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VIETNAM - VILLAGES

VILLAGE GOVERNMENT IN
VIET NAM

A Survey of Historical Development

by

Nguyen Xuan Dao
Special Project Officer

Govt. han'g
Michigan Michigan State University — Viet Nam Advisory Group

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INTRODUCTION

The Land

Viet Nam is a stretch of land on the east side of the Indochinese peninsula. It extends some 1,200 miles in length from the China frontier to the Gulf of Thailand, and covers an area somewhat smaller than France, or twice as large as the state of Florida. A few years ago, Viet Nam was a part of French Indochina, together with Cambodia and Laos. Scholars have liked to point out this was the meeting place of the two great civilizations of China and India, where, by land as well as by water, they converged during the early centuries of our era.

The valleys and the littoral plain of the north, from Mong Cay to Kwang Tung, and the delta and the lengthy coastline of the south have contributed to make it the land of invasions, from the prehistoric migration and the first Chinese conquest in the 3rd century B.C. to the intervention of the West in the middle of the nineteenth century and the Japanese occupation in 1940. Although the geography of Viet Nam does not afford any defense against external aggression, it presents a strategic value which has proven important throughout the history of the country, particularly during the last war. The northern road leads to South China, while the south forms a stepping stone to raw materials and the goods of Southeast Asia.^{1/} The physical aspect of Viet Nam can be easily described as two rice-baskets hanging at the ends of a bamboo pole that the peasant carries on his shoulder--a familiar sight in the Vietnamese countryside. The two baskets are represented by the two deltas (Red River delta in the north and Mekong River delta in the south), and the Annamese Mountain Chain forms the pole supporting the rice-baskets.

^{1/} Le-Thanh Koi, Le Viet Nam: histoire et civilisation (Paris: Les Editions de Minuit, 1955), pp. 15-16.

FOREWORD

The study presented here is designed to provide a summary picture of administrative change in the Vietnamese village from the earliest period to the present time. Its coverage is the geographical region of the present Republic of Viet Nam, and it attempts to relate administrative change to the major political events taking place throughout Vietnamese history. Written largely for a non-Vietnamese audience who may be unfamiliar with some of the background and some of the sources, it draws upon secondary sources, hitherto available only in French or Vietnamese, for most of the material used.

The author, Miss Nguyen Xuan Dao, began this survey as an introduction to one part of a larger interdisciplinary study of a Vietnamese village, currently being conducted by members of the Michigan State University Advisory Group in cooperation with faculty of the National Institute of Administration. When she had completed it, however, it seemed to provide the kind of historical review that would be extremely helpful to anyone interested in village government, and it was therefore decided to issue it separately at this time.

The most comprehensive work dealing with Vietnamese village government and administration is the thesis of Prof. Vu Quoc Thong, Rector of the National Institute of Administration in Saigon, which covers developments from the earliest independent period to 1952.¹ An important article on village government by

¹ Vu Quoc Thong, La Decentralization Administrative au Viet Nam (Hanoi: Les Presses Universitaires du Viet Nam, 1952).

Mr. Lam Le Trinh, Secretary of State for Interior of Viet Nam has also recently appeared in the Journal of the Association for Administrative Studies,² excerpts from which were translated into English for the June 1958 issue of the Journal of the Vietnamese-American Association. This article adds material for the period up to 1957. Other known and available sources consist largely of doctoral theses and the writings of early French administrators, most of which refer primarily to Tonkin and Annam. Miss Dao has based her survey on all these sources, but has tried to place a fresh interpretation on the basic facts by relating changes at the village level to the broad national framework in which they took place. She was considerably handicapped in fully realizing her objective by the fact that so little scholarly effort was devoted to the study of administration in Cochinchina, and the additional complication that many items which were published are unavailable in Saigon.

This survey should be of interest, mainly to those who want to learn something about Vietnamese village administrative development, but who lack the time or language skills to acquire this background from the literature on the subject. However, even those looking for more intensive coverage should find the survey and bibliography an excellent starting point for any serious study of the administrative evolution of this all-important institution.

James B. Hendry, Head
Research Section

Michigan State University Advisory Group
Saigon, Viet Nam

² Lam Le Trinh, "Village Councils in the Administrative Organization of Viet Nam," Administrative Research, II, No. 1 (January, 1958), 9-46.

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MAP I



THE THREE GEOGRAPHICAL DIVISIONS OF
VIET - NAM

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Thus, geographically, Viet Nam divides easily into three parts: north, center, and south. (See Map I)

The Northern part, called Tonkin (Capital of the East), is an alluvial plain of about 7,500 square miles, watered by the Red River, its tributaries, and thousands of small waterways. It is on this fertile land that the people can harvest two crops of rice each year, and where the density of the population reaches an average of about 1,600 inhabitants per square mile.

South of the Red River delta, from the Gate of Annam to the Mekong River delta, is Annam -- a long stretch of some 750 miles of coastline, bordered on the west by the Annamese Mountain Chain which extends from Yunnan. Toward the south, the mountains reach the sea. Covered with dense forests, they are the home of several ethnic minorities.

Finally, from the last cliffs of the mountain chain to the Gulf of Thailand lies the vast delta of the Mekong River -- new and rich land, constituting the "Far West" for Vietnamese colonization. This is rich Cochinchina, the larger rice basket of Viet Nam with its green fields and with its innumerable waterways bordered with palm trees.

This has been the geographical and administrative division of Viet Nam from the arrival of the French to the Geneva Conference. Since Geneva, Viet Nam has been divided at the seventeenth parallel. Starting from the partition line and moving upward, the area that includes the northern part of Annam and Tonkin is called North Viet Nam, where the Democratic Republic of Viet Nam has been established. South of the parallel is the Republic of Viet Nam, or South Viet Nam, which includes the southern part of Annam and all of Cochinchina.

To avoid possible confusion in this study, North Viet Nam and South Viet Nam shall refer to the political divisions north and south of the seventeenth

parallel, while Tonkin (or the northern part of Viet Nam), Annam (or the central part), and Cochinchina (or the southern part) shall refer to the three geographical divisions of Viet Nam.

The People

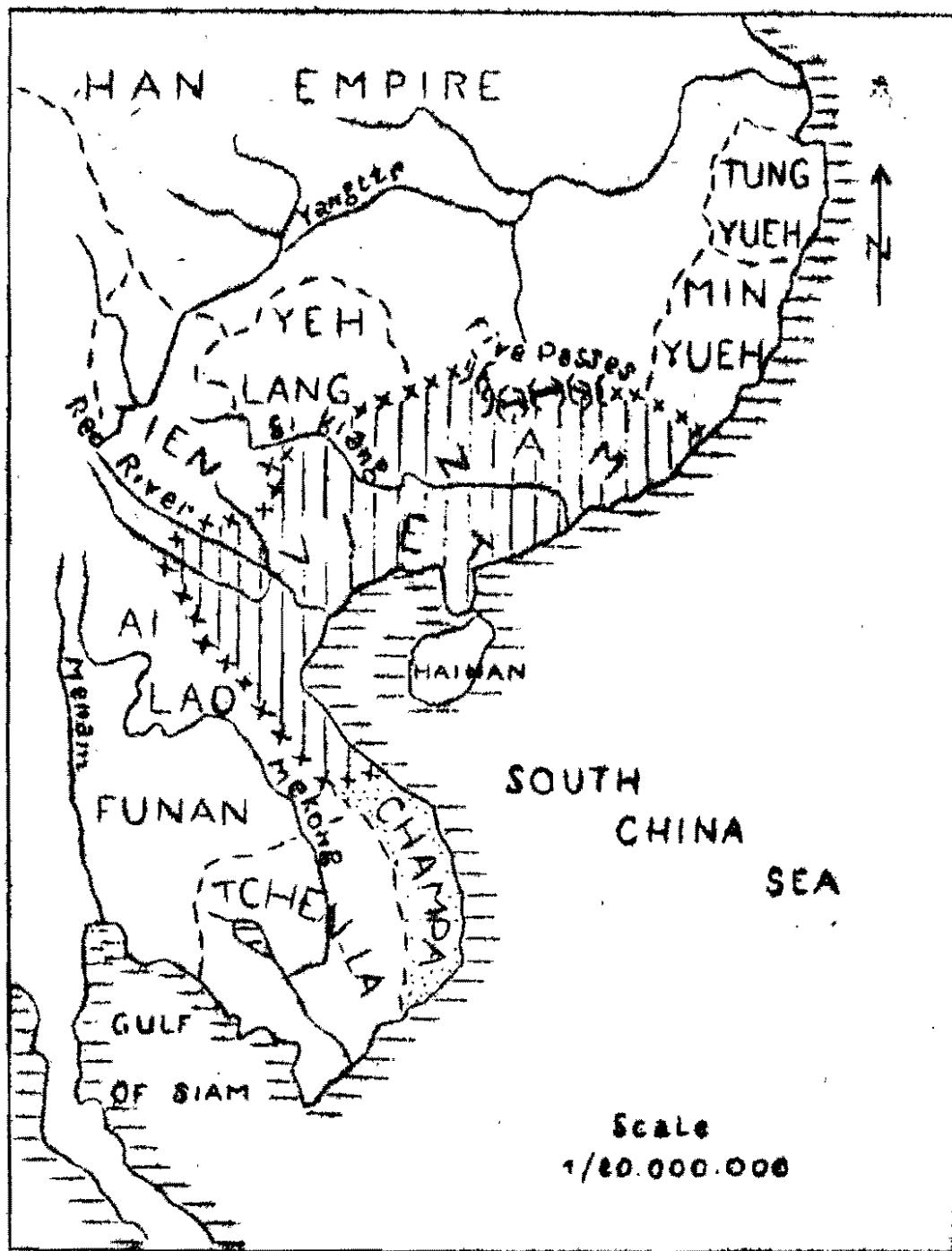
Despite the political changes which have taken place throughout the history of Viet Nam the Vietnamese people constitute a nation issuing from the same ancestors, speaking the same language, and having, in general, the same customs.

The history of the period before the Han Dynasty in China (second century B.C.) is highly speculative, but popular belief holds that the ancestors of the Vietnamese nation came originally from the Yangtse River Valley in South China, and were found well settled in the Red River Valley by the second century B.C. These tribes, then called "Yues" or "Viets," moved gradually south, and as they did so they mingled with the native tribes of Indonesian origin, to create the present Vietnamese people.

In legend, the Vietnamese are "sons of the Dragon and grandsons of the Immortal."² According to this tradition, a grandson of Emperor Than Nong, met a "tien" (fairy) during one of his tours south of the Five Passes in South China. (See Map II) Their son, Loc Tuc, married a daughter of Than Long (Dragon Spirit), and the son of this union, called Lac Long Quan (Lord Dragon Lac), married Au Co, who subsequently gave birth to one hundred sons. This is the legendary origin of the "Bach Viet" (One Hundred Viets), ancestors of the Vietnamese, and the beginning of the Hong Bang or the first dynasty of Vietnamese kings.

² For more detailed information on the origin and history of Viet Nam, see Le thanh Khoi, op. cit., pp. 65-79; Joseph Buttlinger, The Small Dragon (New York: Frederick A. Praeger, 1958), pp. 67-77.

MAP II



NAM=VIET in 111 B.C.

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The Vietnamese people, now numbering about 24 millions, have established themselves mostly in the two deltas and along the coast in fishing villages. In addition, some ethnic minorities are found living in the plateau area, or near the China frontier, or at high altitudes. The highlanders in the north are mainly the Thai, Muong, Man and Meo. The most important of these groups is the Thai, who number about 700,000 and are divided into two main tribes. The two tribes are referred to as the Black Thai and White Thai, a distinction in name which is derived from the color of the shirts worn by the women. From South of the Red River delta to the Gianh River, the Muong, with a population of about 260,000, live on the border of the lowlands and up to altitudes of about 1,200 feet. Some anthropologists believe that they are the closest relatives of the Vietnamese, and that they (Muong and Vietnamese) have a common origin as indicated by language, ethnography, and proto-history. The divergence in the evolution of the two peoples determines the difference in their social structure and way of life. For instance, the Vietnamese gained village autonomy during the seventeenth century, but the Muong have kept a feudal system under which this occurred to a lesser degree.³

³ For further information on this comparison see Jeanne Cuisinier, Les Muong (Paris: Publication de l'Institut d'Ethnologie, 1948), xi-xv. See also Henri Maspero, "Contribution à l'Etude du système phonétique des langues Thai," Bulletin de l'Ecole Française d'Extrême Orient (B.E.F.E.O.), XI, (1911), 153-169; and "Etude sur la phonétique historique de la langue annamite," B.E.F.E.O., XII (1912), 1-123 by the same author.

The Meo and Man are nomads, and are found at higher altitudes of 3,000 - 6,000 feet.⁴

At the end of the Annamese Mountain Chain live the Chams (population of 35,000) remnants of the once mighty Champa Empire which lasted for fifteen centuries. (See Map II) Formerly great navigators, they now lead a sedentary life and cultivate rice, cotton and beans.⁵ The highlanders of the south, designated by the general term "Moi,"⁶ number about one million, and are divided into various groups with different customs and traditions, and into two linguistic stocks -- the Mon-Khmer and Malayo-Polynesian.

The Khmers,⁷ who at one time occupied the whole Mekong delta, now

⁴ For a complete description of the Meo and Man, see Henri Girard, Les Tribus Sauvages du Haut Tonkin: Man et Meo, Notes anthroponétiques et ethnographiques (Paris: Imprimerie Nationale, 1904).

⁵ On the Cham civilization, see Jeanne Leuba, Un Royaume Disparu: Les Chams et leur Arts (Paris: Van Oest, 1923). The first chapter of this book was translated by Yale University, Southeast Asian Studies, 1949, 56 pp. (mimeo). See also Georges Maspéro, Le Royaume de Champa, (Paris: Van Oest, 1928).

⁶ The general term "Moi," or "Savage," was formerly used to designate all highlanders living in the forests of south Annam and it did not apply to any particular ethnic group. At the present time, these people are called "Nguoi Thuong" or highlanders. See Marcel Ner, "Le Moi du Haut Donnai", Extrême Asie, 88, (August 1933), 13-15.

⁷ The term "Khmer" is used in the meaning of "Cambodian." It also refers to a language or a period in Cambodian history when Angkor was built (tenth century A.D.). For further information on the Khmers, see Louis Malleret, "La Minorité Cambodgienne de Cochinchine," Bulletin de la Société des Études Indochinoises, XXI, No. 1 (1er Trimestre, 1946) 19-24; and Lawrence P. Briggs, The Ancient Khmer Empire (Philadelphia: American Philosophical Society, 1951).

HISTORY OF VILLAGE ORGANIZATION

The Major Trends

The Vietnamese, like other peoples of Asia, are primarily rice-growers. They live in the countryside or clustered together along waterways. As one travels through the southern delta region, the typical rural landscape strikes the traveller by its immensity and its color. Above him the open blue sky, with a few scattered white clouds, spreads out as if to embrace the whole world; under his feet the checkered rice fields, wrapped in tender green or golden brown, run to meet the sky at the dark horizon line. Here and there, isolated or grouped into hamlets, the dark-brown thatched houses nest in the shade of the vermillion "flamboyant" trees or behind a row of palms. This is the rich delta land of the south, and here three-fourths of the population live in villages and grow rice. It is in these villages that one can find the heartbeat, the real life of Viet Nam. To the Vietnamese, their village has been their world, their home for centuries. Despite the insecurity caused by the civil war which plagued the countryside for nine years (1945-1954), and despite the migration of many people to the cities to seek a livelihood, the Vietnamese still feel they belong to the home villages where their families and their ancestors remain.

The Vietnamese village has acquired a special status through years of evolution. In Viet Nam, the village is not only the smallest administrative unit, but it is also viewed as the basic social, political and economic unit.⁹ To appreciate its present organization, one should trace its development which reflects, in turn, the political changes which have taken place in Viet Nam. Just as we

can distinguish three main periods in the history of the nation, we can classify the change in village organization into three stages:

1. The period of partial village autonomy -- from the early days of Viet Nam's history to the coming of the French;
2. The period of partial control over the village -- the period of French occupation (1858-1954);
3. The period of change -- from the declaration of independence (1954) to the present time (1958).

During the first period, from before the Chinese domination to the establishment of the monarchy, the Vietnamese village gradually received the right to administer its own affairs with very little interference from the central authority. Just prior to the arrival of the French, village government reached a high degree of autonomy which writers have sometimes described as being almost equivalent to an imperium in imperio. Following the French occupation of Viet Nam, during which Cochinchina became a French colony and Tonkin and Annam protectorates,¹⁰ changes in village government tended toward a higher degree of central government control of village officials and their activities, and also of the villagers themselves. Too much autonomy was incompatible with colonial policy. Since the end of the Second World War, there has been considerable change in central governments. The first was proclaimed by the Viet Minh, in 1945, as the Democratic Republic of Viet Nam. Shortly thereafter, the French returned to

¹⁰ The southern part, far from the royal court, was more readily made into a colony, whereas the royal authority was much stronger in the central and northern parts. Later, by Decree of Oct. 17, 1887, the administration of the two protectorates passed from the Ministry of Foreign Affairs to the Ministry of the Navy and Colonies. This amounted to making these protectorates de facto, along with Cochinchina.

Viet Nam, ultimately resulting in the reestablishment of Emperor Bao Dai. Finally, the Geneva Conference of 1954 divided the country at the seventeenth parallel. As a result, the Democratic established itself north of this boundary and the Republic of Viet Nam came into existence south of it. The changes in village administration brought about by each regime do not show as clear a trend as before, but so far during this period the Vietnamese village has not regained its former autonomy.

Since this survey was originally intended to serve as an introduction to a study of a village in South Viet Nam, it is mainly concerned with tracing the factors which have shaped village organization in the southern part, or what was formerly Cochinchina. Reference to the rural organization in the other areas of Viet Nam is largely for purposes of comparison, and since the south was not colonized and exploited until the seventeenth century, village organization began there in an advanced stage. From the outset, the villages established by these immigrants had notables, communal lands, a guardian spirit, and traditions and customs. In contrast, the village of the northern delta had undergone many changes before reaching the same stage at which village organization in the south began. Therefore, to appreciate what preceded the actual settlement of Vietnamese in the south, it is necessary to trace village administration to its origin in the north.

Sinization of the Feudal System

Little is known about village government before the Chinese invasion (111 B.C.). The country was called Van Lang (Country of the Tattooed Men), and later Au Lac, under the rule of a king who was a vassal of the Chinese emperor. Still later, the country fell under the domination of a former Chinese general, Trieu Da, and was called Nam Viet. At that time, around 200 B.C., the land

covered Tonkin and the southernmost part of China. (See Map II) It is believed that the Vietnamese society of that period was ~~at a stage~~ of feudalism similar to French society under Hugues Capet. Henry Maspéro, in his description of this land in its pre-Chinese days, concluded that it was a hierarchical and feudal society of the same type now found among the Muong and Thai near the Laos-Tonkin border.¹¹ The Lac (people of Au Lac) were sedentary and lived in small village communities governed on a hereditary basis by the heads of noble families who were their religious, administrative, and military chiefs. These were the brothers and sons of the Lac "marquis" (Lac Hau) who distributed the villages among their relatives, and these villages therefore constituted small hereditary fiefs. These "marquis," whose possessions corresponded to the huyen¹² of the Han period, depended, in turn, on the kings for their lands.¹³ In other words, the king, at the top of the pyramid, possessed all the lands within his domain, and distributed them as he wished to members of the royal family and the nobility. These lords, in turn, redistributed their properties among the lower nobility who were chiefs of village or of groups of villages. The latter kept a part of the land, and gave the rest to the village notables.¹⁴

Up to this point, the historians agree that the whole relationship was based on vassalage or dependency. However, they differ on the role played by

¹¹ Maspéro, loc. cit.

¹² Probably provinces, in our terms.

¹³ Henri Maspéro, "Le Royaume de Van Lang" B.E.F.E.O., XVIII, No. 3 (1928).

¹⁴

The notables were those who enjoyed a privileged status among the village population due to their age, wisdom, degree of knowledge, and wealth.

19.

notables in village affairs.

Mr. Vu Quốc Thua, in his thesis, contends that the notables had the right to decide on all village affairs since the earliest times. In presenting this view, Mr. Thuc notes that the feudal system "topped village organization without penetrating it,"¹⁵ that is, the feudal lords ruled over many villages, while within each village the authority belonged to the notables, especially the elders. Unfortunately, there are few materials which can throw much light on the role of the notables in village affairs. While one might say that the notables took part in village administration during the feudal period, we do not know how large a part this was. We only know that the village chief was the supreme head.

Under Chinese occupation, during the Han dynasty in China, all this was completely changed. Although Trieu Da, the Chinese who conquered Nam Viet, adopted Vietnamese traditions -- "the conqueror became conquered" -- later Chinese governors of Nam Viet undertook a policy of assimilation. For the next ten centuries under Chinese rule, Nam Viet underwent profound changes. Its people adopted the Chinese concept that the emperor is the son of heaven, intermediary between the people and heaven, and the supreme judge and grand pontiff. Chinese books, literature, and writing were introduced to the Vietnamese, and the Sinophiles formed a class of literati. No less important were the teaching of Chinese culture and traditions, of social and religious ceremonies (weddings, funerals etc.,) and technical education in land cultivation. One of the consequences of this education -- a technical improvement in agriculture -- had an important influence on village life. By teaching peasants to use a plough pulled by buffaloes, to build dikes in order to protect the fields from flood and sea water, and by

¹⁵ Le thanh Khoi, op. cit., p. 102

encouraging them to clear the forests, the Chinese helped villages provide the economic base to support an increase in population. With equal zeal, Chinese administrators tried to change the feudal government of Nam Viet into a model of a Chinese province.

Some historians believe that the village largely escaped Sinization during this period, while the rest of the administrative system was, little by little, reorganized to correspond to that of the Chinese.¹⁶ This might have been the situation in the very early days of the Chinese occupation. Others, however, have suggested several probable results of the imposition of the Chinese system upon the Vietnamese village. For example, they point out that after the Trung Sisters' revolt in 40 A.D., the Chinese governor, Ma Yuan, divided Nam Viet into fiefs and prefectures -- the country was already divided into nine provinces. Since the former feudal nobles had perished or fled during the revolt, only the chiefs of villages remained. Together with the Chinese immigrants, these chiefs came to comprise a mixed local aristocracy which accepted the new central authority and became subordinated to it.¹⁷ Mr. Marcel Rouilly, in his thesis on La Commune Annamite,¹⁸ states that the Vietnamese adopted the Chinese form of village organization during the first Chinese occupation in

16 Joseph Buttlinger, op. cit., pp. 108 - 109.

17 Henri Maspero, "L'Expedition de Ma Yuan", B.E.F.E.O., XVIII, No.3 (1928), 18.

18 Marcel Rouilly, La Commune Annamite (Paris: Les Presses Modernes, 1929), pp. 18 ff.

Nam Viet. For example, the village in China was divided into several large family groupings called ho, in which the family chief of each ho constituted the chief intermediary between villagers and central authorities. Each village was given 900 mau of land, in the center of which was a piece of land reserved for cultivation by the village for the state.

When the Chinese installed a similar system in Nam Viet, they divided the land into sections of 90 mau each (1 mau in Cochinchina = 1 French hectare). Each family group, corresponding to the Chinese ho, was then given one of these 90 mau sections. The land thus owned by the private families was called tu dien, while that part reserved for the state was called cong dien. A distinction between public and private lands still exists today in Viet Nam. In village administration, the former village chiefs became administrative personnel under the Chinese rulers, and thus, during this first Chinese occupation, village affairs appear to have been very much under the control of the central power.¹⁹

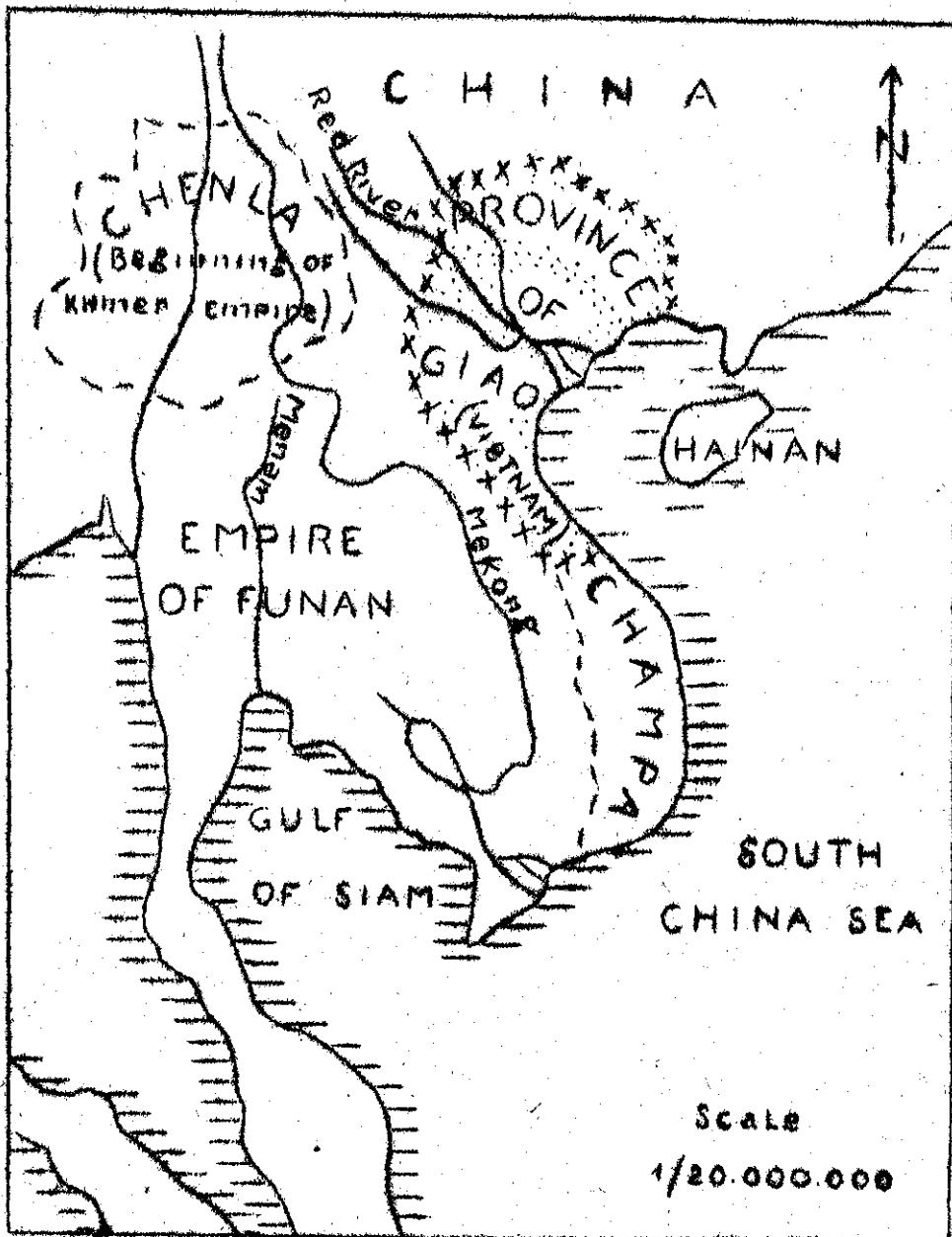
Independence and Administrative Change

Through centuries of close contact with Chinese culture, the Vietnamese assimilated various parts of that great civilization, but they did not lose their sense of national identity. Following the earlier example of the Trung Sisters, who had reigned over Nam Viet for 3 years (40-43 A.D.), Trieu An (248 A.D.) and Ly Bon (544-547 A.D.) led revolts against the Chinese, but without lasting success. Toward the beginning of the tenth century, however, Khuc Hao succeeded in taking Giao Chau, or Giao province from the Chinese, and maintained control²⁰ for

19 Le thanh Khoi, op. cit., p. 102.

20 This province was composed of Giao Chi, Hop Pho, Nam Hai and Cuu Chau fiefs.

MAP III



THE PROVINCE OF GIAO
(4th century)

17

over it for ten years (907 - 917). (See Map III)

During this short period of independence, Giao Chau was divided into ²¹ lo (regions), phu (larger districts), chau (smaller districts) and xa (villages). The administrative personnel were appointed by Khuc Hao, ²² but existing records do not reveal how the xa were administered. Many historians consider this date, 907 A.D., as marking the appearance of the xa as the basic administrative unit in ²³ the country.

It was not until the Ly dynasty (1010-1225 A.D.) that a fixed administrative structure was given to the country, which had by then received the name of Dai Viet following its liberation from the Chinese. (See Map IV) Ngo Quyen, who had formerly served under Khuc Hao, succeeded in ending the Chinese domination in 939 A.D. The first dynasties of independent Dai Viet (Ngo, Dinh, and Earlier Le)²⁴ were more concerned with the restoration of peace and the subjugation of the warlords who plagued the country than with the establishment of reforms on the local level.

Under the Ly dynasty, the country remained divided into lo, phu, huyen (instead of chau) and xa (see above.) The village was under the administration of one or more xa quan (communal mandarins), appointed by the central authority --

²¹ Tran Trong Kim, Viet Nam Su Luoc (Hanoi: Tan Viet, 1951), p. 71.

²² Le Thanh Khoi, op. cit., p. 34.

²³ Tran Trong Kim, loc. cit., and Vu Quoc Thong, La Decentralisation Administrative au Viet Nam (Hanoi: Les Presses Universitaires du Viet Nam, 1952) p.16.

²⁴ See Appendix.

a form which was retained until 1467. This mandarin system, an imitation of the Chinese, was instituted to create an efficient device by which the kings could impose their authority throughout the country. Essentially, it consisted of integrating all administrative and military personnel into a single hierarchy of nobility (nine degrees in the Vietnamese system), and of distributing diplomas to private citizens corresponding to the various degrees of this hierarchy.²⁵ The xa quan were chosen from among the mandarins of the lowest degree in the hierarchy.

Another means used by the Vietnamese kings to secure their authority over the villages was the investiture of a guardian spirit.²⁶ After a village was settled, the founders drew up a petition and sent it to the king for his approval, along with a biography of the person chosen to be the guardian spirit of the village. In Viet Nam, as in China, kings believed they were the representatives of heaven, and asserted that they commanded all the spirits within the country. Thus, each spirit had to receive a diploma of investiture, delivered by the king, in order to be entitled to a cult. There was even a hierarchy for spirits, and in commanding the guardian spirits -- the spiritual chiefs of the villages -- the king became the supreme head of all the villages.

25 Vu Quoc Thong, op. cit., p. 36.

26 Although the origin of this custom is not known, each village was supposed to be under the protection of a guardian spirit. This spirit was believed to possess certain supernatural powers over men and the world. Its protection influenced the life of each villager, and the villagers kept a cult for it which involved some religious organization -- ceremonies, a dinh (temple of the guardian spirit), and priests to conduct the ceremonies. The guardian spirit could be a spirit from heaven, that of a famous general, a mandarin known for his virtues, or even that of a man who was killed under unusual circumstances, such as by fire, lightning, or drowning.

It was also during the Ly dynasty that the village rolls were introduced for the first time. These rolls bore the names of all male villagers, and were classified into five groups: (1) members of the royal family and mandarins, (2) servicemen, (3) members of various professions (bonzes, medicine men, comedians), (4) men between 18-60 years of age, and (5) elders, the disabled, and children.

The latter two groups included all those not specified in the first three. Only the mandarins and their sons could hold public offices. All others, rich or poor, could be called into the army. This idea of compulsory military service reflected a sense of national identity, for it was based on the assumption that the army was to defend the fatherland, and not some dynasty as had been the case previously.²⁷

In local administrative reforms, the xa was divided into several giap (1041 A.D.) to facilitate tax collection and to provide some control over the activities of the villagers. Each giap included fifteen persons whose names appeared on the village roll. At the head of each giap was the quan giap, chosen from among them by the fifteen members themselves. The quan giap was responsible to the royal authority for the administration of his giap. He was also in charge of tax collection, and could inflict penalties in certain cases. Unlike the xa quan, he could not represent the royal authority because he was a simple villager, and not a mandarin.²⁸ Considering that he was elected by the villagers, and responsible to higher authorities, he appears as a possible forerunner of the xa truong, although the giap itself disappeared at the end of the Ly dynasty.

Under the Tran (1225-1400 A.D.), instead of villages being divided into giap, they grouped them into dai ti xa and tieu ti xa, according to the size

27 Le thanh Khoi, op. cit., p. 148.

28 Vu Quoc Theng, op. cit., p. 17.

MAP IV



DAI - VIET
in 12th century AD

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of the area of the grouping. The dai ti xa was administered by a mandarin of the fifth degree or higher, while the tieu ti xa was administered by a mandarin of the sixth degree or lower. The functions of these mandarins were to keep and revise the village rolls and land records within their groupings. The mandarin at the head of each village was then called chanh su giam, instead of xa quan as formerly. These village designations were abolished by 1398 A.D.,²⁹ perhaps largely because they created work duplication between communal mandarins and mandarins heading the village groupings. However, this system of grouping was later adopted by some provinces in the Republic of Viet Nam, and at the present time village groups are called lien xa.

The first efforts at land reform are credited to the Ho dynasty, successors to the Tran.³⁰ Due to the widespread poverty in the countryside -- a result of the wars against the Champa and the corruption of the Court -- the times were troubled, and periodic distribution of communal lands was carried out to maintain political stability. In addition, by royal decree of 1399, no one except a member of the royal family was allowed to own more than ten mau of riceland. Amounts in excess of this were taken by the state and leased to peasants at reasonable rents.³¹ This stringent measure was designated primarily to prevent large accumulations of land by wealthy landowners or by mandarins who were tax-exempt.

²⁹ Le thanh Khoi, op. cit., p. 172.

³⁰ It was also during the Ho dynasty that paper money was printed for the first time in Viet Nam. All metallic money had to be exchanged for the paper money issued by the royal treasury. See Ibid., p. 192.

³¹ Ibid., pp. 198 - 199.

The Second Chinese Occupation and Reforms of the Later Le Dynasty

The second Chinese occupation (1413-1427 A.D.) interrupted the chain of local administrative reforms in Viet Nam, and once again the village organization became modeled on the Chinese. This time each village was divided into ten giap,³² each administered by a giap truong. Each giap, in turn, was composed of ten ho (families). The village was called ly, and this word was used in Tonkin for a long time, even after the arrival of the French. The head of the village was the ly truong, and both the ly truong and giap truong were chosen by the Chinese authorities from among the villagers.³³ The ly truong was responsible for maintaining order, and for the assessment and collection of taxes for the administration. The lien gia (family group) exists today in the Republic of Viet Nam, a social adaptation from the period of Chinese occupation and influence.

The office of ly truong and giap truong, like the second Chinese domination itself, had a fleeting existence. After driving the last Chinese troops from Vietnamese soil in 1428, Le Loi, the founder of the Later Le dynasty (1428-1788),³⁴ set about reorganizing the country administratively, economically, and socially. In village government, he increased the number of xa quan according to the size of the village population. Large villages (having at least 100 inhabitants) were now called dai xa, and were under the administration of three xa quan; medium-sized villages (having 50 to 100 inhabitants) were called trung xa, and were administered

³² The Chinese giap differed from the giap under the Tran in its composition. The latter was composed of fifteen persons enrolled in the village, while the former was based on families.

³³ Vu Quoc Thong, op. cit., p. 20. Some historians believe they were elected each year; for example, see Le Thanh Khoi, op. cit., p. 209.

³⁴ The country at this time was called Dai Nam. (See Map V)

MAP V



EMPIRE OF LE-THANH-TON
16th Century

by two xa quan; small villages (more than ten inhabitants) were called tieu xa, and were administered by one xa quan.³⁵

To maintain social equilibrium within the village, Le Loi ordered a population census and a general distribution of communal lands to all people, including women, elders, and children.³⁶ This measure created no problems because it affected mainly those large properties whose owners had died without heirs, or land that was not yet cleared. It was also Le Loi, under the name of Le thai To, who promulgated a severe penal code to suppress disorder and brigandage. Education was stimulated by building schools in provinces and prefectures, and a national college, Quoc tu Giam, was reorganized to train civil servants, that is, mandarins.

The most revolutionary reform in village government, however, was made by one of Le thai To's successors, Le thanh Tong, another great king of the Le dynasty. In 1461, the xa quan (communal mandarins) were replaced by xa truong (village chiefs),³⁷ who were elected by the entire male population of the village. This constituted a major concession by the central authority to the local people. As in the case of the xa quan, the number of xa truong varied according to the number of families in each village. They were held responsible for the entire village and served as intermediaries between the central government and the villagers. Although their functions were similar to the mandarins', they did not belong to the mandarinate, and thus were not considered as civil servants.

35 Vu Quoc Thong, op. cit., p. 20.

36 Previously, lands were distributed to adult males only. See Vu Van Hien, La propriété communale au Tonkin (Hanoi: Imprimeries Extrême Orient), 1939, pp. 24 - 25.

37 The term xa truong is sometimes translated as "mayor". However, the xa truong in Viet Nam does not have the same functions as the mayor of a village in Europe or the U.S.

In compensation for their services, they received a piece of communal land for their own use -- an economical measure for the royal treasury. According to Mr. Vu Quoc Thong, this substitution of xa truong for the xa quan was inspired by the reform edict of the Chinese emperor Minh Thai To, which provided for the election of village chiefs who had been, until then, appointed by Imperial authority.³⁸

To prevent fraud in handling communal property, all public lands were formally declared inalienable, imprescriptible, and non-transmissible through succession.³⁹

By the end of the fifteenth century and the beginning of the sixteenth, the successors of Le thanh Tong had become weak and incapable of governing the country, and power fell into the hands of three noble families -- the Mac, Trinh, and Nguyen. General Mac dang Dung, taking advantage of the power given him by the king to repress a revolt led by some army leaders who were adherents of a

38 See Vu Quoc Thong, op. cit., p. 33. Mr. Nguyen huu Khang, in his thesis La Commune Annamite (Paris: Sirey, 1946), feels that this important reform was due to a weakening of the royal authority. But this occurred in Viet Nam during a time of great prosperity, and when the royal power was at its peak.

39 It was also during the reign of Le thanh Ton that the custom of the "glorious homecoming of the laureate" to his native village (vinh guy) originated. To encourage the literati, examinations were organized periodically, and the man receiving the highest grade in his field (either military or administration) was designated the "laureate" for that examination period. The laureate was then formally presented to the court, and received further honors from the king. A pageant was sent to accompany him to his native village, which was considered a great honor to the whole village.

MAP VI



VIET-NAM
AT THE TIME OF
THE NGUYEN-TRINH STRUGGLE FOR SUPREMACY
1620 - 1802

descendent of the Tran, seized the throne and proclaimed himself king. Thereupon the Mac reigned in Thanh Long, capital of the Le Kingdom, for sixty-five years (1527-1592).

The restoration of the Le Dynasty, which began in 1532, was the task of the two allied, but rival, families of Nguyen and Trinh, but the unity of the country under the Le was not lasting. Trinh Kiem succeeded in keeping the Le king under his domination through court intrigues, and in 1558 sent his rival and brother-in-law, Nguyen Hoang, to the southern province of Thuan Hoa. (See Map VI). The ensuing rivalry between the Nguyen and the Trinh created a long bloody period in the history of Viet Nam which lasted from 1620 to 1802, and which has been called the "War of Secession." The event which led to a final rupture came in 1626, when Nguyen Hoang refused to pay taxes to the royal treasury, i.e., to the Trinh. For a long time the war was undecisive, and a truce was in effect from 1673 to 1774. However, hostilities were started again by the successors of Trinh Kiem and Nguyen Hoang, and the country was not really unified until the advent of Nguyen Anh (Gia Long) in 1802.

Expansion Southward and Growing Village Autonomy

Expansion south of the Red River delta had begun under the early independent dynasties, but the most important phase of this movement took place under the Nguyen. (See Map VII) As the northern delta became too small for the growing population, the need for new lands grew acute. The most obvious route lay to the south because the hostile Thai tribes and rugged mountains discouraged movement to the west. Frontier life attracted not only the needy and the persecuted, but also the adventure-seekers -- those bold enough to go south and struggle with the dangers of a new land. As they moved to the virgin lands near the border, the settlers brought highly developed social organizations and agricultural

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techniques to the Cham who were already settled there. The main task of colonization was carried out mainly by military colonies composed of soldier-farmers who cleared and cultivated the land to provide for their own subsistence.

At times they were assisted by prisoners placed under their supervision in penal

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colonies. The land thus cleared by the military and prisoners was considered public land, and was given as temporary fiefs to deserving mandarins.⁴¹

The farther south the settlers went, the more independent they became from the central authority and the more they differed from those remaining in the north. The heart of Viet Nam was no longer ~~solidly~~ in the north, and a spirit of regionalism tended to develop because the living conditions were different from those in the Red River delta. Since the north remained faithful to the Le dynasty, while the south supported the Nguyen, this spirit of regionalism remained strong even after the Nguyen had once again unified the country under the name of Viet Nam. The French, in turn, did nothing to promote national unity. On the contrary, they deepened the existing gulf by making the southern part a colony, while the central and northern parts became protectorates.

When Nguyen Hoang moved south into a new country, his principal tasks were to provide some kind of administrative organization and to build a strong empire. The latter was necessary because the Trinh had become more

⁴⁰ Charles B. Maybon, Histoire Moderne du Pays d'Annam (Paris: Librairie Plon, 1919), pp. 110 - 111.

⁴¹ Sometimes the acquisition of new lands was achieved through alliance. For example, under the Tran, a Vietnamese princess was married to a Cham king in exchange for the two provinces of O and Ri. (See Map VI)

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and more threatening north of the Gianh River. (See Map VI) Historians report that the administration of the Nguyen during this period was, in general, liberal, just, and kind.⁴² At first the Nguyen adopted the administrative system of the Le, with the help of loyal mandarins who had followed them from Thanh Hoa and Nghe An. Unfortunately, detailed information on village government in the south is not available, and the only accessible data on this period are those concerning local administration under the Trinh. Under this government, a decree concerning village administration was issued in 1711 which declared that all public lands would be distributed to the population according to the particular procedures in each village. From this measure, the notables acquired the practice of selling public lands.⁴³ In view of this change in the north, and also according to some historians, it seems probable that the newly-formed villages in the south acquired a greater autonomy than existed at the time the movement to the south began. Furthermore, it is believed the Nguyen were eager to populate the lands newly acquired from the Champa empire and the Cambodian kingdom, and therefore allowed the settlers to create new village by submitting requests to the district mandarins.⁴⁴ Their only obligations vis-a-vis the central authority were to pay taxes and to provide men for the army and the corvées. The local administration of the village remained in the hands of its founders or its notables.⁴⁵

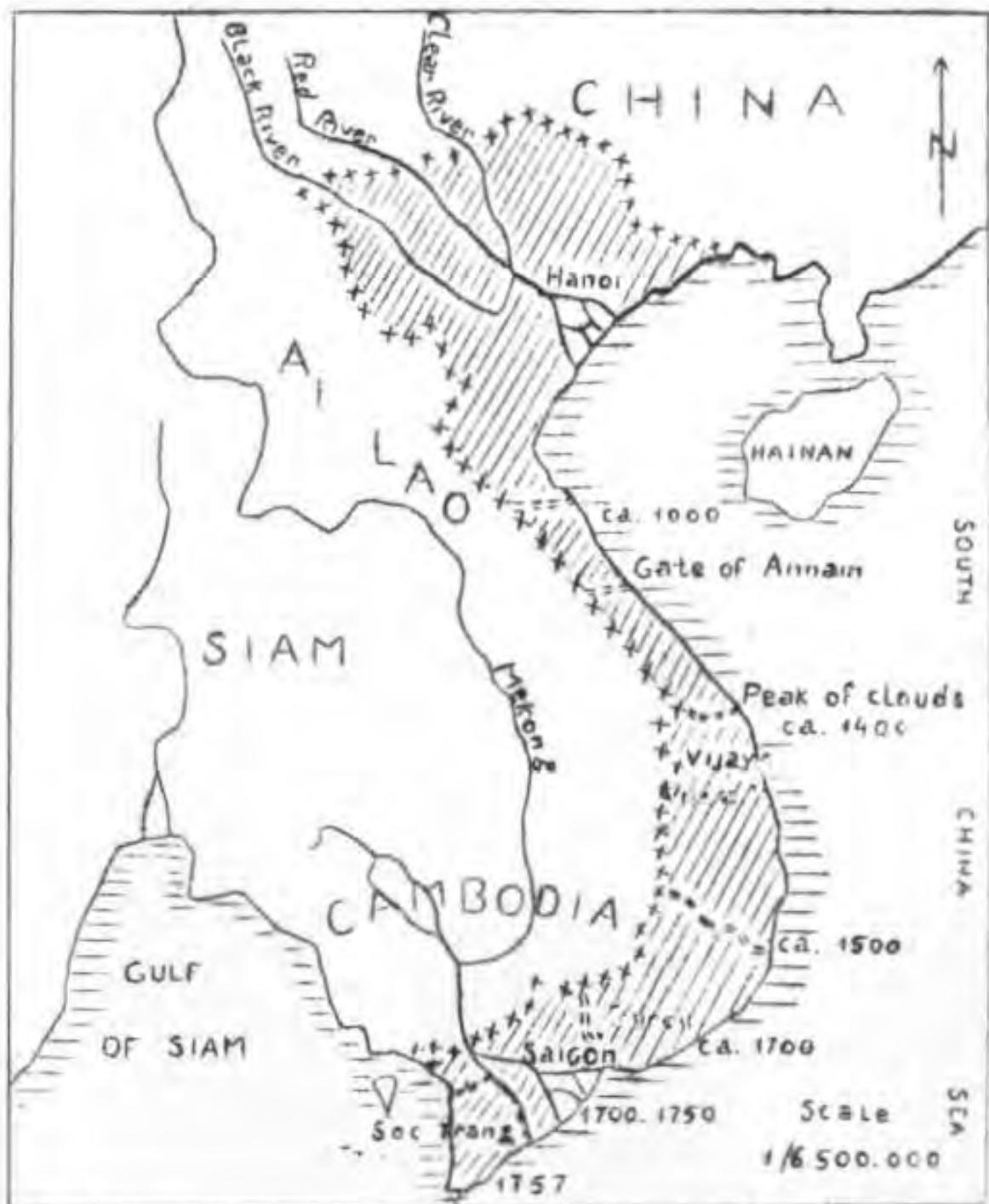
⁴² M. L. Cadiere, "Le Mur de Dong Hoi," B.E.F.E.O., VI, No. 1 (1906), 104-105.

⁴³ Le thanh Khoi, op. cit., p. 259.

⁴⁴ Maybon, op. cit., pp. 352 - 353.

⁴⁵ To become a notable, the candidate usually had only to give a banquet to the entire population of the village. This constituted formal admission to the body of the notables.

MAP VII



Thus, village autonomy began with the substitution of xa truong for xa quan, and the century of wars which followed favored the development of this autonomy. When the French moved into the south in search of an access to China, they found well-organized village governments. The administration of village affairs was entirely in the hands of the notables, whose number was not limited. These were divided into the two categories of senior notables and junior notables.⁴⁶

⁴⁶ The senior notables included:

Huong Ca -- dean, by virtue of age
Huong Chu or huong chanh -- official councillor of the commune
Huong Nhut -- first notable
Huong Nhi -- second notable
Huong Lao -- advisor to the council
Huong Su -- official intermediary between the commune and the mandarins
Huong Truong -- advisor on the implementation of orders from higher authorities
Huong Quan -- in charge of the police
Huong Le -- in charge of the organization of official ceremonies,
Huong Nhac -- head of the musicians
Huong Am -- organiser of public feasts and banquets
Huong Van -- official poet and philosopher
Huong Than and huong hao -- in charge of the administration of the village
Xa truong -- official intermediary between the commune and the central government,
Thu bo -- keeper of tax rolls
Thu Chi -- archivist
Thu bon -- treasurer
Thu khoan -- in charge of handling cong dien (public land)
Cau duong -- communal judge
Cai dinh -- in charge of the upkeep of pagodas.

The junior notables were divided into three categories:

- assistants to higher notables (huong le, cai dinh, huong am, huong van)
- assistants to xa truong: his deputy, chiefs of hamlets..
- communal secretaries; bien or bien lai.

See Vu Quoc Thong, op. cit., pp. 38-39 fn. 1.

The former held the specific duties, and were assisted by the junior notables.⁴⁷ In addition to its administrative autonomy, the village was endowed with legal status,⁴⁸ and as such it had the right to own property (lands, buildings, furniture, etc.) and administer such property through its notables in accordance with its own traditions. The notables had absolute and final authority to decide on the methods used to collect taxes and raise other revenues, and kinds and amounts of expenditures. They were in charge of the police and responsible for the security of the inhabitants and the administration of justice in litigation between villagers. In addition, the village chose its own guardian spirit. Royal authority was respected only on the sufferance of the notables. The popular adage "Royal decree has to bow to village customs," expresses this attitude. As indicated earlier, the only obligations the villagers felt were to furnish men for corvées and the royal army, and to pay taxes.

Since taxes were levied according to the number of people enrolled in the village, there was an advantage to the village in under-reporting the population totals. Some estimates claim that for every enrolled villager there were about twenty non-enrolled inhabitants in the village (Pour un inscrit chaque village renferme une vingtaine de non-inscrits).⁴⁹ Bouinais and Paulus have remarked that

47. The main difference between village government in the north and that in the south lies in the fact that village administration under the Nguyen was in the hands of an only one council of notables, while in the north, there were both executive and deliberative bodies.

48. In French, "personalité morale." For detailed description of this topic see Nguyen huu Giai, La personalité de la Commune Annamite (Paris: Les Editions Domat-Montchrestien, 1937).

49. A. Bouinais and A. Paulus, La Cochinchine Contemporaine (Paris: Challamel Aîné, 1884), fn. p140.

There are, in this village organization in Cochinchina, many features which remind one of the cities under the Roman domination of Antonin. The hope to enter village functions creates emulation among the members of the village, and draws them to voluntary expenses for the benefit of the population. The members of the council assume responsibility for their administration, and since they are united in most of the cases, especially vis-a-vis the central government, it bears here a resemblance of the Roman cities. 50

In summary, village organization during this pre-French period had progressed from a dependent status to a high degree of autonomy. Before the Chinese domination, the village was under a feudal system similar to that of the Western world, where the feudal lord was the supreme master in his villages and the peasants worked the land on which they lived. When the Chinese occupied Viet Nam, they brought with them the Chinese village model, and imposed it upon the feudal system they found. They introduced the concept of the family as the basic social unit, as well as the practice of setting aside cong dien (public lands) for periodic distribution among the villagers. Despite the harsh administration of their governors, which was often extremely cruel to the Vietnamese, the Chinese influence in Viet Nam has been a lasting one. Even today, the lien gia (family group) is found in South Viet Nam villages, and the distribution of village land is still practiced. The kings of Viet Nam first adopted the Chinese method of appointing village chiefs, who were then called xa quan, but the most notable change in village government during the period of independence was the election of xa truong by the villagers themselves, replacing the appointed xa quan.

Since the rivalry between the Mac, Nguyen, and Trinh families kept the country under the burden of civil conflict for almost a century, and divided the loyalty of the people into two camps, local government in each part developed separately and adapted itself to its particular environment. In the south, settlers were encouraged to create new villages, and the central authority was more preoccupied with winning the war than with local government. Thus village affairs were left in the hands of the notables, and as their authority was challenged less, the royal authority declined.

By the second half of the eighteenth century, the villages had achieved a status of self-government in terms of internal affairs that lasted until the beginning of the twentieth century, after the arrival of the French.

Control by France and the Arrêté of 1904

For some time France had been looking for a road to China, and finally decided that the Mekong River would provide the necessary access to that market area. The French first came to Viet Nam at the beginning of the Seventeenth Century to help Nguyen Anh (Gia-Long) when he requested their help in unifying the country under the Nguyen family.⁵¹ This assistance gained the French some concessions, both commercial and religious. Many years later, in 1874, using the persecution of Spanish and French missionaries in Viet Nam as a pretext, the French seized Cochinchina and made it a French colony.⁵²

⁵¹ On the establishment of the Nguyen and French aid, see Cadiere, op. cit., pp. 87-256.

⁵² The Vietnamese king ceded a part of Cochinchina in 1862, and the rest in 1874.

Village government did not change under this new political status until the beginning of the twentieth century. French colonial power was primarily occupied with the annexation of the two other parts of Viet Nam, Tonkin and Annam, which became French protectorates in 1884, along with Cambodia and Laos. Together, these formed what came to be known as French Indochina. Establishing control over the newly-annexed country was a tedious job for the French, who met both passive and armed resistance from the literati.⁵³ Reform of the local administration, so deeply rooted in the traditions of the people, seemed an ill-advised step at that time.

Eventually, however, changes affecting village government were made during the French occupation (1862-1945) which sought to bring village affairs under their control and lessen the power of the notables over the villagers.⁵⁴ One can easily understand the French interest in making such changes, considering that the revolts started in the villages and that nationalism was preserved there. Still, it was not until 1904, after the meeting of the Colonial Council and the examination of reports of the province chiefs, that the first arrêté affecting village administration in the south was issued. The main provision of this Arrêté of April 24, 1904 was a limitation on the number of the notables, each of whom was assigned specific duties.

53 Such literati as Phan dinh Phung, De Tham, Phan boi Chau, Ding cong Trang, refused to cooperate with the French governments and went to the countryside to gather support for a revolt.

54 P. Kresser, La Commune Annamite en Cochinchine (Paris: Les Editions Domat-Montchrestien, 1939) p. 24.

In addition to these, a new position was created, the chanh luc bo or civil status officer.⁵⁵ He could not sit with the Council of Notables, although he was considered a senior notable, because his functions were not part of the traditional village administration.⁵⁶ Under the new regulations, the Council of Notables had only eleven members (senior notables), as provided for in the following hierarchy:

Huong ca -- village chief, first notable who presided over the

notables meeting and kept the village archives;

Huong chu -- village deputy chief; replaced the huong ca during the latter's absence; inspected all the communal works and reported on them to the village chief;

Huong su -- advised on and interpreted the laws and regulations to the villagers;

Huong truong -- together with the village chief and deputy chief, supervised the activities of the other notables; kept the village budget and gave assistance to the village teachers;

Huong chanh -- reconciled minor differences between villagers in cases of litigation;

Huong giao -- guided the younger notables, and instructed those who were called to play a part in village affairs; the secretary of the Council;

Huong quan -- chief of the administrative and judicial police; also

⁵⁵ The collection of civil status data, the survey of communal lands, and the regulation of village budgets had actually begun in 1683. See Vu Quoc Thien op. cit., p. 90.

⁵⁶ Ibid., p. 100.

responsible for communications and the transportation system in the village;

Huong bo -- kept the village rolls and accounts; guardian of the buildings and materials of the village;

Huong than -- first of the three executive notables; intermediary between the judicial authority and the council;

Xa truong -- intermediary between the central government and the village; keeper of the village seal; collected taxes for the administration;

Huong hao -- the last of the executive notables; with the other executive notables, responsible for the maintenance of order and security, and for the implementation of the decisions of the higher authorities and the Council.

Restrictions were imposed on admission to the group of notables (only landowners were eligible) and their pattern of promotion was fixed (that is, promotion proceeded strictly according to the hierarchy indicated above, and eligibility for promotion came after having completed a two-year term in the next lower rank). The conditions for selection of the last senior notable, huong hao, were fixed. He had to be over age 24, and he had to have served as a junior notable for at least one year. Any change in the list of the notables had to be reported to the provincial authorities.

Despite these regulations, village administrations still kept a part of their autonomy. They could still choose their junior notables, and methods of electing senior notables were left in accordance with the traditions of each village. Communal customs were given some consideration, as indicated by the fact that the civil status officer was not allowed to sit in the Council because

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his functions were not traditional ones.

However, the implementation of the provisions of the 1904 Arrêté resulted in a gradual withdrawal of the notables from village administration for the notables felt their privileges were limited by it. Even by 1883, with the creation of civil status, the introduction of a land survey, and the regulation of communal budgets, it had become difficult to conceal the number of tax-payers and to collect illegal taxes, and the notables had thereby lost an important source of material benefits. Then, in 1904, exact duties were assigned to each notable, their number was limited, and their prestige and authority over the villagers were curbed under the pretext of avoiding abuses and oppression. The responsibility for all that happened within the village became, in their eyes, too great, and the duties of the executive agents huong than, xa truong and huong hao seemed particularly burdensome. Consequently, the recruitment of new notables became more difficult as the opportunities for gain diminished. Contrary to expectations, landowners and intellectuals stayed out of local affairs, and village administration fell into the hands of the mediocre and unscrupulous. The results of these first reforms under the French were, therefore, unsatisfactory, and a revision of the Arrêté of 1904 seemed necessary. After consultation with the administrators and chiefs of province, the Commission for Communal Reforms made a new series of proposals which were eventually put into effect under an Arrêté of October 30, 1927.

A Second Attempt at Reform - the Arrêté of 1927

Instead of moving toward village autonomy, the new reform of 1927 tended to bring village affairs under even greater control by the central authorities. In the previous Arrêté, the province chief intervened in the nominations of notables

only in case of disagreement within the nominating body, but the new arrêté provided that any valid appointment must have the approval of the province chief. This constituted an effective control over village elections. The other provisions of the arrêté concerned the requirements for notable-candidates. For example, to facilitate the recruiting of notables having some degree of education and loyalty to the central government, it provided that they could be chosen from among retired administrative personnel or veterans, as well as landowners. One requirement (education) was added to the huong hao's functions, but, on the other hand, he did not have to fulfill the functions of a junior notable. In the same attempt to liberalize qualifications, new notables did not have to start at the lower end of the hierarchy, as provided in the Arrêté of 1904. However, the former hierarchy of the notables was maintained with one addition -- the civil status officer (chanh luc bo) now sat with the other senior notables, raising their number from eleven to twelve.

These reforms of 1904 and 1927, while putting village government under the control of the province chief as the administrative guardian,⁵⁷ did not change the essentially local nature of the administration of village affairs. The notables were still in charge of the administration of village lands, of security, and of village policy. Village elections still followed the traditions of each village and the cult of the guardian spirit was preserved. Most important of all, the notables did not become civil servants, i.e., they did not receive a salary from the treasury, but continued to receive a portion of communal lands for their services.

57 French: "tutelle administrative." The administrative guardian can be defined as the position to which powers of supervision over local officials have been assigned with a view to protecting the general interest. Maspétiol and Laroque, La Tutelle Administrative (Paris: Sirey, 1931), p. 30.

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French policy during this period was that of a colonial power. Administration by mandarins was first replaced by French admirals, and after 1879, by civilian governors. The Colonial Council, composed of ten French members and six Asians having French nationality, held deliberations, but only on the budget. Local representation at high levels was almost non-existent, and Vietnamese were allowed to hold only minor offices.

In the area of national development, the French created a modern road system and a regular postal service, established French schools and a university, and drew up a national budget. But the administration of the country became more complex and administrative control became greater. The tax burden became heavier, and freedom of the press, movement, and assembly were more limited.⁵⁸ As was the case during the period of Chinese domination, dissatisfaction over political issues led to revolts in the countryside, the most important of which was the uprising by the people of Yen Bai province (Tonkin) in 1930. Immediately after this revolt, the question of village reforms was again reconsidered, but proposals to turn the Vietnamese village into a French commune⁶⁰ were not accepted. The Arrêté of 1927 continued to be enforced until almost the end of World War II.

⁵⁸ Le thanh Khoi, op. cit., pp. 398-435.

⁵⁹ The population of Yen Bai, under the stimulation of Viet Nam Quoc Dan Dang, revolted against French military authority on the night of February 29, 1930, and succeeded in occupying the province seat for a day.

⁶⁰ The members of the council would be elected by all those who had "real interest" in the commune. The chairman of the council would be also the head of village administration. The control by higher authorities over village affairs would then be more direct.

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Final Attempts to Centralize Authority

The last reforms of village organization by the French were made by Governor General Decoux in an Arrêté of January 5, 1944. The provisions of this arrêté brought greater centralization in the overall administrative pattern of Vietnamese government, and additional requirements (residence and education) were made in the selection of notables. Unlike the arrêté of 1904 and 1927, the method of designating notables was clearly specified. The Council of Notables was required to draw up a list of candidates to be chosen by an assembly composed of all the notables, all former notables, retired administrative personnel, and veterans who had resided in the village for at least two years. The appointments, as before, were subject to the approval of the province chief. On the other hand, the candidates had to be registered on village rolls for at least two years, to have paid a personal tax in the village, and to be free of any judicial suit. It should be noted that this provision had never been stated previously.

There is little evidence of how these reforms affected village organization, or even how long they were in effect, for the French were superseded by the Japanese in March of 1945. However, it seems safe to assume that village affairs were regulated by the Arrêté of 1944 up to the time of the Japanese coup d'état, and that afterwards the village administration probably reverted to the form set by the Arrêté of 1904 and 1927. This seems probable because the central authority had a relatively minor influence until the coming of the Viet Ninh authority during the period following World War II.

To summarize, under French colonial rule, village government gradually came under the control of a central authority. At first, village autonomy was not greatly impaired. Despite restrictions on the activities of the notables, the

limitation on their number, and the increase of their responsibilities, village traditions were still respected. For example, the civil status officer was not allowed to sit with the Council because his functions were not a part of village traditions. The notables were still in the forefront of village life, and they did not become administrative personnel because they were still chosen from among the landowner class in accordance with village customs. Their functions remained about the same, and they continued to administer village property, to maintain the security of the village, and to conduct the cult of the village guardian spirit. Nevertheless, the restrictive nature of the arrêtés discouraged participation in village affairs.

It was only toward the end of the French occupation that village autonomy almost disappeared. Long-spared traditions were disregarded for the sake of a more centralized administration, and numerous requirements were added for the notable-candidates, the methods of their election were meticulously set forth, and final approval by the administrative guardian (province chief) became necessary to confirm elections.

Village Organization in Annam

Before leaving the period of French rule, a few words may be said about village organization in Annam, which is now also a part of South Viet Nam. The main difference between the southern and central village organization lies in the fact that there was a distinction between the deliberative and executive functions in Annam, whereas these two functions were fused into one Council of Notables in Cochinchina. Although Annam became a French protectorate in 1884, reforms affecting village organization were not made until 1942. This delay is explained by the fact that the Imperial Court at Hue remained the nominal

head of state under the protectorate, and administration by mandarins was retained even though the French established means to control their acts. Thus village administration in Central Viet Nam was unchanged until 1942, at which time it changed as provided for under the ordinance of 1941 regulating village organization in Tonkin. The provisions contained in this ordinance were similar to those later decreed in 1944 for Cochinchina. The method of designating notables was strictly regulated, but the nominations were subject to the approval of the district chief instead of the province chief. Despite these attempts at change, it appears reasonably certain that by the end of the French occupation, in 1945, village government was still based partly upon long-standing traditions, and the French efforts did not greatly affect its essential character.

Post-War Village Administration under the Democratic Republic

At the end of the Second World War, Viet Nam became embroiled in a long period of political troubles which are not yet fully settled. When the Japanese surrendered to the Allied Forces in the Pacific, they handed control of the country to the Viet Minh (League for the Independence of Viet Nam).⁶² On September 2, 1945, Ho Chi Minh, Secretary General of the party, proclaimed the independence of Viet Nam and the reunification of Cochinchina, Annam, and Tonkin into one nation, the Democratic Republic of Viet Nam. Although Emperor Bao Dai renounced his claim to the throne to become a "simple citizen," he nevertheless became the Supreme Political Advisor of the Democratic Republic.

61 French "residents" acted as "advisors" (controllers) at the provincial level and higher.

62 For the history of the Viet Minh, see Le thanh Khoi, op. cit., pp. 457-463.

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General elections were soon organized throughout the country to choose a national assembly, and this body, in turn, elected Ho Chi Minh president of the Democratic Republic in February 1946. Village organization during this Viet Minh period and since that time has fundamentally changed, largely because of the introduction of universal direct suffrage and the exercise of control by the party in power. The two chief official documents affecting village administration before Geneva were the Constitution of 1946 of the Democratic Republic of Viet Nam, and the Arrêté of 1953 issued by the Bao Dai regime.

Bernard B. Fall⁶³ has compared the village under the Democratic Republic to the Soviet system in Russia during the early post-revolutionary period. Under the Constitution of 1946, Viet Nam was divided, for administrative purposes, into regions (ky) provinces (tinh), prefectures (thi xa) in urban areas, districts (huyen), and villages (xa). The canton (tong), administratively placed between village and district, was eliminated.

Under the Viet Minh, each of these divisions except the ky had two representative organs, the popular assembly and the administrative committee. The popular assemblies were elected by universal direct suffrage, and these, in turn, elected their own administrative committees. In this, the Viet Minh system was similar to the Soviet one, where "the general assembly of the Soviet elects from its membership an executive committee..."⁶⁴ Thus, at the village level in Viet Nam, the administration was divided into a deliberative and an executive body.

The village popular council (Hoi Dong Nhan Dan Xa), representing the deliberative body, was composed of from fifteen to twenty five members and five

⁶³ Bernard B. Fall, "Local Administration under the Viet Minh", Pacific Affairs, XXVII, No 1 (March 1954), 50-57.

⁶⁴ Ibid., p. 51.

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to seven alternates, depending upon the size of the commune. The members of the council were elected by universal suffrage, which was a revolutionary change in the traditional village procedures. At the same time, the voting requirements became simpler. The residence requirement was reduced to three months, and any youth of eighteen was eligible to vote. Furthermore, administrative personnel and servicemen were exempted from the residence requirement, and were entitled to vote in the village where they were stationed. The eligibility requirements for candidates were also simplified, and candidates for the village council included anyone who had resided in the village for six months and had his name on the electoral list. As a result, anyone eighteen years of age or more could run for an office in the popular council.

The members of the assembly elected an administrative committee (Uy Ban Hanh Chanh ~~Xa~~) from their own membership, and this constituted the executive body of the village organization. The committee was composed of a chairman, vice-chairman, treasurer, secretary, commissioner in charge of security matters, and two alternates. The administrative committee was, in a sense, delegated by the popular council. However, its election had to be approved by the provincial administrative committee.

As under the French, all deliberations of the assembly had to be approved by higher authorities (the district or province chief). If no specific approval was granted during a five-day waiting period, the executive body could carry out a decision of the council and assume that tacit approval had been received. Exceptions to this were made for all matters concerning village property and certain other questions which were once considered as strictly local, e.g. local taxes, budget, public works. Since all such cases required the approval of the higher echelons, as a general proposition most village administrative acts

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were greatly delayed by this "democratic centralism!" In addition to the control by higher authority, the village assembly was subject to the right of referendum which had been granted to the villagers. Furthermore, if an overwhelming majority of the villagers were discontent with the village administrative committee, they could demand a new election.⁶⁵ However, no information is available to show to what extent, if at all, these rights were exercised under the Viet Minh regime.

To sum up the Viet Minh period, village organization was drastically changed. Ordinary people in the village were suddenly called upon to take an active part in village affairs and to vote on the acts of representative bodies. This conflicted with their tradition of leaving the administration of village affairs in the hands of the notables. The change of role was sudden, and the people, only recently freed from French rule, were not prepared for it. Instead of experienced notables in the government of the village, "armed adolescents" often replaced them in handling village affairs. In many cases, communist agents were elected, and through them the Viet Minh were able to expand and consolidate administrative control.

The French Return - The Regime of Bao Dai

These changes did not last, however. War between the returning French and the de facto Viet Minh government broke out toward the end of 1946 and lasted until 1954. The French realized that the pre-war status could not be restored in Viet Nam, and therefore they attempted to establish a central provisional government in Cochinchina headed by Dr. Nguyen van Thinh acting as President of the Autonomous Republic of Cochinchina.

Until the establishment of the Bao Dai regime in 1949, village government

⁶⁵ For a more complete description of this period see Vu Quoc Thuc, op. cit., pp. 295-325.

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was run by an eight-member village council (Hoi Te Xa) which was elected by universal direct suffrage as it was under the Viet Minh. The council was divided into two committees -- one responsible for administration, justice, and social affairs, and headed by the huong ca; the other responsible for economic, financial, and protocol matters, and headed by the huong chu.⁶⁶

General Nguyen van Xuan, successor to Dr. Thinh, ordered the province chiefs to nominate village councils to handle village administration -- a measure which reflected the troubles in the countryside due to the guerrilla war waged by the Viet Minh against the French. Under this order, village officials became an integrated part of the centralized system of administration.

This arrangement lasted until the government of Nguyen van Tam (1952-1953), which issued an important decree⁶⁷ regulating village government and the functions of the notables, the general importance of which was a partial return to the traditional council of notables. Under this new regulation, local administration was handled by the Hoi Dong Huong Chinh, which included a chairman, vice-chairman and secretary-general. It had a maximum of nine members, all elected by universal direct suffrage, and each had specific duties. The notables could, once again, decided upon questions concerning budget, methods of collecting taxes, and public works, but all decisions on financial questions involving less than 50,000\$VN had

⁶⁶ See Arrêté of August 30, 1946 in Viet Nam Dan Quoc Cong Bao (August, 1945-Dec. 1946).

⁶⁷ For the text of this decree, No. 34-VN of March 19, 1953, see Cong Bao Viet Nam Cong Hoa, VI, No. 14 (1953), 429 - 431.

to have the approval of the provincial authorities before being implemented.

Those involving more than 50,000 \$VN had to have the approval of the regional authorities.

Comparatively speaking, this decree of 1953 granted greater autonomy to village government. The notables were once again elected by the villagers, and were in charge of most of village affairs. But as under the French, the elections were reviewed by the province chief. In short, this arrêté was an attempt to reestablish village administration similar to that of the colonial period -- extension of control by higher authorities while still preserving a few of the older traditions. The newly added provision for elections by universal direct suffrage was no doubt a heritage from the Viet Minh period.

Village Administration after Geneva

From the Geneva Conference (July 1954) to the present time (August 1958), village administration has been changed twice, although no presidential decree has been issued to date. Technically, administrative arrangements are tentative, pending establishment of some permanent form based on a decree. The basic documents affecting village government so far have been circular letters issued by the Presidency and the Ministry of Interior. On June 28, 1956, the Secretary of State at the Presidency issued a circular letter requesting the province chiefs to replace the Hoi Dong Huong Chinh with the Uy Ban Hanh Chinh. This committee includes a chairman, a vice-chairman in charge of financial social and economic questions, and a member in charge of police affairs. Large villages could add two assistants for financial and administrative affairs. The members of these committees are chosen by the province chief from among those who were born in the village, and whose loyalty had been proved. Primary emphasis was placed on checking the past political activities of the candidates. In a later

circular letter from the same source, dated October 24, 1956, the administrative committee was changed into a village council (Hoi Dong Xa). As a result, today the members vary in number from three to five, and assistants may be used in large villages. The province chief continues to choose members of the council, and to control and guide their activities.

In the presidential ordinance of October 24, 1956, (No. 57 a),⁶⁸ the village was formally granted legal status, but provisions for the administration were to be set forth in a later decree. This still has not appeared. Last year (1957), the Secretary of State for the Interior issued two circular letters (No. 74 - BNV/HC of January 11 and No. 1642 - BNV/HC of April 2) concerning the political education of members of the council, which are the most recent developments.⁶⁹ For the present, therefore, village government remains in the hands of civil servants who are appointed by the province chief, and whose qualifications mainly reflect their loyalty to the present government.⁷⁰

Summary

To summarize the evolution of village organization in Viet Nam, it seems now to have returned to the early pattern under the emperors, when the village officials were appointed by higher authorities. We have seen that the village originally operated under a feudal system, but changed to follow the Chinese model (i.e., organized by families) when the Chinese conquered Viet Nam.

⁶⁸ Lam Le Trinh, "Van De Hoi Dong Xa Trong To Chuc Hanh Chanh Viet Nam", (Village Councils in the Administrative Organization in Viet Nam), Nghien Cuu Hanh Chanh (Journal of the Association for Administrative Studies), II, No.1 (January, 1958), 33-34.

⁶⁹ Lam Le Trinh, Ibid.

⁷⁰ The family groups for mutual help, mentioned earlier, were organized by the province chiefs at the suggestion of the Secretary of State for Information and Youth.

This brought some institutions to Viet Nam which have lasted to the present time (public lands, their periodic distribution to villagers, family groups). In the early period of an independent Viet Nam, the emperor appointed mandarins (xa quan) to take charge of village affairs, but those were replaced later by xa truong (village chiefs) elected by the villagers. This constituted a first step toward the village autonomy that flourished in the later days of the monarchy when there was insecurity and trouble within the country, especially the rivalry between the Nguyen and Trinh lords. Later, under the French colonial administration, village notables received fewer privileges and more responsibilities. The control from above was more strict, although certain village traditions were retained (local practice in electing notables, distribution of lands, etc.) In the period following the end of World War II, village organization has undergone changes which have varied from extremely "democratic" reforms (universal direct suffrage), whose effective results were control by the Viet Minh, to full control by the central authorities through the appointment of village officials, accompanied by moderate efforts to incorporate measures which restored some of the traditional functions.

(1953-56)

If these changes could be portrayed graphically, the evolution of Vietnamese village organization would follow the shape of a parabola. With the base representing complete lack of autonomy, the peak would appear during the second half of the Nineteenth Century when villages achieved their highest degree of autonomy. Before and after that peak, the figure would slope gradually downward toward increasing dependency and centralized control -- a trend which does not show signs of reversal at present, or as long as the central government is concerned with the problem of protecting certain areas in the countryside from the threat of political subversion.

APPENDIXA CHRONOLOGICAL LISTING OF HISTORICAL EVENTS AND CHANGES
IN VILLAGE ADMINISTRATION

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
-258 (?) B.C. Legendary dynasty of Hong Bang	Van Lang kingdom governed by the Lac dynasty (18 Hung Vuong kings).	I. Progress toward autonomy: Feudal organization. Peasants working as serfs on lands of chiefs of village or villages
- 258 (?) - 207 (?) B.C. Thuc dynasty	Au Lac kingdom governed by Thuc Phan (An Duong Vuong).	
207 (?) - 111 B.C. Trieu dynasty	Trieu Da founds Nam Viet kingdom	
111 B.C. - 939 A.D.	Chinese domination--- policy of assimilation Creation of Giao Chi province	Chinese village model: lands divided among families; a part reserved for the State (cong dien); family chiefs serve as intermediaries between the central authority and villagers.
	40-43. Revolt of Trung Sisters, who are proclaimed queens at Me Linh.	
	43. Ma Yuan re-establishes Chinese domination.	Village chiefs and Chinese settlers form mixed local aristocracy.
	248. Revolt of Trieu Au	
	544-547. Ly Bon revolts and founds Van Xuan kingdom.	

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
	<p>679. Creation of the Chinese protectorate-general of Annam.</p> <p>906. Uprising of Khuc Thus Du, who governs Annam until 923.</p>	
944. Ngo dynasty	First independent dynasty	
945-967 The Twelve Su Quan	Feudal wars-Anarchy	
968-980 Dinh dynasty	Dinh Bo Linh vanquishes the warlords and unifies the country under the name of Dai Co Viet	
981-1009 Earlier Le dynasty	<p>Le Dai Hanh repels Chinese invasion.</p> <p>982. Expedition against Champa Empire.</p>	
1010-1225 Ly dynasty	The name of Dai Viet is given to the country.	
		<p>Villages administered by <u>xa quan</u> (communal mandarins), appointed by central authority. Institution of village rolls bearing names of all male villagers, classified into five groups.</p> <p>Military service made universal and compulsory; only mandarins and sons can hold public office and are exempt from military service.</p> <p>1041. Village divided into <u>giap</u>, each including 15 enrolled villagers; administered</p>

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
	1225. Chieu Hoang yields the crown in favor of her husband, Tran Canh	by <u>quan giap</u> who is elected by the enrolled. This division of village lasts until the end of the Ly dynasty.
1225-1400 Tran dynasty	1257. First Mongolian invasion,	Villages grouped into <u>dai ti xa</u> and <u>tieu ti xa</u> , abolished in 1398.
	1284-85. Second Mongolian invasion, led by Toghan. 1307. Reunion of O and Ri provinces with Dai Viet through the marriage of Princess Huyen Tran.	
1400-1407 Ho dynasty	Usurpation by Ho Qui Ly.	
	1407. Fall of the Ho. Dai Viet becomes the Chinese province of Giao Chi.	
1407-1413 Later Tran dynasty		
1413-1427 Chinese occupation (Minh dynasty)		Each village divided into 10 <u>giap</u> , each <u>giap</u> into 10 <u>ho</u> (families). <u>Ly truong</u> and <u>giap truong</u> , chosen by Chinese authority, head village and <u>giap</u> respectively

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
1428-1788 Later Le dynasty	<p>1. <u>Period of unity:</u> 1428-1527 1431-32. Pacification of the Thai. 1460-97. Le Thanh Tong reign.</p> <p>2. <u>Usurpation by Mac Dang Dung:</u> 1527-92.</p> <p>3. <u>Restoration of the Le:</u> 1532-1788.</p> <p>From 1620 the country is divided into two fiefs along Gianh River: the Trinh in the north and the Nguyen in the South. The Le rule in name only.</p> <p>1771. Revolt of the Tay Son.</p> <p>1778. Nguyen Hue (one of the Tay Son brothers) proclaims himself King Quang Trung.</p> <p>1799. Nguyen Anh cap- tures Qui Nhon.</p> <p>1801. Nguyen Anh cap- tures Hue.</p>	<p>1429. Land reform by Le Thai To. Distribution of communal lands to all villagers.</p> <p>1461. <u>Xa truong</u> elected by villagers; took the place of <u>xa quan</u>.</p> <p>1732. Each village granted the right to carry out land distribution according to its own traditions.</p> <p>Formation of "a state within a state." Each village go- verned by a body of notables which has full rights to de- cide on village affairs. Con- trol from higher authority almost nil.</p>
1802-1945 Nguyen dynasty	Nguyen Anh (Gia-Long) calls his kingdom Viet Nam.	

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
	<p>1840. First mission to Paris and London.</p> <p>1847. Bombing of Tourane by the French.</p> <p>1858. Tourane taken by de Genouilly.</p> <p>1862. Cession of three eastern provinces of Cochinchina to France.</p> <p>1867. Cochinchina becomes a French colony.</p> <p>1873. Hanoi occupied by the French.</p> <p>1883-84. Treaties of Hue. Annam and Tonkin become French protectorates</p> <p>1923. Creation of the Constitutional Party in Saigon.</p>	<p>II. <u>Period of partial control:</u></p> <p>1883. Introduction of land survey, creation of civil status, and regulation of communal budgets.</p> <p>1904.- Village governed by an eleven-member Council of Notables; creation of civil status officer; requirements set for selection of the last notable in the hierarchy; strict promotion procedure.</p> <p>1927. Civil status officer now sits at the Council. All nominations must now have approval from province</p>

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
	1930. Yen Bai's uprising.	chief; notables selected from among land owners, retired administrative personnel and veterans.
	1941. Creation of the Viet Minh	1944. Methods of designating village notables specified--the selections made by all notables and former notables, retired administrative personnel, veterans. Approval by province chief required.
1945- Independence period.	1945: <ul style="list-style-type: none"> - March 9. Japanese coup d'état - March 11. Bao Dai, with Japanese permission, proclaims the independence of VN under the "Greater Asia" principle. - August 24. Abdication of Bao Dai - August 29. Formation of a provisional government headed by Ho Chi Minh. - September 2. Proclamation of the independence of Vietnam and the establishment of the Democratic Republic by Ho Chi Minh. 	

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
	<ul style="list-style-type: none"> - September 12. Allied troops land in Saigon to disarm the Japanese. - September 21. French troops begin to arrive in Saigon. - September 29. Saigon taken over by the French. 	<p>III. <u>Period of changes:</u></p> <p>1945. Decree of November 22. Universal direct suffrage to elect 15-25 members and 5-7 alternates of the village popular assembly, constituting the deliberative organ of village administration. The assembly elects an executive body composed of five members and two alternates. Villagers granted the right to call for new elections.</p>
1946:	<ul style="list-style-type: none"> -March 18. French troops enter Hanoi. -May 30. Establishment of the Autonomous Republic of Cochinchina, headed by Dr. Nguyen Van Thinh. -June 6. Fontainebleau Conference---Franco-Vietnamese negotiations--no result. -September 14. <u>Modus vivendi</u> signed between Viet Nam and France. -November 30. Haiphong incident after which hostilities between the French and Viet Minh begin on full scale. 	<p>1946:</p> <p>Arrête of August 30. Eight-member council (<u>Hoi Te Xa</u>) elected by universal direct suffrage is in charge of village affairs.</p>

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PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
	<p>1949:</p> <ul style="list-style-type: none"> -June 6. General Xuan forms another provisional government. -June 14. Bao Dai returns to Viet Nam as Chief of State. 	Province chief appoints a village council to handle village administration.
	<p>1950-54:</p> <p>Governments under Bao Dai:</p> <ul style="list-style-type: none"> -Nguyen Phan Long January-May 1950, -Tran van Huu May 1950-June 1952, -Nguyen Van Tam June 1952-Dec. 1953 -Buu Loc Dec. 1953-June 1954 -Ngo Dinh Diem July 1954-Oct. 1955. <p>-May 6, 1954. Fall of Dien Bien Phu.</p> <p>-July 21, 1954. Signing of Geneva Agreement.</p> <p>Followed by formal establishment of the Democratic Republic north of the 17th parallel and continuation of Bao Dai regime in the South</p>	1953. Decree No 34, August 30. Village administration in the hands of a council (<u>Hoi Dong</u> <u>Huong Chinh</u>) elected by universal suffrage. Elections must be approved by provincial authority.
	<p>1955:</p> <ul style="list-style-type: none"> -October 23. Popular referendum chooses Ngo Dinh Diem as Chief of State. -October 26. Proclamation of the Republic of Viet Nam. 	

PERIOD	POLITICAL HISTORY.	VILLAGE ORGANIZATION
	<p>1956</p> <ul style="list-style-type: none"> -March 4. Elections for Constituent Assembly -March 15. Opening of Constituent Assembly <p>1957:</p> <ul style="list-style-type: none"> -October 26. A Constitution is approved by the Assembly. 	<p>Circular letter No 802 EPTT/VP of June 28, 1956 from the Secretary of State at the Presidency asks province chiefs to appoint a three-member committee (<u>Uy Ban Hanh Chanh</u>) to replace the former village council.</p> <p>By circular letter No 115-a/BPTT/VP of October 24, the administrative committee now called village council (<u>Hoi Dong Xa</u>). Number of members varies from three to five.</p> <p>Ordinance No. 57-a of October 24, 1956 formally grants legal status to village.</p>
		<p>Circular letters No 74 BNV/HC of January 11, 1957 from Interior Secretary, and No 1624/ BNV/HC of April 2 and No 2941/BNV/HC of May 27 from the Charge of Administrative Affairs of the same Department, provides for the political education of the village council members.</p>

PERIOD	POLITICAL HISTORY	VILLAGE ORGANIZATION
		<p>Their duties similar to those provided in Decree No. 34-NV of March 19, 1953.</p> <p>A presidential decree fixing the village council and its duties not yet issued to this date (July 1958).</p>

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