

III. LAND REFORM IN A PERIOD OF CONSTITUTIONAL CHANGE

Neither of the proposals in the preceding sections could reach its full momentum unless the central GVN structure could accommodate new demands placed upon it from local sources. Giving it these capabilities would require new capital, increased receptivity to local initiatives, and effective administrative procedures for delegating responsibility. These changes could be introduced by establishing a Land Development Fund to be administered by a joint US-Vietnamese Board with authority to respond to initiatives from villages and cities, to administer its programs outside the normal managerial framework of the GVN, to bypass provincial and district authorities in dealing with the local councils, and to make use of technicians borrowed from the national ministries on TDY.

The many changes in the GVN political leadership over the past few years have seriously weakened its ability to perform even its normal functions. This fact is already too well known to require extensive documentation. After the Geneva accords had brought about the installation of the Emperor Bao Dai and Prime Minister Ngo Dinh Diem in 1954, the Diem interim government was established in October 1955, a national constituent assembly was elected in March 1956, and the constitutional rule of President Diem began in October 1956. He was overthrown by a military coup in November 1963, which was succeeded by no fewer than seven governments: the civilian government of Nguyen Ngoc Tho (which lasted 86 days); the military rule of Gen. Nguyen Khanh (which lasted 260 days); the civilian government of

Tran Van Huong (which lasted 84 days); the interim government of Nguyen Xuan Danh (which held power only 19 days); the civilian government of Than Dui Quat (112 days); and the rule of the present government of Gen. Nguyen Cao Ky which began June 1965 and ended in the September 3 elections.*

Administrative changes, especially in the organization of the government, have been almost equally constant. Frustration with the slow bureaucratic procedures of the developmental ministries in responding to the challenge of the Viet Cong led to the creation of the Commission General for Revolutionary Development, a "super ministry" which developed streamlined procedures to expedite the construction of local projects in designated insecure areas.

Revolutionary Development has achieved some remarkable successes in the countryside. To deal with about 8% of Vietnam's villages, it has built up a large and almost "instant bureaucracy" (in Phong Dinh, its staff is larger than the combined forces assigned to public works, social welfare, village and hamlet affairs, and budget and finance, for the rest of the province). In many provinces it has constructed buildings and provided personnel much faster than the ministries could have done following normal procedures of clearance and ordinary standards of performance. The experiment has confirmed the proposition that the government may employ extraordinary administrative methods in some of its programs without disturbing the normal

*Statistics from I. Milton Sacks, "Restructuring Vietnamese Government," Asian Survey, August 1967 (forthcoming).

procedures followed in its routine operations, and that dynamic, aggressive leadership on the part of the Vietnamese Government is available for such purposes. But the Commissioner General of Revolutionary Development does not view its role as including institutional changes of the types described above. Moreover, no way has yet been found for integrating its activities with those of the ministries normally concerned with the operations in the rural areas (health, agriculture, and education, especially). Its activities are not usually extended beyond two years for each project. Thus, the health stations it builds must either be integrated into the Ministry's activities or left idle at the end of that time. In many cases, since they were not coordinated in the first place with ministerial plans, the projects are in danger of being abandoned shortly for lack of personnel or maintenance funds; schools have been allowed to stand idle without teachers after their two-year period of grace because the Ministry of Education has been unable at the present time to obtain teachers possessing the qualifications it desires, for while it is willing to employ the temporary appointees of Revolutionary Development, it refuses to appoint successors to them if they lack the preferred professional qualifications. The result is many empty schools. Thus the concept of Revolutionary Development serves an immediate need, but not a long-range one. What is needed is an organization which can respond as quickly and effectively as the Commissioner General, without sacrificing the long-term programs of the respective ministries concerned.

It would not be possible to assign these new responsibilities to the present over-worked, understaffed ministries, especially while their present cumbersome procedural systems remain unchanged. Apart from basic organizational deficiencies, military mobilization has reduced their available manpower below the level of effectiveness even for routine operations. In the Commissioner General for Land Affairs for example, nearly half of the engineers, administrators, technicians, draftsmen, surveyors, clerks, mechanics, and other specialists have been mobilized. There are only 13 engineers now on duty, for example, but 14 more have been drafted; the total number of these skilled employees now on duty is 255, but 233 of their colleagues are in the Army. When these personnel shortages are considered along with the inefficient colonial administrative style which those who remained behind are compelled to observe, it is clear that a new institution must be conceived to discharge the new functions proposed.

The proposed instrument is a Joint Land Development Board whose principal function will be to respond to initiatives from village councils and other local authorities. A system of priorities could be used to determine which of the local initiatives would receive financial and technical support from the Joint Board. Among these priorities, the first might well be to support local projects that would promote efficient land use in both rural and urban areas. A second priority would be assigned to projects that would augment the income of the poor members of the community. A third priority would be for those activities that would improve the quality of the community life in general.

A joint binational board is recommended because working alone, neither the Vietnamese Government nor the American mission can provide the information and the resources needed. The experience of the Joint Commission on Rural Reconstruction on Taiwan is compelling evidence that two governments joined in a search for solutions to problems like those now confronting Vietnam can produce imaginative new approaches. The procedures used for these purposes proved superior to those developed by either of the governments for dealing with conventional problems. Many (though not all) of JCRR's characteristics are transferrable.*

Two suggested approaches to the proposed organization deserve consideration. One would place the Board entirely in a governmental framework, appointing as chairman either the Vice President of the Republic or the Prime Minister, joined by the Ministers of Agriculture, Public Works, Education, and perhaps Public Health. There would also be one or two American representatives who would also be presidential appointments and would bear ambassadorial rank. The other approach would remove the board from the immediate government altogether, making use of full-time Vietnamese and Americans appointed from private life by their respective presidents. The advantage of the first approach would be maximum integration of the Board's activities with those of the government and the reduction of political and bureaucratic rivalry between the board and the Ministries. The second approach, on the other hand, would give the

* See John D. Montgomery, Rufus B. Hughes and Raymond H. Davis, Rural Improvement and Political Development, The JCRR Model (Washington: American Society for Public Administration, 1964-1966).

Board greater flexibility in operating outside conventional government channels, and because of its relatively non-political character it would attract the services of distinguished Vietnamese at home and abroad who are now outside the government.

A compromise is possible that would combine the advantages of both approaches. The Board might consist of a full-time Vietnamese chairman and one other member, joined by one or two full-time Americans (as in the JCRR case, it might be desirable to have two for the first busy year or so while basic policies were being worked out, then reduce the American representation to one). In addition, the Ministers of Agriculture, Public Works, Education, and Public Health could be made ex officio part-time or advisory members attending meetings at which projects relevant to their respective ministries were under discussion.

The organization of the Board's administrative and technical services should be worked out by the Board itself. A small secretariat could be created to process requests by assigning them to Task Forces organized by function (a five-man task force on irrigation projects, for example, could divide its responsibilities up geographically). The Task Force member assigned to process a given request could go to the initiating village on a fact finding mission, stopping at the office of the Province Chief or District Chief enroute both to inform him of his presence and to request logistical or technical cooperation if he desires it. However they must be organized, members of the

Secretariat and Task Forces should be hired by special appointment rather than under the usual civil service procedures, and employment provisions should be worked out to assure the recruitment and retention of men of the highest caliber. The needed technicians could be recruited in the first instance from among Vietnamese in the private sector or abroad, and second by special arrangement with the Asian Development Bank. But in each Task Force, at least one member should be assigned on TDY from present GVN ministries if they are qualified and available. They should serve on full-time duty for a period of 12 to 24 months. Since the Ministers themselves would be ex officio members of the Joint Board, this TDY would not involve a conflict of responsibilities for those assigned to the Task Forces, nor would it represent an interruption in their careers. Upon the completion of a one-year or two-year tour of duty, the technicians would return to the ministry and be replaced by others. In principle, this would make it possible for them to introduce new, streamlined procedures developed by the Joint Board into the ministries themselves. This use of the professional civil service by the Board would also insure that the project design and administration in each case would follow the essential elements of ministerial standards as far as possible. Each technician would be assigned responsibility for a group of local projects in his own field of expertise, and he would be entitled to make use of the technical services at the provincial and district level, as needed, with the cooperation of the province or district chief.

The proposal is to encourage local councils to make their applications directly to the Joint Board without passing through district or province chiefs.* The exact channels of communication** are less important, however, than the principle that the district and province chiefs would not have review power over the applications themselves or control the releasing of funds or supplies. They would be limited to supervising the performance, post-auditing the use of supplies and equipment, and reporting any obstacles or difficulties encountered in the project implementation. Needless to say, since the province and district chiefs' surveillance would be paralleled by technical supervision from the project manager at the task force level, the opportunities for corruption would be severely limited, and yet actual administration would not completely bypass the district and province chiefs. Although the Board should plan to concentrate on village initiatives (both rural and urban) at first, there should be no bar to its offering support to requests from voluntary agencies, the private sector, provinces, or even the national ministries if the proposals themselves are desirable. The American relationship to the Board's activities throughout should be responsive rather than coercive. In the first months, CORDS personnel should

*Since presumably not all of the more than 1,268 villages with elected councils would be able to submit their proposals at once, there is no reason to assume that the Board would be flooded with applications at any one time. If that did occur, temporary enlargement of the secretariat and task forces should accommodate the overload.

**Some skeptics, perhaps forgetting that the postal system still functions, have doubted that direct communications could take place between villages and the Board without passing through corps commanders and province and district chiefs.

be encouraged to volunteer their services to village councils in preparing project descriptions, but in due time the initiative should pass to the local leadership for requesting American aid both in project design and the later management of approved projects. The Board, too, should be able to request technical assistance from both Vietnamese and American agencies, as appropriate, and from other allied nations and from the Asian Development Bank as well.

The Joint Board should not be conceived as a permanent institution. Its funds ought to be programmed on a declining curve with the passage of time. Once peace is restored, project management and maintenance should be gradually transferred to the ministries concerned. In the meantime, the operations of the Joint Board in responding to local initiatives should not interfere with the routine conduct of ministerial operations in their respective fields. Some of the funds could be allocated in advance to various regions or populations on a formula basis but at least as much should be used to assign priorities in accordance with national needs and to reward those local initiatives which show greatest promise. Care should be taken to prevent automatic assignments resembling a slush fund and to maintain the Board's flexibility in decision-making and responsibility for each allocation.

The amount necessary to establish the Joint Land Development Board would be about \$35,000,000. This sum would accommodate requests for \$2,000 for each village which has already had an election, add an

equal amount to be used for special local initiatives, and provide \$30,000,000 for land redistribution demonstrations--one-tenth the estimated reimbursement cost of expropriating all lands above 10 hectares as proposed in the Cooper-Hewes report. This estimate would permit the Joint Board to allocate funds for reimbursing landlords whose property seizures by the VC were confirmed by the village councils, and to finance other land redistribution on a demonstration basis. I would assume that these funds could be spent very usefully over a period of five years.

The creation of a Joint Land Development Fund from counterpart currencies would be a simple matter. It has precedent in the China Act of 1948 establishing the Joint Sino-American Commission on Rural Reconstruction. The proposal that a central agency should be empowered to respond directly to appeals from local units for support has been successfully followed not only in Taiwan but also in the rural works program of Pakistan. Both have succeeded eminently in their task of using external capital sources and internal technological innovation as a means of strengthening local loyalties and local institutional capabilities. Recent experience amply justifies confidence in the ability of individual Vietnamese leaders, once detached from the routines of the office, to respond to extraordinary demands upon their imagination. All the American community needs to supply is the initial impetus.

CONCLUSION

The present American interest in Vietnamese land reform springs from its desire to achieve pacification as soon as possible. Many observers here have come to believe that peasant support for the Government of Vietnam would increase if the exploitive roles of landlords were reduced, an expectation that is consistent with the long line of populism and liberalism in American politics. Concern over the increased violence of the war and over its unexpected longevity has underlined the American desire to support positive efforts at stability in Vietnam. At the same time, allied nations have expressed doubts about military escalation and the unsettling aspects of the American presence. A dramatic expression of the American concern over social justice and economic productivity could demonstrate the national determination to find a long-term solution to the communist threat in this area, and contribute as well to the future viability of the Vietnamese government.

There are many proposals for decisive American action now receiving attention at the highest levels in Saigon and Washington, and there are many opportunities at hand for introducing major improvements in the GVN. Each approach can doubtless be justified in its own terms, but not all of them can be implemented at once. The American position must be sharply focused on the most promising of these possibilities, and Vietnamese responsibilities must be emphatically and immediately asserted. Neither of these requirements can be served if the array of proposals now emanating from American technical and economic advisors receive equal priority for immediate action. What is essential now is a sharp concentration on a few decisive, germinal actions.

Proponents of land reform in its classical meaning may be disappointed in these recommendations in spite of their revolutionary potential; I propose no large-scale redistribution of land, no arbitrary consolidation of small holdings, no elaborate rent control procedures, no new laws, and no basic alteration in structure and functions of the Ministry of Agriculture. Some of my hesitancy in proposing such sweeping panaceas springs from the disappointing experience with land reform in Vietnam from 1956-61, already discussed. But most of it comes from the conviction that details of the program should be worked out with Vietnamese collaboration.

The Vietnamese stake in land reform appears to be basically that of any other Asian country where the rural population is largely engaged in peasant agriculture. Considerations of equity are philosophically the same in Vietnam as they are in Japan or Taiwan. More immediate considerations also urge governmental activity on behalf of the small farmer. Generating local political support, increasing agricultural productivity, encouraging stability by building up a rural commitment to the status quo, and even deriving diplomatic benefits from the plaudits of sympathetic governments abroad: all of these reasons for land reform are as valid for Vietnam as they have proven for other countries.

The ultimate American purpose in Vietnam is to make possible its own withdrawal. This objective corresponds to increasing Vietnamese desires, too. The Americans should be ready to reduce their presence and decrease their demands as the GVN re-establishes its own legitimacy after the election. The present proposals are designed to thrust the maximum responsibility on the Vietnamese themselves, exerting American pressure in the immediate future when it is likely to be well received and withdrawing as Vietnamese competence

The first proposal would alter the whole attitude of the GVN toward rural population by erecting institutions that enable the peasants to become a source as well as an object of policy as they begin to manage their own land affairs. This is a revolutionary constitutional change that cannot come about without strong American pressure.

The second proposal carries the resolution to the cities. It decentralizes decisions about land use and institutionalizes the process of reviewing public land holdings and private land speculation. Given the social and economic base of the government now and in the prospective future, these changes will not occur without strong American pressure, either.

The third proposal injects American resources into the national government under joint arrangements, designed to convert the GVN posture into one of responding to, rather than merely initiating, local developmental proposals. Although the institution proposed is extra-ministerial, its operations make use of regular government personnel, thus maximizing the prospect that its improved extraordinary procedures will be translated into the basic administrative systems of the government. Although a joint fund can be used for many purposes, including strengthening the central government ministries, its influence should not be dissipated in the first years by supporting initiatives from national ministries or province chiefs. What is needed first is to strengthen local institutions as a countervailing influence in areas of local concern now administered by a strongly centralized, but locally ineffective, government. The American participation in this Joint Board will be self-liquidating, but the institutional changes introduced during the joint period will be self-sustaining, especially as local political initiatives are released.

The three proposals are interrelated and interdependent. They should be phased to coincide with the maximum American impact shortly after the election, with rising Vietnamese responsibility as they develop institutionally. All of them would permanently affect Vietnamese politics and administration, yet would be impossible without American presence. All represent positive efforts to improve the life of the Vietnamese people, yet they will contribute in the immediate future to strengthening the political capacity of the GVN to achieve stability and security. They are not excessively ambitious in terms of American participation or the requirements they place on Vietnamese administration. They do not preclude a continued American effort to contribute to better technical, economic and administrative performance of the GVN in prosecuting the war and planning for the long future afterwards. They represent, in short, a politically feasible choice of American actions, essentially simple in their implications, but far-reaching in their consequences.