardian Spirit of the Village, and to maintain the pagoda.

The composition of the village council was set at eleven; some of the positions were retained from the traditional council with additional functions added to them. The Huong Ca who was the first notable in the traditional council by virtue of his age, now became the head of the council which was considered an administrative body. He was delegated the responsibility of keeping the village archives. Some other positions were also altered. (See Table 1).

The right of the Village Council to impose punishments was altered. Traditionally, ordinary villagers guilty of a legal violation were beaten with a rattan cane; notables were fined. When the colony of Cochin China was established, the French administration forbade these punishments as too harsh. Vietnamese officials, however, registered formal complaints, contending that this repression of power greatly diminished the prestige of the village leaders. As a compromise, the 1904 legislation granted the village councils the right to demand additional days of guard duty as punishment for males and the right to impose certain penalties for damage to public property or fraud relative to alcohol and opium regulations. 19

Further changes in the village council were made in the legislation of 1927 which broadened the base of personnel eligible for membership in the council, and added more flexibility to the promotion process. The administrative authority of the village chief, Huong Ca, was expanded to include supervision of all village services, and a twelfth position was created, that of the civil status secretary to deal with vital statistics and health. Some shifts occurred in existing functions, as the responsibility for keeping the archives went from the Huong Ca to the Huong Bo who was also keeping records, and the latter also assumed control of the village budget. 20

In practice the changes in the conduct of village affairs were not as pronounced as the legislation and administrative rulings have indicated. Village traditions, including the order of deference and of authority, changed slowly. The councillors in the villages of Cochin China were more aware of the French presence than were those in Annam and Tonkin; and yet some French scholars maintained that the differences in communal organization and administration were not very great in these three sections of the country.

The administrative council in a Tonkinese village was an elected council. In order to be elected, one had to be registered, be at least 25 years old, have had a certain education, and be a perfectly honorable character. The villagers elected a minimum of 4 and a maximum of 20. Every village of 100 or less registrants had in effect the right to elect 4 councillors and every additional fraction of 25 electors entitled the election of one more administrative councillor (toc-bieu). This council was renewed en bloc every six years, but the councillors were indefinitely re-eligible. Disputes in election matters were judged by the native provincial authorities, and, in the last resort, by the Resident, the chief of the province.

There was also an advisory council of notables (council of the Ky-Muc) which was co-opted by the higher notables and had stricter conditions for membership. They had to be at least 30 years old and possess a certain diploma. The list of councillors had to be approved by the Resident. They had powers of consultation, and collaborated with the administrative council in establishing the code of customary law.

The administrative council co-opted its functionaries. It held as many meetings as the number and importance of the affairs of the village appeared to make necessary; the summons of the village chief was sufficient. Certain meetings were obligatory, such as the preparation of the budget, the drawing-up of tax lists and the taxes due to the commune, the sharing amongst the tax-payers of the taxes assessed for the benefit of the local budget. Its sessions were public--but onlookers here had to assume a

passive role. ²¹ However, public sessions did not always deter dishonesty.

In conformity with the best established custom in this country, the notables do not administer without speculation and they devote the best of their activity to gouging their fellow citizens: at least this holds true for the influential notables. The notables are always ready to increase the taxes by a certain percentage, of which the larger part flows off into their pockets, to go off to do useless business at the administrative center of the huyen or the phu to obtain travel money from the commune, to claim exceptional contributions from their fellow citizens for purposes that are often idle. ²²

The same author notes that the activity of the notables, whether disinterested or speculative, did arouse the discontent of a number of villagers; parties were formed and rivalries unleashed. "These are the party rivalries which allow the authority to get a line on what is happening within the village."

A brief but drastic change took place in the village councils with the end of the Japanese occupation in August 1945. The Viet Minh seized control of the rural areas and organized administrative committees in every village. In Khanh Hau they appointed an administrative committee of six members--the chairman, two police agents, a public works secretary, and a civil status secretary. Although most of the selectees were tenant farmers, the chairman and one of the police agents were brothers from a relatively prosperous landowning family. Viet Minh control was brief. The French re-established the colonial administration in January 1946 and reinstated the former village council.

During the Indochina war, tensions increased and councillors were susceptible to accusations of being pro-French or pro-Viet Minh; some were forced to flee the village. Some villagers contend that the confusing war years provided opportunities for unscrupulous members of the council to exploit their power. It was widely known that one village official of Khanh Hau was guilty of having extorted money from villagers by threatening to denounce them as Viet Minh.²³ The Indochina War brought terror and destruction to many of the villagers of Khanh Hau. One prominent and wealthy villager who later became the highest venerable and known by his title, Ong Ke Kien, fought off with his sons a band of Viet Minh night raiders who wanted a large sum of money or his life. The next day he moved with his family to Tan An, and shortly thereafter the Viet Minh returned to Khanh Hau and burned his large house to the ground; the ruins remain, now overgrown with weeds.²⁴

During the period, 1946 to 1949, the council at Khanh Hau was composed of eight members, divided into two administrative committees, and there was provision for popular elections. Legislation in 1949 called for a council of from six to eight members appointed by a provincial committee. The election of village councils by universal suffrage was the first provision of the 1953 legislation during the period of Emperor Bao Dai's government; this legislation also brought about changes matching closely those of the Viet Minh. The organization of the council was made flexible--permitting a minimum of three and a maximum of nine positions.

The specific duties of three members of the council were outlined, and the distribution of responsibilities for additional members was left to the council itself. The position of the head of the council was greatly strengthened, and his title was changed from Huong Ca to Chu Tich, or chairman, the same designation introduced by the Viet Minh. Other titles were also changed, and with other positions the term huong (meaning communal with honorific connotations) was replaced by uy vien (literally, commissioner).

The Secretary of State at the Presidency in Saigon authorized the province chiefs in June 1956 to replace the elected village councils with appointive councils, ranging in size from three to five members, depending on the size of the village. At first the council was called the administrative committee, the same term used by the Viet Minh, but it soon was changed to village council. Khanh Hau had a council of five members, all appointed by the provincial authorities for an indefinite period. This council persisted for some time, and its organizational structure is shown on the table below, as compared with the Viet Minh council and the prewar council at Khanh Hau. ²⁵

Table 2. Changes in Structure of the Village Council ²⁶

Prewar Council

1. Village chief
2. Deputy chief
3. Advisor on laws and regulations
4. Advisor on village budget; assistant to teachers
5. Arbitrator of minor conflicts among villagers
6. Secretary to council; trains young notables
7. Police chief
8. Advisor on village rolls and accounts
9. Intermediary between judicial authorities and Village Council
10. Intermediary between village and administration; keeper of village seal; tax collector
11. Executive notable
12. Civil status officer

Viet Minh Council

1. Chief
2. Police chief
3. Finance officer
4. Public works officer
5. Civil status officer

1958 Council

1. Chief
2. Deputy chief
3. Finance officer
4. Police chief
5. Civil status officer

Other innovations were introduced during 1956-62. A training program was established at Tan An, and all members of the Village Council of Khanh Hau were required for the first time to undergo training which lasted about one month. The class schedule included administrative matters, propaganda (mainly anti-Communist), and self criticism in which the students were supposed to point out each other's faults.

In 1958, salaries were raised at Khanh Hau; the village chief's salary increased 66 per cent, the deputy chief's, 11 per cent, the police agent's, 62 per cent, the finance councillor's, 17 per cent, and the civil status officer's, 22 per cent. The salaries of hamlet chiefs and other civil servants remained the same.

By 1961, the Village Council at Khanh Hau had dwindled to three members, the smallest in village history. Viet Cong insurgency, causing increased hazards to the lives and property of village officials and other notables, as well as some heavier responsibilities and decreasing prerogatives, were apparently among the prime reasons for the falling-off in the desire to serve on the council. These and other aspects of the current powers and functions of village councillors will be discussed later.

CURRENT MEMBERSHIP AND ORGANIZATION

The 1956 Constitution of the Republic of Vietnam contains no specific provisions relating to village governments. The 1960 Constitution of the Democratic Republic of Vietnam does have sections pertaining to government at the village level. (See Appendix B) The North Vietnamese Constitution is modeled on that of Communist China, endows its President with extraordinary powers and prescribes an apparatus of government designed to function under the supervision of the ruling Lao Dong Party. The South Vietnamese Constitution shows the clear imprint of American influence and, to a lesser extent, French precedent. Its President, however, is "vested with the leadership of the Nation," and the authority of the late President Ngo Dinh Diem extended into every branch of the government.²⁸ It was noted earlier in this report that the order to provincial chiefs in 1956 to change elected village councils to appointive councils ranging from three to five members came from the Secretary of State at the Presidency. The main purpose of that presidential decree was to eliminate the influence of members of the Viet Minh, many of whom had risen to leading positions in villages in areas controlled by the Viet Minh during the Indochina War.

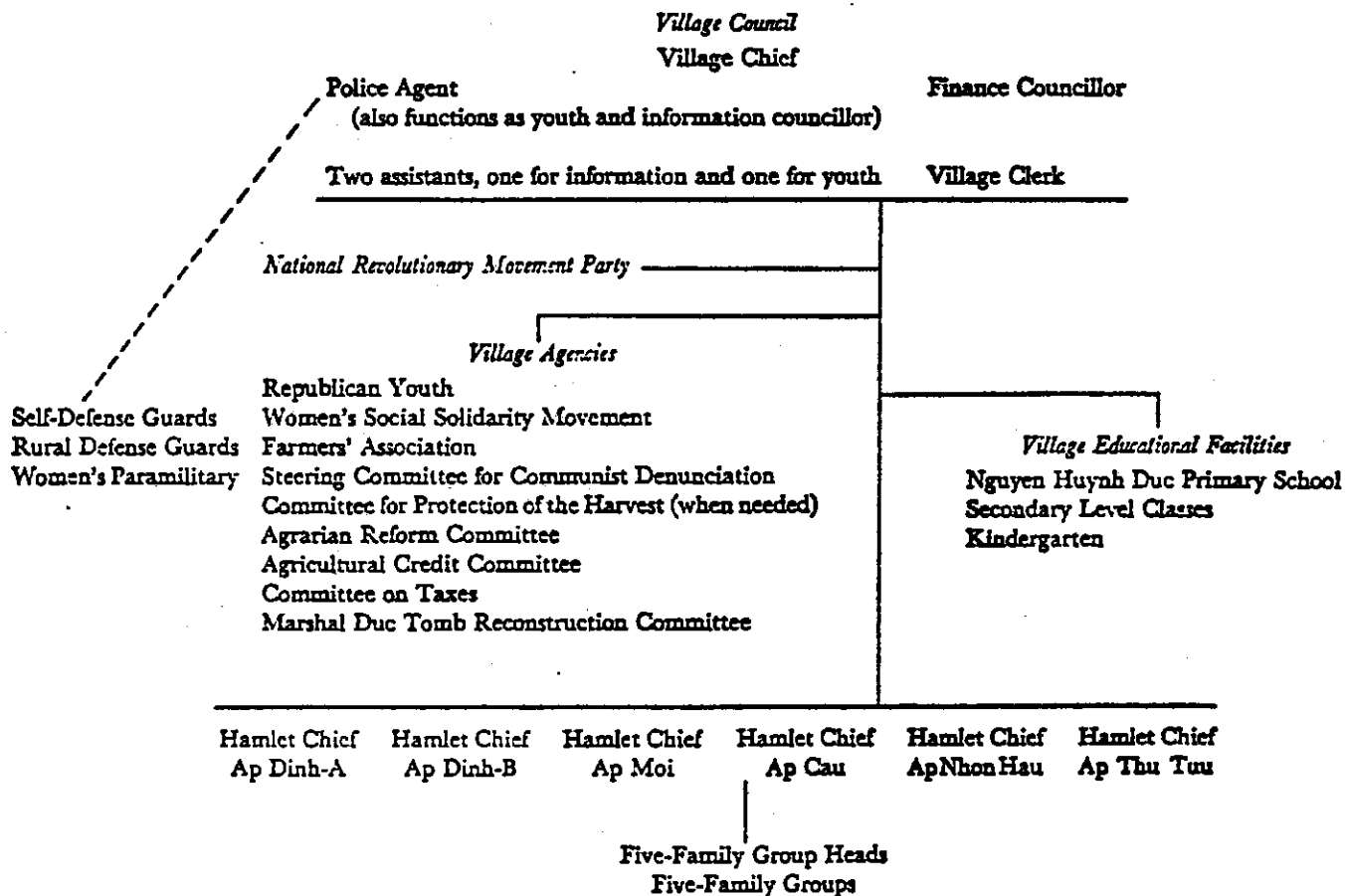
On 3 May 1963, Decree No. 45-NV was issued from Saigon pertaining to the composition of village councils and hamlet administrative committees. It recognizes, according to a summary report,²⁹ that the villages have a certain degree of autonomy, this is restricted by the necessity for approval of routine matters by the province chief or his representative and in some cases by the Secretary of State for Interior.

The decree further states that the village council which holds office for two years is elected by an electoral body consisting of all members of hamlet administrative committees and all presidents of popular groups as defined in the hamlet community charter. Another new feature of the decree is that the candidate who receives the largest number of votes becomes the village representative (village chief), and the other elected members of the council co-opt on the basis of their capacities the other four positions namely, economic and finance, police, youth, and civil status and health. The hamlets continue to be considered as sub-divisions of the village, and, therefore, do not have separate legal identity. A hamlet shall be converted into a village if it becomes self-supporting, but no details as to the requirements to be met are given. The decree states that the hamlet 5-member administrative committee represents the village council in the hamlet and assumes responsibility for carrying out laws, regulations and instructions from all levels of the government. Members of this hamlet committee are elected by direct and secret universal suffrage except for the youth member who is elected by the members of the Republican Youth in the hamlet. (The Republican Youth was disbanded after the coup d'etat of 1 November 1963.)

It appears that the foregoing decree was not implemented broadly, but only put into effect in some of the strategic hamlets--and is of interest only as a program which has been given consideration for the government of Vietnam's small communities.

The village council, whether consisting of three or five members, is appointed from among the inhabitants by the province chief on the recommendation of the district chief. Some sources have indicated that

Table 3. Administrative Organization of Khanh Hau, 1961



the province chief sends the list to the Department of Interior in Saigon for final approval. The principal councillors are the village chief, the police officer and the finance officer. Other councillors or special commissioners, such as an information agent, youth agent, and police officer, may be included in the roster of officers, depending on the size of the village. The council has assistants, a village clerk and numerous agencies, guard units, educational facilities and hamlet chiefs to carry out the village business (see Table 3, extracts from Hickey, Village in Vietnam, p. 184). Efforts are made to select village councillors from as many of the component hamlets as may be possible. Hamlet chiefs have traditionally been chosen by the village council, but in recent years they are appointed by the district chief on the recommendation of the village chief. As with most administrative appointments at the local level, the selection is based primarily upon loyalty to the government and prestige in the community. Recruitment of hamlet chiefs has been particularly difficult, as they are frequently the targets of the Viet Cong, and most hamlets are remote and defended lightly.

The reports of the research done at the village of My Thuan are relevant.³⁰ My Thuan is in the Binh Minh District of Vinh Long Province in the Delta. It has eleven hamlets (including one market center) and had a population of between 15,000 and 17,000 people in 1961, making it one of the largest villages in South Vietnam. The hamlets were officially amalgamated into three hamlets of about 5,000 persons each in December 1959; but functionally they remain unaffected by this change, and the

new units were not recognized by either the village chief or the hamlet chiefs. The 900\$VN allocated monthly for the salaries of three hamlet chiefs is divided among the eleven. Prior to 1960 hamlet chiefs received no allowance and the new salaries were probably authorized to overcome the difficulty in finding recruits during the insurgency. The monthly salaries of the village councillors, paid by funds from the village budget were as follows in 1961 (the unofficial exchange rate was 72\$VN to \$1.00 U.S.):

Village Chief	1,900\$VN	Information Agent	200\$VN
Police Officer	1,800	Youth Agent	200
Finance Officer	1,800	Political Officer	500

The village clerk received 900\$ per month and the chief's assistant 1,400\$. The salary differences reflect more or less the importance of the various members of the council in the village administration. The village chief, police officer and finance officer carry the main burden; the others being part-time employees whose major sources of income are from other occupations.

The tenure in office of village councillors is indefinite, depending on performance and behaviour; and, particularly, in the case of the chief, on his personal and working relationships with the district chief.

What are the backgrounds and experience of the village councillors and what is their status in the community? The village chief at Khanh Hau, for example, was 48 years old at the time of the research study and is a prosperous landowner who also did well as a rice merchant. He attended secondary school in Tan An where he learned French, has two

wives, the second one was a well-to-do widow with several houses and land. When he was 21 years old, he was admitted into the Cult Committee and given the title of Thu Bo, the lowest rank, and usually reserved for the sons of those in the high ranks. His increasing farm responsibilities forced him to give up rice merchandising but he did invest 100,000\$VN in a new gasoline station in Tan An. As his wealth increased, he became more active in political life, becoming public works secretary in 1954, and he was appointed village chief in 1956. This position has taken most of his time (in late 1961, he resigned as village chief, and was replaced by a descendent of Marshal Duc, a former hero whose tomb is in Khanh Hau; the previous chief moved to Tan An, returning to the village only in daytime to oversee his land and houses).³¹ The deputy chief of the council was a landowner from another hamlet; the police agent--a landowner from a third hamlet; the finance officer was from the Duc family and lived in the same hamlet as the chief; and, the civil status officer lived in the same hamlet as the deputy chief and was one of the sons of the wealthiest man in the village, who also has the highest position on the Cult Committee. All of these councillors or former councillors are prosperous or reasonably so, and have high status in the village.

However, the person with the highest status in Khanh Hau holds the title of Ong Ke Hien, the highest venerable of the Cult Committee. Wealth, age (75) and service to the village have carried him to the top. His large house was burned down by the Viet Minh, and because of Viet Cong activities since 1958, he has continued to live in Tan An. He visits

Khanh Hau frequently to oversee work on the elaborate concrete tombs being built for him and his wife near the pagoda. He also attends celebrations at which he officiates as head of the Cult Committee, spends a great deal of time in village and philanthropic efforts, the latest of which is a Buddhist nunnery organized by one of his nieces in a neighboring village. He has time for these activities as most of his financial affairs are in the hands of his children. His advice is constantly sought by the Village Council. ³²

Before the administrative reforms of 1904, the Village Council at Khanh Hau shared responsibility for the dinh (pagoda) and the Guardian Spirit cult with a group of notables consisting of ex-councillors who retained their council titles and of respected citizens who were given honorary titles. After the 1904 legislation, the body of notables became known as the Ban Hoi Huong, or Cult Committee, and this development occurred in most southern villages, with variations from village to village in the organization of committees.

Since one of the six hamlets composing the village of Khanh Hau was formerly a village, Khanh Hau has two pagodas and thus two cult committees, the structures of which are outlined below in Table 4.

(Extracted from Hickey's Village in Vietnam, p. 215).

TABLE 4. Cult Committees in Khanh Hau

Ap Dinh-A and Nhon Hau
(one for each hamlet)

Common to the Hamlets

HIGH VENERABLES

Tien Bai
Chanh Bai
Boi Bai
Pho Bai
Chanh Te
Huong Quan
Huong Ca
Huong Le (or Thay Le)
Ca Truong

HIGHEST VENERABLE

Ke Hien

VILLAGE COUNCIL

Chanh Chu Tich (village chief)
Xa Truong or Tai Chanh (finance)
Canh Sat (police)

NOTABLES

Chu Truong
Giao Su
Huong Su
Huong Truong
Huong Chanh
Huong Giao
Pho Huong Quan

Huong Bo
Huong Than
Huong Nghi
Huong Luan
Huong Nhut
Huong Nhi
Huong Huan
Huong Hao
Huong Ho

INITIATES

Pho Luc Bo
Thu Bo
Thu Bon

Despite the 1904 legislation, the Village Council continues to have an unofficial role in the activities of both Cult Committees, but especially of the one whose pagoda is its responsibility. This includes maintenance of the structure, appointment of the guardian and administration of the pagoda

land. The village budget provides for expenditures for ceremonies at the pagoda, and members of the council are normally active in organizing the annual celebrations; they make the offerings to the Guardian Spirit. Although the Village Council is not included in the organization charts of the committees, it properly belongs on both just below the high venerables.

Membership in the Village Council opens the way for the qualified villager ultimately to become one of the high venerables in the Cult Committee. Also, in principle, any member of the council may eventually become the village chief. Membership in the Village Council requires wealth, education and age. Some of the ex-councillors of Khanh Hau complained of the "youth" of the then village chief and deputy chief. The demands in time and money require that the councillors be fairly prosperous. Currently, a primary school education is considered essential. ³³

CURRENT ACTIVITIES AND FUNCTIONS

Just as previous sketches of personalities may have sharpened the picture of council membership and status so, too; some observations of the daily activities of the village councillors may help in understanding their powers and prerogatives. A good starting point is in the hamlet.

There has been little change in the role of the hamlet chief. He is selected by the Village Council (more recently by the district chief on the recommendation of the village chief), and usually comes from a family of good reputation. Five of the hamlet chiefs of Khanh Hau are tenant farmers, and the sixth is a well-to-do landowner (he was arrested in 1962 as a Viet Cong committee leader but was later released). The primary function of the hamlet chief is to act as liaison between the Village Council and the residents of his hamlet, and since 1958, they have become responsible to the police agent in security matters. He explains new programs either directly or through the 5-family groups (five households located in the same part of the hamlet), and the role of the villagers in it. He also organizes meetings of 5-family heads to disseminate any news or propaganda received from the information agent of the village. He usually oversees village projects, such as new canals, which are being carried out in his hamlet, and he passes on requests from residents to the Village Council. Welfare for individuals or individual families has traditionally been more the concern of the hamlet chief than the Khanh Hau village council. Hamlet chiefs also have roles in the Cult of the Guardian Spirit and rituals associated therewith.

The Village Council at Khanh Hau conducts most of its official business at the Council House located at one of the hamlets in what is considered the "center" of the village, near the pagoda, primary school and military stockage. Its doors open at about 8 a.m. by the clerk and are locked at 6 p.m. by the last one to leave. The Council House is also a village gathering place for gossiping and discussing news, crops, and weather. Hamlet chiefs who are expected to report to the council periodically and high venerables may stop by for a chat or to assist in planning village celebrations.

The council has a variety of agricultural responsibilities, passing agricultural information on to higher authorities and disseminating information received from them. It handles rent adjustments, and tried in 1958 to cope with the water crisis. Such government projects as the Agrarian Reform and Agricultural Credit Programs require cooperation from the Village Council for successful implementation. It also had a role to play in organizing the unsuccessful Village Agricultural Cooperative and its successor, the Farmers' Association. The following quotation illustrates the number and kinds of requests which the Khanh Hau council received from higher authorities.

During the first three months of 1958 the Village Council received from fifty to seventy requests from higher authorities for information on agricultural activities in Khanh Hau. In January the district chief requested an estimate of the total number of agricultural credit loans and total amount that would be needed during the coming year. At the same time, the interprovincial tax inspector sought information on businesses in the village, and a district business office asked for data on communal land, waste land, idle land, and the number of uninhabited houses. The Agrarian Reform Agency

wanted to know how many landlords had title to more than 100 hectares, and one provincial agency had to know the number of the last paddy harvest and the amount of paddy earmarked for sale outside the village was desired by the Provincial Agricultural Service, and this was followed by a provincial agency's request for information on the number of rice mills and sawmills and the number of building permits issued during the past year. A district agency wanted to know the number of 1958 licenses of all types thus far issued in the village, and Civil Action asked for a general census concerning family income, standard of living, educational facilities, and the number of illiterates. With the last request, the village chief complained that while much information was easily supplied, it would take the council considerable time to determine such things as standard of living. His chagrin was heightened with the receipt of a special letter sent to all villages by the district chief admonishing the councils for inaccurate reports. Too often, the district chief wrote, councils indulge in imaginary reporting--"pulling figures from the sky."

Like all Vietnamese villages, Khanh Hau is responsible for its own budget which is prepared by the finance councillor and submitted to the Village Council for approval. It is then presented through district channels to the province chief prior to the new fiscal year which is the calendar year plus twenty days. Drafts are first processed up to the provincial budget officer for review and the final product goes to the province chief for approval. For 1958, the final budget for Khanh Hau had not been received in the provincial offices by 28 March. Delays seem to be accepted as part of the village-provincial budget system, and one qualified observer could not determine thereby any adverse effect on administration in Khanh Hau.³⁵

Assistance to Khanh Hau from the province was 56 per cent of the village budget in 1958. Village revenue sources include those from village property; tax surcharges on paddy land, garden plots, and houses,

licenses, animal tax, vehicle tax, fines, various fees, contributions for village celebrations, loans, and subventions. As Khanh Hau is not a market center, it does not receive market taxes of any consequence. In the much larger village of My Thuan, this category in 1959 provided tax receipts of 461,750\$VN, as compared with a total of 61,938\$VN for all other tax receipts.³⁶

Any village expenditure exceeding 200\$VN must have the advance approval of either the district or province chief. Salaries of the Khanh Hau councillors, which according to the village records began on a regular basis in August 1957, were paid only sporadically due to lack of funds. It is not unusual for the councillors to pay the clerk and laborers, and other pressing payments out of their own pockets. It is understandable, therefore, why councillors must be at least fairly prosperous.

Woodruff has noted³⁷ that "in view of the limited role of self-government in Khanh Hau, it was not surprising to see the systematic and frequent check made on village financial activities." Monthly, quarterly, and annual reviews are required. The monthly review is conducted at the district chief's office, the quarterly review goes first to the district and then to the provincial administration, as does the annual report.

One of the prime functions of village councils is the maintenance of order in the village. Although this has been expanded to include matters of political security, traditionally it simply meant punishing the guilty and arbitrating disputes.

Most disputes in lowland villages are informally settled by hamlet

chiefs or village councils. Many others remain unresolved because contending parties cannot afford to go to court. Differences between members of the same family are most often settled within the family to avoid the disgrace attached to airing family troubles in public. Angry villagers seeking a settlement of their differences usually take their cases first to their 5-family group or to their hamlet chief. If settlement cannot be agreed upon, they may then go to the village council which serves as an informal court for petty offenses or minor suits.

The informal judicial role of the village council is an important means of maintaining tranquility. Moreover, hearing cases enables the council to keep closely in touch with village attitudes and activities. Procedures are very informal, with no ritual and sometimes with no particular person in charge. The contending parties on entering the village hall may begin telling their stories to the first councillor they meet. Onlookers may interject comments and the councillors may make suggestions for a settlement or refer the disputants to the police agent, who though without specific legal authority, also acts as adjudicator in village quarrels. The village chief is often a skillful arbitrator.

If the dispute is serious, the entire council may meet and hear the complaints of the parties. After questioning them, the council may ask their hamlet chief to carry on the investigation, delegate the case to him for settlement or try itself to effect a reconciliation. The council may require indemnity for loss or damage or levy fines or other sanctions, such as contributions of labor to village projects. Unresolved cases are forwarded to the district chief for consideration or settlement.

The mere threat to refer a case to the district chief, who may place it before a court, often brings a settlement. Village justice is free, and generally seems to be administered effectively. Villagers prefer its relatively mild operation to the expense and possible severity of the regular courts.³⁸

Observers at Khanh Hau noted that in settling disputes part of the pattern is for the arbitrator to appear somewhat disinterested, such as continuing to read a document or carrying on some other business with another villager or the clerk. The Village chief at that time employed two techniques. One was to invoke a moral message, the other was to treat the situation lightly; sometimes he combined them. When Ong Ke Hien brought action against a tenant farmer for chopping down a banana tree on his property, the village chief advised him to be lenient, noting that he already had an abundance of goods, and mercy would befit the highest venerable of the village. The latter was moved by this argument and dropped the case.

In a case concerning non-payment of rent, the plaintiff, who was a well-to-do and miserly woman, became excited as she explained her case. The village chief who had been giving orders to the clerk suddenly motioned for the woman to stop, and said calmly, "Madam, why don't you forget the rent? This man is poor, and if you are kind, perhaps he will pray to Buddha for you in gratitude." Then he added, "You are getting old, you know, and you will need prayers more than money." This brought forth laughter from everyone in the Council House, the plaintiff became calm, and the case was settled.³⁹

In consequence of the insurgency, the village police agent, in addition to his usual duties, has charge of the Self-Defense Guard and also of the Rural Defense Guard which replaced the Hamlet Guard. One police agent at Khanh Hau was killed in 1961 by the Viet Cong while on night patrol. Identifying the Viet Cong is a major security problem.

When the Strategic Hamlet Program was launched in 1962, Khanh Hau was one of the three villages in Long An province selected as models. The province supplied the barbed wire, but the village was responsible for providing other construction materials and labor. All able-bodied men between the ages of 18 and 60 were required to labor one day and a second if necessary. The well-to-do were asked to donate cash, while the poorer villagers contributed material and labor for the concrete posts. In January 1962, the Khanh Hau police agent found a list of tax contributors on a captured Viet Cong cadreman. The Village Council visited each family listed, and the village chief advised the family members to match the sum for the construction of the fortifications which would protect them from further nocturnal collections. By the end of June 1962, the barbed wire and ditches had been arranged around two of the hamlets, and in the months that followed, similar defenses were erected around the other hamlets and a new settlement of the village. Isolated families were brought within the fortifications. These relocated families were supposed to receive 2,000\$VN, but some claimed that they received no compensation, and others reported receiving only part.

The fortifications were no barrier to the Viet Cong; their patrols cut the barbed wire, sometimes demanding food or cash and often then

cutting the wire on the other side of the hamlet to make their exit. No clashes occurred with the village defense units. No deaths were reported, but on one raid the village chief was kidnapped (later released). By February 1964, those who had been relocated began to move back to their former farms, leaving the new settlement partially abandoned. Some said they preferred the old sites, because they had shade and were closer to their paddy fields. The Viet Cong had also warned villagers that those who relocated within the strategic hamlet would be considered pro-Government. The Village Council saw this as a reason for abandoning the new location. They also pointed out that the owners of the land on which the new settlement had been constructed were urging the relocated families to move back to their own land.⁴⁰

Village councils also have certain responsibilities relating to education, health, and welfare which will be outlined only briefly here. The primary school curriculum is prepared by the Ministry of Education at Saigon and the Provincial Education Service is directly responsible for the administration of the schools, and the provincial budget pays teachers' salaries. Village schools usually provide only the first three years of the primary course. School buildings and equipment are provided by the village authorities. Medical care is mainly dispensed through village first-aid stations, although many villages do not have them. Villagers who become seriously ill are occasionally brought to provincial hospitals and dispensaries. Khanh Hau had better than average facilities for medical care and education, provided, in part, through United Nations' and American assistance and the efforts of its Village Council.

In summation, membership on a village council, as on a cult committee, appears still to confer some prestige in the small communities of South Vietnam. However, historical developments and the Viet Minh and Viet Cong insurgencies have increased the responsibilities of and the hazards to the councilors (and the hamlet chiefs). At the same time the encroachments of higher authorities on village affairs have diminished the prerogatives and powers of the village council. More appointments, requests for data, forms to be filled, and committees to be activated, come from higher levels than ever before. Yet the community in which they serve may be so insecure at night that the village chief and possibly other local leaders must commute to a larger town and a second home for safety. This situation, it turns, would apparently have a negative effect on village morale, even though the absence of the village chief may reduce the incentive for some Viet Cong night raids.

In 1964, as in 1904, difficulties were faced in securing recruits for the village councils. In the earlier period, the French recognized and tried to correct a deteriorating situation which was largely due to a lack of authority given to the councilors, and a method of administration which gave too many functionaries the right to summon them. The responsibilities and personal liabilities of the councilors were increasing and their prerogatives falling. The situation today is not very dissimilar, particularly if one substitutes the present insecurity of the councilors and their

families for the heavy financial liabilities hanging over their earlier counterparts.

Encroachments on local governments by higher authorities are inevitable as nations seek political, economic and social development. Paul Mus, a French expert, concluded an article in 1949 on the role of the Vietnamese village with the following observation:

Whatever fails to contribute to the unity and proper stature of the nation can play at most only a passing role on the local scene--and the final decision concerning what its stature and destiny should be must lie with the nation itself. 41