HEINRICH BÖLL FOUNDATION

in cooperation with

SWP

Stiftung Wissenschaft und Politik

German Institute for International and Security Affairs

Active Citizens under Political Wraps:

Experiences from Myanmar/Burma and Vietnam

"Debates as to what constitutes 'civil society' and what it must do to form a prerequisite for 'democracy' have flared up in political science literature, as well as within the Heinrich Böll Foundation, since the Eastern Bloc's collapse a decade and half ago. Grounded in the existing realities of Vietnam and Myanmar/Burma and well-informed theoretically, the essays in 'Active Citizens under Political Wraps: Experiences from Myanmar/Burma and Vietnam' join these debates. They challenge the orthodox view that civil society either does not exist or cannot function, much less grow, in States plagued by paternalism and control."

Dr. Zarni, Founder, Free Burma Coalition and Visiting Research Fellow,
Queen Elizabeth House, Oxford

ISBN 974-94978-3-X

Heinrich Böll Foundation (ed.): Active Citizens under Political Wraps: Experiences from Myanmar/Burma and Vietnam

The Heinrich Boell Foundation (HBF), affiliated with the Green Party and headquartered in Berlin, is a legally independent political foundation working in the spirit of intellectual openness. Its activities encompass more than 130 projects in 60 countries that have been developed with local partners. The Foundation's primary objective is to support political education both within Germany and abroad, thus promoting democratic involvement, socio-political activism, and cross-cultural understanding. The Foundation also provides support for art and culture, science and research, and developmental co-operation. HBF's activities are guided by the fundamental political values of ecology, democracy, solidarity, and non-violence.

The German Institute for International and Security Affairs of the *Stiftung Wissenschaft und Politik* **(SWP)** is an independent scientific establishment that conducts practically oriented research on the basis of which it then advises the Bundestag (the German parliament) and the federal government on foreign and security policy issues.

For further information please visit:
www.boell.de
www.swp-berlin.de

A traditional Myanmarese/Burmese painting (circa 1880) depicting the King and Queen holding a 'Hluttaw' or parliament meeting with four Chief Ministers and other palace officials in the absence of their subjects or representatives.
(Victoria and Albert Museum, Great Britain; http://www.vam.ac.uk/)

Active Citizens Under Political Wraps:
Experiences from Myanmar/Burma and Vietnam

Active Citizens Under Political Wraps:
Experiences from Myanmar/Burma and Vietnam
Edited by the Heinrich Boell Foundation
Southeast Asia Regional Office

First edition, Thailand, Chiang Mai 2006

Photo Front Page: Traditional Myanmarese/Burmese painting (*parabeik*), circa 1880

Printing: Santipab Pack-Print, Chiang Mai, Thailand
Copyeditors: Zarni, JaneeLee Cherneski, Yong-Min (Markus) Jo
ISBN 974-94978-3-X

Contact Address:
Heinrich Boell Foundation
Southeast Asia Regional Office
P.O. Box 119 Chiang Mai University Post Office
Chiang Mai 50202, Thailand; Phone: +66-053-810430-2
E-Mail: sea@hbfasia.org; Internet: www.hbfasia.org

Contents

	Acknowledgements	v
Heike Loeschmann	Foreword	1
Chapter 1	**Introduction**	
Joerg Wischermann	Societal and Political Change in Vietnam. An Instructive Example for Myanmar/Burma? Introductory and Conceptual Reflections	9
Gerhard Will	Political and Societal Change in Myanmar/Burma and Vietnam. Old Limitations and New Chances for Civic Organizations	26
Adam Fforde	Economic Process and Its Role in Conservative Transition: Reflections on Vietnamese Experience and Implications for Myanmar/Burma	31
Chapter 2	**Societal and Political Change in Vietnam and Myanmar/Burma: The Pluralism of Societal Practices at Commune Level**	
David Koh	Politics at the Ward Level in Hà Nội	55
Khin Zaw Win	Transition in a Time of Siege: The Pluralism of Societal and Political Practices at Ward/Village Level in Myanmar/Burma	74

Chapter 3	**Patterns of Societal and Political Change in Vietnam and Myanmar/Burma: The Diversification of Socio-Political Practices at Ward/Commune Level**	
Nguyen Quang Vinh	Civic Organizations in Ho Chi Minh City: Their Activities and Aims, Room to Manoeuvre, Relationship with Governmental Organizations at Local Level	93
Mai Ni Ni Aung	Creating Space in Myanmar/Burma. Preserving the Traditions of Ethnic Minority Groups: A Catalyst for Community Building	106
Jasmin Lorch	Do Civil Society Actors Have Any Room for Manoeuvre in Myanmar/Burma? Locating Gaps in the Authoritarian System	120
Chapter 4	**Building Pluralism and Institutions: Towards a Change in Governance and Governance Culture(s)?**	
Thaveeporn Vasavakul	Public Administration Reform and Practices of Co-Governance: Towards a Change in Governance and Governance Cultures in Vietnam	143
Alex Mutebi	Changing Governance and Governance Culture in Myanmar/Burma: Some Thoughts	166
Chapter 5	**Conclusion**	
Zarni	Thinking Politics Sociologically: Engaging with the State and Society in Vietnam and Myanmar/Burma	189

Acknowledgements

Special thanks are due to Dr. Joerg Wischermann. He ably wrote the workshop's key concept notes which served as the framework for this Roundtable. Indeed, his input for the active participants' contributions to the Roundtable and the discussion about their contributions thereafter was crucial for the success of the event.

Thanks are also due to Dr. Gerhard Will for his comments on earlier versions of the concept notes. The Foundation also would like to register appreciation for Dr. Heike Loeschmann who conceived the idea for this comparative seminar and with great power of endurance made this book possible. Olga Duchniewska assisted her reliably and with accuracy all along in the process. We also want to acknowledge Carsten Kloepfer who patiently worked on the cover design.

We are grateful to both Ms. Jasmin Lorch, who assisted in organizing the Roundtable, especially in the key preparatory stages and Mr. Yong-Min (Markus) Jo who cheerfully served as the local guide and resource person, taking care of the invited guests, first-timers in Berlin, during their stay.

The Foundation is very grateful to Dr. Zarni and Yong-Min (Markus) Jo for their work as copyeditors.

Finally, we thank Professor Barbara Harriss-White, Queens Elisabeth House, Oxford for suggesting the nuanced title for this book.

Foreword

The essays in this volume were originally discussed at the two-day roundtable entitled "Societal and Political Change in Vietnam: An Instructive Example for Myanmar/Burma?" held in Berlin, Germany from 31 March through 1 April 2006. The seminar was organized by the *Heinrich Boell Foundation* in Berlin in cooperation with the *German Institute for International and Security Affairs*. The purpose of the roundtable was not so much to compare the two countries which commonly share certain specifics in terms of their respective forms and processes of governance as to gain insight into a fascinating process by which pockets of citizens in both countries attempt to engage with sub-national level state institutions so that their local needs and desires are met, in spite of their seeming powerlessness at the hands of their respective states.

Both the presenters and participants were drawn from a diverse group of researchers, academics, and practitioners from Vietnam, Thailand, Singapore, Myanmar/Burma and Germany, as well as a handful of German government officials who have keen interest in and first-hand knowledge of Southeast Asia, especially Vietnam and Myanmar/Burma. Furthermore, the roundtable benefited significantly from the active participation by a small but representative group of pro-democracy activists based along the Thai–Myanmarese/Burmese border, the area which often falls outside the sphere of the state's control in Myanmar/Burma.

The essays were written and presented by academics and practitioners whose research and practice are grounded in the day-to-day politics of life as lived by ordinary citizens in Vietnam and Myanmar/Burma, be they Vietnamese families, struggling to make ends meet in a society, in which the gap between rich and poor is widening more and more or local NGO workers in Myanmar/Burma who deploy creative ways to curb the spread of HIV/AIDS under the watchful eyes of the "national security state". The essays can therefore be loosely placed under the broad – and contested – framework of "civil society".

Over the past two decades, policy makers and academics have dusted off the concept of "civil society" and put it back in circulation. Having lived through the failed popular revolutions in China, Myanmar/Burma (or lack of them as in the case of Vietnam) many pro-change activists on the ground and scholars sympathetic to the mission of political reform have become disillusioned with either the omnipotent and unfettered *Free Market* or the *all-Mighty State* to deliver on their promise (of a better life). This popular disillusionment helps explain, in part, the growing popularity of the notion of "civil society" and the various ways in which "ordinary citizens" interact, negotiate, undermine or cooperate with a myriad of state institutions at all levels.

Amidst the raging contemporary debates on what constitutes "civil society"[1] – which are often ideologically and culturally driven – the search for a productive way (or ways) to understand how change is not only conceivable but also happening in a society of one of the few remaining socialist countries and military-ruled Myanmar/Burma.

The essays here puncture a hole in the conventional wisdom that change is revolutionary only when there is the obvious change of guards, putting the spot light on the concrete ways citizens are able to fight for their felt needs and social desires. In that sense, the essays present a new way of defining what constitutes legitimate pro-democracy, pro-change politics.

I am confident that the evolutionary and creative search of the authors for a future of local communities against all odds will in the long run produce substantial change in terms of state-society relations and emergence of a pro-active, self-governing citizenry. The concrete narratives and in-depth analyses here can – and should – serve as a basis for discussions in policy and other concerned circles that are looking for more constructive and strategic ways to support local communities and individuals in Vietnam and Myanmar/Burma in

[1] See also: "Towards Good Society. Civil Society Actors, the State, and the Business Class in Southeast Asia – Facilitators of or Impediments to a Strong, Democratic, and Fair Society?", documentation of a workshop of the Heinrich the Heinrich Boell Foundation, held October 26-27, 2004 in Berlin (HBF, Berlin 2005)

their unrelenting efforts to improve their own lot in ways creative, feasible and strategic, in spite of the controlling state.

Dr. Heike Loeschmann
Director
Southeast Asia Regional Office
The Heinrich Boell Foundation
Thailand

Active Citizens Under Political Wraps:
Experiences from Myanmar/Burma and Vietnam

Chapter 1

Introduction

Societal and Political Change in Vietnam. An Instructive Example for Myanmar/Burma? Introductory and Conceptual Reflections

Joerg Wischermann[1]

Background

Over the course of many years the political and, to a lesser extent, the scholarly discourse on Myanmar/Burma has concentrated on the regime change and the possibilities for a transition to democracy. Dominating the discussion has been the opinion that democratization is a top-down process, the success of which is determined largely by the power elite. Various strategies ranging from cooperation to isolation have been and are used in pursuit of regime change. But their success remains negligible. A fixation on regime change brought about on the level of the highest echelons of power bears with the disadvantage of ignoring changes or modifications that do not directly bring a fundamental political change (Rudland/Pedersen 2000). In consideration of this, some scholars and politicians have endorsed a "realistic solution" by endorsing concepts that focus on processes of gradual change from within and from below and that aim at breaking the intellectual and educational isolation the Myanmarese/Burmese people face.

The proposed discussion is the result of the positive reception of the analysis of development in Vietnam during the era of reform (Fforde 2005). A number of politically highly-engaged Myanmarese/Burmese have perceived a pertinence to their own situation. Their reference to the developmental cooperation with Vietnam – especially concerning developmental possibilities and the potential of local actors – can be evaluated as a confirmation of the thesis that developmental

[1] For an unabridged version of these introductory and conceptual reflections, please contact the author: wischdr@zedat.fu-berlin.de or joergwisch@yahoo.com

cooperation and politics in the relations with Myanmar/Burma are well-advised if

- they go for regular "reality checks" and take policy recommendations of local actors seriously;
- undertake as exact an analysis as possible of the conditions and restrictions to which societal and political actors, below the central state level, are subject in their activities;
- do not shut out possible "realistic", though maybe limited, solutions for urgent political, societal and other problems (Pedersen 2005).

The planned discussion will be concerned with a comparative analysis of the concrete problems, located below the level of the central state, in societal and political development in Vietnam and Myanmar/Burma. Central to our interest is the social and political daily grind of the various actors at the local community level, their relationship with the local government and an analysis of the conditions and restrictions of civic engagement in its different forms and with its very different focuses. Of interest in this respect is whether

- the pressure precipitated by societal and economic changes leads to new forms of civic engagement (in whatever kind of organized or unorganized form);
- this civic engagement effects political and other changes;
- societal pressure and/or pressure from "inside" (from within the governmental apparatus itself) leads to changes in the state apparatus;
- in the course of such processes of change there also occur changes in governance and governance culture(s).[2]

From these analyses it should be possible to derive a developmental strategy and a setting of priorities therein for a particular engagement for/in the country concerned.

[2] For the author's understanding of governance and governance culture(s), see below, p. 5 ff.

Vietnamese Achievements in the Era of the Policy of Renovation (*Doi Moi*)

And what is the reason for the special interest of individual Myanmarese/Burmese in the development in Vietnam, as was mentioned above? Without a doubt, it is the great economic successes and advancement the country has to show for itself in the last decade, including an average economic growth rate of more than 7% and poverty lowered by one half.[3]

A deep understanding of these economic and political-administrative restructuring processes brings with it the recognition of their gradual character and, above all, of the developmental direction (to a large degree from below on upwards; not dictated from forces from the outside, but determined by inner forces). Typical of this economic development is that:

- the Vietnamese "economic miracle" is a change towards the market economy that proceeds from "below" through community projects and has the family as its core element;
- an increasing number of state operations have been transformed "from within" into efficient and profitable state or otherwise-run businesses; [4]
- the transformation has not taken place as a "big bang", and it has proceeded basically without a plan – but it has proceeded with success.

[3] Such recognition is due even if the socio-economic accomplishments are accompanied by ever deeper societal and regional chasms. Taking a look at the statistics, for example the *Gini-coefficient* (which measures the gap between rich and poor) or the *GDI-coefficient* (which enables one to comparatively estimate the discrimination of women and other gender-specific problems), it is conspicuous that the values for Vietnam are not significantly different from those in other comparable Southeast Asian countries.

[4] Whether the state-owned enterprises (SOEs) that are left qualify as virtual shareholder companies, as in Ffordes' thesis, remains to be discussed; similarly, the question as to what is to happen to the remaining companies that are operating without profit but functioning as symbols for a "market-oriented economy with a socialist orientation".

In political reforms, too, the gradual character of the change is important. Essential stepping-stones on the long path to a democratization of the existing system are, among others: Vietnam's constitutional reform of 1992; [5] processes of statization and regularization (Phong Dang/Beresford 1998); the beginning of reform of the administrative system; bringing a gradual transferral of individual political/administrative responsibilities from the central to the provincial level; the *relative* guarantee of civil rights, etc. But it must be said that none of the reforms so far has reached the foundations of the regime (i.e. the solitary rule of the *Communist Party*), and that there, up to this point, has been no solution to the fundamental problem of this rule: The *Communist Party of Vietnam* rules, but it does not govern, as Fforde (2005) has so aptly put it most recently. Thus, the policy of political-administrative reforms could turn out to be more of a plan without success, whereas policies of economic reforms could turn out to be a success without a plan.

Of even greater importance for the comparison with Myanmar/Burma is the emergence of a multi-faceted ensemble of civic organizations and their very differing relationships with the state authorities and institutions: the emergence of local NGOs and community-based organizations in big cities, but also in the rural areas, the emergence of organizations of business people and the visible change in function of the mass organizations (most obvious in the *Women's Union*) from "transmission belts" to service-oriented organizations.

Characteristic for the emergence and development of this ensemble of civic organizations in Vietnam is that

- all societal organizations have a certain room for manoeuvre, that, however, varies strongly according to type of organization, field of activity/approach and region;
- societal engagement makes the social divisions and problems in the areas of education, health, unemployment, welfare, migration etc. clear(er); in these areas the state has pulled back its

[5] Among other things, this brought with it at least a differentiation, if not a certain balance of power between the executive, judicial and legislative branches of government in this context it is noteworthy that recently the Parliament has gained influence, especially in the public esteem.

engagement: the official line is that the society itself should take on more responsibility. The government coined the term "socialization" (*xa hoi hoa*) for these politics of privatization. Originally this term stood for the transfer of private property to state ownership;

- the organizations have different, but in some areas recognizable influence on state activity;
- such organizations are expressions of civic mindedness and possibly also of democratic values; at least to some extent these organizations cultivate cooperative relations with the government; they have taken some first timid steps toward establishing networks (Wischermann 2003; Wischermann/Nguyen Quang Vinh 2003; Bui The Cuong 2005).

As a whole, the ensemble of Vietnamese civic organizations is an expression of a limited diversification of practices of economic, political and socio-cultural action. Such diversification is not necessarily typical for an authoritarian state, but neither is it incompatible with such a state. Those who assumed that the emergence of societal and economic organizations outside of the Vietnamese mass organizations would be impossible, and that successful economic and political experiments at the community level would never be able to lead to policy and other changes, were disproved by these developments.

Civic Organizations in Myanmar/Burma

For a long time such assumptions applied to Myanmar/Burma. There, too, the political and scholarly discussion neglected the emergence of different types of civic organizations (for the following see Lorch 2006). These are mostly issue-oriented organizations, limited to affecting their locality and not focused on effecting political change. A great variety of civic organizations are to be found, not only in the big cities, but also in rural areas. To some extent they have been called into life by onetime public servants (a parallel to the civic organizations above all, but not only in Ha Noi). In respect to the rudimentary development of structures of a civil society, the

emancipatory tendencies of sub-groups of GONGOs (government-organized NGOs) are also relevant. The organizational structure of civic organizations reaches from formal to informal. Some are rooted in religious and village traditions (for example the rice associations of the Buddhist pagodas and temples) or growing out of the traditional village associations (for example burial organizations). The approaches for solving problems and the goals that they work towards vary greatly. As a whole, however, this motley ensemble of civic organizations emerges within the gaps left by the state welfare and social services. Whatever the prominent motive of the state decision-makers and military rulers may be in allowing the emergence and development of the various organizations – simple tolerance, sheer ignorance, or tactical calculation – this is not of immediate import. For, as in the case of Vietnam, the fact has been established that in Myanmar/Burma, too, societal and socio-cultural changes are taking place in an organizational form at the local level. The relevance of this is not to be underestimated for the development of either of the countries.

Focal Point of the First Part of the Roundtable Discussion

This political-organizational variety, the room for manoeuvre, and the highly varied relationships to the – mostly local – state, in Vietnam and most probably also in Myanmar/Burma, reflect the everyday reality of the people there: a constant process of negotiation and balancing of interests with representatives of the local government and other centres of power that have the capacity to make use of means of sanction. The local government usually only intervenes decisively when the societal "rank growth" is threatening its own foundations.[6]

These multifarious processes of diversification of societal and political practices in two societies under authoritarian rule are the focal point of the first part of the discussion.

[6] In his dissertation Koh (2006) has described numerous examples of such daily negotiation processes at ward (*phuong*) level in Ha Noi and has analysed them within the structure of a theoretical concept under the title "negotiating the state".

Focal Point of the Second Part of the Roundtable Discussion

In the second part of the event, precedence will be given to questions having to do with the political consequences of such forms of diversification in authoritarian states such as:

- how this limited diversification of societal and to some degree political practices, so far probably mainly effective at the commune level, can take hold throughout the country as well as on other political levels. Of importance are the first steps toward breaking through the monopoly of information and toward a further strengthening of the self-confidence of citizens and their ability to get involved;
- how such developments can be given political continuity and what the political institutional structures will look like that will guarantee appropriate conditions therefore, and how the emergence of such structures can be encouraged;
- how German and other developmental humanitarian aid and cooperation can find a place in this agenda.

The question as to the specific qualities of and to the possibilities for strengthening civic engagement brings up the question of the possibilities for reform of the (existing) respective governance, a reform of governance culture(s) and thereby the coming into being of such structures of governance that will secure a society-wide, democratic, effective participation in the formation of policy, in decision-making and implementation of policies.

In our opinion, such changes should start locally and at the commune level, and thus where societal engagement is already in existence. At this level there are possibly even different relationships and different degrees of cooperation and/or other "divisions of labour", between societal and (local) state organizations. Here the conditions for political institutional change and the institutional securing of the new developments might be given. But even without the previous existence of such cooperative and/or agreed-upon relationships, a start at the local level is, in the eyes of the organizers, of particular importance for the development cooperation with both countries.

Governance and Governance Culture(s)

Under the term *governance* in the broadest sense the author understands, in agreement with Mayntz, "the total of all forms of collective regulation of societal affairs existing side by side: from institutionalized self-regulation of civil society, various forms of co-operation between state and private actors, to the sovereign dealings of state actors" (Mayntz 2005: 15, translation by JW).

Governance culture "describes all that which goes beyond the pure instrumentality of governance mode, all that which reflects its rootedness in a culture, representing a certain 'spirit' of an epoch or time period" (Schuppert 2005: 439, translation by JW).[7]

Changes in Governance and Governance Culture(s) in Vietnam and Myanmar/Burma?

In our opinion, Vietnam offers many discussion-worthy examples of how governance can change toward new modes of governance in areas of policies where there is societal and political pressure to change. This pressure to change can come from "below", for example from different civic organizations, but it can also come from "within", growing out of the state apparatus.

Theoretically speaking, what we can observe is the emergence, beside the dominant form of *hierarchical control* (as through legal or political intervention), of forms that in the broadest sense could be termed *co-*

[7] The hierarchical/bureaucratic administration as defined by Weber, a rules- and regulation-bound, professionally oriented, constitutionally controlled exercise of power, for example, can be understood as governance culture. Within such a prototype, various different governance cultures, i.e. different understandings of what administration should be, can be found, depending on the time period and the varying political conditions. If one wants to think in large historical time periods, one can also speak of institution culture(s). Historians differentiate between a pre-modern and a modern institution culture: The pre-modern institution culture is marked by a dominance of informal, personal relationships, whereas the modern institution culture is characterized by a formal, professional orientation, with focus on the organization.

governance[8] and *self-governance* (of some segments of society). The author's hypothesis is that especially examples of evolving forms of co-governance and self-governance have become more common since the mid-1990s. Of central importance here are the new forms of administration and the production and distribution of social and other services – with the latter it is mainly a question of transferring the responsibility for what have been purely state services to various societal actors.[9] Nevertheless, at least up to now, the Vietnamese state retains its role of "setting the guidelines" and "supervision".

[8] In forms of co-governance "a certain amount of equality exists in structures in which the participating units have a relationship to one another. The autonomy of the entities remains the most important characteristic" (Kooiman 2005: 156, translation by JW). "Co-governance means the use of organized forms of interaction for the purpose of control. In the area of socio-political control these forms are the main types of horizontal control: actors cooperate with one another, coordinate their activities and communicate with one another without a central or dominating controlling power" (Kooiman 2005: 159, translation by JW). Risse (2003) uses a different term for those modes of co-governance – he calls those modes "new modes of governance" (referring to Mayntz), i.e. modes "where the state and non-state actors participate in mixed public/private policy networks". In his (and others' view) new modes of governance are characterized by a) the inclusion of non-state actors, and b) an emphasis on non-hierarchical modes of steering (Risse 2003: 3). The author makes use of these terms, common in governance analysis, with the qualification that they surely do not adequately or completely grasp the Vietnamese reality. But the organizers think that, especially in the context of regional and regional/political study, such terms and their "localization" should be discussed – also because they can serve as bridges in discussions and with discussion partners where the argumentation is less regional and is exclusively theoretical and bound by professional politics.

[9] It is in this context that Painter (2004) refers to the possibility that the Vietnamese government is aiming at the privatization of state services to an extent so-called neo-liberals in Europe and elsewhere are dreaming of: "The Vietnamese government (whether out of conviction or necessity) has launched a series of NPM-style administrative reforms. In the process, the evolving models of public sector reform seem to include a much more wholehearted acceptance of deregulated, decentralized and market-driven forms of state management than many western states are prepared to envisage, even in the era of neo-liberalism. The market economy is seen as a mechanism to generate the resources necessary from the private sector (including households) to sustain alternative forms of decentralized, 'autonomized' administrative units" (Painter 2004: 22).

Two examples for such changes that were possible in respect to governance and governance modes in Vietnam are sketched shortly below:

First, the recent transformation in dealing with HIV/AIDS patients and the politics and policies related to this: In recent times there has been a change away from the stigmatization and exclusion of those infected with the HIV virus. There has been a new law enacted, along with accompanying policies, forbidding discrimination in all areas of life and work. But this is not just a change in policies; it is a change in important patterns of behaviour, taking place at the level of state and other political actors. Those changes in the leading patterns of orientation will ultimately affect and lead to changes in the respective administrative structures and the emergence of new institutions dealing with the problem, which will include the participation of a broad(er) sphere of stakeholders necessary for dealing with such difficult problem(s). If these processes proceed and materialize this way, they would signify the emergence of changes of governance in the area of health-related issues and policies. Furthermore, it can be suspected that a decisive impulse for the change in dealing with HIV/AIDS patients has come from the different forms and types of cooperation with civic organizations.

Second, examples of what could be called emerging patterns of co-governance can be found in the realm of poverty alleviation, for example the successfully expanding micro-credit program for women run by the *Women's Union*.[10] Basically it is a kind of bank, termed the *Mutual Affection Fund* or *"I love you"-Fund* (*Tao Yeu Mai*). It is modelled after and following the guidelines set up by the Grameen Bank. The bank is transforming into an independent entity step by step. In 1992 the fund started as part of the state's poverty alleviation programs and efforts. This seems to have been kind of a step toward "privatization" of state's tasks in the realm of poverty alleviation with the state "steering at a distance" (as in the 1980s the Netherlands'

[10] Another example is the "CEP" fund, affiliated with the *Labour Union*, based in Ho Chi Minh-City. So far it is clear in this attempt, as well as in other attempts of "co-governance", that the preferred partners for the actors of the state apparatus are the mass organizations (especially the *Women's Union* and, to a lesser degree, the *Labour Union*).

government has so aptly put its departure from hierarchical, direct top-down control in higher education). For its *"I love you"-Fund* the *Women's Union* successfully acquired resources from some INGOs and used those funds for an expanding network of branches of the bank in various very poor regions of Vietnam's northern regions. The decision to let the fund develop into an independent, full-fledged Grameen-bank-like microfinance institution within the next five to six years for the sake of its further and lasting economic success was made by the mass organization in 2005, grudgingly. It's intriguing to see how this process of becoming more and more independent worries many cadres within the state as well as within the ranks and files of the *Women's Union*.[11] The author's thesis would be that in the end the state and the *Women's Union* (here seen as closely affiliated with the state and the party) will face a bank that is making decisions within an organizational framework that secures it equal footing with the state and the *Union* or even a bank that makes its own decisions, not accepting the state's or the *Union's* interference; in both cases a bank that sticks to its socio-political principles and which is more or less independent – not unlike the many women that the bank helps to get out of dependency, at least economically.

Theoretically, one can see a direct connection between the cooperative and coordinative character of co-governance and self-regulative modes on the one hand, and the strengthening of the individual role and the society itself (especially in respect to providing social services) on the other. Viewed as a whole, and in this context it is important for me to ascertain this, there is at best a "consultative relationship" (Plummer) between state actors and different societal actors at this time in Vietnam – but this is, after all, progress in comparison to the patterns of "authoritarian mobilization" (Womack) that dominated in the era of the policy of renovation (*doi moi*). One cannot yet speak of society-wide cooperative participation. But the various examples of changes in governance structures show that there are possibilities for development in this direction.

[11] The growing independence of the bank is well-founded in terms of finances, which is in turn a result of the poor women's outstanding willingness and capability to pay back loans they have received. As of September 2005 the repayment rate stands at 99.9% (information from personal communication).

In the case of Myanmar/Burma, Pedersen (2005) recently was right in making clear that any political-administrative reform has, among other things, the prerequisite that the Myanmarese/Burmese (be able to) overcome the legacies of the past (and present), that there be sufficient food available for the majority of the population, and that suitable methods of production of a lasting nature be developed. He evaluates all this as being a necessary form of empowerment, without which any political strategy to create egalitarian and democratic structures will be limited to an elite. He sees the creation of a civil society and the existence of politically interested, or potentially politically interested, people as a prerequisite for any future democracy.[12]

Mutebi (2005), however, has come to the conclusion that in Myanmar/Burma, because of the traditions of authoritarian rule since the era of the *Burma Socialist Programme Party* (BSPP) and the colonial legacy, any kind of political reform will be confronted with the problem of a specific governance culture, one which expresses itself mainly in the "personal form of sub-national rule" and features of corruption and patronage. Consequently, the civilian bureaucracy remains highly inefficient, especially at the community level. Thus, a reform of the governance culture, according to him, is not just a problem of, for example, a lack of capacity.[13]

[12] "Absent this, democracy will remain mainly elitist and do little to overcome the root causes of conflict and inequality. Yet, the large majority of the population in Myanmar is subsistence farmers, often functionally illiterate and with little or no experience of the world beyond their villages. Many people have had little contact with the central state and thus can hardly to be expected to show commitment to its political structures, whether democratic or not. Further, local power structures are deeply authoritarian, with little capacity for self-governance or space for community participation. Even if democracy were introduced, few citizens would be able to participate, and most would remain voiceless, subject to the powers that be. Before a future democracy can take root in and be meaningful to local communities, it is necessary to transcend the barriers created by the daily struggle for survival, as well as the cultural and structural legacy of repressive, autocratic rule, and build a more vibrant civil society. This requires major efforts to combat poverty, improve access to education and information, and strengthen local organizations" (Pedersen 2005: 170).

[13] "As such, the post BSPP era civil bureaucracy has largely remained pre-Weberian – operating by the inconsistent application of formal and informal rules and

In respect to the civil bureaucracy, he recommends distancing the discussion from the state bureaucracy behaviour and political understanding typical of the socialist era. He urges propelling both (administration as well as discussion concerning its future duties and roles) toward a Weberian understanding of *bureaucracy*: "Only when that long-term goal has been achieved will it make any sense to contemplate applying the latest fads and fashions in public management to the country's bureaucracy or the wider public sector" (Mutebi 2005: 156).

In Vietnam the problem of political-administrative reform is different – but at least in one respect the same. There, too, the cadres at the communal level are too poorly trained to, for example, carry out far-reaching attempts at decentralization with any kind of ease. It is already foreseeable now, that when in 2006, for example, the provincial administration is scheduled to take over the duties of the central administrative apparatus, the transfer will not proceed without problems. Additionally, the persistent dominance of a particular Vietnamese governance culture that can be described from a historical viewpoint with the term "pre-modern administrative style", which is also used by Mutebi with regard to Myanmar/Burma, leaves a good amount of inertia and/or problems related thereto to be expected.[14]

---

regulations in a state that can probably best be described as institutional ataxia. […] And in the countryside […] the role of civilian bureaucracy is marginal at best. In the frontier provinces […] but also elsewhere in provincial Myanmar, there is an almost personal form of sub-national rule where local *Tatmadaw* commanders and ceasefire group leaders wield all but complete power. Elsewhere local government generally takes the form of local representation of both central government and a central budget within the military government Yangon-based planning system. In many ways, these forms of 'local government' are the grass-roots end of the military regime's control and patronage system. […] The corruption and dysfunction that exist at local levels are thus indivisible from the corruption and dysfunction of the individuals who represent it, and this is better known and understood here than it is with the more remote individuals higher up, shielded by the government's powerful information machinery" (Mutebi 2005: 156).

[14] Here is meant the dominance of informal and personal relationships in contrast to an organization related, factual orientation and an idea of justice that connects a general idea of justice with the right of groups and individuals.

However, the decisive difference between Myanmar/Burma and Vietnam is most probably of a socio-economic and socio-political nature. In large parts of Vietnam the socio-economic problems, as well as the problems with the state bureaucracy, are not so fundamental that one needs to give the solution of these problems priority over the political/administrative problems, as Pedersen recommends in the case of Myanmar/Burma. The Vietnamese bureaucracy is very well-acquainted with the principles of a rules and regulation bound, professionally-oriented execution of power that Weber ascribes to bureaucracy (they are however less well-acquainted with the concomitant constitutional controls). What is missing is the assertion and the implementation of such principles.

The second part of the discussion should be concerned with whether, given the background of the different (positive and negative) Vietnamese experiences with (first) reforms of governance and governance culture(s) at the commune's level, effective state structures and democratic forms of participation can be developed in Myanmar/Burma.

Beyond all abstract models, we are essentially talking about solutions in particular sectors, strategies for action in certain problem areas, various kinds of cooperation between societal and (local) state actors that are always different from one area to the next, and the possible utilization of localized "new forms of governance". These forms of governance do not necessarily even need to be so new. When developing new forms or utilizing older evolved forms of societal self-regulation and/or forms that combine such forms of societal self-regulation and co-governance with state action and service, there should be an attempt to develop "model islands" that will radiate society wide and convince further state actors and levels by their efficiency and achievements.

One lesson from the now almost 20 years of successful reforms in Vietnam is: In the final measure, it is the societal changes, the pressure for change from the middle of society, and the successfully carried out economic and political models at the commune level, which finally have helped to permanently transform the country – not the far-sightedness of politicians and the implementation of their "consensually" and carefully worked out policies. Or, to cite the

statement of the late General Tran Do (who thereby makes use of the play on words so cherished by the Vietnamese): "The Party has its policies, but the people have their own ways!" (*Dang co sach, dan co cach!*)

Dr. Joerg Wischermann *studied political science, history and philosophy at the Freie Universitaet Berlin where from 1982 to 2004 he was Research Fellow and later also Lecturer at the Otto-Suhr-Institut of Political Science. He gained his PhD in 1990 from Freie Universitaet Berlin. From 2003 to 2004 he was also Lecturer at the Department of Southeast Asian Studies, Humboldt Universitaet, Berlin. At present he works as a Consultant for various international foundations and organizations in the field of development co-operation and as Research Associate affiliated with the Center for Chinese and East Asian Studies at the Freie Universitaet Berlin. Dr. Joerg Wischermann is the author of various publications concerning the emergence and development of civic organizations and civil society in Vietnam. For contact, mail to:* wischdr@zedat.fu-berlin.de *or* joergwisch@yahoo.com

References

Bui The, C. (2005): Issue-Oriented Organization in Hanoi: Some findings from an Empirical Survey, in: Heinrich Boell Foundation (ed.), Towards Good Society? Civil Society Actors, the State, and the Business Class in Southeast Asia – Facilitators of or Impediments to a Strong, Democratic, and Fair Society, Berlin: Heinrich Boell Foundation, 93-100

Fforde, A. (2005): Vietnam: A Note. Instability, the Causes of Development Success and the Need for Strategic Rethinking, Melbourne (mimeo), URL: http://www.aduki.com.au/Instability%202005%20%20Adam%20Fforde.pdf#search=%22fforde%20vietnam%20a%20note%22, accessed on August 21, 2006

Koh, D. W.H. (2006): Wards of Hanoi, Singapore: Institute of Southeast Asian Studies (ISEAS)

Kooiman, J. (2005): Governing as Governance, in: Schuppert, G. F. (ed.), Governance-Forschung. Vergewisserung ueber Stand und Entwicklungslinien, Baden-Baden: Nomos, 146-172

Lorch, J. (2006): Civil Society under Authoritarian Rule: The Case of Myanmar, in: Suedostasien Aktuell, Heft 2/2006, 4-37

Mayntz, R. (2005): Governance-Theorie als fortentwickelte Steuerungstheorie?, in: Schuppert, G. F. (ed.), Governance-Forschung. Vergewisserung ueber Stand und Entwicklungslinien, Baden-Baden: Nomos, 11-20

Mutebi, A. M. (2005): "Muddling Through" Past Legacies. Myanmar's Civil Bureaucracy and the Need for Reform, in: Hlaing, K. Y./Taylor, R. H./ Than, T. M. M. (eds.), Beyond Politics to Societal Imperatives, Singapore: Institute of Southeast Asian Studies (ISEAS), 140-158

Phong, D./Beresford, M. (1998): Authority Relations and Economic Decision-Making in Vietnam. An Historical Perspective, Kopenhagen: Nordic Institute of Asian Studies, NIAS Reportseries, No. 38), 85-106

Painter, M. (2004): Hybrids, Varietals and Foreign Bodies: Public Service Salary Reform in Vietnam, paper presented at the 20th Anniversary Conference of the Structure and Organization of Government Research Committee of the International Political Science Association: Smart Practices: Toward Innovation in Public Management, June 15-17, 2004, UBC Robson Square Campus, Vancouver, Canada, URL: http://faculty.arts.ubc.ca/campbell/sog-conf/papers/sog2004-painter.pdf, accessed on August 21, 2006

Pedersen, M. B. (2005): The Challenges of Transition in Myanmar, in: Hlaing, K. Y./Taylor, R. H./ Than, T. M. M. (eds.), Beyond Politics to Societal Imperatives, Singapore: Institute of Southeast Asian Studies (ISEAS), 161-183

Risse, T. (2003): Global Governance and Communicative Action. Prepared for Held, D. and Koenig-Archibugi, M. (eds.), Global Governance and Public Accountability, Special Issue of Governance and Opposition, URL: http://web.fu.berlin.de/atasp/texte/031007_risse_governance_arguing%20GO.pdf, accessed on August 21, 2006

Rudland, E./Pedersen, M. B. (2000): Introduction: Strong Regime, Weak State, in: Pedersen, M. B./Rudland, E./May, R. J. (eds.), Burma Myanmar. Strong Regime, Weak State, Adelaide: Crawford House, 1-21

Schuppert, G. F. (2005): Governance im Spiegel der Wissenschaftsdisziplinen, in: Schuppert, G. F. (ed.), Governance-Forschung. Vergewisserung ueber Stand und Entwicklungslinien, Baden-Baden: Nomos, 373-469

Wischermann, J. (2003): Vietnam in the Era of Doi Moi: Issue-Oriented Organizations and their Relationship to the Government, in: Asian Survey, Vol. XLIII, No. 6, 867-899

Wischermann, J./Nguyen Quang, V. (2003): The Relationship between Civic Organizations and Governmental Organizations in Vietnam: Selected Findings, in: Kerkvliet, B. T./Heng,R. H.-K./Koh, D. (eds.), Getting Organized in Vietnam. Moving in and Around the Socialist State, Singapore: Institute of Southeast Asian Studies (ISEAS), 185-233

Political and Societal Change in Myanmar/Burma and Vietnam. Old Limitations and New Chances for Civic Organizations

Gerhard Will

Distinguished guests, dear colleagues and friends,

Very few colleagues with whom I had talked about a workshop dealing with Myanmar/Burma and Vietnam considered this as being a good idea. Most of them pointed to several well known facts that would not allow a comparison between the two countries: the huge differences in history and culture, the ethnic composition, the economic development, etc. etc. In short, the lack of a sufficient number of common elements as a basis for a successful comparative research. All these arguments seemed so convincing to them that they did not like to spend any more time on understanding the specific rationale of our project.

Today, I am in a far better and luckier position. I have more time and an audience capable and willing to grapple with non-conventional wisdom. Otherwise you would not have come to a workshop with such an unwieldy title.

First of all, this roundtable is not located in the field of comparative politics. We are well aware that both countries poorly qualify for a comprehensive comparison in the strict sense of this discipline of political science. Our approach is clearly biased and limited. We will try to look at Vietnam from a Myanmarese/Burmese perspective. What we intend to do is to analyse the experiences and developments Vietnam has made in its era of reform or *doi moi* – by now an internationally widely accepted term – against the background of what should and could be done by Myanmarese/Burmese and non-Myanmarese/non-Burmese actors, in and outside Myanmar/Burma, to

break up the gridlock-situation and create a more promising future for this country.

The starting point of this endeavour is the common conception shared by the Myanmarese/Burmese and Vietnamese leadership of their role in the societal and political process. Both of them consider themselves not only as engines of social transformation and economic development but also as the decisive force leading the society in the case of Vietnam to socialism with Vietnamese characteristics, in the case of Myanmar/Burma to a disciplined and mature democratic system in accordance with the fine traditions of the different peoples living in this country. The necessity of this historical mission, what is more the claim to possess the ability to accomplish it, is the crucial point in the legitimization of their autocratic and often draconian rule.

This loudly announced claim does not withstand closer scrutiny. Of course the governments in both countries have big administrative apparatuses as well as police and military forces at their disposal to intervene in specific areas and policy fields. Last, but not least, they have the capability to suppress open resistance against their power. However, they are no longer in a position to exercise the kind of comprehensive control that is needed to lead the political and societal process and not merely to follow and adapt to it. Economic power and wealth in private hands expands the room of action for non-state actors on a societal and even political level. All the more since insufficient revenues and their inappropriate distribution, based on an understanding of the state as a military enterprise, prevent the government from meeting the central requirements of a modern state, such as securing public security, exerting power in a legitimate way, providing its citizens with at least basic welfare, protecting the environment and using the natural resources in a responsible way.

In Southeast Asia, as everywhere else in the world, people confronted with such a crisis caused by a lack of public goods may and do react in different ways. Some of them will be so over-whelmed by depression and apathy that they are unable to alleviate their suffering. Others will start spontaneous revolts and uprisings against the local wielders of power they hold responsible for the unbearable situation imposed on them.

But a severe crisis also provokes reactions of self-help, self-organization and cooperation. Initially these actions may take place on a very basic level, unplanned and unconscious of the political consequences they may have. But sooner or later the protagonists of those activities will come into contact with the actors and agencies of government or – to be more precise – with its representatives on a local level. At first glance this encounter seems to take place on a very uneven playing field – the state with all the power and resources at its disposal on one side and on the other side these rather powerless groups, sometimes even individuals, with scarce resources facing exceptional tasks to which they are not accustomed.

It takes some time until both sides have learned how to cope with somebody who was perceived mainly as a threat or at least a competitor in former days. Nowadays, state officials have to come to terms with active citizens that ask for or even demand services, protest loudly against certain developments and ignore the state's orders, in short: citizens who cannot be ignored any longer. On the other hand, citizens have to comprehend that the state is not a monolithic entity. Rather it consists of a whole variety of different people in different circumstances who are pressured by their superiors to show positive results like economic development, no public protests or mass demonstrations and some progress in social welfare. The more this complicated process develops the more it becomes obvious that the state is not as strong and mighty and the civic actors are not as weak as it might have seemed at first.

Our workshop focuses exactly on this interaction between state and civic actors which consists of several elements: power testing, negotiating as well as cooperation. We do not simply and solely see it as a power struggle, but also as a learning curve, where both sides have to grasp that collaboration and granting concessions in certain areas is more useful than confrontation. How this balance of power in each individual case is shaped varies enormously and depends on numerous factors. I hope we can shed some light on the structures and elements of this multifaceted process in order to find out more about the driving forces and the specific conditions, favourable or unfavourable, to a cooperative relationship.

Since this roundtable is not simply an academic exercise but also an exchange of insights and opinions between scholars and political actors, we should also aim to identify measures and strategies which can be taken from outside, i.e. by international institutions and the donor community to support non-violent solutions to existing contradictions and to improve the material and political situation.

Indeed, when we delve into all the above-mentioned issues, we come across striking differences between Myanmar/Burma and Vietnam and between different aspects of the respective country. However, we consider these differences in terms of quantity rather than quality. Moreover, we see it as a chance or an opportunity for Vietnam's still nascent civil society and its civic organizations to look back on a history of more than 20 years. Vietnam can offer a diverse range of inspiring experiences for Myanmar/Burma as for many other countries in the world; though we will concentrate on the first one.

Having said this, I do not want to be misunderstood. We do not aim to construct a new model or set up a shining example that should be studied eagerly and followed meticulously. I hope that the times of models and one-size-fits-all strategies have been left behind, although sometimes I get the impression we are facing a new revival of these far-fetched and far-reaching theories that ignore regional and local peculiarities.

What is at the core of this roundtable talk and what we want to propose is simply "learning by analysing" the specific lessons made in Vietnam by non-state-actors in organizing themselves and in building a new relationship with the state and its local representatives to overcome serious deficits and difficulties. That also implies a careful analysis of the failures of policies and actions taken by those who are in power and those who oppose them.

Since we assume that societal development and ultimately political development is a bottom-up rather than a top-down process, the program of our roundtable talk starts with everyday politics at grass-roots level and their often unintended ramifications on a much broader range of issues. In the afternoon, we will move on to the next topic of civic organizations as a more elaborate form of civil engagement. We will debate the activities and aims of various civic

organizations, the room they have to manoeuvre and their relationship with governmental organizations.

Our goal for tomorrow is no less ambitious. We will try to formulate an answer to the very far-reaching question: will the societal process which we observe at ward and local level lead to new forms of governance and even practices of "co-governance"? Can these potentially new forms of civic participation and engagement be stabilized and even institutionalized? Will they lead to a new relationship between governmental organizations, civic organizations, and citizens that is much more balanced or in some cases even on an equal footing? But before we move to the lofty fields of society and politics, Adam Fforde will provide us with the more solid food of economy and economics.

Although I am afraid we will not have enough time to discuss and elaborate all the above mentioned aspects, I am quite sure that we will have some stimulating and inspiring discussions.

Dr. Gerhard Will *is a Senior Research Fellow of the German Institute for International and Security Affairs (Stiftung Wissenschaft und Politik), Berlin, Germany. His areas of expertise are the transformation processes of socialist countries in Asia, and security policy, economic development, and integration processes in Southeast Asia. Dr. Will's current fields of research are China's policy towards Southeast-Asia, societal and political change in Vietnam after the Asian Financial Crisis, and domestic conflicts in Myanmar/Burma. For contact, mail to:* gerhard.will@swp-berlin.org

Economic Process and Its Role in Conservative Transition: Reflections on Vietnamese Experience and Implications for Myanmar/Burma

Adam Fforde

"The passive sees the past in the future and the active sees the future in the past."

"The moon sees her night in the first glimmers of sunrise; the sun sees his dawn in the gathering dusk."

1. Introduction: Two "Old" Neo-Buddhist Nations[1]

At a superficial level, it is not hard to be curious about possible parallels between Vietnam and Myanmar/Burma. The old saying about siblings in a family ("they think they are very different") comes to mind. But there are very many very great differences between Vietnam and Myanmar/Burma. An argument that tried to assert the opposite could be based upon such issues as:

Geography and History. Both are now relatively large mainland Southeast Asian countries with important primary resource endowments situated close to very large countries (China and India) with which they have had tense and long relationships. They were both Western colonies and disliked the experience intensely. After periods of a Leftist turning they both subsequently adopted economic

[1] This paper is based upon a range of personal work (see bibliographical note). The author would like to thank the participants of the roundtable for their comments and suggestions.

reform policies. Of course, the current situation is quite different, with no equivalent in Myanmar/Burma to Vietnamese de-Stalinization of the late 1980s and subsequent rapid economic globalization. Yet both in some accounts have tried "partial" reforms.

Ethnic Minorities. Both countries have substantial ethnic minorities, including relatively large numbers from their large neighbours (India and China).

Socialism and National Independence. In both countries there is an experience of both socialism and nationalism; the introductory chapters of many PhD theses written on either has to find ways of dealing with possible patterns of interaction between the two.

Mandala and Mandarinate. Both countries in pre-modern history drew upon and adapted sophisticated foreign governance manuals and ideas. That the one, the Mandala, involved a far stronger identification of ruler and polity, than the other, the Mandarinate should not divert us from the commonality: that each used a foreign model. Would it be fair to link this to an essay title that would compare the LSE with Moscow's training schools?

Poles or Hungarians? Extremism and Its Mediation. It was once said that Poles and Hungarians both know how to die on a horse. Poland's pre-WWII dictatorship was mild by comparison with that in Hungary, as was post-war Stalinism and the resistance to it. Hungary was far more successful in deviating economically from the Soviet textbooks, yet Poland deviated further from it, but had little economic success. In many ways where Poland lacks governability, and has benefited from this, Hungary is the reverse.

Conclusions? Comparison seems interesting. My own very limited experience teaching and discussing Vietnamese experiences in Myanmar/Burma confirmed this to me, even if I am not exactly sure why. And that is the nature of performance.

2. The Vietnamese Process: State-Owned Enterprises (SOEs) and "Bottom-Up" Commercialization

Vietnam: Where Are We Now?

Despite concerns, Vietnamese economy is now growing rapidly (the trend is 7 to 8% a year). Poverty has fallen and the general issue has changed to a far greater concern with targeting the remaining poor (around 20% of the population). This is a major success given that more than 50% of the population was reported as poor at the start of market-oriented development in 1990-91.

There is rapid globalization, with an ongoing shift from primary to secondary products in exports as light manufactures come on-stream (exports are now around 50% of GDP). A private sector started to emerge in the late 1990s, and is now, with FDI, the fastest growing sector. Despite loud praise from pro-market advocates, state social spending has been maintained (co-financing is common): PHC, education, pro-poor infrastructure investment, poverty and rural development programs.

There has been a large development "push" in the rural areas to ease the effects of purely market-oriented growth (urban vs. rural).

External relations are very good, despite unorthodox policies (especially support to the state sector). The IMF, for example, has stopped disbursing, with no visible effects on other donors. The World Bank (WB) is enthusiastic and has a very large lending program. Vietnam is trying to join the WTO, but not terribly hard, and this has had little in the way of noticeably bad effects on trade, growth or FDI.

Macroeconomic stability is good, with low inflation, interest rates at the state banks not too far from international levels, a healthy balance of payments and a good tax base of around 25% of GDP ("enough", says the WB). The government sells significant bonds domestically and is starting to sell bonds in large SOEs internationally.

All this compares with the situation in 1980, when Vietnamese troops were in Cambodia, domestic repression was severe, the economy was

in crisis and the old neo-Stalinist development model forcefully challenged.

When Did a Market Economy Emerge?

Central planning (direct commands and fixed prices) stopped in 1989-91, with no formal policy to do so. The main context at the time was loss of the large Soviet bloc aid program and macroeconomic stabilization. To the surprise of many, SOEs found that they could survive, increase output and help reconstruct a tax base for development. This then introduced, through the 1990s, the "Vietnam paradox": growing SOE share of GDP, rapid growth, poverty reduction and macroeconomic stability.

This outcome surprised many. The expectation in 1975-76 was for rapid neo-Stalinist industrialization based upon central planning, as in many other countries.

How had this "big surprise" happened? This history is, I think, to do with what happened during the early 1980s, and the effects of partial reforms. This period, however, does not receive very much attention compared with the period after the 1986 Sixth Congress and the period after 1990-91 when Soviet aid had ceased and rapid globalization started, when light clearly and definitively emerged from darkness.

The 1980s

The "partial reforms" of early 1981 supported plan implementation by allowing all SOEs to meet plan targets by involving themselves in markets (the "3 plan system"): plan-market relations exploited "symbiosis" between the two (see below). This was *fundamental to the overall process.*

Also, cooperatives were reinforced in 1981 by instructing farmers to carry out some farm tasks on a family basis. Again, we see a *symbiosis* between the formal structures of contemporary Vietnamese socialism and more market-oriented activities.

These partial reforms were followed in 1981-84 by a period of reaction as planners tried to defend the plan, which were resisted by many SOEs and officials close to them. The political economy tensions associated with this struggle saw very fast inflation and by 1984 growth was slowing.

Lessons learned from the process saw the top leadership decide to further develop market relations at the Sixth Party Congress of 1986, introducing the *doi moi* policy. After 1986, 1987-89 saw further partial reforms that reduced the number of plan targets issues to SOEs and further enhanced farmer family activities within cooperatives. Even by the early 2000s, these had not been abolished and the current program of "new-style" cooperates seeks to redefine their roles.

Then, in 1989-90, as Soviet bloc aid fell away, the government strongly attacked macroeconomic instability (the tax base had collapsed) through firm measures to increase real interest rates. This was widely seen as very successful. Real living standards rose sharply and quickly.

Origins of 1981 Partial Reforms?

It is the origins of the 1981 partial reforms that I believe are central to understanding the nature of this Vietnamese change process, and its genesis in the pre-reform situation: in other words, that transition was *immanent* within pre-transition conditions, and, if these are understood, so were future options. The nature of symbiosis, of the relationship between the situation before 1981 and what was to become the future, is central.

True to Stalin's views on the symbiosis of plan-market relations under central planning, markets were never extinguished under central planning. Under wartime conditions in North Vietnam the "5%" land had helped greatly to maintain output and incentives.

But the factors that determined the balance between plan and market, between past and future, were not simply set by planners. Therefore, they could and did change in response to external events as well as non-economic changes within Vietnam, such as popular desire to work for the plan during wartime. The past and the future were thus

intertwined in the present in ways that varied. This was largely *endogenous*, in the sense of not determined by policy alone. There could thus, logically, be progress despite policy.

Loss of Western and Chinese aid in 1977-78 – an external event – saw Vietnam's top leadership respond by supporting local initiatives to develop production and incomes: these drew upon opportunities to do so, and that takes us to the detailed history. Essentially, though, the transition process had its origins in the traditional system's tolerance of free markets, and how this worked itself out. But this view of change has interesting implications:

- Pace – how long is slow, how long is fast?
- Success? Viability? How do people gauge this? How does this change over time, with learning?
- Model? Is there a model, "immanent"? Can there be one under such circumstances?

How Should Things Be? Stalin and the Plan-Market Relationship

In 1927, U.S.S.R. policy on 100% collectivization of the rural economy experienced major difficulties. Stalin then reversed direction, permitting the "private plots" and disposal of output onto local markets. By the 1950s, perhaps 50% of some important elements of consumption (meat, vegetables) came via these markets. In his "Economic problems of socialism in the U.S.S.R.", he explained this in terms of the role of the "Law of Value" in a socialist economy, much to many people's surprise. The plan-market symbiosis was thus accepted doctrinally.

Thus one can see how the link between past and future was integrated into current reality: the past of capitalist rural economy was linked to the Communist future through the position and reality that the private plots were acceptable. The possibility of the future was thus protected by Stalin himself, who at the same time placed strong barriers against any realization of this future in the U.S.S.R. itself.

Economic Origins of the Plan-Market Symbiosis: The Past and the Future in the Present

For mundane economists, there is widespread evidence of this symbiosis in any planned economy. It is not a parasitic relationship, because both benefit.

For example, currency reforms reduce incentives to produce for the free market, but this then reduces SOE workers' real wages and so makes it harder to encourage them to work for the plan. They do not get all their consumption through rations, but some through purchase on the free market. Stalin believed that had he continued with measures to eliminate the rural markets entirely, this would have made it harder to implement the *Five-Year Plans*.

Planners, though, often think that the relationship goes the other way, and the plan will always benefit from squeezing the market: this is false.

In practice, at the micro level, SOE managers seek to secure resources that they are free to use to "push" for plan implementation: these are outside the plan and typically related to the free market (e.g., hard currency, liquid assets, things they can use to pay bonuses etc). There are limits to this, and it is easy to start thinking in terms of political and economic compromises. Indeed, in the early 1960s in North Vietnam when free market rice prices started to rise well above state prices and farmers started to send their daughters with rice to try their luck in the cities, and they were not stopped, one can see such broad compromises.

Comparative Productivity

There are deep and influential economic logics at work here. At the level of the plan, SOE output delivered to the state at prices set by planners is very valuable, as these goods allow planners to mobilize resources for the very fast growth typical of early neo-Stalinism. At the level of the SOE, meeting plan targets through exploiting plan-market symbiosis can draw upon various characteristics of each. Thus the relative static efficiency of markets combines with the high savings mobilization capacity of central planning.

It is analytically useful to view resources comparatively: are they allocated by the plan or by the market? This distinction is fundamental but different from that of official statistics that focus upon property-forms: the plan-market balance, gauging the transition, is therefore not directly measurable but easy to conceptualize. The latent potential of the future is thus hidden.

Plan implementation is the key target of the SOE: it secures inputs, avoids disciplinary actions, and is a central determinant of "success": it is what the SOE is meant to do.

Maximization of local welfare is what choice and markets focus attention on.

Once there is a hybrid system, then comparison is good – it enhances creativity at the base. Note, though, that the value of resources is very dependent upon context – there are no national markets. The markets that co-exist with the plan, since they are dependent upon it, are often very different from markets in capitalist economies, for instance in that the exchange value of something varies according to context – the "law of one price" does not hold. But they usually reveal important aspects of market-oriented production.

Using the Market to Generate Resources Exploits Various Aspects of the Market Compared with the Plan

Market relations usually use less to produce more – typically, lower input-output ratios (economizing). They also offer possibilities to exploit opportunities in "non-list" goods (what the SOE was not set up to produce), as well as price differentials between plan and market, which may be dangerous unless legalized.

The market option also gives opportunities for selecting different institutional methods, that is, incentive structures (e.g. piece rate payments) to enhance economic efficiency. How and why this takes place is usually part of the real actual history of change at the level of the SOE or below. It is essential to the *endogeneity* of the change process – its relative independence from policy.

Associated with this are the importance of feelings within the SOE that may support "our thing": this means that workers and staff may be brought together and similarly motivated and energized in situations where exploitation of symbiosis benefits them (often through better consumption) as well as helping to meet plan implementation so they are not scolded for failure.

Cognitive Results

Any process that involves human beings may include changes in how they think, and the meanings they attach to what they do and what is happening around them. Bearing this in mind, clearly endogenous development and extension of plan-market symbiosis does not naturally occur in a uniform manner; rather, it involves a wide range of diverse local experiments.

For economists, these are fascinating to study. In Vietnam, these were well and publicly documented in the press and radio, and there was considerable argument about them. This process had a visible impact upon mindset, and also language, as Vietnamese had to develop various terms to discuss (both favourably and critically) what was happening. Periodic analysis and review permitted micro experience to be understood and realized in the form of further policy changes.

The openness was associated with various factors. Macro politics allowed it, but also journalists and others found ways of writing about it that were informative and not shocking.

Language

The change process and its associated cognitive changes were of course reflected in language. Important examples were: the three interests (*ba loi ich*), self-balancing (*tu can doi*), the importance of "two legs" (*chan trong, chan ngoai*) as a clear metaphor for symbiosis, along with diversification of property forms (*da dang hoa so huu).*

As SOEs' autonomy acquired a clearer narrative, this was expressed with terms such as their "own capital" (*von tu co*), the ways in which they paid their "own wages" (*luong do xi nghiep tu lo*), and, bridging

the gap between allocative relations and activities within the SOE, the idea of "soft and hard plans" (*ke hoach cung, ke hoach mem*), again expressed in dichotomous terms. Blurring of apparently fundamental categories was recounted:

> The private is never entirely private, nor the public ever entirely public [*Tu khong han la tu, cong khong han la cong*]. (Dau Xuan Sam, personal communication)

SOEs at the Loss of Soviet Bloc Aid

Naturally, in consequence of these processes and changes, by the time that Soviet bloc aid was lost in 1989-90, Vietnam's SOEs were well into the future, far further into it than many understood. They were well adapted to markets, for example in their internal organization, use of informal capital markets, and with strongly developed relations with superior levels that allowed for sharing of profits in ways that worked. In terms of economic logics, the Vietnamese SOE sector as of 1990 could be globally competitive without large subsidies that would destabilize the macro economy.

This had some important implications. First, there had to have been major macro structural economic change. That is, factors of production (land, labour, capital) seemed to have moved such as to facilitate generalized market relations. This happened by itself as a consequence of the activities of markets within the mixed economy of the 1980s. Second, factor markets themselves were very weakly developed. Emergence of less unclear markets for land, labour capital was to be the 1990s story, and associated with this the emergence of classes. This meant that some of the hardest social issues were not yet resolved, although the change to a market economy had happened.

There is clear evidence that commercialized SOEs were central to the story. Unlike many of the narratives referring to China, "reform had not started in the rural areas". Farmers and the rural economy only started growing fast in the late 1980s, so that a crucial issue for the 1990s was to be the effectiveness of SOEs in linking them to world markets (answer: "Good, but not good enough …").

Lessons?

I draw two lessons from this:

First, is the continuity: exploitation of plan-market symbiosis was neither new nor contrary to Socialist principles. Vietnamese experience suggests that drawing in this way upon a core but uncontentious aspect of the existing system offers a platform to enhance national economic strength and resilience through a process of exploration of economic organizational options.

Second, this process has a strong cognitive element, as people become aware of the options that are developing. This seems to suit cultures, like the Vietnamese, who tend to prefer valuing things that exist in reality, rather than (as in classic Western policy analysis) as blueprints.

But it is reasonably clear that the Vietnamese process was largely ad hoc and most certainly unplanned. Anybody who had advocated such a path in, say, 1978-79, would have been in big trouble. How, then, can policy now address dealing with such opportunities?

This means looking at just what we mean by policy and intention. How do we think when we discuss with local officials and others who participate in the development of local ideas?

3. Policy Analysis and Reform Measures: Basic Issues

Basic Categories

- What exactly is the starting point? Where can be found "the dawn in the dusk"? Where is there symbiosis that allows for a legitimate presence of things that offer potential?
- How can this symbiosis become part of a transition process?
- What are the feasibility conditions? What can be said, what cannot?
- What are the interests?
- What are the constraints?

Changing Views and Approaches

- What are understood to be the sources of positive change, for instance of growth and change?
- Where can be found limited goals, to do with improving the performance of the existing system?
- Can there be identified entry points within the existing system, related to symbiosis, where the performance of the existing system can be enhanced?
- Are there previous experiences with "organizational" solutions that did *not* exploit symbiosis, but rather attacked it?
- Are there areas where there are particular problems that experiments could address?

Answering these questions is not easy. Vietnamese experience suggests that one way to do so is to think about how the current situation is evaluated.

Evaluation in Real Time of What Is Happening?

It is useful, in evaluating what is happening, to distinguish between:

(a) The value of experiments in meeting *existing* targets

(b) Any wider value of experiments (typically cannot be evaluated within the existing system)

It is also useful to "keep it simple" – what are the broader goals of the leadership? Rising real wages / Exports? Development? What this means is that there is a need for time to sit and think about what is actually happening, rather than focussing upon some ideal end-point or "model".

Regular "analysis and review" (*tong ket* or *so ket* in Vietnamese) requires resources, attention and tolerance of intellectual process. This is often hard to do.

Process: Problems with Common Approaches

Classic policy processes combine "comparative statics" with a "policy cycle". That is, experts analyse reality, assess impact of proposed changes, concretize these in legislation and then implement them (for example the recent Australian labour market reforms). They compare the current situation with the desired endpoint, and de-emphasize process while thinking of it as an issue essentially of *implementation*.

System development when there are cognitive / awareness changes cannot, logically, work like this. Expertise develops in parallel with the change process. The focus upon "process" in the Vietnamese context accompanied significant interest in analysing things that are often ignored:

First, the micro-macro relationship: it is useful to note that reforms typically were micro in character, with macro impacts then leading to further micro change.

Second, the various rates of change at various levels or "sites", such as the internal restructuring of SOEs (e.g. creation of marketing departments), inter-SOE relationships, changes in capacity at supervisory level in both line and general Ministries, development of analytical concepts and positions amongst experts, etc.

Process - An Example Not to Do with SOEs - Reform of Cooperatives

These sorts of things can be found in the area of cooperative reform. In one narrative, there was initial experimentation in the late 1960s, quickly condemned (household contracts), then a range of local experiments in 1979-80 leading to formal acceptance of "output contracts" with CT-100 in January 1981, and then a shift to household-based farming (with exceptions for some case crops) in 1988 (NQ-10). This was then followed by legalization of land transfers and formalization of land allocation with the 1993 *Land Law.* With continued Leninist thinking in some parts of the Party, there were trials with "new-style" cooperatives and then their implementation around 1999-2000.

Here there is a rhythm of about 5-7 years. The process is not necessarily smooth. As with SOEs, though, the low static economic efficiency within the institutions of central planning provides opportunities for sharp output gains as things change. Granting family responsibility for major elements of farming in 1981 saw resources more efficiently used; rice yields then rose around 30% in two years.

What Are the Criteria of Feasibility in Such Conditions?

Since change is viewed, and is, a process rather than reform – implementation of a desired end-point – formal steps forward have to be based upon existing realities / experiments, and this means that they are, de facto, feasible. This is one of the great advantages of such a change model.

The main feasibility issue is therefore far easier to conceptualize and is to do with "multiplication": the extension of practices deemed positive, and felt as such, in wider numbers. Here process is again central: over time, "conservatives" may become "progressives", and vice versa, as perspectives and situations change. Diversity of views is useful, as is diversity of practices and cultures regionally and these are, thus, very apparent in Vietnam.

Interests?

Interests are not the key, though they are important. This is because officials, managers and workers often want to "do their job", and show willingness to sacrifice their personal interests to do so. This is particularly important when watching officials who face "both ways" – upwards and downwards. To do their job (and so get on with superiors) they need to get on with locals. This is all easier if the size of the cake is increasing in ways that allow relationships to be fed properly.

Balancing interests therefore becomes important. And the official Vietnamese Communist concept of the "three interests" was developed early to assist with this (state, collective and personal).

Analysis and thought have to deal with this: again, it is far easier locally.

Constraints

Political leaders are often cautious; this may lead to them slowing things down, which analysts do not like because they tend to think in pre-existing categories and like to win arguments. In such a process, "blocking" is often very easy: markets were often viewed with great hostility, which is why people tried to keep them locked into in a symbiotic relationship with markets.

For aid donors and Westerners, the process is usually very hard to understand, especially in its totality, especially with any precision. Micro level developments are far easier to think about. But such processes are very unusual and widely misunderstood ("getting prices right" is far less important than "making prices matter"): at the root, this is due to the concentration of power imagined in Western policies and the associated policy logic. A transitional economy like that in Vietnam is NOT simply a distorted market economy, where policy options are clear and policy typically implementable.

Changing Views and Approaches

It is interesting that one outcome in the 1990s of the 1980s changes was the rise or creation of "policy" in the classic sense. This required big changes in thought and practice; in my opinion, it does not happen in planned economies – there are things like it, but they are different. Ministries in planned economies are executing agencies, not policy bodies; the shift takes time. Thought and discussion therefore takes place in interesting and often ad hoc places, but usually involves officials.

During the 1980s transition, reforms and their development seem different from what is meant by "policy" in the classic sense: this is because of the process and "limited awareness" character of what was happening at the time. The point was not to ask what policy was, but what was happening: change was a process. This has important

implications toward the nature and role of the state that I understand very little.

Policy analysis has over time tended to change as the nature of policy problems has changed. Modern techniques suited to a market economy (modelling) used as markets have grown to dominate the economy, and staff and policy-makers have increasingly learned how to use them. During transition, when markets co-existed with the plan, such techniques were little used.

During transition, change in "thinking" was understood to be part of the process. The distinction was made between becoming aware of problems and understanding them, and study of reality via experiments helped with this. Thus the 1981 policy (25-CP) that legalized market activities by SOEs drew upon existing experiments by SOEs that had developed this way of operating.

It is useful to recall that the partial reforms of 1981 created a "transitional system", which posed the question of how to analyse it, and how to judge the positive and negative aspects of SOE behaviour during transition.

Various broad and adequate indicators arose, such as the level of commercialization viewed structurally – (per cent participation in market vs. plan), the degree of commercialization in terms of the SOE's behaviour – was it acting dynamically, using its autonomy to develop production and responding to market incentives? These were often rather qualitative, and could be derived from site visits, which officials often made.

Questions were powerful and straightforward. Was the SOE developing an ability to compete? Was there internal restructuring (e.g. had the SOE set up a marketing department actively exploring markets for inputs and outputs?). As part of the process, was the SOE more capable of implementing the plan, due to symbiosis between plan and market?

The positive contribution to transition of a particular SOE could also be gauged by a range of other indicators, again well suited to site visits that could be worked up as case studies. How did it contribute to reductions in social and other adjustment costs: employment,

market supplies and prices? Did it assist with easing structural economic distortions created by the plan: were factors of production (land, labour and capital) moving toward areas where they would be profitably used in a generalized market economy? (e.g., was it increasing marketed supplies of goods in great demand and still rationed, so reducing "fundamental imbalances"?) Were the economic activities of the SOE "opening doors" to further positive experiments?

More interestingly still, what effects was the experiment having upon the balance of policy debate? Were the cautious being convinced? What effects were there upon the interests of those blocking change?

Again, what effects was the SOE having upon institutional change in important macro areas, such as the banks. Was support for its market activities supporting commercialization processes in the banks (through their "soft" credit activities)? The list goes on – what was happening to the planning organs? To finance issues and the tax base?

"Local" Issues

It was also important to see the effects of the SOE upon "local" issues to which local politicians would often pay attention, such as the conditions of the workers, supplies to local markets, and purchases from local farmers, payments to local social sectors (tax base) and the ability to contribute to local economic development? Were there demonstration effects?

Assessing SOE Performance Under Transition: Conclusions

Analysis was usually "messy" and there was no sense to producing simple numerical answers. The development and use of analysis itself contributed to the transition by influencing what people thought and how they understood issues. Much tended to centre upon whether SOEs were, after discussion, seen as positive contributors to a range of interests, and this tended to be easiest to see when they both met plan targets and other goals. As the market economy emerged, and the "law of one price" increasingly held (so that state/free market

price gaps declined), market-oriented analytical frameworks could be applied. But before then there had arisen a local analytical framework, often ignored by outside experts (this was the 1980s and early 1990s) which was yet sufficient for Vietnamese purposes.

Local Cognition and Policy Analysis in Transition: Conclusions

First, the policy analysis framework clearly varied with the nature of the dominant policy problem, and arose parallel with the change process, as an organic part of it.

Second, during "transition", without relatively clear markets, this framework tried to include factors influencing existing performance indicators (plan targets) as well as contribution to transition / commercialization. That is, it looked at the current situation rather than the end goal.

Third, Case Study methods predominated, with a focus upon particular SOEs, their experiences and the effects of these. During transition, exploitation of diversity and variation in SOE behaviour was very important.

4. The Vietnamese Process: Broader Lessons

It seems to me that there are some deep structural aspects of the Vietnamese transition process.

First, the essence of it all, the "immanent process", is at root the shift from a static to a dynamic symbiosis – "the present shows the relationship between the past and the future, and both sides of this". This seems to me to be potentially a generic aspect of certain change processes.

Second, and related to this, are the patterns of interest and understanding. Central to this is the obvious point that the main actors were insiders, situated within the institutions of traditional Socialism – the plan, SOEs, cooperatives… A crucial role was played by SOE managers – insiders relatively high up in the food chain, but not doing too well either in material or professional terms. Such

insiders could ally with others to move back and forward between the past and the future: they could suggest to workers that they invest the cash in the wage fund in some venture, make it work, and then help share the proceeds.

Third is the nature and role of external shocks. Aid shifted the balance of the plan-market symbiosis toward the plan when it was abundant, and toward markets when it was cut. In this way it played a similar role to the reality or threat of violence, changing the balance of incentives to "look forward or look back".

5. Implications for Myanmar/Burma?

I think that there are the following implications for Myanmar/Burma. First, it is important to engage with those charged with implementing the existing system and to see how and where change processes exist that suggest parallels with the plan-market symbiosis in Vietnam. These people are almost certainly officials and relatively "local" political leaders concerned to implement current plan targets.

Second, resources and attention can be and should be associated with this engagement to support examination of the effects of partial reforms and of exogenous forces that suggest equivalents to the Vietnamese plan-market symbiosis.

Third, this engagement should be "soft":

- Local knowledge of micro level change is important and something that develops through investigation, especially of case studies
- Resources should not be provided for the development of "models", rather for discussion of existing and ongoing experiences
- There should be full awareness of the complex and changing incentives that act when transition processes like the Vietnamese one take place. And such processes last a long time

Fourth, Myanmar/Burma, with very different experiences from Vietnam, may have areas that we are entirely unaware of but yet will,

when the process is over, remind us of what happened in Vietnam. The world is full of big surprises. As has been said, "understanding is limited but misunderstanding is limitless".

Dr. Adam Fforde *started his academic career with studies in engineering science and economics at Oxford University and in 1982 gained his PhD in economics from Cambridge University. He was a senior fellow at the Southeast Asian Studies Program at the National University of Singapore and part-time visiting fellow at various universities. He has extensively published on the subjects of the transition to a market economy, Vietnam studies, and the political economy of Asian development. For contact, mail to:* adam@aduki.com.au

Bibliographical Note

This paper is based upon a number of personal works. (1987) examined the origins of the post 1975 beginnings of transition to a market economy. (1989) looked in detail at problems that the VCP faced in securing implementation of its policies in rural areas. An initial look at the transition process can be found in (1988), whereby a more accessible and more developed form is (1996). This was officially and well translated in (1997). The idea of the "state business interest" was first articulated in (1993).

Problems with the SOE-focussed development pattern of the 1990s were broached in (1997). These were further developed in (2004) and (2005a), (2005b) and (2005c). See also (2006).

Comparisons between China and Vietnam are discussed in (1999). Note that the Vietnamese reforms of January 1981 permitted *all* SOEs to engage in self-balancing, and so were not experimental in the sense of being limited in geographical or sectoral scope, as were Chinese measures until well into the 1980s.

Books

Fforde, A. (2006): Vietnamese State Industry and the Political Economy of Commercial Renaissance: Dragon's Tooth or Curate's Egg?, forthcoming, Oxford: Chandos 2006

———. (2007): Tu ke hoach den thi truong: su chuyen bien kinh te tai Viet Nam, with Stefan de Vylder, Hanoi: Nha xuat ban Chinh tri quoc gia (translation of "From Plan to Market: The Economic Transition in Vietnam")

———. (1997): Doi Moi - Ten years after the 1986 Party Congress, in: Fforde, A. (ed.), Political and Social Change Monograph 24, Canberra: Australian National University

———. (1996): From Plan to Market: The Economic Transition in Vietnam, with Stefan de Vylder, Boulder CO: Westview

———. (1989): The Agrarian Question in North Vietnam 1974-79: A Study of Cooperator Resistance to State Policy, New York: M. E. Sharpe

———. (1988): Vietnam - An Economy in Transition, with Stefan de Vylder, Stockholm: SIDA

———. (1987): The Limits of National Liberation - Problems of Economic Management in the Democratic Republic of Vietnam, with a Statistical Appendix (with the late Mrs. S. H. Paine), London: Croom-Helm

Articles and Chapters in Books

Fforde, A. (2005a): Vietnam in 2004: Popular Authority Seeking Power, in: Asian Survey, 45:1, January/February, 146-152

———. (2005b): Civil Society, the State and the Business Sector – Protagonists of a Democratization Process?, in: Heinrich Boell Foundation (ed.), Towards Good Society: Civil Society Actors, the State and the Business Class in Southeast Asia – Facilitators of or Impediments to a Strong, Democratic and Fair Society?, Berlin: Heinrich Boell Stiftung, 173-192

——. (2005c): SOEs, Law and a Decade of Market-Oriented Socialist Development in Vietnam, in: Nicholson, P/Gillespie, J. (eds.), Asian Socialism and Legal Change: The Dynamics of Vietnamese and Chinese Reform, Canberra: Asia Pacific Press, 241-270

——. (2004a): Vietnam in 2003: The Road to Un-Governability?, in: Asian Survey 44:1 January/February, 121-129

——. (2004b): Vietnamese State Owned Enterprises (SOEs) - "Real Property", in: Commercial Performance and Political Economy' Working Paper Series # 69, August, SEARC City University of Hong Kong, http://www.cityu.edu.hk/searc/WP69_04 _Fforde.pdf

——. (1999): The Transition From Plan to Market: China and Vietnam Compared, in: Kerkvliet, B. T. et al. (eds.), Transforming Asian Socialism: China and Vietnam Compared, Canberra: Allen and Unwin

——. (1993): The Political Economy of 'Reform' in Vietnam - Some Reflections, in: Ljunggren, B. (ed.), The Challenge of Reform in Indochina, Cambridge MA: Harvard University Press

Chapter 2

Societal and Political Change in Vietnam and Myanmar/Burma: The Pluralism of Societal Practices at Commune Level

Politics at the Ward Level in Hà Nội

David Koh

1. Introduction

To begin, I want to thank the roundtable organizers, the *German Institute for International Security Affairs* and the *Heinrich Boell Foundation* for inviting me to this conference. Singapore, where I was born, educated and now roost is praised for a few things, but its blind spot is history. Berlin instead has history; in addition, Berlin is a name that every student of politics or history would know. To be a Berliner, I think, must be something very inspirational.

Similarly, being called a Vietnamese or a Myanmarese/Burmese should evoke much pride and inspiration. There is pride in being Vietnamese, because this weak nation had defeated another much more powerful. Pride in being a Myanmarese/Burmese comes from its long history and civilization, and its anti-colonialism. There is also considerable pride that Myanmar/Burma was at one time the jewel of the development and a successful modernization story in Southeast Asia.

In the past two decades, the nations of Vietnam and Myanmar/Burma had different development trajectories. Myanmar/Burma is now under military rule while in Vietnam the military's influence in politics and civilian life has subsided to more or less a position found in a regular state. The Vietnamese economy is roaring while Myanmar/Burma is struggling somewhat and it is now one of the least-developed countries in Southeast Asia. Arguably, Vietnam has been on the path of democratization, at least within the *Vietnamese Communist Party*, whereas in the past decade Myanmar/Burma has taken halting steps, mostly backwards and sideways.

A recent post-modernist Vietnamese saying quips: "Tất cả sự so sánh đều là khập khiễng." It means every comparison is "limping", or

inappropriate, or unbalanced. Yet, comparison is the difficult task we have to do at this conference. As if our task is not already difficult enough, we even hope to draw lessons from the Vietnam example for Myanmar/Burma. Can there be meaningful comparisons? Is there a Vietnamese lesson or model for Myanmar/Burma?

The concept notes by Joerg Wischermann raised interesting issues. The central point is: if democratization is pursued through an agenda fixed on difficult political changes in authoritarian elite politics, then we may neglect, unfortunately, other approaches that could bear fruits. Joerg's paper cites the example of Vietnam. This was indeed the situation where Vietnam in the early 1980s was concerned. I was not there in Vietnam, of course. But I have gone through the vernacular newspapers of the early 1980s onwards up till now, at least those of Hà Nội and the central level. I can verify that by focusing exclusively on elite politics, analysts missed out on the microscopic, "subordinate possibilities" that had taken place in Vietnam. At one meeting in February 2006, a Vietnamese journalist from Thừa Thiên Huế Province sounded apologetic when he introduced himself to me as coming from a "local newspaper". I wish I had told him that local newspapers occupy an important and necessary part of the research resources for any scholar on Vietnam. In the 1970s and 1980s, when central level newspapers gave away little to the world outside because of media control, reports on local conditions by local newspapers spoke volumes, if not directly then by the inferences that researchers could draw from the factual reports. The literature on the politics of Vietnam in the Cold War written during the Cold War period had many important contributions based on what academics could see. What academics could not see or were not allowed to see, such as local politics, they could hardly dedicate their research to. A big assumption, perhaps always held in suspicion by scholars, was that in the communist political system of Vietnam, the central level could get what they wanted and local level had the same interests as those of the central level. Perhaps it was also assumed that most people had no choice but to obey the state. But scholars had few opportunities to test those assumptions, until the war ended.

I have no major problem with the first point of the concept paper. I advise caution, however, on its second point. It says that the Myanmarese/Burmese can find relevance in the Vietnamese model, especially the relevance of how local actors feature in and help bring about democratization. Here, one might want to ask: What is the nature of local actors' role in Myanmar/Burma, in history and now? Do they work in the same way as their Vietnamese counterparts? Does the different nature of the two regimes produce different outcomes, bearing in mind that in Myanmar/Burma the military is in power, whereas *doi moi* in Vietnam initially took place under civilian rule albeit with a major military participation? Furthermore, the rise of the important role that local administrators have come to occupy in Vietnam from the late 1970s cannot be divorced from the larger political and international context. In other words, the pre-eminence of local actors was born out of local solutions that became the choice with everyone to solve important survival issues after the central state had exhausted its resources and options. Has this been, is this, and will this be the situation in Myanmar/Burma? I cannot resist putting in one more question: What is the nature of the current state of democratization in Vietnam that is considered to be worth emulating by Myanmar/Burma? Is it insubordination from local administrators that occurs frequently? The corruption that is systemic or pervasive? Or is it the inability to take hard decisions because of being afraid of massive responses by the people? Or is it the increasing pluralism and democracy within the *Vietnamese Communist Party*? We can operationalize these broader issues into more specific enquiries. These are:

(1) Do local administrators in Myanmar/Burma have the same power and traditions as those in Vietnam?

(2) Has the Myanmarese/Burmese economy and society reached the end of the road, whereby the central state or the military junta has no choice but to allow local actors to find solutions of their own, and therefore allowing local administrators a certain legitimacy to resist the central level in the future?

(3) Is the lack of state capacity, mirrored by a large amount of freedom on the part of local actors, as in Vietnam, the kind of democratization that Myanmarese/Burmese want?

Please allow me, therefore, to contribute to answering the first question by pointing out how the local administration, particularly in the Vietnamese urban areas, work. After that, I will look at the role of local actors (local actors meaning both the local authority and the people) in Hà Nội and cite a few instances to illustrate local level politics in Hà Nội. I will then conclude with some observations about democratization in Vietnam.

2. The Structure of the State in Vietnam[1]

The Vietnamese state has a structure of governance and local administrators. The latter is an essential tool to bring state policies down to the deepest levels of society. This structure is not diverse – meaning it is the same everywhere in Vietnam, structurally speaking and as defined by law (by way of customs, some differences in organization might exist among ethnic minorities). The *Constitution*, *Law on Government*, and the *Law on Local Authorities* set out the decentralization of power to local levels. But this structure is not centralized, although a central, unitary form of state exists. Policies, regimes, regulation of the state are implemented, enforced and reviewed by local authorities that however do not have the right to negate the declared wishes and objectives of the state at the central level. But local administrators have space to use discretion, and very often ending up in *ultra vires.*

In the rural areas where 70% of Vietnamese live, the local administration structure is *province-district-commune-village*. The formal state structure stops at the commune level. In the urban areas, the structure is City-urban districts-wards-resident groups. The formal structure stops at the ward level. In smaller cities or towns, there may not be urban districts.

Local administration in the urban areas, using the wards of Hà Nội as an example, essentially contains three pillars of political power, with the *Party* axis at the centre and being the most important among the

[1] In this paper, I avoid using the word "government" because in Vietnamese lingo, it essentially refers to the government cabinet.

three. This is the *Party* chapter of the ward, with the *Party Secretary* being politically most important. The second pillar is the policy-making and implementation machinery of the *People's Committee*, usually headed by the *Deputy Party Secretary* and *Senior Party Members* of the ward party chapter. The third pillar is the *People's Council*, comprising elected members of five-year terms. Members of the *People's Committee* are elected from the *People's Council*.

Surrounding these three most important bodies in governance and politics are the mass organizations and informal resident bodies. The former includes the *Vietnam Fatherland Front*, the *Women's Union*, the *Veterans' Association*, the *Elders Association*, the *Youths Association*, and sometimes a chapter of the *Labour Confederation*. Informal resident bodies include the *Neighbourhood Groups* (*cụm dân cư*) and *Resident Groups* (*tổ dân phố*). The *Neighbourhood Groups* have a party cell (subdivisions of the ward party chapter) secretary as their head, and party cell secretaries are subjected to annual elections. *Residents Groups* have leaders that are elected annually from among residents.

3. How Is Politics Conducted at the Ward Level?

Here, we should be clear that politics at the ward level is played in different arenas. There is the official, formal state structure that holds meetings of various types – regular and irregular ones as well. Next, there are informal sessions of exchange of views that the same state structure holds, especially by the *People's Committee* and the mass organizations and different parts of the state structure such as ministries. These sessions are conducted in order to transmit a certain policy, resolve a certain local issue, or collect feedback. The targets of the meetings are usually residents and officials from the locality or the central level. Another arena is at the meetings conducted by the *Neighbourhood Groups* and *Residents Groups*, which can be held more frequently and informally and at timings more convenient than those of the formal structure. A fourth arena is the informal exchange of views and information among residents. For the first three types, usually a formal letter of invitation is required to attend the meeting.

While there are meetings and there are meetings, a significant number of adult residents are actually excluded from these meetings. At

meetings of the formal structure bodies, for instance, usually only the representatives of *Neighbourhood Group* and *Resident Group* are invited. Even for meetings of the informal structure, i.e. *Resident Group Meetings* and residents' ad hoc exchanges, most of the time it is the head of the household that attends the meetings, and there are no rules of quorum. Thus arises the point that, with the large majority of people excluded, we could be discussing local governance rather than on local politics, if we only look at the interaction within and the outcomes of the meetings.

The definition of politics, of course, goes beyond the holding of meetings to include what people do. Before *doi moi*, it was the case that people had to ask for permission from the ward for almost everything they do, excluding decisions that affected only individuals and families, decisions that were not directly under state supervision and control. These direct controls, however, were not the maximum limits of the state's scope for influence. The ward's role in politics, especially in state-society relations before *doi moi*, consisted of the distribution of resources; the monitoring of people and goods movement within the ward; the approval and provision of references for individuals that wanted to perform administrative procedures of the state, just to name a few broad areas. For a period of time, the wards even looked for work for its residents. Most if not all matters that had administrative significance – on the radar screen of the state – had to be reported to and processed through the ward. Researchers that wish to study any ward must also obtain the ward's permission.

As a consequence, the ward had much wherewithal. Its officers could choose not to issue references or could bind such applications with red tape. They could choose to defame any individual or obstruct their way by raising political objections to anything any individual wanted having done. Relations among residents and ward officials became pivotal for any family that wished the maximization of convenience, opportunities, benefits, and good political standing. These were the rules of the game between residents and the ward – the local representative of the state.

When state subsidies began to be reduced from the late 1980s, a formal market economy became operational. State rations were no more or were greatly reduced. Information and job opportunities

became more readily available through private channels. The whole *doi moi* epoch is an era of much increased personal freedoms and choices, and on the converse and as a consequence, the loss of power on the part of local administrators, especially at the ward level.

4. Ward Level Politics in the *Doi Moi* Era

At the level of the ward, issues of philosophical or grand political concerns are seldom expressed. This is not to say that individuals in Vietnam do not articulate such concerns; in fact they do and Vietnamese intellectuals are avid pursuers of philosophical thought. But the ward level is simply not the arena for such issues. This has been the case in the past as well as at present.[2] Wards do play a part in the playing out of any debate or action on such issues between political dissidents and the state. But the politics that most residents engage and articulate are issues of governance relating to their immediate surroundings. These issues often involve the wards because the wards are the enforcers of rules and keepers of state-operated amenities. People also expect the state (through the ward) to intervene in disputes and arbitrate among residents. At present, every ward has a Tổ Hòa Giải (*Reconciliation Group*) that has the role of reconciling among neighbours that have disputes as well as marriage counselling.[3] When the wards cannot resolve the disputes, the cases are referred to either the court (if the court has been petitioned and had ordered the ward to attempt reconciliation) or higher levels of authority, if it is a matter of administrative regulations and interpretation.

The issues of concern include: Housing and land disputes relating to ownership, lease rights and obligations (in which state laws have played a significant role); space rights such as right of way in common alleys, corridors, staircases and roofs, and common airspace; petty disputes and quarrels that may lead to fights that are related to

[2] For the present, see "Họp ở tổ dân phố", Lao Động, 18 May 2002

[3] Consequently, any Tổ Hòa Giải has to have a woman member nominated by the ward's *Women's Union* chapter.

inconsiderate behaviour; finally, building and construction of dwellings that offend other residents or public interests.

The single most important issue that has become an object of political play at the ward level is that of land and housing issues. In Vietnam, denunciations against local officials, other persons, and against administrative and judicial decisions of the state regarding this issue take up 60% of all denunciations and appeals received by the state.[4] From about 1992 a property boom enveloped Hà Nội and other urban areas. As land prices rose, property became the object of rights disputes, as well as a way that local officials used to strike it rich. For the former, especially in the north, the lack of a well-developed private land regime, with rights that are properly documented and enforceable, is the main cause of the problem. For the latter, the ways include illegally leasing out state land, abuse of zoning regulations, and corruption in land requisition compensations. The last way was the main cause for the Thái Bình rural unrests in 1997.

From here, I would like to cite a few examples to demonstrate the politics revolving land and housing issues at the ward level in Hà Nội. These cases will demonstrate some very common patterns and tactics both people and officials use.

An Ownership Dispute

The B. was an extended family that lived on a large plot of land in what was considered the outskirts of Hà Nội more than a century ago. This was about only two kilometres away from the city centre. In those years, the city's dead were buried there and few souls wanted to stay there. The main lineage of this family had children that had gone away for many years, and in the years right after Vietnam gained its independence (1945) hardly any young persons of the main lineage were staying in Hà Nội to look after the old and feeble. B.K., a nephew, got married in the 1950s and needed a place in Hanoi to call home. He had been given a job in Hanoi. As a familial gesture, the patriarch asked the young husband and wife to stay with them and

[4] Anh Anh, "Khiếu nại vượt cấp vẫn gia tăng", VNExpress, 20 May 2004, URL: http://vnexpress.net/Vietnam/Phap-luat/2004/05//3B9D2C7B

asked the young niece in-law to help look after the matriarch. According to B.K. and his wife, the patriarch promised them that in return for this kind deed, they would have the right to stay in the family house forever. But nothing was said about ownership, and there were no forms provided by the state to be signed and filed away to give recognition to the legal status of the matter. When the war broke out and the older people died, the family of B.K. became the sole occupiers, while the children of the main lineage continued to stay elsewhere – they were also given housing by the state when they returned to Hà Nội. So long as it was almost impossible ("almost" because informal transactions without paper traces were still possible) to sell land and houses and to do so for a profit in the socialist economy, the matter could have ended there.

Along came the market economy under *doi moi*, packaged with the right to buy and sell land and houses and the right to keep the profits. The main lineage members decided it was time for them to take back the house and land because the price of land in Hanoi had rocketed. After countless and fruitless negotiations, the main lineage members petitioned the court for the return of their assets, claiming that the B.K. family had been lodging and should leave now. The B.K. family did not challenge the claim that they did not own the house, but they insisted they had the promise of the late patriarch and they would not move. After the case went from the court of the *District* to the court of the *City*, and was heard on appeal, the B.K. family lost. A reliable source within the B.K. family disclosed that the family expended tens of thousands of US dollars at the appeals stage to attempt to get the right results from the court for the B.K. family.

Instead, a meagre compensation of about 10% of the cost of an old flat elsewhere was given to B.K. It was disheartening for B.K. and his wife because they had lived in the neighbourhood for over half a century now and the house was as good as theirs in their hearts, if not on paper. They felt betrayed and refused to move out. The *City Court* issued an eviction order and this eviction order was given to the *Ward Authority* to execute. The *Ward Authority* then put its foot down and said it objected to the court order. It told the court and the petitioners that it knew the B.K. family very well and the family had contributed tremendously to the revolution as well as to the work of the *Ward*

Authority for three decades. In other words, the B.K. couple was reputable and had many sympathizers in their ward. The killer argument given by the *Ward Authority*, citing the country's *Constitution and Housing Ordinance*, was that the old couple would have no place to stay if they were evicted. It was therefore important to safeguard their rights. In any case, it was not as if the petitioners had no place to live. Their stand was that the petitioners should buy five equivalent homes for B.K. and his wife and one each for their four children to live before the *Ward Authority* could agree to execute eviction.

The four children were of course living elsewhere, but their residential registration was still at their parents' address (it was at this juncture that I understood finally and fully why none of the children had ever wanted to move their residential registration to where they were actually living, as required by law. It was for this issue, as well as for other benefits such as the right to enrol their children in good schools, most of which were found in the centre of the city where the extended parents' home was). With such a gigantic obstacle (the cost of five homes in Hà Nội in 2006 would cost roughly half a million US dollars) in their way, the petitioners have had to suspend any hope of getting back what was legally their property. But the B.K. family was put on notice that they did not have the right to sell the house.

Evasion and Collaboration

Son is a middle-aged academic in state employment. In 1998 the family wanted to build a new house in Hà Nội's Thirty-Six Streets, a heritage area that had many restrictions on housing design and construction. They chose that area in order to live close to Son's parent in-laws. They faced long bureaucratic delays, one of which was to have the house design approved by the *City Chief Architect*. Son anticipated these difficulties as he had read and heard much about them. In fact, every Vietnamese family is well equipped with such information and knows the appropriate strategies, including evasion and collaboration with local authorities. To pre-empt trouble, Son asked an architect friend to submit a simple, modest house design for approval, which was secured quickly and which allowed

Sơn to obtain a construction licence from the *City Authority*. Sơn then constructed the house according to his own, much more elaborate design that would not have passed government scrutiny. When the house was completed, *Ward Authority* officials came to check for design-reality discrepancies. They quickly found out, on arrival, that the house exceeded height restrictions by 60 centimetres.

Although the height exceeded was as short as an arm's length, it would have been a key issue if it were made out to be. Sơn knew he risked hardening the officials' attitude if he argued, and furthermore, many other building code offences in his house were waiting to be discovered by a thorough check. Politically astute, Sơn quickly negotiated a settlement with ward officials: They let his house pass inspection in exchange for a fine of seven hundred US dollars paid to the ward for the height offence. The certification allowed Sơn to inhabit his house without further troubles from the state. Sơn told me that for ordinary Vietnamese, collaboration with ward officials was a favourite way of getting one's way provided the acts were not criminal.

A Step-by-Step Approach

M. and O. are a young couple that got married in the early 1990s. They planned to live on the earnings of O.'s hairdressing skills. Because their parents' houses were too small to accommodate them, they constructed a small house at the end of the collective flat block where her parents lived, on Kim Mã Thượng Road. The small, 10-square-metre dwelling was their only shelter and served as both shop and home. They were in fact squatting on public land. But ward officials only punished them with a fine and did not demolish the home. They managed this arrangement largely through O.'s father. He was of middle rank in the state agency that managed the collective flats in that area.[5] He pleaded with his superiors and the ward officials to let the couple stay. In the spring of 1997, M. and O. told me

[5] Other than private sector builders, which still occupy a small share of the apartments market, most flats, especially those in Hanoi, were built by state enterprises or agencies to cater to their employees. Management of these flats and their common areas were then also under the particular agencies that built them.

that in one or two years' time they would like to extend their house outwards to align the front walls of the house with the road curb 10 metres away. This would double their living space. But it would also turn much of the open, public space in front of the house, now enjoyed by residents, into their own private space. If that were to happen, the lane beside the house would be very narrow, creating a hazard for traffic. When I visited M. and O. in spring 1999, they had not carried out their plan.

Instead, they had added a second storey to their 10-square-metre shed, and the construction was again punished with a fine by the ward. They had not proceeded with their original plan of extending out because neighbours had voiced opposition, including appealing to ward officials to stop it if it should happen.[6] In fact M. and O.'s immediate neighbour had the same ambition to extend his house out to the road curb. This immediate neighbour disregarded residents' and officials' objection by beginning construction. Incensed neighbours got tough and had the ward send officials to stop construction work and ensure that this new structure was dismantled. In 2002, when I visited O. and M. again, I found that their immediate neighbour had already extended his house and turned much of the sidewalk space into the family's yard, although they did not go the full extent. In 2002, however, the immediate neighbour succeeded in pushing the perimeters of the house gate out to very close to the curb, apparently succeeding in part.[7]

By 2004, O. and M. had also done the same, thus nearly completing the plan they first hatched in 1997. In the seven years it took to achieve their objective, they had taken an incremental approach that took heed of the prevailing winds of sentiments in the neighbourhood.[8]

[6] Field notes from 30 June 1997, and visit in spring 1999

[7] Visit to the neighbour in May 2002

[8] Visit in 2004

A Case of Morality

Completed around 1976, the Trung Tự and Kim Liên collective flat areas have 41 blocks of flats, each four to five storeys, with a total of 2,252 households and 12,186 people. The average living area was 6 square metres per person, thus the housing situation was better than Hà Nội's average in the 1980s. As described in "Wards of Hanoi", the state faced enormous and unprecedented challenges to its authority and housing regime in these two areas within the entire decade of the 1980s. The state could not enforce building and renovation codes. These illegal activities brought immense stress to the buildings and endangered their safety, and human lives. On the other hand, it also brought immediate relief to quite a number of residents who found their homes too crowded as their families expanded. Many offenders in these two collective flat areas did not bother to test the responses of the authorities by first building modestly. Instead, they used strong, lasting materials straightaway, indicating the belief that their renovations would outlast the will of the state.[9]

The majority of offenders had created space from 3 to 23 square metres, for another bedroom, a new kitchen, or a bathroom.[10] A large number of people living on upper levels built suspended balconies (called "tiger cages" or *chuồng hổ* by Vietnamese), without concrete support below. The matter received serious attention from the national government, which issued decrees to order residents to cease illegal construction and to dismantle added structures. But few residents took heed. In those times of severe housing shortages, the action of the offenders had gained widespread empathy within society.

Many residents had the cooperation of ward officials, by virtue of their own positions in the state bureaucracy. Except for one, all

[9] Vương Thức, "Cần xử lý tệ làm nhà trái phép ở khu tập thể Kim Liên" (On the situation of illegal housing construction in the Trung Tự collective flat area), HNM, 23 May 1986, p. 3

[10] 86 of the flats involved before 1985 had average extensions of 4 to 6 m², 18 flats from 7 to 12 m², Vương Thức, "Về tình hình làm nhà trái phép ở khu tập thể Trung Tự" (On the situation of illegal housing construction in the Trung Tự collective flat area), HNM, 30 July 1985, pp. 3-4

families living in Trung Tự – Kim Liên were state employees of senior and middle rank. Their official positions allowed them to easily obtain cooperation from Trung Tự – Kim Liên wards' officials. Wards officials had a vested interest not to be too tough on offenders so that they, their neighbours, colleagues, and fellow party members who needed extra space could build and extend without being encumbered by permits and licenses.[11] This is shown by the fact that prior to 1989, party officials in the Kim Liên ward Party branch kept silent on the situation of illegal construction, despite its seriousness and the large degree of publicity. From 1984 (when 10 cases involving party members appeared) until 1988, party cells in Kim Liên ward did not discuss the matter seriously, and imposed no disciplinary action on any party member, even though they knew that 40 out of 600 illegal construction cases in the area before 1989 involved fellow party members.

But cooperation between officials and residents was not the only explanation for the breakdown of the housing regime authority in Trung Tự – Kim Liên. Ward officials were also negligent and incompetent; they did not deal with illegal construction proactively. "Responsible agencies like the ward, its committee on housing, the inspection team […] usually stopped at the stage of filing situation reports […] the most they did was to impose fines, they never sent people to demolish houses. That's why people could do what they liked."[12]

Another part of the explanation was ward officials had difficulties penetrating the "walls" that residents erected to block investigations. Residents refused to entertain ward officials' visits to inspect houses or to meet heads of families responsible. Some families forged alliances to keep the ward out of the matter completely. They co-

[11] Tung Phương, "Trách nhiệm của đảng bộ phường Kim Liên trước tệ xây dựng nhà trái phép đến đâu?" (What are the responsibilities of the Kim Liên Ward Party Branch regarding the evil of illegal construction?), HNM, 29 March 1989, p. 2

[12] "Các cơ quan có trách nhiệm như phường, ban quản lý nhà, đội quy tắc... chỉ lập biên bản để đấy. Cùng lắm là phạt chứ không tổ chức dỡ bỏ. Do đó ai thích làm cứ làm (!)", Vương Thức, "Cần xử lý tệ làm nhà trái phép ở khu tập thể Kim Liên" (Need to Deal with the Evil of Illegal Construction in the Kim Liên Collective Flat Area), HNM, 23 May 1986, p. 3

constructed (if they shared the same wall or floor/ceiling, for instance) and therefore persuaded the ward to ignore their case, because nobody suffered any damages or would complain to higher authorities.[13] Ward officials managed to enforce order in a few cases, but generally they could not be persistent in enforcing regulations without engaging in heated, emotional arguments with people or meeting with intense lobbying from other officials to forsake investigations. One 1985 account gives a flavour of the defiance ward officials encountered:

> […] [T]he [demolition] orders were not carried out, or when the ward managed to send its men down to enforce the demolition order, they met with decisive and strong responses [from the people]. There were cases where a few days after demolition, the demolished houses [on the ground floor] were rebuilt in an even more open manner.[14]

A fourth reason is residents could ask higher-level officials directly for favours and therefore they could adopt a defiant attitude towards ward officials. When the *District* or higher authorities would ask ward officials for favours for some residents, wards could not say "no", despite knowing that it was not the right thing to do. Consequently wards did not want to be too tough on residents, in case residents asked district officials to intervene. That would mean ward officials having to back down from a tough position. That would be a loss of face, and thus authority. In a number of cases in Kim Liên for instance, the ward could not enforce regulations because high officials who were relatives or friends of offenders asked ward officials to ignore the cases as a favour.[15]

---

[13] This method was widely-used among the collective flat areas of Hà Nội. Trịnh Duy Luân, Nguyễn Quang Vinh (1998) Tác động kinh tế xã hội của Đổi mới trong lĩnh vực nhà ở đô thị (The Socio-Economic Impact of đổi mới on Urban Housing), (Hà Nội: NXB Khoa học Xã hội), p. 132

[14] "UBND quận, phường ra lệnh dỡ bỏ, nhưng lệnh không được thi hành hay phường tổ chức lực lượng đến cưỡng chế dỡ bỏ, thì gặp sự phản ứng gay gắt, quyết liệt. Có trường hợp đã dỡ bỏ nhưng vài ngày sau lại làm tiếp 'đàng hoàng' hơn." Vương Thức, "Về tình hình làm nhà trái phép ở khu tập thể Trung Tự" (On the Situation of Illegal Housing Construction in the Trung Tự Collective Flat Area), HNM, 30 July 1985, pp. 3-4

[15] Hoàng Quy Thân, "Suy nghĩ nhân một vấn đề thời sự ở Kim Liên" (Some thoughts provoked by a current affair in Kim Liên), HNM, 12 March 1989, p. 1

Such exceptions provided justifications for other illegal constructions. The unprivileged retorted to the ward's demand for demolition that "only after the government demolishes the house of Mr. X [the protected offender] will we demolish our houses as well" ["*Bao giờ phá được nhà ông X., thì nhà chúng tôi mới phá*"].[16]

It is apparent that what had happened to the housing and construction in the urban areas of Hà Nội should be seen in their specific context. In the 1980s the housing situation in Hà Nội was in crisis. There was a severe shortage of housing, and people could not buy land and houses freely unless they were willing to take the informal route and faced associated risks. Wards basically had a choice, and this its residents knew: to either support, tacitly and unofficially, the efforts by residents to improve their well being and also making it possible for ward officials and their families, relatives, and friends to do the same, or they could try to strictly enforce laws. Residents' defiance helped the wards make their choice. While the contexts are specific, however, the better housing situation in the 1990s and in this century did not mean that the problems of land and housing disputes and illegal construction have gone away. They continue to be on the radar of governance, posing a continuous and an urgent problem in new areas of urbanization.

5. Conclusion

In this short presentation I have delineated at least four ways that residents and ward officials play politics at the ward level. These ways are: using the morality argument, personal connections and good reputation, take a step-by-step approach, and getting the ward to collaborate in exchange for benefits. It would be rare to find that only one of these ways is used, such as corruption for its own sake is often disguised with moral arguments, and personal connections may not count for everything if there are no payoffs in the long term. There are probably tens of different combinations. Through these ways, people sought to have influence over the ward so that their

[16] Vương Thức, "Về tình hình làm nhà trái phép ở khu tập thể Trung Tự" (On the situation of illegal housing construction in the Trung Tự collective flat area), HNM, 30 July 1985, pp. 3-4

wishes could be respected, and their goals achieved with regard to issues in their neighbourhoods. In no way do I claim these four ways to be the exhaustive list of the elements of the approaches to politics possible at the ward level.

Indeed, there are other tools used as well. Politics at the ward in Hà Nội quite often is also connected to politics of the districts, of the city, and to national politics. This is because the wards' role is first to enforce regimes of the state. Without this role, the wards would have no role to play except, if residents are still willing, to act as a place where civil society can be organized. It is fairly common to find personal alliances between different levels of officials. The higher officials need the lower officials for enforcement – or the lack of it, while lower level officials need to acquire forms of protection.

Furthermore, very often wards and other lower levels of governmental authority are not able to resolve problems or have done things wrongly, and quite often in such cases the victims appeal over the heads of the local authorities to the national government directly. This gives the state plenty of headaches because such cases are often long in history and dealing with these matters takes plenty of time and resources, let alone trying to persuade or force local authorities to correct wrongs and do according to the directive of the central government. According to the National Assembly, of the letters that the National Assembly and its deputies send to the authorities to respond to denunciations, only 30% of such letters are replied to. The rate for letters send by individual deputies is lower than the letters sent by the National Assembly office.[17] In playing politics through appeals and denunciations, however, the people have also not been innocent of wrongdoings. It has also been noted by the National Assembly that up to 32% of denunciations and 56% of complaints are completely falsehoods.

What can we say about the politics at the local level in Hà Nội? While the politics there may not immediately force the state to change its policies, there is in fact much space that can accommodate different views and wishes even if these views and wishes clash with the

[17] Đình Chúc, "Khiếu kiện và giải quyết khiếu kiện – cần một chữ 'tâm'", Lao Động, No. 143, 22 May 2004

official policies and ideologies of the state. This space exists because local officials operate not just as the clogs of the state machinery. They are also human beings open to material and emotional influences coming from non-state sources and promising greater returns at some risks that can be easily hedged against. I do not claim that these weaknesses are fine in themselves, but the world is not perfect and sometimes this also means that the solutions to make things work have also to be imperfect as well.

Democratization in Vietnam

In conclusion, what is the nature of the democratization that is already achieved in Vietnam? We could start with the different meanings of democracy – is it freedom? Is it freedom of choice? Is it freedom to vote? Is it a system's ability to rearrange the chairs of power, and butt out autocrats? I do not think my paper is the right space for that debate. But it is clear that there are specific contexts for what has happened at the local levels. Local solutions, local contexts, local choices, local decisions, and local defiance – these were the important words that operate not only in the history of local government in Vietnam. These words were essential for guerrilla warfare in Vietnam's modern era, and these words became important again during the initial years of *doi moi*, when any solution was better than no solution. If Vietnam had been more militarized, if the military's role had not been subdued after the altruism in Cambodia became a nightmare, then perhaps it could be argued that *doi moi* would have taken a slightly different direction, and today we may now be talking about democratization in Vietnam from a starting point that is closer to that of Myanmar/Burma.

Dr. David Koh *is Coordinator of Regional Strategic and Political Studies of the Institute of Southeast Asian Studies (ISEAS) in Singapore. His core area of research is in Vietnamese politics and society. He was educated in Singapore, obtaining the Bachelor of Social Science (Honours 2A) and the Political Science Book Prize from the National University of Singapore, and his other major was Chinese Studies. His MA in Strategic Studies and PhD in Politics were pursued at the Australian National University. His PhD dissertation was published in 2006 as the "Wards of Hanoi". For contact, mail to:* davidkoh@iseas.edu.sg

Transition in a Time of Siege: The Pluralism of Societal and Political Practices at Ward/Village Level in Myanmar/Burma

Khin Zaw Win

"The complicitious and imbricated ways that almost all Burmese people have come to participate in sociopolitical life." (Monique Skidmore)

1. Introduction: Negotiating the State at Ward/Village Level

This paper shall begin with a linear comparative perspective – a brief recapitulation of what has prevailed through successive periods in the recent past.

a) Colonial Period

The colonial government retained and strengthened the headman system (in villages as well as urban wards – *myo-thugyi* and *taik-thugyi*). In the 1930s, when the *dyarchy s*ystem was introduced, political parties, elections and representatives emerged. The economy was supposedly laissez-faire but people at the grassroots could not hold their own. There was an incipient civil society, mostly religious-based. It has been stated that in all pre-modern religious agrarian societies, political authority was segmented and this pre-empts absolutist claims of political power. Colonial states, on the other hand, were always driven by an ideology of sovereign power, and, therefore in the case of many Third World societies, it is the colonial state that functions as a local equivalent to absolutism (Kaviraj 2001: 309).

b) Post-Independence Period

In the early years following independence in 1948, administration had to take place against a backdrop of insurrections in the larger part of the country. On the whole, the inherited bureaucratic administration was kept on. "Democratization of local bodies" was initiated with the passing of the Democratic Local Administration Act in 1953 and made gradual headway.

Political parties became active and made their mark at ward/village level, either directly or through labour and peasant organizations that they controlled. There was a spree of heavy politicization. Civil society had a small but pronounced flowering.

Kaviraj relates the kind of heady elite thinking that prevailed in Third World countries in the postcolonial dawn:

> Analysis of politics was dominated by three governing ideas: the first was an extreme form of political constructivism about institutions of the state; the second, a kind of unthinking functionalism which went with this – an expectation that transformation towards modern social forms would be internally symmetrical between various forms of social life – in politics, economy, social habits, etc; thirdly, these were accompanied by a form of crass evolutionism which simply assumed that Western or Communist societies showed to post-colonial societies images of their only possible futures. Fifty years of political history has shown the fallibility of these theoretical attitudes. (Kaviraj 2001: 306)

c) Burma Socialist Programme Party (BSPP): One-Party Period

The earlier administrative system was revamped. A hierarchy of *Security and Administrative Committees* (SACs) at successive levels chaired by military officers was set up. At the ward/village level there was no military presence and the bodies were commonly known as "five-man committees". With a few modifications, it remains to this day. With the formation and expansion of the BSPP, party cells appeared at ward/village level. Larger units consisted of party branches, township party units, stretching to provincial party committees and upwards. All other parties were banned. Later on there were the workers' and peasants' councils (*Asiayone*) and the

BSPP youth wing (*Lanzin Youth).* Civil society went into a long hibernation. The larger part of the economy – urban as well as rural – was nationalized.

All this meant that the state attained a pervasive presence at all levels in the country, and in Myanmar/Burma life itself. In 1980 the state *Sangha* organization was formed, and the state's reach encompassed the Buddhist clergy. Many of the people who did not join the BSPP maintained a "passive resistance" to the state. They had to tolerate and come to terms with it, in leading their daily lives. Whatever support there was for the system waned gradually.

In a recently published work, Myint Thein has recounted the pervasive practices of this period that led to the demise of the one-party system. The "elected" local bodies were heavily comprised of and controlled by the BSPP. Its members, to fulfil targets set from above, forcibly extracted what people at the grassroots could bear. Moreover, figures were inflated and manipulated at successive levels in the hierarchy so that the central body did not get accurate data on which to base its decisions and policies. This divorcing from reality contributed much to the lessening of public confidence. When an administrative system becomes distanced from the public and from reality, it is necessary for the government to institute timely reforms. The BSPP government could not correct its weaknesses and failings in time (Myint Thein 2006: 129).

d) 1988 Upheaval

In retrospect and in the light of recent studies this can be interpreted as:

(1) A societal backlash against the state, provoked by its persistent and far-reaching failings; it took the form of a widespread, sudden and violent "engagement" with the state

(2) A sharp symptom of extreme weakness of civil society in the Myanmar/Burma context

It was articulated and portrayed as a popular demand for democracy. Democratic parties have sprung up and the "struggle for democracy" as the world sees it goes on.

e) Finally, the Present Post-1988 Period

What has changed at ward/village level? When one talks about wards and villages in Myanmar/Burma, the official count comes to 2548 wards and 65,148 villages (2002). Obviously there is enormous variation in the relationship between citizens and the local administrative bodies (*Peace and Development Councils).* Myanmar/ Burma being a land of geographical, ethnic and occupational heterogeneity, it is impossible to speak of a uniform pattern of administrative practices and results in the interplay with local communities.

The state system of local administration *per se* has not changed for the most part. However, the ideological backing in the form of the single, authoritarian party is gone (in the period from late 1988 to 1990, branches of the newly-emergent democratic parties existed at this level, but now almost all of these have been disbanded or are non-functional).

2. Local Administration at Ward/Village Level: Ward/Village *Peace and Development Councils* (PDCs)

The chairman and members are appointed by the next higher authority, i.e. township and district PDCs. They are not state employees, nor are they paid salaries. They are drawn from the residents of that locality and act as voluntary local governing bodies that are the grassroots extension of the state. There are estimated to be 67,696 wards and villages in the country.

The other state extension that exists at ward/village level in some localities is the *Police Force*. These take the form of police outposts under the police stations of the *Township Police Force*. Government departments are not represented at this level; neither are organs like the *Multi-Party Elections Commission*.

There are also mass organizations linked to the state – the *Union Solidarity and Development Association* (USDA), *Myanmar Maternal and Child Welfare Association* (MMCWA), *Myanmar Women's Affairs Federation* (MWAF), *Myanmar Red Cross Society*, etc. With the passing of the one-party system, overtly political organizations are no longer represented at this level.

The PDCs are the main local authority and can call upon the police if such assistance is deemed necessary. They have a broad range of functions that include keeping the peace, notification of overnight and long-stay visitors, providing endorsements for certification of residence, arbitration and settling of disputes, neighbourhood cleanliness, relief work, precautions against fire and other hazards, and generally carrying out state policies at the grassroots level.

Checking on overnight visitors and checking residents against the household list: This has become the exception rather than the rule; indeed it is a regulation that is hardly observed in most areas. It would assume some importance in a sensitive area, or during times of special events or emergencies. The PDCs have to of course discharge their responsibilities when specific instructions are given. Even when a transgression is brought to notice, the person could plead, giving some exigent reason or the other, and could be let off with a warning. The case obviously differs if a notable opposition member happens to be the transgressor – something that has occurred but very rarely. So too the Saturday neighbourhood cleanliness drive. All evidence is that Vietnam is much more of a "surveillance society". Myanmar's/Burma's trappings in this regard were greatly reduced after 2004.

A lot of cases that could have landed in civil or even criminal courts are arbitrated by the PDCs, for example breach of contract, landlord-tenant disputes, delinquency, and minor traffic accidents. The councils are not provided with budget allocations and have to work with fees and contributions from the locality. They do not exact taxes as such.

Other activities, such as public health, are also connected with the PDCs, for instance the work of the *Myanmar Anti-Narcotics Association*. All government departmental activities usually go through the PDCs.

They are also concerned with business activities, except for very small enterprises like hawkers and street vendors. The PDC is usually the first step in registering a business, and the same applies to the newly-emergent civil society groups. In rural areas, village PDCs would be charged with implementing state agricultural policies.

This system has been in place for more than 40 years and has generally, despite all the imperfections, managed to work. It would not be easy to find and install a better substitute for this, at least for the present time. Obviously, to a certain extent, the situation, the effectiveness and relations with the public hinges on the personality and capability of the PDC incumbents. But the very fact – as mentioned above – that the system continues to work in 67,696 localities throughout the country attests to its efficacy.

This bottom-most level of state administration ("the state at ground level") can be regarded as an unsalaried semi-bureaucracy, a buffer and a facilitator.

The PDCs are, in theory, the bottom rung of the hierarchy that stretches right up to the state PDC, the ruling military council. However, the top-down "command and control" is not as rigid, pervasive nor efficient as it may appear. The political opposition is accorded special attention, but for anyone else, the state at ground level is little more than what one chooses to make it be. The councils may represent a weak state, but not a failing one. Monique Skidmore has concluded:

> [D]espite the entrenchment of military rule, there is no all-powerful military state here, no black-and-white understandings, and certainly no monolithic Orwellian entity overseeing all the Myanmarese/Burmese people. Instead […] forms of association, elements of free speech and collectivities of moral opposition are clearly apparent. […] the Myanmarese/Burmese people have sought to maintain certain key values and beliefs, while deliberately employing strategies of complicity, collusion, or ambivalence regarding the changes to the urban and peri-urban landscapes. (Skidmore 2005: 6-7)

The economy is going through a transition to a free market model. One of the more notable economic changes has been the phasing out of the numerous cooperative societies that ran the "ration book"

system. These societies functioned in almost every urban ward and in many villages.

Although a wide array of regulations and controls remain, nonetheless the ordering of how ordinary people make a living, the business of everyday life, has by and large been removed or curtailed. To make a pertinent point, it is no longer necessary to submit an application to some state authority to purchase a small consumer item. The freeing up of the economy has meant a reduction in the economic clout of the state, at national as well as local levels. This in turn affects the total clout of the state, particularly at the lower reaches. The state's hand and its reach are drastically reduced. This is what matters for most people, in towns as well as villages.

The state has acquiesced in this changeover, knowing full well it has failed in running the economy. In the new market-friendly atmosphere, the local authorities are more interested in what they can get and what they can make. There happens to be a class of people whose livelihoods stem from the ground-level state.

The other significant change is the rise of civil society. Local NGOs made a late start following 1988, well after political parties had their day in the sun. Three factors need to be mentioned in this resurgence of civil society:

- The arrival of INGOs in the country, and the models, capacity and funding that they brought with them
- The immense needs in the country, transposed with the state's inability to fulfil them
- The approval of the state, expressed in newly-enacted laws, policies and guidelines

3. Civil Society

The government gives a figure of 200 local NGOs in the country, and there are estimated to be 214,000 community based organizations (CBOs). There has been a surge in numbers in both, especially after the year 2000. The average number of CBOs per village ranges from 1.3 (*Sagaing* Division) to 10.4 (*Chin* State). CBOs per ward range from

2 (*Bago* Division) to 17 (*Mon* State). There is a higher density of CBOs in urban wards compared to villages.

A survey has mentioned a noticeably higher level of tolerance of NGO activity at community level in Myanmar/Burma than in some other countries in Asia and elsewhere.

An additional survey of the poorest villages revealed that village PDCs and the MMCWA were the bodies most frequently cited as providing assistance. Again, with regard to those who initiated schools, the village PDC chairman is mentioned foremost among community members (Heidel 2006).

It is not intended that NGOs and CBOs should become substitutes for political parties. But political parties are under severe constraints, and not only from the present government. Most of them are beset with internal weaknesses, one of which is poor leadership. When one views democratization as a societal process, and not just as the output of political parties, a different picture begins to emerge. The foundations for democratization and pluralism can be laid at grassroots level, even without the hand of political parties.

There has been a break with the BSPP past. In acquiescing and coexisting with civil society, the Myanmar/Burma state is in effect accepting pluralism and learning to live with it (this was what political parties were expected to do, but happened to default upon).

Present State of Grassroots Society and Prospects for "Change from Below"

There is periodically renewed interest in "people's movements" when the much-lauded and media-covered elite efforts experience (frequent) breakdowns on the political transition road. There is also interest in civil society as a prop or substitute for such popular movements. Something that is inspired, led or initiated by civil society – makes for a more active citizenry, but this would not be enough for societal change.

At present civil society is too minimal and still in its nascent stage. There is massive co-optation of the public by state mass organizations.

As things stand it is very difficult to envisage "change from below". The best one could hope for is that the grassroots would become more able to take charge of their own destinies helped along by microfinance, etc.

Moreover, civil society cannot be expected to do the kind of things political organizations have failed (and dismally at that) to deliver.

Western interests – expressed for the most part through aid organizations – have concocted various recipes for civil society in transitional countries. It goes without saying that these formulae are based on Western definitions and notions, and follow the Western model of political development. Rob Jenkins elaborates:

> […] [D]emonstrating how imperfect is the interface between civil society and democracy as it exists in practice. They also highlight how incompatible is the match between the sanitized version of civil society depicted by aid agencies and the reality of the only functioning examples to which they can aspire in both north and south. Western donors have gone from supporting dictatorship during the cold war to insisting upon an immaculate and idealized form of democracy that exists nowhere but in their imaginations. In order to support that vision of democratic purity, the idea of civil society has been distorted beyond recognition. (Jenkins 2001: 267)

It could well be that Myanmar might be headed towards an East Asian mode of state-society relations. Thomas Metzger describes what is happening in China:

> Chinese political thought […] grapples with a problem not yet resolved by any society: finding the proper balance between the various free markets, the role of the state working with technical and cultural elites, and the cultivation through education of what Hayek called the 'ethos' of a society. The way of achieving this threefold balance, moreover, will vary depending on cultural traditions. (Metzger 2001: 231)

A China scholar, Suzanne Ogden, points out that:

> An alternative view of the relationship between state and society may be viewed as 'corporatism', in which dependence and cooperation coexist. 'State-led civil society' is flourishing in China. It may be seen as an Asian type of political development, that is, a form of state corporatism or non-Western communitarianism that differs noticeably

> from the more conventional civil society of the West. Corporatism is an institutional form chosen by governments that prefer to deal with organized and cooperative interest groups instead of the more competitive and conflictual types found in some liberal democracies. In the form seen in countries such as Taiwan and South Korea, the responsibilities of the associations' leaders tilt more in the direction of the state. Its main purpose is a goal-oriented harmony, orchestrated to serve a national mission such as modernization and economic development. (Ogden 2002)

4. Discussion

When we look at negotiating the state,

- there are now more ways of negotiating;
- citizens are now in a better position, and are better equipped and capacitated to do so;
- there is the promise of a new state-society relationship, although progress will be slow.

It is not a simple matter of society gaining in strength while the state is in retreat. Rather, and it should be agreed that it is a very gradual process, society is discovering new capabilities and avenues while the state divests itself of certain powers that have become redundant. At the same time the state has to realize that it needs to build capacity in areas like international trade.

At this point, new ways of looking at the state are being articulated. Kaviraj mentions that:

> [M]uch of the discussion about civil society simply uses a strangely undifferentiated idea of the post-colonial state; but the actual variety of states in the Third World is probably more extensive than in the North. […] [I]in these (non-European) continents, the state, despite its European provenance, has begun a life of its own. These arguments emerge out of shortcomings of the state, which is seen as repressive, ineffectual or unresponsive. (Kaviraj 2001: 318)

How Do the Grassroots Fare in Political Life?

Present-day politics is characterized by elite failure. Political change has been put on hold and political space has become a scarce commodity. But when one looks at changes that are not overtly or directly political, it is undeniable that broad, even fundamental transformations have occurred and continue to do so. In contrast to Vietnam, the incumbent military regime in Myanmar/Burma has unequivocally and continuously proclaimed that a course to a multiparty democracy is being charted, and that a market economy is already being given full rein. In this way it is quite a bit ahead of what the predominant-party systems in China and Vietnam have set out (or not set out) to do.

Once that has been said, one has to take account of the peculiar hindrances that have beset Myanmar/Burma as it embarks upon its declared path:

The political opposition in large part has espoused a vastly different approach to democratic transition. Its success in the general elections of 1990 is interpreted as a mandate to govern. And the notion of negotiations to resolve this divergence of views has itself become a bone of contention. The West – and most aid donors – have sided with the opposition's stand and have slapped a variety of coercive measures against the country.

As a result of this, aid and investment have been reduced to a trickle, and trade with the West has been jeopardized. The economy, have just shaken off the fetters of a central planning and state monopolies in 1988, is again stymied by a fresh set of restrictions.

In consequence, for the vast majority of the inhabitants of the wards and villages, the wage-earners, the small-holders, and hill- and plains-cultivators, it has been privation succeeded by privation. Not only do they have to continue negotiating the state – authoritarian still, but with improvements – they have to contend with economic realities that impinge upon their lives. Inappropriate policies are no strangers to them, but this time there are external hands that lay heavy upon the land. The transaction costs of the "democratic" transition have come down exorbitantly upon ordinary

Myanmar/Burma people. In sum, the avenues open to an ordinary, private citizen would consist of:

- ***Civil society*** – too few and far-between, too weak
- ***Religious organizations*** – have not been able to take up anything resembling advocacy work
- ***Political organizations*** – closed off for the foreseeable future. Even if political parties were allowed to operate "normally" they could not and would not offer themselves as vehicles for people's needs and aspirations.
- ***State-sponsored mass organizations*** (GONGOs) – recruiting massively; people join because of state and peer pressure.

Besides all these "options" there is also the avenue of the individual. This can take the form of evading, ignoring, coming to terms with, practising symbiosis and finally, participating.

When it comes to coping, people at the grassroots have raised it to the level of a fine art, the product of four decades of accumulated expertise. The present mechanisms on both sides are fairly stable, but all they can do is to maintain the status quo; if the situation really slips – as it did in 1988 – these mechanisms offer little comfort. It is the steps beyond subsistence that promise to be more interesting. Political rallying and campaigning of all stripes is predicated upon these steps beyond, and targeting the basic and largest strata of society is on every organization's repertoire and agenda.

Two significant occurrences in recent times have impacted upon society in such a way as to place it in the doldrums, so to speak. The first has to do with the newly-emergent political parties, the second with the incumbent regime's backlash, in the form of state-sponsored mass organizations. Both cases are posited on co-opting and directing the "masses":

(1) The traditional party system in Myanmar/Burma has just about played itself out. In this final manifestation it drew its strength from and tried to harness the popular movement that sprang up in 1988. But leadership and organizational failures of a particularly acute kind have prevented it from becoming an

agent of change for the country. Much of Myanmar/Burma society is in full cognizance of this.

(2) The popular movement that unseated the BSPP one party establishment, and the consequences thereof, has worried the incumbent military regime to the extent that it has put together the largest mass organization the country has ever seen.

As a result of this, the political tasks and uses of civil society (potential more than actual) have become severely constrained. Goeffrey Hawthorn has sounded a cautionary note:

> What does seem clear and agreed […] is that 'an effective norm of generalized reciprocity is likely to be associated with dense networks of social exchange'. Local associations, once they do arise, can meet this condition. But this does not necessarily mean that once the condition is met, politics will benefit. To connect the associations with political parties and government itself, which is what the advocates of an active 'civil society' hope to see, can actually destroy their civic virtues: the relations between political parties and various kinds of NGOs cannot be dense, and the party polls themselves, however 'democratic' they may be in name, are often predicated on presumptions of inequality and proceed on legacies of distrust. (Hawthorn 2001:284)

Ongoing Illustrative Case Stories

Local attitudes to community initiatives can be perceived firstly in the setting of a sizeable town in central Myanmar/Burma that has, since colonial times, been the centre of a district. It has recently been proclaimed as "the capital of the west bank of the Ayarwady river". It is a riverine entrepot with an extensive hinterland, feeder townships, and has become a road and railway junction.

It also happens to have a semi-tolerated redlight district that has contributed greatly to the emergence in this part of the country of the nationwide HIV/AIDS epidemic. This has elicited a considerable level of concern among local people, who feel that "something needs to be done". The standard local NGO model building upon cooperation with international NGOs has been put forward, but the response has been hesitant despite the need and the concern.

A ten-member working group has been formed, consisting mostly of middle-class business people, but they have stopped short of initiating the lengthy registration procedures. The quandary they are facing is understandable; partly because of this, people are content to operate as CBOs. Interest tends to coalesce around two approaches to AIDS work:

(a) Informal and low-key, along the line of traditional charitable activities

(b) As an adjunct to established community support activities, such as a funeral assistance association and monastery-based primary schools

In both approaches, if disengagement with the state is too strong an appellation, the local feeling leans towards steering clear of the state, which in this case is regarded with strong overtones of unnecessary interference.

At the other end there is the spectacular success of the *Myanmar Fisheries Federation*, a recent addition to the string of business associations that have emerged hand in hand with the market economy. The federation has become an extremely effective bridge, facilitator and pacesetter between the *Ministry of Livestock and Fisheries* and the private sector.

Another recent development, which would be greeted with mixed feelings, is the visits and assistance programme by the main state-sponsored mass organizations for the inmates of prisons. This initiative, still in its infancy, follows upon the discontinuation of prison visits by the *International Committee of the Red Cross*.

So there is a mélange of emergent organizations probing and jockeying for niches in the available political and societal space. The present is not such a good time for non-state organizations. The central precipitating factor in this happens to be political organizations. They have come to earn the distrust of both the government and the public: the regime favours keeping tabs on all organizations and maintaining control, while the public is now wary of all organizations. The part of civil society running best is the faith-based groups, predominantly Christian.

5. Conclusion

People are hungry for change: they look to the future with expectation (as they always have), but this time it is not a future built upon political ideology. The country had been a hapless victim of ideology for far too long. Nor is it the object of vague millennial yearnings. Now people know what can be done, they can see it and they have been able to get a taste of it. They are not going to let themselves be carried away by any political drum beating anymore.

They are preparing themselves on many fronts, so that they shall be ready all round. They are quite aware that they cannot afford to devote themselves solely to the changeover to another political system (which shall indeed emerge). They see very well the market economy that is getting to its feet, however slowly. Then there is the consumer revolution that stretches to the villages, helping bring about social and cultural change.

The society is in effect retooling and refitting itself for the future. As it happens, this very populace is being regarded in some important quarters merely as faceless, mindless "policy takers". Certain state actors and powerful interests abroad assume the Myanmar/Burma people to be hardly more than masses to be led along a prescribed path. The public is caught between two sets of overriding assumptions and it is a very difficult situation indeed. They are having to do their level best to tide over the country's straitened circumstances. It is not their fault things have turned out the way they have.

What can be seen in Myanmar/Burma is a society, people making the most of what they have, exploiting every new opening, stretching their own safety nets, stepping into the unknown. Most of this is being done without any formal assistance or guidance, whether from the state or from overseas. It is a quiet but extensive and far-reaching exercise in self-help.

There are important provisions for the rights of citizens in the constitution currently being drafted. In the past the flow was only one-way, i.e. from state to society. Now there is a transformative trend that allows flow in the other direction too, that is, from society

to state. Instruments like the constitution could institutionalize this, but actual practise also have to put down roots.

Opportunities that did not exist before are available now. They only need to be taken. Avenues – old and new – have to be established, and if engagement could be instituted that is non-violent, continuous and constructive, we could look forward to Myanmar's/Burma's impending democracy and future society being on a much sounder foundation.

Trained as a dental surgeon in Yangon, ***Khin Zaw Win*** *at first served under Department of Health in Myanmar/Burma and Ministry of Health in Sabah, Malaysia. He also worked as a consultant for UNICEF in Yangon from 1991-92. In 1994, Khin Zaw Win received his master degree in public policy from the Centre for Advanced Studies (now Lee Kuan Yew School of Public Policy) at National University of Singapore. For more than eleven years, Khin Zaw Win was held in prison for "seditious writings" and human rights work in Myanmar/Burma. He was released in July 2005 and now works on care and treatment as well as facilitating community support for people with HIV/AIDS. He is also a participant in the Dialogues for Interfaith Cooperation and Peace-Building. For contact, mail to:* khin.z.win@gmail.com

References

Heidel, B. (2006): The Growth of Civil Society in Myanmar, Bangalore: Books for Change

Myint Thein, Yangon University (2006): Myanmar Administrative Systems: Changes Through Successive Periods, Yangon: Seik Ku Cho Cho (in Burmese)

Ogden, S. (2002): Inklings of Democracy in China, Cambridge, MA: Harvard University Press

Skidmore, M. (ed.) (2005): Burma at the Turn of the 21st Century, Honolulu: University of Hawai'i Press

Hawthorn, G. (2001): The Promise of "Civil society" in the South, in: Kaviraj, S./Khilnani, S. (eds.), Civil Society: History and Possibilities, Cambridge: Cambridge University Press, 269-286

Jenkins, R. (2001): Mistaking 'Governance' for 'Politics': Foreign Aid, Democracy and the Construction of Civil Society, in: Kaviraj, S./Khilnani, S. (eds.), Civil Society: History and Possibilities, Cambridge: Cambridge University Press, 250-268

Kaviraj, S. (2001): In Search of Civil Society, in: Kaviraj, S./Khilnani, S. (eds.), Civil Society: History and Possibilities. Cambridge: Cambridge University Press, 287-323

Metzger, T. (2001): The Western Concept of Civil Society in the Context of Chinese History, in: Kaviraj, S./Khilnani, S. (eds.), Civil Society: History and Possibilities, Cambridge: Cambridge University Press, 204-231

Chapter 3

Patterns of Societal and Political Change in Vietnam and Myanmar/Burma: The Diversification of Socio-Political Practices at Ward/Commune Level

Civic Organizations in Ho Chi Minh City: Their Activities and Aims, the Room They Have to Manoeuvre, and Their Relationship with Governmental Organizations at Local Level

Nguyen Quang Vinh

1. Finding More Empirical Evidence

One of the research issues that we sociologists in Ho Chi Minh City have been pursuing for quite a long time is the highly diversified development of civic organizations that has taken place during the past two decades. In the public sector, civic organizations have become more and more valued. This is due to their contributions to general social development and their contributions to solving particular urgent social problems. Furthermore, we have realized that these civic organizations can be considered as a significant indicator to show the emergence and rise of civil society in Vietnam.

In the late 1980s and early 1990s, many international observers had their doubts as to whether there were (independent) civic organizations in Vietnam. We highly appreciated (and still appreciate) precise observations, such as those put forward by Beaulieu (1994) who analysed the emergence of new civic organizations in Vietnam in the early 1990s. Likewise we valued comments and suggestions for further research on this topic such as those put forward by Sidel (1996) who analysed "policy-oriented and development-oriented groups" in Vietnam, although he thought that almost all of those organizations he described seem not to be independent from the state.

Fortunately, from 1999 to 2002, we took part in a common research project with German scholars. This research project enabled us to study further and gain much more empirical evidence from various civic organizations in Vietnam's two biggest cities: Hanoi and Ho Chi

Minh City. We found that more than 700 civic organizations were operating in the two above-mentioned cities. We conducted interviews with 256 randomly chosen representatives of these organizations. For further information on the results from this research please see the references below.

In my paper, I would like to talk about some findings of the survey conducted in Ho Chi Minh City. Additionally I have updated our knowledge of certain civic organizations which are more or less typical for the set of Ho Chi Minh City's civic organizations. In the final part of my paper I will introduce some of those organizations.

2. New Social Subjects in the "Wide Playground"

The basic hypothesis of our research project was that Vietnam is experiencing a thorough social change precipitated by economic changes, which gained momentum after 1986.

The more we studied the vigorous activities undertaken by a whole variety of civic organizations, the more inappropriate we found the mono-organizational model of state-society relations. This model has been used by some international scholars to analyse today's Vietnamese society.

Who are the new social subjects that participate in the "wide playground" promoted by *doi moi*? They are intellectuals working in different sectors. They are Buddhist monks as well as Catholic priests. They are teachers at semi-private universities/colleges. They are businesswomen or businessmen from small and medium-sized enterprises. They are housewives, who love street children as if they were their own children etc… Those people have united with people who have the same or nearly the same sense of purpose and they have established a wide range of centres, clubs, associations, open houses, shelters of mercy, programs and even shops (where products are made and sold for the sake of charity). These various social organizations can be viewed as new (or re-newed?) forms of *civic engagement,* which aims at social changes and the amendment of policies in various sectors.

In respect to Ho Chi Minh City, our analysis shows that the City's dynamic social structure holds a very specific and vivacious potential for broad-based engagement for social progress, which is found among various social actors at the grass-roots level. In Ho Chi Minh City, before the policy of renovation was officially promulgated in 1986, some steps towards renewal and reforms were taken audaciously. In 1984 and 1985, production units already carried out "fence-breaking" or "law-dodging" activities in order to countervail the socio-economic crisis and find "new" ways (which were not yet accepted as far as Vietnamese law was concerned) to improve the production, which aimed to benefit producers and consumers alike. At that time, those "fence breakers" and "law-dodgers" were very "strange" people: they might be nominated for an award, but they might also be prosecuted and brought to court. Indeed, civic engagement, which aims at contributing towards solving urgent social problems came into being before what is officially termed the period of *doi moi*.

Civic engagement can be found in many newly established social organizations as well as in some other social organizations established long ago. The latter are now undertaking vigorous changes in order "to renew themselves". Here I refer to some mass organizations such as the *Women's Union* or the *Youth Union*. Although people certainly have to live and work according to the law, it is interesting that useful grassroots level initiatives frequently occur prior to the amendment of relevant laws. At the start of the *doi moi* period, the state had to amend the law in order to catch up with positive practical changes that were already under way. The present critical debate concerning laws on associations is a typical example of the dynamics found in the relationship between the Vietnamese state and what can be called civil society.

3. Four Types of Civic Organizations

The reality of development which has taken place in Vietnam in the past two decades illustrates that despite economic growth and social progress, which are praise-worthy, a number of social demands remain unmet and a number of social issues have not been properly

addressed. The state alone cannot take on all these tasks. According to our observation, however, civic organizations in Ho Chi Minh City have dealt with and met the above-mentioned challenges by use of their own approaches and tools of intervention. Thus, civic organizations of various types have brought to bear their respective advantages. Compared with those in Hanoi, civic organizations in Ho Chi Minh City aim less at participating in policy-making and at amending of laws.

The majority of civic organizations in Ho Chi Minh City can be characterized as follows: their size is small; the goals they pursue are to improve social life in practical terms; they apply social work practices and related tools; in order to improve their scope they have built networks. Some of the civic organizations based in Ho Chi Minh City, however, also aim at contributing to the improvement of state policy. This is done mainly by professional associations of the intelligentsia and some organizations of businesswomen and businessmen.

According to the findings of our research, there are four different types of civic organizations that have been established and are actively operating in Ho Chi Minh-City, including:

- ***Mass organizations***
- ***Professional organizations***
- ***Issue-oriented organizations***
- ***Associations of businesswomen and businessmen***

3.1. Mass Organizations

Mass organizations (group of social organizations) started to operate in this city relatively early, i.e. after 1975. Basically, they were meant to enable peoples' participation in the process of establishing the new political order. Yet since *doi moi,* the missions of these organizations have been expanded and improved considerably. In addition to the continuation of activities such as bringing together people of the same age (as it is done by the *Youth Union*, for example) or the same sex (the *Women's Union*, for example) and encouraging people to take part

in carrying out activities aiming at the development of the country, mass organizations have become more concerned with the expectations and interests of their members. Thus, it is not by chance that 70% of representatives of the mass organizations, who we interviewed in our survey, think that their organizations "reflect societal concerns to political institutions". But the mass organizations also sponsor the establishment of a variety of independent centres in the field of social work (such as a centre which provides psychological help, the job centre for young people, various charity funds for women etc.). Representatives from mass organizations in Ho Chi Minh City emphasize that their organizations aim at making a contribution to the further improvement of the relationships between civic organizations and state institutions. At the same time, they also hope to provide help for all those who need it.

Thus, the fact that mass organizations are renewing themselves in order to satisfy various demands of different group members will help to make the picture of social changes more comprehensive and diversified.

3.2. Professional Associations

These kind of social organizations consist mainly of intellectuals and/or highly specialized people organized according to their profession. If one compares them with their counterparts in Hanoi, it becomes clear that professional associations in Ho Chi Minh City focus more on specific kinds of protection and improvement of their members' interests. This they do by means of applying their specific knowledge and experience and carrying out consultancies, evaluating projects etc. Professional associations in Ho Chi Minh City developed dramatically during the period from 1985 to 1995.

3.3. Issue-Oriented Organizations

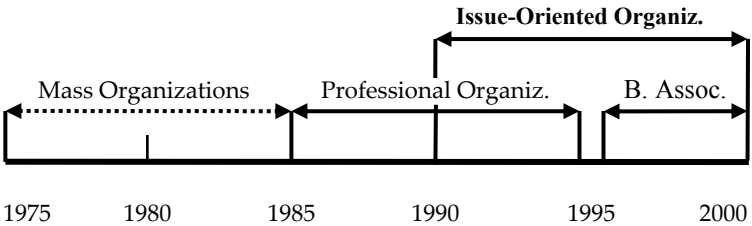
Issue-oriented organizations belong to a broad and highly-diversified group of social organizations, which were mainly established between 1990 and 2000 (more in the first half of this decade than in the second), i.e. after a few years of caution (here one should keep in

mind that the policy of renovation officially started in 1986). Issue-oriented organizations in Ho Chi Minh City were established since their founders interests lay in public welfare. At the time of our survey (1999-2002), the scope of these organizations in Ho Chi Minh City was far broader than in Hanoi. Through our in-depth interviews, we learned the important role individual experience played in their foundation. For example, the founders had experienced wartime, poverty, loneliness and being ignored and neglected in various ways. They were and still are willing to utilize social organizations in order to bring material benefits and spiritual compensation to other people, especially to those who are most disadvantaged (such as orphans, street children, lonely and helpless elderly people, women suffering from domestic violence, illiterate children, handicapped people, war invalids etc.).

Issue-oriented organizations are more often of small size, organized at grass-roots level and established on the initiative of ordinary people, such as members of various religions, teachers and / or those familiar with social work.

3.4. Associations of Businesswomen and Businessmen

Though associations of businesswomen and businessmen are the latest kind of social organization, they are (in the way described below) typical for Ho Chi Minh City. The majority of their members own private businesses, which were set up after the economic renewal policies were promulgated. The motivation for the establishment of these associations was and is to make suggestions and policy recommendations for a more comprehensive overhaul of the country's economy, to contribute to the success of their members' businesses and particularly to foster newly established businesses so that they can obtain assured and steady development in times when the challenges from international competition increase and menaces from Vietnam's integration into the world market are growing.
The establishment and operation of the four types of civic organizations in Ho Chi Minh City can be illustrated as follows:



Various policies relating to *doi moi* opened "windows of opportunity", but the degree to which actors and organizations can make use of them depends on a number of factors, including the type of organization, their aims and activities.

4. Relationships with State Institutions at the Local Level

In Ho Chi Minh City, the relationships between civic organizations and state institutions at the local level (by local level I mean district but also ward levels) have significantly improved over time. In our survey, two thirds of civic organization representatives said that their organizations have an "easy" relationship with state institutions. Issue-orientated organizations, which are a fairly new type of organization, have relatively more difficulties in their relationship with state institutions. The coordination of the respective activities, and what in Vietnamese is called *quan ly* ("management" is just one and not the most suitable translation of this term) are still rather new to both sides. Therefore 35.7% of the interviewed representatives from the issue-oriented organizations in Ho Chi Minh City state that "sometimes there is a problem" in the relationship with local state institutions. However, 65% of the civic organization representatives that were interviewed in Ho Chi Minh City claim that their independence in carrying out activities is relatively high.

5. Presentation of Several Civic Organizations

To make it easier for the reader to understand what civic organizations in Ho Chi Minh City are, how they operate and the relationship they have with the state at local level, we would like to

introduce a number of civic organizations operating in Ho Chi Minh City. We have chosen issue-oriented organizations and an association of businesswomen and businessmen since these organizations are, as I mentioned earlier, typical for this city.

5.1. The *Saigon Railway Station's Children Club*

This so-called club was established in 1992 in the area of a ward, where the Saigon railway station is located. In this area, there are many street children who have arrived from other provinces by train to Saigon – the final railway station in the South of Vietnam. The head of the club is a woman in the food can business. She set up the club voluntarily out of love and pity for the street children. It provides "shelters of mercy" for about 30 children.

The club offers classes to the children and sends them to vocational training courses. In the club, children have a good time, they play and if necessary receive healthcare. The aim of the club is to help the children regain their confidence, to come to terms with urban life, to find a job, or to be reunited with their families in their home villages. Evaluating the success of club's activities in the past 15 years, the head of the club stated that the rate of success in helping the children is 70%. Children who have successful lives after leaving the club sometimes bring their spouses and children and visit the club.

The club has attracted support and assistance from local as well as international donors – a result of efforts to establish good relations with other organizations in the district and the city. In the beginning, the club was just a simple house, but now the club owns a spacious and well-renovated building. It is now focusing primarily on taking care of girls between 6 and 14 years, orphans or those who have difficult relationships with their family.

The relationship with the local state is very good, since state authorities acknowledge the worth of the club's efforts. The fact that a former head of the club gained an influential position within the state apparatus at local level is also of great assistance.

In my view, the way the "bottom-up" approach to social development employed by small-scale civic organizations is effective in dealing with pressing social issues.

5.2. The Shelter for the Elderly at *Dieu Phap* Temple

There is a large number of issue-oriented organizations established by Buddhist temples and Catholic churches in Ho Chi Minh City. In 1989, the *Dieu Phap* Buddhist Temple in the Binh Thanh District, headed by an abbot, set up "a shelter" for old women who are lonely, poor or sick, and who were not eligible to stay in state-run homes for the elderly. At the beginning, there were more than 10 elderly women, aged 75 or over, who received treatment and daily care at the shelter.

As a child, the abbot experienced many difficulties and received help from elderly women. Thus, the shelter for elderly women is a sign of the merciful philosophy of Buddhism an attempt to heal wounds from the war and an effort to requite the good deeds of old women in the past. The shelter's operation has been relatively stable, partly thanks to the money donated by Buddhists and dignitaries as well as followers of other religions. In terms of the relationship between this civic organization and state institutions, the abbot states, "whether it is easy or difficult completely depends on us. If we carry out our activities well and fulfil them with love, the local institutions will be sure to support us."

The shelter also has positive impacts on the spirit of the people living in this ward. It helps to build and to sustain a good neighbourhood – a neighbourhood in which, according to the abbot "those who have better living conditions will provide help for those who have not."

The spirit and the good intensions of the donors have become more and more evident. After the abbot passed away, the activities of the temple and the shelter were successively taken over by another eminently respected Buddhist monk. The number of elderly women coming from provinces in the North, the Central and the South of Vietnam to the shelter in order to receive care and treatment has nearly reached 40. The same style of charity work as performed in the

Dieu Phap Temple can also be observed in many other religious places in the city.

5.3. The *Open University's Women's Studies Department*: Engagement for a Just and Fair Society

In my next and last example I would like to introduce you to Ho Chi Minh City's semi-private *Open University's Department of Women's Studies*. Its founders were worried by a question that is closely related to Vietnam's process of social change: Can women catch up with the rapid and thorough process of societal development or will they lag behind?

Women's studies at the *Open University* are not only taking place in the university's classes, but also in the "field", where various urgent social issues are being addressed. Professors and lecturers are involved in development, training and dissemination of social work skills. Furthermore, they develop students' skills in working with people from all strands of life within the city and neighbouring provinces. Their knowledge is based on practical experience in community development studies in Vietnam. International case studies, found in the initial curriculum of the department, have gradually been replaced by Vietnamese case studies. The *Department of Women's Studies* has played a crucial and a catalytic role in establishing grass-roots level social projects in Ho Chi Minh. For example, credit-saving groups formed by poor women and the victims of domestic violence have been successfully established by the department. Other examples include projects focusing on poor female migrants in the informal sector and activities related to the dissemination of health-care-related knowledge for women and children. Thus, the department's program has carried out "fieldwork functions" as a social organization, in addition to its training and education function.

Without doubt, the success of teachers and students from the *Department of Women's Studies* is partly due to its good working relations with another civic organization: the *Social Development Research* Center (SDRC). Since its foundation in the early 1990s, SDRC

has developed highly effective projects and has been instrumental in social development within the city. Some members of SDRC are working as lecturers at the *Department of Women's Studies*. The two organizations co-operate closely and help each other to disseminate social work knowledge, practices and related skills, with a focus on young people.

5.4. The Club of Young Businesswomen and Businessmen

The youngest businesswomen and businessmen are engaged in the *Businessmen Club 2030*. According to those who established the club, "2030" means that the club's members are between 20 and 39 years old. In their view, the members form a specific group that will leave their mark on the market from now until the year 2030. Meetings at the club are always very exciting. 200 members of the club consider the club as a "playground" reserved for the youngest businesswomen and businessmen, where they can learn and exchange experiences, seek opportunities related to their business, and build a "cultured" business style. Lively discussions on business culture, business philosophy, and on what characterizes young businesswomen and businessmen in the early 21st century are organized among themselves, sometimes in cooperation with scholars. The members have close relations with students from economic departments at Ho Chi Minh City's universities, and encourage them to enter the realm of business. They hold meetings with successful local and international businesswomen and businessmen in order to learn from their successes as well as failures. At present, they are carrying out programs that enable members to express their ideas about economic and socio-political events in the city and the country. Sponsored by the club of the *Saigon Times Group*, an influential media conglomerate, these young businessmen and women enjoy favourable conditions to play their role as young and powerful social actors who are engaged in and contributing to the country's development.

6. Concluding Remarks

I do hope that the examples mentioned above help to illustrate that a wide range of diversified civic organizations have already developed in Vietnam. These organizations have found and/or created room to manoeuvre even in the context of social mechanisms and legal institutions that have not yet been completed. Established in the period of *doi moi*, civic organizations create additional incentives for further social renovation. Studying this ongoing development is valuable for Vietnam and beyond.

Prof. Nguyen Quang Vinh *is a sociologist affiliated with the Southern Institute of Social Sciences in Ho Chi Minh-City, the former National Centre for Social Sciences and Humanities, Institute of Social Sciences in Ho Chi Minh-City, where he was Deputy Director. He also headed the Centre for Sociology at the National Centre for Social Sciences and Humanities, Institute of Social Sciences in Ho Chi Minh-City. His research focuses on the sociology of urban housing, development and management, living standard and poverty assessment, and the development of urban societal organizations. He has extensively published on these subjects in English, French and Vietnamese. For contact, mail to:* nqvi@hotmail.com

References

Beaulieu, C. (1994): Is It an NGO? Is It a Civil Society? Is It Pluralism Wriggling Along?, Report CB-26 to the Institute of Current World Affairs, October (a copy of this report can be found at: United Nations Vietnam / Development Partnership / Civil Society and Community Participation Group / Civil Society Reading, URL: http://www.un.org.vn/donor/civil/BeaulieuNGOreport.pdf)

Sidel, M. (1995): The Emergence of a Nonprofit Sector and Philanthrophy in the Socialist Republic of Vietnam, in: Yamamoto, T. (ed.), Emerging Civil Society in the Asia Pacific Community, Singapore and Tokyo: ISEAS and others, 293-304

Wischermann, J./Nguyen Quang, V. (2003): The Relationship Between Civic Organizations and Governmental Organizations in Vietnam: Selected Findings of an Empirical Survey, in: Kerkvliet, B. T./Heng, R. H.-K./Koh, D. (eds.), Getting Organized in Vietnam – Moving in and Around the Socialist State, Singapore: ISEAS, 185-233

Creating Space in Myanmar/Burma. Preserving the Traditions of Ethnic Minority Groups: A Catalyst for Community Building

Mai Ni Ni Aung

"Don't ask the mountain to move, just take a pebble each time you visit."
(John Paul Lederach)

1. Introduction

It is assumed that there is virtually no room in Myanmar/Burma for most types of development activity. However, certain project activities verify that there is some space for social development through small, localized cultural heritage preservation projects. This type of social development represents an initial step in community building, a necessity for any future democratization processes in Myanmar/Burma. Although a low profile informal civil society organization (CSO) can make an impact on the local community, a formal organization recognized by the government can have greater impact on wider community development activities.

An explanation on the details of different civil societies can be found in Lorch's article (Lorch 2006). However, three distinctions among these organizations can generally be made in terms of Myanmar's/Burma's current socio-politico situation:

- ***Mass organizations***, for example government sponsored organizations such as the *Union Solidarity and Development Association* (USDA), *Myanmar Maternal and Child Welfare Association* (MMCWA), and *Myanmar Red Cross*
- ***Traditional organizations***, such as parent teacher associations, funeral service associations, the *Phaung Daw Oo* monastic

education in Mandalay, Thidagu and Wachet charity hospitals in Sagaing, orphanages, and libraries

- ***Community-based organizations***, for example social groups concerned with culture, health, education, and social welfare
- ***Church-based organizations***

Over the past years, home-grown community-based organizations (CBOs) and civic organizations have emerged and now operate alongside mass organizations or traditional organizations. In doing so, they have created their own space within the confines of an isolated state. Through careful planning and actions, these organizations can find space to manoeuvre their special interest activities using cultural values as a catalyst to motivate people's participation in community development projects. This paper will focus primarily on the activities of CBOs organized by international non-governmental organizations (INGOs) and on self-help organizations established by local ethnic minorities.

2. Why Culture Matters

For many, the recognition of minority and ethnic rights is seen as a matter of less urgency than the more encompassing issue of human rights. However, the priority of cultural rights within the realm of human rights must be taken into account for the mere fact that cultural rights are often the most underdeveloped, yet at the same time, the most complex area of human rights. Many ethnic groups, such as the *Chin* in Myanmar/Burma, are so diverse that numerous subgroups do not have written languages. Instead, these groups rely on a traditional folk culture transmitted from generation to generation orally and through ritual ceremonies. The traditions of many minority groups in Myanmar/Burma are nearly extinct, and urgent action is needed to ensure the preservation of cultural heritage and traditional activities. With each day, more history is lost. For many minorities, the saying, "An old man passing away is synonymous with losing a chapter of history" reflects a sad but accurate truth. The continued existence of the traditions and cultural heritage of small ethnic groups faces significant risk, either through

complete elimination or through slow assimilation and subsequent dilution by the dominant ethnic group. The outcomes of both events are the same, only the time frame differs.

Community development activities established in collaboration with cultural activities have demonstrated that cultural activities are an effective way to reach the grassroots level of a community. If a community feels its identity and traditions are neglected or threatened, development actors can use this sentiment as a catalyst to spark individuals into action and to encourage them to work together. Cultural heritage can serve as the thin edge of the wedge for introducing development activities into an area. Because preservation of folk cultures depends on a steadily decreasing number of elderly community members, communities recognizing the importance of preservation profoundly believe there is no time to waste in initiating such activities.

Minority groups believe cultural rights are crucial to their survival. In Myanmar/Burma, this might partially explain why the bulk of civil society actors from ethnic groups engage more enthusiastically in culture and literacy activities than in many other development project undertakings. Such a position can be considered a less controversial approach because actors can take advantage of the 1952 policy of the *Ministry of Culture* that states "to love and cherish the country and the people by taking pride in their own good traditions as well as by preserving, exposing and propagating Myanmar Cultural Heritage" (Ministry of Culture, Myanmar 2006). While ethnic groups may not believe this truly represents current government policy, the fact that the statement is published on the *Ministry of Culture*'s website gives ethnic groups a legitimate claim for their activity.

Several ethnic groups have two or more culture and literacy activities depending on the various religions practised by members of the group. The *Wa* ethnic group, for example, has five different culture and literacy activities organized by: Buddhist monks, the Catholic church, the Baptist church, the *United Wa State Army* (UWSA), and the *Wa* chieftain. All engage in community development activities under the umbrella heading of culture and literacy pursuits. Under their religious auspices, these informal organizations further extend their activities to social welfare service in addition to culture and literacy

interests. Extensions are most often implemented in the education sector through the establishment of boarding schools and orphanages. Unlike other welfare activities, boarding schools and orphanages function as self-sustaining units in the long term and the impact on the community involved is visibly evident in the short term.

Although some cultural activities can be conducted without the recognition of a local authority, the crucial elements of any cultural activity can be more effectively accomplished in a shorter time frame if involvement of the local authority is first secured. Self-contained regions or ethnic groups that are geographically distant from township authorities do have a greater capacity to organize and run their activities independently. This is due to the fact that township authorities are usually not aware of what takes place in distant villages. Even when authorities are informed, they often show little concern if they deem that the activities are related to local feasts, festivals, or ritual performances.

One particular project, the *Oral Traditions Project* of the *Sone-tu* ethnic group, serves as an example. Neither the history nor the traditions of this particular ethnic group were recorded or written because it is a folk culture that relies almost solely on oral communication. The project was initially established to identify and document *Sone-tu* traditions and rituals by recording them with audio, video, and photographic equipment. It soon became evident, however, that there was an urgent need to go beyond documentation and to preserve *Sone-tu* traditions and cultural artefacts. For example, no complete set of *Sone-tu* traditional clothing used in ritual activities existed in the *Sone-tu* community; villagers had sold their traditional costumes (many of them to be kept in personal and museum collections abroad) in the face of financial hardship. Village level participation and engagement in the *Oral Traditions Project* inspired the community, and two additional projects soon evolved. The first established was a women's economic development project based on traditional weavings, and the second, a youth education project partially funded by the proceeds earned from marketing the traditional weavings. By bringing a number of elderly villagers together to meet and discuss the ancient art of back-strap weaving, many of the traditional designs, patterns, and techniques of this craft that had nearly been lost and

forgotten were recovered.

Because *Sone-tu*'s *Oral Traditions and Economic Development Projects* are primarily based in villages, the organizers did not encounter any major stumbling blocks in establishing these schemes. Only the *Education Project*, which is based in a township, encountered problems. These difficulties arose due to the fact that local Buddhist monks viewed the self-help minority group as a Christian support group and suspected the project participants of proselytizing a religious viewpoint and the conversion of locals to Christianity as a hidden agenda of the project.

In the past few years, project staffs have managed to gain the trust of the local authorities. At the same time, a working relationship between the *Sone-tu* organization and town authorities has developed and trust has been established. It has become evident to the *Sone-tu* organization that the township authority appears to be receptive to the education project activities and that its endeavours are not perceived as harmful, unlawful, or a challenge to their authority. In this sense, power can be decentralized at the township level. When the staff and project leaders are from the local area there is a greater opportunity to build a positive working relationship with local authorities and the chances of the project succeeding are significantly enhanced.

In this example, the *Sone-tu* organization exploited cultural values in establishing a foundation for their development plans and used these values to stimulate participation from the community. The success of the project lies in part on involving local actors in the implementation of the project so that authorities and the community itself are not seen as importing strangers into the region. In other words, establishing a positive relationship between staff and local authorities can make a significant difference in the implementation of the activity. If the community mobilizer does not understand local values and traditions, there is the potential for problems, and at best, essential relationships can be strained.

3. Translating the Meaning of CSO/CBO into a Myanmarese/Burmese Context

Community mobilizers and community planners in Myanmar/Burma argue that civil society already has an existing space, at least in the context of social welfare. However, Myanmarese/Burmese authorities often perceive the term civil society as a western definition of this term. When those involved in community-based organization projects (CBOs) attempt to explain to the authorities the rationale of a proposed project, they must assume a practical but conciliatory approach. As a senior staff member of a leading INGO says:

> The idea of civil society already exists in Burmese society, and in order for a CBO to be engaged in development activities, a necessary step is that participants are trained in capacity building, social mobilization, and any specific skill depending on the nature of the project. We are therefore helping the CBOs to come up with the community-development activity based on their local existing knowledge and ability.[1]

Authorities are most content when the concept of development implies a shared responsibility, the government being only one actor; they prefer that community members and leaders also share in the responsibility.

The phrase "community-based organization" (CBO) created great concern for authorities in Myanmar/Burma due to connotations associated with the word "organization" in the Burmese language. In order to avoid unfavourable and predisposed judgments, as well as unwanted questioning from authorities, CBO was translated as "volunteer groups for the purpose of social welfare". Myanmarese/Burmese authorities adopted this translation because it was pleasing to their ears, but the project continues using its English acronym CBO project with no major difficulties. This rendition is more sensitive and less threatening to the authorities.[2]

[1] Anonymous, due to the sensitivity of topic and possible repercussions within Myanmar/Burma

[2] Personal communication with a senior staff member from a leading INGO

4. Integration with the Existing Community Framework

At the village level where its informal and cultural projects are based, the *Sone-tu* organization has strong links with local existing government organized non-governmental organizations (GONGOs). As there are only a limited number of literates in the village, the same few people are responsible for the activities of these organizations as well as the activities of INGO's such as *Médecins Sans Frontières - Holland* (AZG/MSF), *Action Contre La Faim* (ACF), and UN projects. These individuals work together on a regular basis for their different project activities, although there is no intentional or pre-determined integration of activities among community volunteers.

At the township level, CBOs from formal INGOs have developed working relationships with existing social organizations such as the MMCWA, USDA, *People Defence Volunteers*, youth organizations and fire brigade associations. These associations are maintained through regular meetings where experiences are exchanged, ideas are considered, and communication updates shared. Social activities conducted co-operatively include: providing supplementary food to school children, road repairs, environmental clean-up campaigns, fire prevention education, and school building construction. In some townships CBOs work together with an ethnic cultural association. In Myanmar/Burma, CBO communities and individuals belonging to different social organizations are currently working together even though there may not be an official formal working relationship among the organizations.[3]

5. Relations with Authorities and Legal Issues

CBOs from INGOs and self-help organizations operating projects in towns are unlike GONGOs in that they are not legal entities. Therefore, explaining the nature and functions of CBOs to the local authority so that their role is understood is critical. Verbal permission or approval from a local authority needs to be first sought through advocacy and promotion for the existence of CBOs. By abiding by the rules and standing orders of the local authority, and by creating

[3] Final Evaluation Report, INGO, June 2005

mutual respect between CBOs and the local authority, a positive rapport is established. It is important that CBOs seek suggestions and guidance from the local leaders when necessary and that they keep them well informed about CBO community projects. These basic steps build trust and help institute sound relationships with government officials at the local level. Getting together with local authorities at monthly meetings is a useful arrangement to maintain communication about project activities as well to hear input and suggestions from both sides. Conducting meetings with refreshments provided and small get-togethers of working parties were found to be effective in establishing constructive relations.

The level of responsibility and authority of each staff worker or CBO depends on the relationship between the CBO and local authority. CBOs having relationships with local authorities based on mutual respect can influence project activities and at the same time take responsibility for them. For these CBOs, the local authority can play an advisory role. CBOs should, as necessary, engage to inform them of situations before, during, and after the activities. In some locations no action can be undertaken by CBOs without specific permission from the local authority (e.g. in Mandalay). In these instances, CBOs must provide plans and an activity report to local authorities and security units. In an activity such as the *Sone-tu Oral Traditions Project*, the head of the village group authority completed the essential advocacy work when township authorities started to question the project. Advocacy should be approached in such a way so that the local authority understands a CBO community project as complementing the social welfare and development activities that they are already implementing or planning for their communities.[4]

In most communities, the local authority, after being informed of CBO activities, assumes a consultative role to some degree regarding project selection and project implementation. In some CBOs, local authority members are also CBO members, taking on various roles in the CBOs. Occasionally, local authorities take on the role of patrons. In some places, the local authority organized the community meeting and police attended the meeting to observe the situation. One of the

[4] Final Evaluation Report, INGO, June 2005

crucial events in *Rakhine* state occurred when the *Sone-tu* organization conducted a meeting with 50 representatives from 45 villages. Despite a nationwide ban on gatherings of more than five people, local authorities hosted the project staff and organized the meeting at the village school while police from different *Rakhine* ethnic groups stood by without interference.[5] According to one of the INGOs, 13 out of 14 CBO projects have developed functional relationships with local authorities and are getting suggestions and support from local leadership. In some places, where the local authority is also a CBO leader who has an interest in social work, CBO project members work without restriction. On the other hand, in Mandalay a CBO leader who was in charge of 100 households took an authoritative stance and would not permit other CBO members to do anything without his express approval.[6] What is seen to emerge is a direct correlation between the strength of a CBO program and the extent of participation by local authorities: the greater the participation of local leadership, the more successful the CBO activity.

6. Enabling Factors

In reality, authentic cultural preservation activities organized by the government are limited in number. Activities that have been initiated and have the support and backing of the government focus on the *Burman* people. Other ethnic groups and minorities in Myanmar/Burma have not enjoyed the same level of commitment and/or funding that has been pledged to acknowledge the traditions of the majority *Burman* population.

An organization like *Sone-tu*, which arose outside the realm of government oversight, experienced a mix of problems and benefits. Activities focusing on cultural preservation benefit in that they are self-contained operations that give the community a sense of identity. Because individuals feel that their traditions are endangered there is a sense of urgency and a desire to act swiftly. There is great potential for those organizations to be engaged quickly in the day-to-day

[5] *Sone-tu* Project Activity Report, April 2002

[6] Final Evaluation Report, INGO, June 2005

welfare of the society if they are provided with needed and appropriate knowledge and resources. Activities such as monastic education, cultural-based events, and language-oriented activities that focus on a specifically targeted demographic group within self-contained areas can have a speedy and dynamic impact.

Cultural preservation activities such as the *Oral Traditions Project and Weaving Project* conducted in *Chin* villages received immediate support from local authority because they felt it was an urgent need for the community. In some cases, authorities will simply turn a blind eye to a project if they do not have a particular interest, but this is unusual. Therefore, there is no clear-cut paradigm to assume when determining whether a low-profile or high-profile approach should be employed.

The most important issue before any development work can be initiated is advocacy work. Once authorities are informed and educated about the project objectives, they typically understand the goals of the plan. The authorities' biggest concern inevitably is the possibility of political involvement or activity, and they inevitably suspect that this is the motive behind any development activity. It is therefore essential that one does not give the authority the impression of instilling or encouraging anti-government activity.

Once a community-development activity is established in an area that does not have a specific ethnic base, CBOs can receive the appropriate training and become active. Establishing connections with local Buddhist monks in an effort to gain their collaboration in the CBO work has proven to be essential to a successful initiative. But, as is the case with local authorities, INGOs are encouraged to be proactive in their advocacy work and establish a dialogue with local monks early in the process, ideally before project activities are begun.

7. Obstacles

Problems associated with the implementation and maintenance of cultural preservation projects vary depending on a number of factors. As described above, the mindset of the respective local authority is critical to success. Also, the attitude and influence of the Buddhist

monks in the community (especially Buddhist missionaries in ethnic minority areas) residing in a given area can have a dramatic impact on the outcome of a project. In the particular experience with our ethnic organization, any negative impact from the local authorities was minimized once they were informed of project objectives and lines of communication were established.[7]

This was not the case with the Buddhist monastic community in some ethnic areas. The monks tended to be suspicious and felt that the Buddhist identity in the township was under threat. As such, they were suspicious and wary of the presence of any non-Buddhists in their area. Their main concern was that non-Buddhists would engage in proselytizing members of the local community. Maintaining a low profile with the monastic community, after establishing a positive working relationship with the local authority, has been shown to be an effective strategy for unregistered organizations that may present a concern for Buddhist self-interest groups. As for registered organizations, formal advocating with local authority and all local interest groups is essential if the activity is to function smoothly.

Since Myanmarese/Burmese society is fundamentally hierarchal and positions of authority are held in high respect, the importance of the local authority officials cannot be taken lightly. Without the recognition, participation, and approval of authorities, local community involvement is limited. If advance information about an activity is not given to the authorities, they will become suspicious of the activity and assume that the activity is inappropriate or illegal. Local authorities need to be informed of every INGO activity. This situation is not always applicable to self-help locally-based organizations. In this case keeping a low profile may be the better option, at least at the beginning of the project. The attitudes of the township authority towards minorities should determine whether an organization maintains a low profile or high profile regarding a project activity.

As for INGO activities, the situation differs significantly in Mandalay and in Yangon due to contrasting attitudes towards INGOs by the local community and authorities. Mandalay can be a stepping-stone

[7] *Sone-tu* Cultural Preservation Project Activity Report, February 2002

in the careers of many governmental leaders; serving in a position of authority in Mandalay is often the final assignment before promotion to the highest levels of government. In an attempt to demonstrate their control and leadership qualifications, there can be a tendency for authorities in Mandalay to oversee actors more closely and to keep an eye out for unusual or out-of-the-ordinary activity. This is true for small projects as well as larger initiatives regardless of the nature of the project. Some INGOs have reduced their activities in Mandalay due to this perception of tighter regulatory measures and more intense scrutiny by local leaders.

8. Conclusion

When we reflect on the activities of the past five to ten years during which INGOs established themselves in Myanmar/Burma, numerous attitudinal changes both in communities and local authorities are apparent. Without the presence of INGOs and self-help organizations, progress would not have been forthcoming. We need a transformative process that addresses the fulfilment of basic needs and a socialization process that involves gradual change; a quick-fix overnight approach linked to regime change is unlikely. The presence of INGOs can certainly help prepare the people of Myanmar/Burma to participate in a future, democratic Myanmar/Burma through the processes of community building development. Minority groups cannot have an effect until a favourable situation is in place; cultural preservation is not only a matter of both dignity and social justice, but also concerns the collective obligations of the respective community.

To conclude, the most challenging issue today is building trust among local actors and local authority representatives. Without their support and participation, development projects will be seen as illegitimate. Without a cooperative approach there is the real possibility that individual spoilers, who hope to achieve personal gain, will undermine project activities with fabricated stories insinuating that the project is an anti-government activity or an anti-Buddhist undertaking. We cannot ignore GONGOs, local authorities, or even seemingly less influential groups such as local fire fighters as is often suggested in the "with them or with us" paradigm. These actors are

integral parts of our communities, even though they may wear a variety of hats. No matter what the organization, a GONGO, an INGO, or the NLD, all of them need to be strengthened and a common ground must be established in order to empower the Myanmarese/Burmese people so that they can shape their own future.

We also have to uncover and cultivate the "right spark" for the newest generation, especially when it involves instilling leadership skills in young people. We must accentuate and augment their interpersonal skills and knowledge of local values, customs, and cultural preservation processes as they will ultimately become future community planners. Cultural values can be used as a foundation for development plans, but only if individuals come forward, and the fact is that most individuals are hesitant to do this unless they are made aware of their civic rights and responsibilities and are confident in the their knowledge and personal skills. The mandate to empower local self-help organizations should be included in the manifestos of INGOs. This is particularly true at a time when some INGOs with large budgets are focused on expanding their area of influence. In their attempt to look at a larger picture, it is essential that local community relationships not be lost or skipped over. Instead of collaboration among large international organizations, competition over territory and funding too often takes place, all of this is at the expense of the Myanmarese/Burmese people.

Mai Ni Ni Aung *co-founded the Sone-tu Cultural Heritage Restoration Project in 2002 to preserve Chin culture and traditions in Myanmar/Burma. She earned a Masters degree in Development Studies at the School of Oriental & African Studies (SOAS), University of London in 1999, and in 2003 completed a second Masters in International Conflict resolution and Peace Studies at the University of Notre Dame, Indiana, USA. She currently resides in London and works as a teaching assistant at the University of London, SOAS, England. For contact, mail to:* maiaung@yahoo.com

References

Carnegie Council on Ethics and International Affairs (2005): Human Rights Dialogue: Cultural Rights, 2: 12, URL: http://www.cceia.org/media/5131_HRD2_12.pdf

Lorch, J. (2006): Do Civil Society Actors Have Any Room for Manoeuvre in Burma? Locating Gaps in the Authoritarian System, paper presented at the Roundtable "Societal and Political Change in Vietnam – An Instructive Example for Myanmar/Burma?", jointly organized by the Heinrich Boell Foundation and the German Institute for International and Security Affairs, Berlin, March 31 – April 1, see pp. 120-139 in this publication

Ministry of Culture, Myanmar (2006), URL: http://www.myanmar.com/Ministry/culture/text/page-8.htm

Slim, H./Thompson, P. (1993): Listening for Change, Oral Testimony and Development, London: Panos Publications

Do Civil Society Actors Have Any Room For Manoeuvre in Burma/Myanmar? Locating Gaps in the Authoritarian System

Jasmin Lorch

Abstract

While it is often assumed that the strong military regime of Myanmar/Burma does not allow for any room for manoeuvre, I argue that spaces for civil society actors do exist within three specific areas: firstly, within the ambit of changes within the state itself; secondly, in various sectors of the weak welfare state; and thirdly, within some of the negotiated spaces of relative ethnic autonomy in ceasefire areas. While these rooms for manoeuvre are always *relational* to the authoritarian nature of the military regime, civil society actors use every space available in order to tackle the welfare needs of their respective communities.[1]

To identify civil society activities in Myanmar/Burma I develop primal approaches to a *relational understanding* of civil society and the scope of action it has. A relational approach accepts that the characteristics of an embryonic civil society under authoritarian rule differ from those of a mature civil society in the context of a democratic constitutional state.

[1] The observation that civil society actors in an authoritarian context use any space available in order to promote the social interests of their communities has been made by Perinova with regard to civil society developments in Myanmar/Burma, China and Vietnam (Perinova 2005: 27).

1. Introduction: Myanmar's/Burma's Humanitarian Aid Debate: Contextualizing the Search for Civil Society

The search for civil society and its scope of action in Myanmar/Burma is highly relevant for the international community with regard to possible policy options. Specifically, the development of civil society in Myanmar/Burma has to be discussed against the broader picture of the debate on humanitarian aid for the country. Myanmar's/Burma's poor health and socio-economic situation has long been an issue of international concern. For years it has been assumed that about 40% of the population live below the poverty line (Steinberg 2001a: 46). Humanitarian emergencies like child malnutrition seem to be steadily increasing (STI, 8.8.05). According to high estimates from UNAIDS, the number of adult people infected with HIV/AIDS could already have reached 610,000, which would correspond to 2.2% of the adult population (UNAIDS 2004: 2). While the humanitarian need for aid has been acknowledged in principle, critics still argue that it does not reach the people and bring relief, but rather strengthens the military regime and, therefore, inhibits political change (ICG 2002a; ALTSEAN Burma 2002: 9; 31-52). The withdrawal of the *UN Global Fund* from Myanmar/Burma has shown that the restrictions and xenophobia of the regime often make it difficult for UN organizations and international NGOs to operate. If it was possible to identify local civil society actors in Myanmar/Burma, this would help international donors, since those domestic groups could be engaged as partners regarding the delivery and distribution of humanitarian aid. In this sense, it is crucial to analyze what room for manoeuvre is available for civil society actors and how this can be strengthened.

2. Civil Society in Authoritarian Regimes: Towards a Relational Understanding

Used in an analytical – as opposed to merely normative – way, any definition of civil society has to take into account the specific scope of action it has. A *relational approach* seems a fruitful approach to this endeavor,[2] as it relates civil society to the political and cultural context in which it operates. A *relational approach* thus takes into consideration the scope of action available for – and conceded to – civil society actors. A democratic constitutional state is the precondition for an autonomous and democratic civil society to flourish. In Myanmar/Burma, by contrast, civil society emerges in the context of authoritarian rule, which has profound consequences for the way it is able to constitute itself. Studies in civil society developments in other authoritarian contexts provide valuable insights in this regard. The cases of Vietnam and China have shown for example that in authoritarian regimes civil society organizations can hardly achieve extensive autonomy of action (Heng 2004: 145ff.). In contrast, civil society actors frequently have to maintain functional ties with members of the ruling establishment – or even let themselves become partially co-opted by the latter. (Yang 2004: 13f.; Perinova 2005: 6ff. and 28). Based on his analysis of the Vietnamese media, Russell Hiang-Khng Heng has even suggested that under authoritarian rule, civil society might emerge from within the state itself (Heng 2004: 157ff.). If one wishes to study the genesis of civil society under authoritarian rule, defining it as a sphere that is completely autonomous from the state and the market – as normative definitions tend to do – therefore misses the point.

From a relational point of view it is more useful to define civil society as a *specific type of action and interaction.* According to this definition,

[2] In developing my relational approach I was inspired by Gosewinkel, to whom I am deeply indebted. The starting point – that civil society developments always have to be seen as *relational* to something else – constitutes the common ground of our approaches. However, my own usage differs from Gosewinkel's in as much as I focus on the scope of action as the essential point of reference when analysing civil society developments instead of using this only as a starting point for a new definition of civil society action, with acknowledgement of difference being the central category, compare Gosewinkel (2003; 2005) and Gosewinkel/Rucht (2003).

civil society activities are voluntary activities that are characterized – not only, but mainly – by self-organization and self-reliance, by their operating in the public sphere, by using discourse as a means of resolving conflicts, by tolerance of heterogeneity and pluralism, by their differing from violence and war and by their pursuit of the collective good.[3] Defined as such, civil society is neither strictly confined to any specific sector of society, nor will any real civic organization have all the ideal type characteristics of civil society depicted above. The focus of analysis consequently shifts to research on the *degree* to which certain organizations are more or less *civil society-like*.[4]

While the main characteristic of civil society organizations is the *specific type of action and interaction* they practice, their degree of formality and independence may differ considerably. Likewise, this understanding of civil society allows for an analysis of its *dark sides* (Lauth 2003: 22). A democratic constitutional state is an essential precondition for a democratic civil society to flourish. Conversely, civil society seen in the context of authoritarianism is likely to mirror features such as hierarchy and exclusiveness. Similarly, vertically structured relationships as well as religious and ethnic cleavages in society as a whole are bound to be found in civil society organizations as well (Croissant 2000: 360; Howell 1999: 17). In this sense, there are multiple examples of civil society groups such as registered charities and developmental NGOs, but also informal community groups and faith-based organizations.[5]

[3] My own translation of Gosewinkel et al. (2003: 11)

[4] Compare Gosewinkel (2003) and Wischermann (2005: 219-222). Both authors suggest focusing on the degree to which certain organizations are more or less civil society-like. Their understanding of the relational approach is different from mine, however, see fn. 2.

[5] I have borrowed these examples from the London School of Economics' own definition of civil society, which does not explicitly refer to civil society as a specific type of action and interaction. However, since the LSE definition is formal and descriptive rather than normative in character, this is not a contradiction to the interaction-based definition applied in this essay, see LSE (2004).

3. The Scope of Action for Civil Society in Authoritarian Myanmar/Burma

Any analysis of the scope of action available to civil society actors has to take into account both the *constraints* and the *enabling factors* that could potentially create a suitable environment for civil society activities.

3.1 Regime *Constraints* on Civil Society Action

There can scarcely be any doubt that there are considerable structural impediments hindering the emergence of civil society in Myanmar/Burma (Steinberg 1999; Liddell 1999). Since the crackdown on the popular demonstrations that took place in 1988, the *Tatmandaw*[6] has been expanded and modernized (ICG 2002b: 1-5). Figures are hard to obtain, but it is supposed that its size has since doubled to between 400,000 and 500,000 soldiers (Selth 2001: 16). Intelligence capacities to spy on the population have also been enhanced and modernized (Ball 1998: 91-125). With public education facilities closed for long periods, a career in the armed forces is one of the few ways to acquire education and skills. Together, these and other structural conditions lead to an enormous concentration of political, social and economic power resources in the hands of the military.

Moreover, Liddell has described the *legal constraints* on civil society in Myanmar/Burma by saying there is "no room to move" (Liddell 1999: 54). The development of free and independent civil society associations is restricted by the lack of fundamental civil liberties (ibid.). According to the *Unlawful Association Act*, the Head of State can declare any association unlawful without basing his decision on hard evidence and can punish its members with up to five years of imprisonment (BLC 2004: 21f.). Since *Law 6/88* enacts that no organization can be formed without the consent of the Home Ministry, the Burma Lawyers' Council considers it to be a deliberate measure on the part of the regime to prevent the emergence of an independent and critical civil society (ibid.: 22f.). The *Press Scrutiny Board* subjects

[6] Myanmar's/Burma's army (Selth 1995: 237)

all publications to strict censorship (Liddell 1999: 59) and to counter attempts at individual expression, the regime controls an extensive propaganda machine including newspapers and television channels.

3.2 *Enabling Factors* for the Emergence of Civil Society: Gaps in the Authoritarian System

Even though considerable impediments do hamper its emergence, I still maintain that civil society activities do exist in Myanmar/Burma and that their room for manoeuvre can be identified by using a *relational approach.* Theoretically this scope of action available for civil society actors is best conceptualized from two angles. Firstly, the regime is not totalitarian in character. Thus regime constraints on civil society are not unlimited and some gaps within the regime structure do exist. Secondly, the state apparatus of Myanmar/Burma is weak with regard to many of its core functions. Spaces open up for civil society actors within such areas of state weakness.

3.2.1. Limited Diversification of Social Practices

Totalitarian regimes are characterized by a combination of three dimensions. They have a monistic center of power, an exclusive and more or less elaborate ideology, which provides an ultimate interpretation of social reality, and they actively mobilize the population through a single party and the monopolistic groups deriving from it (Linz 2000: 70). Thus, totalitarian regimes penetrate society to an extent that does not allow for any kind of pluralism (ibid: 70; 263). Civil society, therefore, cannot exist in a totalitarian context.

Myanmar'/Burma's military regime is, however, authoritarian rather than totalitarian in character and permits limited diversity regarding social practices. The regime not only lacks a totalitarian ideology, but it also only partly attempts to mobilize society through corporatist structures. Even though the regime has promoted nationalism and militarism and tried to exploit national security concerns in order to gain legitimacy (Steinberg 2001b: 43-46), this should not be confused with a coherent and broadly accepted ideology. "[…] [N]either the Ne Win regime (1962-1988) nor its SLORC/SPDC successor resembles the

nightmare regimes of Mao's China or Pol Pot's Cambodia, where a revolutionary elite sought to transform society, destroying traditional culture and ways of life and systematically eliminating millions of 'counter-revolutionaries'" (Seekins 2005: 445). While it is true that Christian and other religious minorities are often discriminated against or even attacked by the military (ICG 2003: 21), the regime does not totally deny citizens religious freedom, not even to minority denominations. Christian churches are permitted to hold services and run community programs, which can especially be observed in Rangoon/Yangon and in ethnic minority areas. Members of the Muslim minority also conduct welfare programs in the capital. Furthermore, a certain variety of ethnic and cultural customs persists and these are even displayed publicly. This shows that the regime allows for limited diversification of social practices - but not for their transformation into political practices. Thus, military penetration of Myanmarese/Burmese society is not complete, and some gaps do exist within the regime structure.

3.2.2. Civil Society Emerging from Within the State and Governmentally Organized NGOs (GONGOs)

In authoritarian Myanmar/Burma, civil society is emerging from within sectors of the state itself and from within organizations which used to be under tight state control. Certain retired officials are frustrated with the regime's policies and the weak bureaucratic capacity of the state to perform its functions, such as providing for the welfare of the population. It is against this backdrop that the possibility of civil society emerging from within the state itself has to be analyzed. Some retired civil servants have sought alternative ways to organize and influence political developments. They are active in areas such as food security, health, development and environment protection. While some of them found NGOs, others engage in more informal ways often linked with religious charity. Even if they register as independent NGOs, however, these groups of former officials still maintain functional ties with members of the administration and conduct most of their projects in close co-operation with the government. This indicates that in Myanmar/Burma an ample *grey zone* exists between civil society on

the one hand and state and regime structures on the other. In this sense, the founding of NGOs by former members of the administration can be described as a case of civil society emerging from within the state itself.

A similar pattern of civil society emerging from within the state itself is visible in the emancipation of what were originally government-sponsored groups. The regime has founded several Governmentally Organized NGOs (GONGOs) and tries hard to tightly control them. Certain sub-groups of welfare-orientated GONGOs or individuals within them do, however, test the limits of state control. Some of them are genuinely interested in delivering welfare services the best way possible, but see no other way of doing so than by using government-sponsored channels. When welfare projects cannot be carried out due to the constraints that the regime imposes on political and social activities, these sub-groups or individuals within GONGOs sometimes tacitly try to enlarge their scope of action. They might, for example, push for better possibilities to communicate with their international partners or tentatively request a more open information system about diseases and natural disasters.

3.2.3 Areas of State Weakness

Modern definitions of *state* attribute three core functions to it: firstly, to provide for the security of the population and control the state's territory; secondly, to provide for the welfare of the population, which includes state activities in various sectors such as the economy, labor, health, education and the environment; and thirdly, to generate legitimacy, allow for popular participation and establish a democratic constitutional state (Schneckener 2004: 12-14). If the state fails to perform these functions, other actors can move into the gaps that exist. While Rotberg especially refers to warlords and other criminal non-state actors (Rotberg 2004: 6ff.), Risse also identifies economic actors, NGOs, family clans and other local groups that practice alternative forms of governance in sectors of state weakness or failure (Risse 2005: 8-12). Some of these groups account for civil society actors in line with the definition which forms the basis of this essay.

As Will has said, "Despite the Burmese government's attempts to act in a martial way and curtail its citizens' freedoms considerably, it is not or only on a limited scale able to fulfill some of the fundamental tasks of a modern state, such as guaranteeing a monopoly of power and a reliable legal system, or promoting economic development and social welfare of its citizens" (Will 2004: 1). The state of Myanmar/Burma can be considered as being particularly weak with regard to the core function of providing for the welfare of the population. Furthermore, certain ethnic minority areas are not under the direct control of the central state, which limits its territorial power monopoly.[7] As a result, some room for manoeuvre exists for civil society actors in the sector of welfare provision and in certain territories with a degree of ethnic autonomy.

3.2.3.1 Room for Manoeuvre for Civil Society in the Welfare Sector

The military regime in Myanmar/Burma tolerates certain civil society activities in areas of tremendous welfare needs that the government is unable or unwilling to deal with itself. Local self-help groups take over core functions of the welfare state and try to satisfy basic needs regarding health issues, education and even the provision of food. The emergence of such self-help groups in Myanmar/Burma seems to be a rather new phenomenon, but their number is steadily increasing. Civil society initiatives in the welfare sector vary in their degree of formality and organization; religious and welfare aims are often closely intertwined. At the local level, they include traditional and unregistered village associations such as funeral societies (South 2004: 247). Other civil society groups have established a more formal organizational structure and are registered as NGOs, some of which have already managed to extend their scope of action to the national level. Even though most of these groups are exclusively active in the field of service delivery, some have managed to incorporate measures of *capacity building* and *empowerment* in their projects. Subsequently,

[7] Regarding the categorization of Myanmar/Burma as a *weak state*; see, for example, Karetnikov (2004: 49), Pedersen/Rudland/May (2000), and Englehart (2005). Will (2004) categorizes Myanmar/Burma as a "weak or failing state".

these NGOs not only provide for basic public goods such as food and health-care facilities, but they also organize local communities into project units and teach them the skills which are necessary for them to tackle welfare issues on their own in the future.

Education is another sector where the failure of the Myanmarese/Burmese welfare state becomes devastatingly obvious. Figures are hard to come by, but it is assumed, that the government spends no more than one percent of the GDP on education.[8] Civil society groups are among the most important actors to fill some of the gaps that exist in Myanmar's/Burma's education system. As the state-run educational system deteriorates, civil society actors advance to fill the gaps that are left by the state and develop alternative approaches to teaching and the provision of educational facilities. Parent-teacher associations (PTAs) have been mushrooming in recent years. In many towns and regions of Myanmar/Burma, these voluntary groups consisting of parents and schoolteachers are the only actors to lay the foundations for basic education. Among other things, they collect money for textbooks and take care of the basic maintenance of school buildings.

The education activities of the *Sangha*[9] also play a prominent role in this field. In some rural areas, in fact, monasteries are the only educational institutions that exist (Brandon 1998: 235). Unlike state-run schools, monastic education centers are free of charge or charge less than the official fee at least. Some specifically reach out to street children and orphans and also provide them with food and accommodation. Most monastic schools are active in the field of primary education, but some also teach at a higher level and impart a number of skills. Interestingly, they seem to be relatively free to follow their own curriculum as long as they refrain from criticizing the regime. Monastic education centers vary both in size and in the degree to which they are co-opted by the regime. Many rural

[8] For the financial year 1999/2000, the International Monetary Fund assumed that the government spent 0.4% of the GDP on education, see IMF (2001: 24). Referring to UNESCO figures, "Internationales Konversionszentrum Bonn und die Gemeinsame Konferenz Kirche und Entwicklung" (2005) assumed that the educational budget accounted for 1.3% of the GDP.

[9] Community of Buddhist monks

Buddhist groups are localized and center around individual monks. While they are relatively independent, their radius of action is necessarily limited to a few beneficiaries and their education facilities and materials are often very basic (South 2004: 248f.). By contrast, large monastic schools are often granted a surprisingly large scope of action at first glance. However, this room for manoeuvre is mostly directly dependent on the personal contacts that the presiding monk maintains with several high-ranking officials. While such personal linkages with the ruling establishment compromise organizational independence, they also protect the institution from repressions. To sum up, in spite of co-option (or precisely because of it), the Buddhist *Sangha* enjoys a measurable scope of action, which enables it to offer essential educational services that the state fails to provide.

Similar education and welfare projects are performed by the Muslim, Hindu and Christian minorities (especially by the latter). Since the Christian churches are mostly active in the remote ethnic minority areas, where the biggest part of the Christian population lives, their activities are discussed in the following section.

3.2.3.2 Negotiated Room for Manoeuvre for Civil Society in Ceasefire Areas

Since 1989 the regime has negotiated ceasefires with most of the armed ethnic resistance groups thereby granting them some degree of autonomy. While their political nature is often highly ambivalent, many experts and international aid workers agree that some of the ceasefire agreements have led to the emergence or enlargement of spaces for civil society (Smith 1999: 37-49; Purcell 1999: 89ff., South 2004: 233). This scope of action for civil society actors depends on at least two factors, however: firstly, the military strength of the ethnic resistance party at the time of the ceasefire agreement determines the degree of autonomy that it is granted; and secondly, the political character and motivation of the respective ethnic party are also crucial because not all minority groups allow the emergent spaces of autonomy to be occupied by civil society actors (Smith 1999: 38). While some ethnic minority parties administer their territories in a highly hierarchical manner, others are more interested in the

development and political progress of their regions (ICG 2003: 13). Scopes of action for civil society seem to have been enlarged in parts of *Mon*, *Chin*, *Karen*, *Shan* and most notably in *Kachin* State (South 2003). Moreover, the emergence of civil society spaces in minority areas also has to be seen in the broader context of the enormous underdevelopment that these war-torn communities face. While the regime is unwilling to invest adequate amounts of money in the reconstruction of ethnic areas, it might still be afraid that the armed resistance groups will call off the ceasefires due to economic frustration. This may be an important reason why the military regime allows development projects to be conducted by civil society actors, particularly in ethnic areas (ICG 2001: 23). The emergent spaces are filled by civil society initiatives in the sectors of development, culture, education and welfare that vary in their degree of formality and organization. Consequently, the following overview can give but an insight into the huge variety of civil society organizations that have been emerging in some ethnic areas since the conclusion of the ceasefire arrangements.

At the local level, there are some informal initiatives and small NGOs that focus on the basic developmental needs and reconstruction of war-torn local communities. Mostly, these are issue-orientated and are highly decentralized.

A more formally organized type of civil society activity in the ceasefire areas is *Culture and Literature Committees*. These ethnic groups do not only promote ethnic literature and customs but they also teach children and illiterate adults important spoken and written language skills. As South notes, "In recent years, the Chin, Karen, Mon PaO, Shan and other Culture Committees have been among the few specifically ethnic organizations tolerated by the government. As the education system has deteriorated, such groups have pioneered alternative community education approaches" (South 2004: 247). As early as the year 2000, 46,000 primary-school children in *Mon* State and 27,000 in *Shan* State were able to attend language courses in their own ethnic tongues (Smith 2002: 26). The *Mon Culture and Literature Committee* has conducted educational projects and produced publications in collaboration with the Buddhist *Sangha* (ICG 2003: 18).

Accordingly, in predominantly Christian areas it is mostly the churches and church-related organizations that help promote ethnic and local languages and conduct education programs. They also address other fundamental social needs, which the central government is unable or unprepared to tackle itself. In many ethnic tows and villages for example it is not the local branches of the central government but the churches that provide food and basic health care.

Today, the *Metta Development Foundation* and the *Shalom Foundation* are active in *Kachin* State and other ceasefire areas. These two organizations are registered NGOs and have become popular with international experts and aid workers on account of their relative independence and community-based approach to reconstructing their war-torn areas (e.g. South 2004: 247f.; ICG 2001: 23; ICG 2003: 17; Perinova 2005: 14-25). *The Metta Development Foundation* was set up in 1998 and is active in the sectors of sustainable agriculture, food security, local health care, women's affairs and the reconstruction of local communities after decades of civil war. *Metta* has achieved a lot in bringing humanitarian relief and laying the foundations for sustainable development, but it has also managed to incorporate *community-building* and *capacity-building* initiatives into its projects. Programs are organized in line with a *grass-roots approach*, namely empowering local communities to conduct development projects for themselves.

In 2001 Reverend Saboi Jum founded the *Shalom Foundation* (ICG 2003: 17), an organization that is active in *peace and conflict resolution* and *peace building* between various ethnic groups, some of which used to fight each other militarily in the past. Its personnel are highly qualified and committed to their work. Starting from *Kachin* State, it has managed to extend its programs to other ethnic minority states as well. *Shalom*'s project approach is participative and the *Foundation* uses traditional Christian and Buddhist ideas on peace and mutual understanding in order to reach communities that are unfamiliar with modern concepts of peace building more effectively. In a country like Myanmar/Burma, which is divided along various ethnic and religious lines, such a bottom-up approach to establishing mutual trust constitutes an indispensable contribution to social development.

Even though neither *Metta* nor *Shalom* are countrywide institutions, they sometimes act as facilitators for longer-established associations (South 2004: 248) or for newly emergent NGOs created under their auspices. While having to keep up functional ties with the ruling establishment, they might also serve as protective umbrellas for smaller and more independent NGOs within their radius of action. Despite their size, neither of the two seems to have any political potential; rather they steer clear of politics and carefully manage their relations with the authorities in order to run their programs as independently as possible.[10]

4. How Does Civil Society Constitute Itself Under Authoritarian Rule? Some Preliminary Findings

If civil society spaces are circumscribed and conditioned by an authoritarian regime, what happens within them? What constitutes civil society under authoritarian rule? Regime constraints on civil society remain considerable in Myanmar/Burma. The observation that social spaces exist should therefore not be misconstrued as ascribing any political negotiating power to the emerging civil society organizations, which they do not have. Instead, they are issue-orientated and mostly very localized. In order to be able to tackle the welfare needs of their respective communities, civil society organizations in Myanmar/Burma are obliged to stay away from politics and are consequently far from performing an advocacy role, a task which is normally attributed to civil society in democratic contexts. While social spaces are opening up due to state weakness, political space remains contracted to an extent that does not allow for political expression or criticism. At the very least, in order to find a *modus vivendi* under the current regime, civil society organizations in Myanmar/Burma have to keep up functional ties with members of the ruling establishment or even let themselves become partially co-opted by the latter, which often gives them a *double identity*.

[10] The ICG has made this observation with regard to *Metta* (ICG 2001: 23). As my findings suggest, however, it is directly comparable to the way the *Shalom Foundation* works as well.

The prerequisite for a healthy and independent civil society – one that adheres to democratic norms such as flat hierarchies, pluralistic tolerance and dialogue – is the existence of a democratic constitutional state. As this prerequisite has not been fulfilled in the authoritarian context of Myanmar/Burma, civil society has taken on a different form and mirrors many of the dark sides of the context of action it is operating in. For example, civil society groups in Myanmar/Burma are sometimes exclusive bodies, with membership and benefits confined to a specific ethnic or religious group. Furthermore, their internal structure is often hierarchical, they don't favour active participation by their members with respect to decision making, and they sometimes lack transparency.

With Myanmar's/Burma's civil society being at such an embryonic stage, it would be utopian to consider it a vehicle for early democratization. Nevertheless, civil society groups help to sustain basic welfare structures and human resources. Moreover, in spite of their dark sides, they practice a mode of action and interaction that differs from military patterns of command and coercion. Civil society developments in Myanmar/Burma could therefore be at the very roots of a gradual transformation of social structures and patterns of behaviour. In the long run, this could contribute to a widening of political space as well.

5. Concluding Remarks: Policy Options for the International Community

As I have stated in the beginning, the debate about civil society and its scope of action in Myanmar/Burma is politically relevant as the emerging groups could be engaged as partners regarding the delivery of humanitarian aid. As civil society organizations are rooted in the local communities, they are much more familiar with the needs of the target populations than the international humanitarian aid agencies that are entering the scene from the outside. Consequently, it is only through the engagement of and cooperation with local civil society organizations that international aid agencies can hope to achieve sustainable poverty reduction and development. Moreover, with the current regime being as strong as it is and the prospects for an early

transition bleak, the international community should start thinking about alternative ways of promoting social change in Myanmar/Burma and of helping its suffering population. While in the long term the necessity to achieve regime change continues to be important, international donors should now concentrate on an analysis of what spaces are available for civil society actors and how they can be strengthened. Identifying local partners, channelling humanitarian aid into local community development projects and detecting reform-orientated groups with roots in the state apparatus are all ways that have not been fully explored as yet.

Jasmin Lorch *is a doctoral candidate at the Albert-Ludwigs-Universitaet Freiburg. In June 2005 she graduated in political science from the Freie Universitaet Berlin, Germany. For her MA thesis on civil society in Myanmar/Burma she conducted nearly three months of research in Myanmar/Burma and Thailand in summer 2004. Her current research interests are civil society developments and democratization processes in comparative perspective. For contact, mail to:* j.lorch@gmx.de

References

ALTSEAN Burma (2002): A Peace of Pie? Burma's Humanitarian Aid Debate, Special Report, self-published, Bangkok

Ball, D. (1998): Burma's Military Secrets. Signals Intelligence (SIGINT) from 1941 to Cyber Warfare, Bangkok: White Lotus

BLC (Burma Lawyers' Council) (2004): A Brief Analysis on the Judiciary of Burma, in: Legal Issues on Burma Journal, No. 18, 2-32

Brandon, J. J. (1998): The State's Role in Education in Burma. An Overview, in: Rotberg, R. I. (ed.), Burma. Prospects for a Democratic Future, The World Peace Foundation and Harvard Institute for International Development, Washington D. C.: Brookings Institution Press, 233-245

Croissant, A. (2000): Zivilgesellschaft und Transformation in Ostasien, in: Merkel, W. (ed.), Systemwechsel 5. Zivilgesellschaft und Transformation, Opladen: Leske+Budrich, 335-372

Englehart, N. A. (2005): Is Regime Change Enough for Burma? The Problem of State Capacity, in: Asian Survey, Vol. XLV No. 4, July/August, 622-644

Gosewinkel, D. (2003): Zivilgesellschaft – eine Erschließung des Themas von seinen Grenzen her, Berlin: Wissenschaftszentrum Berlin fuer Sozialforschung (WZB), Discussion Paper No. SP IV 2003-505

——. (2005): Civil Society – Developing the Topic from its Boundaries, in: Heinrich Boell Foundation (ed.), Towards Good Society? Civil Society Actors, the State, and the Business Class in Southeast Asia - Facilitators of or Impediments to a Strong, Democratic, and Fair Society? Berlin: Heinrich Boell Foundation, 11-24

Gosewinkel, D./Rucht, D. (2003): „History Meets Sociology": Zivilgesellschaft als Prozess, in: Gosewinkel, D. et al. (eds.), Zivilgesellschaft national und transnational, Berlin: Wissenschaftszentrum Berlin fuer Sozialforschung (WZB) Jahrbuch 2003, edition sigma, 29-60

Gosewinkel, D. et al. (2003): Introduction, in: Grosewinkel, D. et al. (eds.), Zivilgesellschaft national und transnational, Berlin: Wissenschafts-zentrum Berlin fuer Sozialforschung (WZB) Jahrbuch 2003, edition sigma, 11-26

Heng, R. H.-K. (2004): Civil Society Effectiveness and the Vietnamese State – Despite or Because of the Lack of Autonomy, in: Lee, H. G. (ed.), Civil Society in Southeast Asia, Singapore: NIAS Press, 144-166

Howell, J. (1999): Manufacturing Civil Society from the Outside: Some Dilemmas and Challenges, paper presented at the European Association of Development Research and Training Institutes (EADI) Conference in September 1999

ICG (International Crisis Group) (2001): Myanmar: The Role of Civil Society, Asia Report No. 27, Bangkok/Brussels

——. (2002a): Myanmar: The Politics of Humanitarian Aid, ICG Asia Report No. 32, Bangkok/Brussels

——. (2002b): Myanmar: The Future of the Armed Forces, ASIA Briefing, Bangkok/ Brussels

——. (2003): Myanmar Backgrounder: Ethnic Minority Politics, ICG Asia Report No. 52, Bangkok/Brussels

IMF (International Monetary Fund) (2001): Report No. 01/18, Myanmar Statistical Annex, 1st January, URL: http://www.imf.org/external/pubs/ft/scr/2001/cr0118.pdf, accessed on 20-03-05

Internationales Konversionszentrum Bonn und Gemeinsame Konferenz Kirche und Entwicklung (2005): Laenderinformationen Myanmar. URL: http://www.bicc.de/ruestungsexport/db_content.php?country=Myanmar&table1=yes, accessed on 20-04-05

Karetnikov, D. (2004): Figure 1.4. Collapsed, Failed, Failing and Weak States, 2003: Region 4: Asia, in: Robert, R. I. (ed.), When States Fail. Causes and Consequences, Princeton: Princeton University Press, 49

Lauth, H.-J. (2003): Zivilgesellschaft als Konzept und die Suche nach ihren Akteuren, in: Bauerkaemper, A. (ed.), Die Praxis der Zivilgesellschaft. Akteure, Handeln und Strukturen im internationalen Vergleich, Frankfurt/New York: Campus Verlag, 31-54

Liddell, Z. (1999): No Room to Move: Legal Constraints on Civil Society in Burma, in: Burma Center Netherlands (BNC) and Transnational Institute (TNI) (eds.), Strengthening Civil Society in Burma. Possibilities and Dilemmas for International NGOs, Chiang Mai: Silkworm Books, 54-68

Linz, J. J. (2000): Totalitarian and Authoritarian Regimes, Colorado: Lynne Rienners Publishers Inc.

LSE (London School of Economics and Political Science) (2004): Definition of Civil Society, URL: http://www.lse.ac.uk/collections/CCS/introduction.htm, LSE Centre for Civil Society, accessed on 03-12-04

Pedersen, M. B./Rudland, E./May, R. J. (eds.) (2000): Burma Myanmar. Strong Regime Weak State?, Adelaide: Crawford House Publishing

Perinova, M. (2005): Civil Society in Authoritarian Regime. The Analysis of China, Burma and Vietnam, ed. by LUND University Department of Political Science. URL: http://theses.lub.lu.se/archive/2005/05/23/11168 39547-15844-327/thesis_of_Marie_Perinova.PDF, accessed on 30-09-05

Purcell, M. (1999): "Ace-handles or Willing Minions?": International NGOs in Burma, in: Burma Center Netherlands (BNC) and Transnational Institute (TNI) (eds.), Strengthening Civil Society in Burma. Possibilities and Dilemmas for International NGOs, Chiang Mai: Silkworm Books, 69-109

Risse, T. (2005): Governance in Raeumen begrenzter Staatlichkeit. „Failed States" werden zum zentralen Problem der Weltpolitik, in: Internationale Politik, September 2005, 6-12

Rotberg, R. I. (2004): Failed States, Collapsed States, Weak States: Causes and Indicators, in: Rotberg, R. I. (ed.), When States Fail. Causes and Consequences, Princeton: Princeton University Press, 1-25

Schneckener, U. (2004): States at Risk. Zur Analyse fragiler Staatlichkeit, in: Schneckener (ed.), States at Risk. Fragile Staaten als Sicherheits- und Entwicklungsproblem, SWP Studie S 43, Berlin

Seekins, D. M. (2005): Burma and US Sanctions. Punishing an Authoritarian Regime, in: Asian Survey, XLV, No. 3, May/June, 437-452

Selth, A. (1995): The Myanmar Army Since 1988: Acquisitions and Adjustments, in: Contemporary Southeast Asia, Vol. 17, No. 3, December

——. (2001): Burma: A Strategic Perspective, Asia Foundation Working Paper Series, Working Paper # 13

Smith, M. (1999): Ethnic Conflict and the Challenge of Civil Society in Burma, in: Burma Center Netherlands (BNC) and Transnational Institute (TNI) (eds.), Strengthening Civil Society in Burma. Possibilities and Dilemmas for International NGOs, Chiang Mai: Silkworm Books, 15-53

———. (2002): Burma (Myanmar): The time for Change, Minority Rights Group International (ed.), URL: http://www.minorityrights.org/admin/Download/Pdf/Burma%20Report.pdf, accessed on 01-12-05

South, A. (2003): Roadmaps and Political Transition in Burma: The Need for Two-Way Traffic. This text was the basis of Ashley South's presentation at the "Burma Day 2003: Political and humanitarian options for the international community" Conference in Brussels, 08.10.03. A slightly abridged version appeared in two parts, in: The Irrawaddy Online, 16-17 October. URL: http://www.ibiblio.org/obl/docs/Ashley-South_Political_Transition.htm, accessed on 01-10-05

——. (2004): Political Transition in Myanmar: A New Model for Democratization, in: Contemporary Southeast Asia. A Journal of International and Strategic Affairs, Vol. 26, No. 2, 233-255

Steinberg, D. I. (1999): A Void in Myanmar: Civil Society in Burma, in: Burma Center Netherlands (BNC) and Transnational Institute (TNI) (eds.), Strengthening Civil Society in Burma. Possibilities and Dilemmas for International NGOs, Chiang Mai: Silkworm Books, 1-14

——. (2001a): The Burmese Conundrum. Approaching Reformation of the Political Economy, in: Taylor, R. H. (ed.), Burma. Political Economy under Military, London: Rule, Hurst & Company, 41-69

——. (2001b): Burma. The State of Myanmar, Washington D. C.: Georgetown University Press

STI (Straits Times Interactive) (8.8.05): Child Hunger Rampant in Myanmar
UNAIDS (2004): Epidemiological Fact Sheets on HIV/AIDS and Sexually Transmitted Infections: Myanmar, 2004 Update

Will, G. (2004): Case Study Burma, Discussion Paper for Third Europe-Southeast Asia Forum Southeast Asian Security: Challenges and Structures. A conference jointly-organized by Stiftung Wissenschaft und Politik, Berlin, Centre for Strategic and International Studies, Jakarta, Federal Ministry of Defence, Berlin, and Stiftung Wissenschaft und Politik, Berlin, held from 13-15 December, URL: http://www.swp-berlin.org/common/get_document.php?id=1160, accessed on 16-11-05

Wischermann, J. (2005): Towards Good Society? Civil Society Actors, the State, and the Business Class in Southeast Asia - Facilitators of or Impediments to a Strong, Democratic, and Fair Society? Conceptual Reflections, in: Heinrich Boell Foundation (ed.), Towards Good Society? Civil Society Actors, the State, and the Business Class in Southeast Asia - Facilitators of or Impediments to a Strong, Democratic, and Fair Society? Berlin: Heinrich Boell Foundation, 201-252

Yang, D.-H. D. (2004): Civil Society as an Analytic Lens for Contemporary China, in: China: An International Journal, 2:1, March, 1-27

Chapter 4

Building Pluralism and Institutions: Towards a Change in Governance and Governance Culture(s)?

Public Administration Reform and Practices of Co-Governance: Towards a Change in Governance and Governance Cultures in Vietnam

Thaveeporn Vasavakul

1. Introduction

The Marxist-Leninist state in Vietnam in 2006 differs markedly from that of 1986 when *doi moi* (renovation) was officially endorsed. During these two decades, the *Vietnamese Communist Party* (VCP) and the government adopted a series of institutional frameworks that gave one-party rule a new character. While endorsing the leading role of the VCP, the 1992 Constitution (amended in 2001) also strengthened the role of other political institutions. In 1995 the *Eighth Plenum of the Central Committee of the VCP* (VII Congress) endorsed the reform of public administration, considering it a necessary step to build a bureaucracy capable of developing the national economy, maintaining social equity, preserving the national cultural essence, and preparing Vietnam to integrate into the regional and international community. In 2003, the *Ministry of Home Affairs* issued a framework document for the operation of non-governmental associations, and in 2006, the National Assembly is scheduled to pass the *Law on Associations.* Finally, the party-state promoted direct popular participation within the framework of grassroots democracy, itself based on the principle that "the people know, the people discuss, the people act, and the people inspect." The term "grassroots" referred to production units, government agencies, and commune-level administrative units. Throughout the 1990s, the rule of law was recognized as an element of the political reform agenda, and by 2004, its scope had expanded to also cover the different aspects of legal reform.

In this essay, I focus on one aspect of the political reform, public administration reform (PAR). I will review the public administration reform elements as outlined in the *Public Administration Reform Master Program* (PAR-MP) promulgated by the government in 2001, their implementation, and the governance cultures that they have promoted. Because public administration reform has directly targeted the local government structure, which in Vietnam covers the province, district, and commune levels, I will discuss in detail the reform of local government under the rubric of administrative decentralization. I will argue that in Vietnam, the impetus for PAR has been the interplay of three factors: the need to redefine intra-bureaucratic authority relations within the system, social pressure on the state system, and the imperatives of Vietnam's integration into the international order. Because different factors are at work at different times, the PAR process has unfolded in an uncoordinated manner despite the rhetoric of a public administration reform master plan and its subsequent elaborated action plans. Yet, in a collective manner, the different aspects of the emerging new institutional framework have shaped the discourse on governance and governance cultures in Vietnam.

Conceptual Clarification

In discussing public administration reform and its implications to co-governance and governance culture, it is necessary to make three conceptual clarifications. The first deals with the term "public administration", which – although familiar to all – is quite new in Vietnam. The term only became widely used by Vietnamese policy makers and practitioners in Hanoi in the 1990s, in the process of Vietnam's move to rebuild its post-central planning political institutions and the authority relations among them. During the central planning period, a "public administration" did not exist as a separate entity but was merged into the concept of the state, often referred to as the bureaucratic subsidizing apparatus (*bo may quan lieu bao cap).* From this historical perspective, the term and the entity "public administration" can be considered as a post-central planning invention.

The second clarification deals with the term "governance" which is also new to Vietnam. "Governance" has been translated into Vietnamese as *quan tri*, while the term "co-governance" has been translated as *dong quan tri*. The term *quan tri* means a combination of administrative management and rule. Yet, Vietnamese scholars and practitioners do not always agree on how to conceptually define *quan tri*, the definitions given ranging from co-decision making to co-management and co-steering.

The third conceptual clarification deals with the term "governance culture". Vietnamese scholars have extensively studied Vietnamese culture, but they have not analysed "governance culture" systematically. It is likely that in reality, there is no distinction between non-governance and governance cultures as societal and state practices might, to a certain extent, mirror one another. However, it is fair to argue that the translation and use of the terms "public administration" and "governance" and related concepts reflect the change in Vietnam's political culture itself. By 2006, 20 years after *doi moi* was officially promulgated, public administration and governance have become points of reference in Vietnam's vocabulary of reform. Development cooperation agencies support projects dealing with public administration reform and good governance. The Vietnamese government has issued a master program on public administration reform. The media publicizes negative aspects of public administration. And the public has developed a view of the administration that sees it either as an obstacle or as a promoter of development.

2. Driving Forces for Public Administration Reform

The process of public administration reform in Vietnam has been driven by three major forces. The first is the redefinition of intra-bureaucratic authority relations. In an earlier article, written in the mid-1990s, I argue that public administration reform can be considered as a reaction by the VCP and the government to the increasing fragmentation and departmentalization of the state bureaucracy which had developed in the post-central planning

period.[1] With the breakdown of central planning in the 1980s, vertical administrative and economic ties that had developed during the socialist period disintegrated. Economics and politics became decentralized, devolving onto middle level cadres and the grassroots levels. This autonomy was often characterized as departmentalism and "bossism", with corruption alienating them from the masses and the abuse of power seen to be their primary manifestation. I discussed a number of features of the so-called new politics, including the formation of fixed and fluid alliances among middle-level government agencies, which advanced economically at the expense of central government; the development of mutually beneficial relationships between government agencies and businesses at the expense of central government; and the deteriorating relationship between government and society. In early 2000, the redefinition of intra-bureaucratic authority relations became even more urgent given that corrupt practices within the public administration system, reflected in the use of state property and power for private gain, abounded. The epitome was the *Nam Cam scandal*, which involved state officials selling the state's powers of law enforcement, and its monopoly on the use of force, to organized crime.[2] From the political and economic perspective, the reform of the state administration is thus a mechanism used to rebuild the institutions of public administration, to redefine authority relations and, by implication, to endorse a new culture of governance.

The second driving force is society's reaction to the failure of the government and its public administration to perform basic functions during the transition from central planning to a market economy. Confrontation between government and society occurred when citizens came into contact with the state through administrative services, most often when applying for various types of licenses. It

[1] See Thaveeporn Vasavakul, "Politics of the Reform of State Institutions in the Post-Socialist Era," in Suiwah Leung, ed., Vietnam Assessment: Creating a Sound Investment Climate (Singapore: ISEAS, 1995), pp. 42-68

[2] See Thaveeporn Vasavakul, "Mapping Vietnam's Legal Cultures: Reflections on Corruption, Organized Crime, and State Building in the Post-Socialist Era," Paper presented at the Symposium Entitled "Mapping Vietnam's Legal Culture: Where Is Vietnam Going?", University of Victoria, British Columbia, 27-30 March, 2003

has also taken place in almost every area that involves state management of property rights, the key to which is land management. In both urban and rural areas, land management has become one of the key "hot spots" despite the promulgation of various versions of the *Land Law* between 1993 and 2003. Statistics from the *Vietnam Fatherland Front*, an umbrella of mass organizations in Vietnam, show that about 60% of petitions submitted by citizens deal with land problems. The key problem often mentioned in newspapers is that of local authorities seizing land from local inhabitants, even though they had proof of their land-use rights. The problem occurred in urban as well as rural areas.

The third driving force is the imperative of international integration, which operates at both the macro and the micro level. At the macro level, the key driving force is Vietnam's integration into the regional and international economic order, including Vietnam's membership of ASEAN and its commitment to AFTA, Vietnam's preparation for WTO membership, and Vietnam's commitment as a signatory of international conventions. To fulfil the requirement for WTO membership, for example, the Vietnamese government has been compelled to revise its legal documents to promote an equal playing field and to institutionalize and facilitate the process of administrative petitions. Vietnam's commitment to the *United Nations Anti-Corruption Convention* also shaped Vietnam's own anti-corruption laws. Proponents of a more liberal operational atmosphere for civil society have been guided by the handbook published by the *Open Society Institute*. At a micro-level, the driving force includes the transfer of international ideas and practices to Vietnam through the intellectual community and development cooperation agencies. These ideas range from general concepts related to public administration to specific public administration reform tools, e. g., new public management, human resources management, competence based learning, skill-based training, performance management, ISO accreditation, job description, logical framework analysis, community-based organizations, and community-driven development. This set of driving forces plays an important role in

shaping the Vietnamese discourse on public administration reform in particular and political reform in general.[3]

3. The Public Administration Reform Master Plan (PAR-MP) and Its Implementation

When public administration reform was first launched in 1995, it consisted of three key components: organizational reform, the reform of administrative procedure, and reform of the civil service. In 2001, the Prime Minister approved the *Master Program on Public Administration Reform for the Period 2001-2010* (PAR-MP), consisting of institutional reform, organizational reform, the civil service, and the reform of public finance. These four reform elements are to be carried out through seven national action programs over two phases, from 2002 to 2005 and from 2006 to 2010. The *Master Plan* specified nine objectives to be achieved between 2001 and 2010, with emphasis going to accountability, transparency, coordination, reduction of compartmentalization in the preparation of legal documents, and reduction of corruption.[4]

Action Program I focused on the improvement of the quality of legal documents and included two primary aspects. The first was the drafting and promulgating of key laws by the National Assembly, and reform of the process of issuing legal documents by both central and local government agencies. The second aspect was the reform of administrative procedures, carried out through the mechanism known as the "one-stop shop" (OSS). Provincial departments, districts, and communes were required to set up a desk to receive applications for administrative services. This reception desk would forward the files to the relevant professional departments for processing, and return the results received from the departments within a stipulated time period. Provinces, districts, and communes were required to reform their internal working regulations to meet

[3] For information on donor-funded projects, see "Donor Assisted PAR Projects: Sharing Practice: A Consultative Document" prepared by the MOHA under UNDP Project VIE/01-024

[4] See Bo Noi Vu, "Chuong trinh tong the cai cach hanh chinh nhu nuoc giao doan 2001-2010 va cac van ban trien khai" (Hanoi, 2003)

the time frame for processing set by the central government. The reception section was required to post the length of time needed to complete the administrative procedures, as well as the fees that would be imposed.

Action Program II focused on the roles, functions and organizational structures of agencies within the state administrative system. Its activities centred around two aspects of administrative decentralization: the delegation of responsibilities from the Prime Minister to ministers and central government agencies; and the delegation of responsibilities from central ministries to provincial/municipal governments.

Action Program III focused on staff downsizing. This process, which was aimed at reducing staff sizes by 15%, in fact had started in the early 1990s as an effort to reduce the number of civil servants in the bureaucracy inherited from the socialist period. Staff downsizing was not successful. Although old administrative units were dissolved, new ones were simultaneously being created. The focus has since been shifted towards "right-sizing" rather than downsizing.

Action Program IV focused on developing the quality of cadres and civil servants. Between 2002 and 2005, it focused on four policy areas. The first dealt with personnel management, which included areas such as classifying public officials and civil servants, and redefining the requirements, standards, qualifications, rewards, and remuneration policies for public servants. The second dealt with the introduction of new recruitment methods, and the third with the reform of training institutions, curricula, and training methods. The fourth dealt with the separation of public servants working in administrative units from those working in service delivery units.

Action Program V dealt with salary reform. It is generally known that public officials in Vietnam cannot live on their salary. Most are forced to look for a second or even third job in order to be able to sustain their and their family's livelihoods. During the past few years, the government has implemented initial salary increases and introduced social insurance policies which indirectly helped to improve the living standards of its public officials.

Action Program VI focused on the reform of public financial management. During the past few years, the key focuses have been on budgetary decentralization, the implementation of block grant and block staffing, and the granting of financial autonomy to income-generating public services, all of which were designed to promote the efficiency of administrative units.

Action Program VII focused on the reform of work methods and the modernization of administrative offices. It concentrated on the improvement of coordination mechanisms, long considered one of the key problems of Vietnam's administrative system. It also focused on the use of ISO accreditation and of information technology to improve quality.

Public administration reform is aimed at redefining authority relations among administrative units on the one hand, and making the public administration more responsive to citizens' needs on the other. To implement these action programs, new institutions were set up while new "tools" were introduced, in the process coexisting or merging with existing institutional and cultural practices inherited from the central planning period. At the level of the public administration itself, it is possible to identify at least four new governance cultures within the Vietnamese context. First is the recognition of the rule of law, a governance culture widely adopted elsewhere but new to Vietnam, where rule by *Communist Party* directive had dominated public and private life. The second new governance culture is the emphasis on "service". The idea that public officials have to transparently and accountably provide services to citizens as customers is a major departure from the old bureaucratic mentality that perceived public officials as being in a superior position. The third deals with sharing governance between public administrative units, contrary to the pervasive phenomenon of departmentalization, and lack of coordination among units. Fourth is the culture of meritocracy, which goes against the emphasis on political loyalty and nepotism within the system.

At the political system level, the process of reform has also brought about a new discourse on the role of the leadership in particular and the state in general. The discourse on political leadership emphasizes the lack of openness in the leadership's communication with the

public, the absence of individual opinions, and the lack of a popularly-oriented personality of "politicians." The discourse on the state focuses on the accountability of individual officials holders within the state apparatus as opposed to collective leadership by the Party-state *per se*.[5]

Implementation, however, has been uneven across the seven action programs, sectors, and localities. Despite the fact that public administration reform has been a planned project, its progress is more determined by the interplay of the three factors discussed earlier. Both old and new cultures of governance clash in the process of institutional building. The process of drafting legal documents is still executive-driven: the National Assembly and local councils are not yet equipped with the necessary capacity, and most parent laws passed by the National Assembly require a series of implementing government decrees and ministerial circulars. The emphasis on transparency and service through the OSS mechanism has not eliminated the practice of rent seeking and petty corruption. In order to push the reform further forward, even more institutional and cultural reform is needed. [6]

4. Decentralization Aspects of PAR and Co-Governance Between the Government and Society

Decentralization between central and local government is the key trend to have emerged in the public administration reform process, and one that cuts across all seven action programs. The redefinition of central-local government relations evolved within the framework of *phan cap*, that is, the delegation of responsibilities by hierarchy. The emphasis was on the decentralization of bureaucratic responsibilities and tasks, as opposed to the decentralization of political authority, where elected representatives accountable to voters are the key

[5] *Tuoi Tre* newspaper published a series of articles in 2004 and 2005 that indicate some change in the political discourse.

[6] For a review of the PAR implementation, see Ban chi dao cai cach hanh chinh cua Chinh phu, "Bao cao tong ket viec thuc hien giai doan (2001-2005) chuong trinh tong the cai cach hanh chinh nha nuoc giai doan 2001-2010 va phuong huong, nhiem vu cai cach hanh chinh giai doan II (2006-2010)", (Hanoi, 27 April 2006)

decision makers.[7] The key resulting policy frameworks include: the *Law on Government Organization* (2001), the *Budget Law* (2002), the *Law on Organization of People's Councils and People's Committees* (2003), the *Law on Local Elections* (2003), and *Resolution 08 on Decentralization from the Central to Provincial/Municipal Governments*.[8]

The emerging institutional framework is characterized by both the reinforcement of hierarchies and the delegation of responsibilities from the central to provincial/municipal governments. The *Law on the Organization of People's Councils and People's Committees* of 2003 reinforces hierarchical authority relations within the administrative system. Fundamentally, local elected bodies are supervised by both the elected and the executive bodies of the level immediately above them, while the executive bodies are supervised and guided by both elected bodies at the same level and executive bodies at the next higher level. Reinforcement of hierarchical authority relations notwithstanding, compared with previous legal frameworks, the amended law of 2003 more or less promotes the principles of self-government, delegating responsibilities from the central to the local government level as well as granting the local government units decision-making powers within the parameters of its delegated

[7] For a review of administrative decentralization in the 1990s, see Thaveeporn Vasavakul, "Rethinking the Philosophy of Central-Local Relations in Post-Central Planning Vietnam" in: Turner, M. (ed.), Central-Local Government Relations in the Asia-Pacific Region (London: MacMillan, 1999), pp. 166-95

[8] See Nghi dinh cua Chinh phu so 12/2001/ND-CP ngay 27-3-2001 ve viec to chuc lai mot so co quan chuyen mon thuoc Uy ban Nhan Dan Tinh, thanh pho truc thuoc Trung uon va Uy Ban nhan dan quan, huyen, thi xa, thnah pho thuoc tinh, Cong Bao, no. 16 (30-4-2001), pp. 1019-1020; Luat to chic Hoi Dong nhan dan va Uy ban nhan dan (so 11/2003/QH11 ngay 26-11-2003), Cong Bao, no. 218 (19-12-2003), pp. 13276-13324; Nghi dinh cua Chinh phu so 71/2003/ND-CP ngay 19/6/2003 ve phan cap quan ly bien che hanh chinh su nghiep nha nuoc, Cong Bao, no. 71 (2-7-2003), pp. 4579-4583; Ban Chap Hanh Trung Uong, Nghi quyet hoi nghi lan thu nam Ban chap hanh Trung Uong Dang khoa IX ve doi moi van nang cao chat luong he thong chinh tri co so xa, phuong, thi tran, ngay 18 thang 3 nam 2002, 9 pp; Chinh Phu, Ke hoach thuc hien Nghi quyet so 17/NQ/TW ngay 18/3/2002 cau Hoi nghi lan thu 5 Ban Chap hanh Truong uong Dang (khoa IX) ve 'Doi moi va nang cao chat luong he thong chinh tri o co so xa, phuong, thi tran', 9 pp; Nghi Dinh cua Chinh phu so 79/2003/ND-CP ngay 7-7-2003 ban hanh quy che thuc hien dan chu o xa, Van Phong Quoc Hoi, Co so du lieu Vietnam Law Data

responsibilities. It grants provincial and municipal *People's Committees* substantial decision-making and managerial powers. The key six work areas are:

(1) Land planning, socio-economic planning and investment management

(2) Budgetary management

(3) Management of land, natural resources, and state property

(4) Management of state-owned enterprises

(5) Management of income-generating public service units (education, health care, sports, and culture)

(6) Personnel management

In the 1990s, the discourse on PAR in general and the content of administrative decentralization in particular did not highlight the element of popular participation. The promotion of popular participation developed as a separate strand of political reform, itself driven by rural unrest in opposition to local officials' abuse of power in the late 1990s. However, because the current administrative system does not fully and timely allow the central government to supervise and monitor local government operations, and as the reform of local councils remains limited, direct popular participation is seen as an indispensable mechanism to hold local government accountable. Popular participation in the form of popular supervision is also believed to help reduce government ineffectiveness and corruption. In *doi moi* Vietnam, popular participation is pushed forward both through representative democracy and direct grassroots participation. The former is seen in the institution of local elections, while the latter is seen in the promotion of the principles of grassroots democracy.

The local public administrative system in 2006 has departed substantially from that inherited from the post-central planning period. Yet, certain aspects of the framework remain under contention, especially the degree of decentralization, the role of direct popular participation, and the role of the non-state sector in governance.

5. Administrative Decentralization Framework

Regarding the administrative decentralization framework, contention focuses on three key areas. First, for decentralization to be effective, change has to take place in different sets of institutions at the same time. The central government has to commit to delegate work and provide financial resources, while local government must develop the necessary capacity to respond to local demands and situations. Local government needs to be accountable to both central authorities and the local community. At the moment, not all conditions for a successful decentralization have been met.

Second, the system remains quite centralized at the provincial level. "Decentralization" has not yet reached the district or commune-level administration. An examination of the implementation of the *Program for Socio-economic Development in Communes* faced with extreme difficulties (generally known as *Program 135*, as it was approved by Prime Minister Decision's 135/1998/QD-TTg) provides an insight into the centralized nature of the local government system. *Program 135*, initiated in 1998, was aimed at promoting a market economy in disadvantaged areas through infrastructure building. It consisted of five sub-programs: infrastructure development; inter-commune centre infrastructure development; relocation planning; agricultural and forestry extension; and training for commune/village staff in remote and mountainous areas.[9] It was first applied to 1,000 communes and later expanded to the 2,362 poorest communes nationwide. Funding for 2,233 communes came from the central government and for 129 from the provinces. Total investment from 1999 to 2004 was nearly US-$ 430 million (VND 6,795 billion). The review of the implementation of *Program 135* shows that only 16% of all 135 communes were directly involved in planning and managing the funds as investment holders. In these communes, households and village leaders were mobilized to participate in managing and supervising the allocated funds. For the rest of the 135 communes, the

[9] It is aimed at reducing the proportion of poor households in difficult communes to less than 25% in 2005, providing adequate clean water, increasing the proportion of school age children attending school to more than 70%, further training poor people in production, controlling dangerous and social diseases, constructing roads to inter-commune centers, and developing rural markets.

provinces and districts still kept control of planning and funding management.

Third, the emerging framework grants *People's Councils* expanded responsibilities in budgetary management, investment, and human resources. In practice, however, the local legislative bodies' relationship with the executive is weak. The *People's Councils* are only required to meet twice a year. The limited amount of meeting time does not allow detailed discussion and consideration of all matters falling under their jurisdiction. The Law grants the *People's Council* the power to supervise the *People's Committee*. However, the *People's Committee* is also subordinated to the upper echelon and has to reach a compromise with both the *People's Council* at its own level and the *People's Committee* at the immediately higher level. In practice, the framework is likely to encourage the *People's Committee* to follow the orders of the upper echelon, and does not pay attention to the resolutions of the *People's Council*.

Despite a new decentralized legal framework, the problem of the role of local *People's Councils* is fundamentally structural. The extent to which local deputies are representative is a key question, one which has to do with the way in which the local election system in Vietnam is organized. In 2003, the National Assembly approved the revised law on local elections that modifies a number of electoral procedures to make the process more open. Compared with other Southeast Asian countries, however, elections in Vietnam are not far from "democratic". A survey of popular perceptions in Ho Chi Minh City and Bac Giang carried out by a state-funded research project in 2002-2003 showed that for the local elections for the 1999-2004 term, 30.3% of informants knew the deputies, while 37.6% answered that they only knew their acquaintances and 17.2% answered that they did not know any of the candidates. Of the total number of informants surveyed, 37.8% stated that they paid attention to the work of the *People's Council* but only 7.8% thought that the *People's Council* was important.[10] A preliminary survey of four communes with different socio-economic conditions during the April 2004 elections captured

[10] Vu Thu, "Ve xu huong phat trien cua bo may chinh quyen dia phuong nuoc ta," Nha Nuoc va Phap Luat, no. 6 (2004): 33

some general attitudes towards the electoral process.[11] A substantial number of local inhabitants felt that elections were the business of the government and local cadres, not theirs. On the other hand, local cadres felt threatened by the electoral process because in the past, local elections brought about change in the composition of the *People's Committees*. At least 20% of local cadres were replaced. The change sometimes involved the replacement of both party chiefs and commune chairs.[12]

6. Direct Popular Participation

The development of direct popular participation has evolved as an element in the political reform process. The VCP promoted popular participation in local governance as early as 1984 under the rubric of grassroots democracy (GRD), which was later reinforced in 1998 by *Politburo Directive 30* on the implementation of grassroots democracy in communes/wards, production units, and government agencies. Of these three aspects, grassroots democracy at the commune level became a crucial area as 80% of the population still lives in rural areas.

Direct Democracy in Communes and Wards: Content and Mechanisms

Grassroots democracy promoted popular consultation, popular contributions, popular discussion, and popular inspection in local governance. Grassroots authorities were required to publicly inform local inhabitants about decisions that would directly affect their community. They were required to ask local inhabitants to discuss, make decisions on, and participate in

(1) projects funded by local contributions;

[11] The first commune is a somewhat rich one engaged in business; the second is an agricultural commune without much economic diversification (but hamlets within these communes have income differentiations); the third and the fourth are agricultural communes in the south of the Red River Delta where local inhabitants staged protests. See Bui The Cuong, "Bau cu Hoi dong nhan dan o lang xa mien Bac: tu mot danh gia nhanh nong thon," Xa Hoi Hoc, no. 3 (2001): 20-27

[12] Ibid.

(2) the writing of village codes or conventions;

(3) the internal affairs of the village population;

(4) setting up boards for supervising construction projects built with the people's contributions;

(5) organizing the protection of production and business, maintenance of security, order, social safety, and environmental issues.

Local authorities were required to ask local inhabitants to comment on some documents before they were promulgated. For example, local inhabitants could discuss draft resolutions of the commune *People's Councils*; draft plans for the communes; land-use plans and the management of public land funds; plans on residential quarters, schemes for resettlement and new economic zones; draft schemes on the demarcation and adjustment of boundaries; schemes for splitting and setting up villages; draft plans on the implementation of national target programs in the communes; plans for compensation for ground clearance and infrastructure construction; employment for labourers in the communes; and other drafts which the commune administration deems necessary.

Local inhabitants would be involved in the direct supervision of certain government activities, including the activities of commune administrations, socio-political organizations, social organizations and professional organizations in the communes; results of the implementation of resolutions of the *People's Council* and the *People's Committee*; the moral quality of the chairmen of the *People's Council* and the *People's Committee*, and officials of both agencies; settlement of local citizens' complaints; estimates and final settlement of commune budgets; organizing construction; projects implemented by superior authorities; land management; collection and spending of various funds and fees; results of the handling of negative and corruption cases; implementation of the regimes and policies on preferential treatment.

Finally, the *Grassroots Democracy Decree* emphasized the building of village communities. The village (*thon* or *lang*) was a sub-unit under the commune administration. The *Grassroots Democracy Decree*

institutionalized village meetings, to be organized every six months. At the meetings, villagers could discuss their internal affairs, measures for implementing resolutions of the commune *People's Council*, reports on work performance, and self-criticism by the village chiefs and the chairs of the *People's Council* and the *People's Committee.* Village meetings were also forums for villagers to elaborate village codes or conventions, and to appoint people to various inspection boards. Resolutions of the village meetings were valid when they were approved by more than half of the participants and were not contrary to provisions of the law. The decree also gave details about the position and role of village chiefs, who were elected by the local inhabitants and could be dismissed by them. They would serve as an intermediary between the commune authorities and the local inhabitants.

The *Commune People's Committees* would coordinate with the *Vietnam Fatherland Front* (VFF) to organize meetings for discussion, open voting, or secret ballot. They abided by the decisions presented if they were voted for by more than 50% of those participating in the meetings. Local authorities would coordinate with the VFF to implement the decisions.

Review of GRD Implementation

A national conference to review grassroots democracy implementation met in September, 2004. Statistics showed that 100% of communes had implemented grassroots democracy, but only 38% had done so effectively. 97% of administrative units had implemented grassroots democracy but only 29% were considered effective, while 88% of state-owned enterprises had implemented grassroots democracy but only 32% were considered to have done so effectively.[13] General Secretary Nong Duc Manh asked why only one-third of grassroots units did well, and why the rest still failed to apply grassroots democracy. He emphasized the need for "mechanisms" and the strengthening of popular inspection.[14] Four key problems

[13] "Dan chu hon trong thuc hien quy che dan chu o co so", DDK, 5-10-2004, p. 1

[14] "Tiep tuc mo rong dan chu, thuc hien phuong cham 'dan biet, dan ban, dan lam, dan kiem tra'", DDK, 1-10-2004, p. 1

have been identified in the implementation of grassroots democracy. The first was that overall, decrees were selective as far as the areas for participation were concerned. For example, local inhabitants inspected the collection, spending, and use of funds they had contributed themselves, but did not inspect projects funded from the government budget.

Second, in order to fully implement the *Grassroots Democracy Decrees*, there must also be regulations, work rules and laws to guarantee the various aspects of popular participation. A detailed framework has to be promulgated to institutionalize co-governance. One problem area is the method for popular discussion. Although participation was carried out through public meetings, holding the meetings met with various difficulties. The number of public meetings allowed was small, a total of two annually. There was also a lack of appropriate meeting venues, so both rural hamlets and urban residential units met with varying degrees of difficulties. The capacity of local cadres to gather opinions was reportedly low.

One of the most complicated aspects of popular participation deals with the question of popular inspection. This task was assigned to the *People's Inspectorate* (*Ban Thanh Tra Nhan Dan*), a unit first set up in the 1990s following the promulgation of the *Ordinance on Inspection* in 1990.[15] Members of the units were elected by local inhabitants with the involvement of the *Vietnam Fatherland Front* (VFF) or its *Local Task Force* (*Ban Cong Tac Mat Tran*). In 1998, when GRD was promulgated, the *People's Inspectorate* was assigned the task of monitoring its implementation.

The functions of the *People's Inspectorate Unit* were nevertheless ambiguous in several aspects. Firstly, despite the term "inspection" in its name, its inspection function was not the key; the unit only carried out inspection work if it was asked to do so by the *District Inspectorate*

[15] By 2000, according to a report by the VFF, of 10,500 communes in 61 provinces, 9829 (or 93.61%) had a *People's Inspectorate Unit*. Thirty-one provinces had a unit in every commune. Other related documents are *Decree 241* on regulations concerning the organization and activities of the *People's Inspectorate* promulgated by the *Council of Ministers* in 1991m and Circular no. 8 of the *Vietnam Fatherland Front*. See Nguyen Thanh Bin, "Thuc tine 10 nam heat dong thanh tra nhan dan o co so", Nha Nuoc va Phap Luat, no. 3 (2003): 61-8

Unit. According to the *Inspection Ordinance and Decree 241*, the key functions of the *People's Inspectorate Unit* were to monitor the implementation of laws, resolutions of *People's Councils*, and decisions of *People's Committees*. When the unit found violations, it reported to the chair of the commune *People's Committee* and monitored the follow-up work. Secondly, the unit's monitoring tasks served to protect the interests of the state as well as those of local citizens. For example, the units focused on local inhabitants' encroachment into state-owned land, while also handling petitions and denunciations from local inhabitants.[16] Thirdly, the scope of the areas it monitored remained limited.[17] The units did not get involved in the areas of budgetary spending, state-funded projects, land management, and corruption among local cadres.[18]

There was discussion on changes in the legal framework to update the *Ordinance*, with the possibility of a separate document for the *People's Inspectorate*. The discussion focused on whether the *People's Inspectorate Units* should contain the term "inspect" because they were not performing investigative or inspection work. It also concentrated on the People's Inspectorate's functions, tasks, authority and monitoring methods, and on local government response to the

[16] Ibid., pp. 62-5. From 1995 to 2000, the *People's Inspectorate Units* in Hanoi reportedly discovered 7,043 cases of land encroachment and recommended solutions in 5,621 cases. According to reports from eighteen provinces, in 2002 the units monitored the reception of petitions concerning 97,035 cases, and recommended responses to 80,147 (82.6%). In 2003, the percentage of petition cases fell by 13.47% compared with 2002.

[17] In Hay Duong, the *People's Inspectorate Units* and the VFF organized the people in building 463 local conventions. They worked with the *Commune People's Committees* to organize elections of hamlet and deputy hamlet heads. In 2000, they mobilized the people to contribute 55 billion, 710 million VND and two million work days to build and upgrade 1,026 kilometers of road and 1,054 bridges. In 15 provinces, the *People's Inspectorate* discovered 293,447 cases to present to the government, 76.37% of which were solved. According to statistics from 18 provinces, the *People's Inspectorate* recommended and transferred 97035 applications/petitions, 82.6% of which were solved. "Tiep tuc mo rong dan chu, thuc hien phuong cham 'dan biet, dan ban, dan lam, dan kiem tra'", DDK, 1-10-2004, p. 1, and "Y kien ban doc: can nghiem tuc voi viec thuc hien 'Quy che dan chu o co so'", DDK, 5-11-2004, p. 5

[18] See Nguyen Thanh Binh, "Thuc tien 10 nam hoat dong thanh tra nhan dan o co so", Nha Nuoc va Phap Luat, no. 3 (2003): 65

recommendations of *People's Inspectorate Units*. It was unclear what monitoring mechanisms would allow the units to do their job, and how commune *People's Committees* could possibly respond to recommendations. The 1990 Ordinance suggested that if the chair of the *People's Committee* did not respond in 30 days, the *People's Inspectorate Unit* could contact higher echelons. However, this proved to be neither practical nor effective in practice. Discussion also focused on the membership of the units. Local commentators pointed out that local officials should not be members of the units, that there should be no limit to the number of members so that each hamlet could have at least one representative, and that there should be clear rules on how to elect members and how to dismiss irresponsible ones. Their terms should be longer, possibly extending to five instead of two years. Finally, the discussion focused on the rights and responsibilities of the VFF over members of the units, with the possible right to release (*bai nhiem*) members of the *People's Inspectorate* from duty.[19]

A revised *Ordinance on Inspection* was promulgated in 2004.[20] It retained the structural elements of the 1990 Ordinance. Vietnam's inspectorate system included both the state inspectorate system and the *People's Inspectorate Units*. The former, also including the specialized inspectorate and administrative inspectorate systems, inspected legal implementation by government units and was organized from the central to the district level. The latter was a separate system operating at grassroots-level administrative units. The former was not responsible for leadership or for providing training. The unit was placed under the VFF and the *Executive Committee of the Labor Union* (for inspectorate units in government agencies).[21]

---

[19] "Co cau va nhiem ky cua ban thanh tra nhu hien nay dang con phu hop", DDK, 30-4-2004, p. 2

[20] Bui Xuan Duc, "Nhung diem moi ve to chuc va hoat dong thanh tra the oluat thanh tra nam 2004", Nha Nuoc va Phap Luat, no. 11 (2004): 14-20

[21] ibid. *Dai Doan Ket* reported that the *National Standing Committee* thought that the current structure and terms of the *People's Inspectorate Unit* were appropriate. As a result, it recommended that the current structure be maintained. At the commune level, there would be 5-11 members. In administrative units, there would be 3-9 members. There was a two-year working term. Mr. Do Duy Thuong, a member of

Thirdly, grassroots democracy implementation requires the role of the VFF to be strengthened. *Dai Doan Ket*, the VFF's own newspaper, argued that there was a need to turn the VFF into a genuine pillar of the political system. The VFF and its member organizations had to review their own performance, and asked why the people did not seem to share with their opinions with them.[22] The VFF and its mass organizations needed to present the diverse voices of Vietnam's citizens. At the moment, the VFF and its mass organizations limit their activities to opinion-gathering through elections and contact with voters. In addition, there must also be regulations, work rules and laws to guarantee the use of popular opinions. There is a need for a mechanism to link democratic centralism in the party and democratic negotiations (*hiep thuong dan chu*) by the VFF.

The final problem was lack of commitment from local officials, who were selective in implementing the content of grassroots democracy. There was no sanction mechanism in place to reinforce the implementation of the GRD. For example, in the area of popular discussion, among the five issues on which the local government was required to solicit opinions (that is, the level of contribution for infrastructure building; building of local conventions; internal affairs; inspection of projects financed by local inhabitants; and protection of local production and social order), the local government reportedly implemented with rigor the building of local conventions while down-playing the role of popular inspection. In the area of popular inspection, *Decree 79* identified 11 tasks to be inspected by local inhabitants. The survey showed that the government facilitated the people's inspection of commune activities, the results of implementation by *People's Councils*, the morality of cadres, petition handling, and collection and spending of funds. The degree of popular inspection of budgetary estimates and land management remained low. Local inhabitants inspected the collection, spending,

---

the *Standing Committee*, proposed that the *Standing Committee* be allowed a somewhat more flexible mechanism for the VFF to "bai nhiem" members of the *People's Inspectorate Unit*.

[22] "De Mat Tran To Quoc that su la mot tru cot trong he thong chinh tri", DDK, 28-11-2004, p. 2

and use of funds they had contributed themselves, but did not inspect projects funded from the government budget.

7. The Role of Non-Governmental Organizations (NGOs)

In Vietnam, two types of non-government organizations, that is, mass organizations and civic organizations, operate at the grassroots level. The *Vietnam Fatherland Front* (VFF) and other mass organizations are considered integral parts of the grassroots-level political system. The *Fatherland Front's* key responsibility is social reconciliation. It is involved in the organization of elections and was a key actor facilitating the GRD process. Mass organizations such as the *Women's Union*, the *Youth Union*, the *Farmers' Union* and the *Veterans' Association* represent their own constituencies. Mass organizations play an important role in rural development, both to promote growth and to alleviate poverty. For example, the *Farmers' Union* works with farmers' groups to help with production, these groups having emerged as Vietnam moved from the collectivized agricultural system under the central planning model towards a market economy. Many groups were reportedly set up with assistance from mass organizations. A report from An Giang described how the *Farmers' Union* (at times together with the *People's Committee)* invited interested community members to a meeting and explained the advantages of forming a group. The group registered at the agency that supported its establishment and started conducting business.

In Thanh Hoa, it is reported that the *Farmers Union* also played an important role in the development of collaboration groups. The *Union* helped improve the knowledge of farmers through technical training courses, and support for production capital and materials. It also acted as a counsellor for the *Commune People's Committee* to make decisions on the establishment of groups. Some provinces such as Ben Tre report that the *Women's Union*, the *Youth Union*, and the *Vietnam's Veteran Association* were also involved in setting up collaboration groups, although the number was small. In the area of poverty alleviation, mass organizations play a crucial role in collecting data on

poverty. Some mass organizations provide micro-credit to members. They also provide training, especially in agricultural extension.[23]

Civic organizations operate more actively in urban areas. Civic organizations have not been active in the rural scene. Those working in rural development have tended to work for donors and international NGOs. The key local NGO operating at the local level in rural areas is the *Gardening Association* (garden – pond – cage). In some localities, the *Oriental Medicine Association*, the *Husbandry–Veterinary Association*, the *Biological Technology Association*, the *Forestry Association*, the *Irrigation Association*, and the *Aquaculture Association* reportedly also worked with farmers to transfer technology and help them to develop their production and business. Overall, awareness of the role of NGOs remained vague, and the opportunities for NGOs to access farmers remained limited. The Vietnamese government is currently drafting the *Law on Associations*, which promotes the role of associations in socio-economic development, but this *Law* does not explicitly promote the operation of civic organizations in rural areas as such.

8. Linking Local Government Reform and Popular Participation

The reform of the local government system discussed above shows a two-pronged strategy for establishing an administrative hierarchical relationship while delegating administrative responsibilities to the locality, with emphasis going to the division of work between central and local governments. Another strand of political reform that has unfolded since *doi moi* focused on the promotion of popular participation. However, the improvement of the implementation mechanisms for each of these strands alone would not be sufficient in itself. One key institutional requirement is to link these two reform frameworks.

[23] See Thaveeporn Vasavakul and Nguyen Thai Van, "Collaboration Groups in Rural Vietnam: A Background Paper", Report commissioned by the Department of Cooperatives and Rural Development, MARD and supported by Oxfam, Care, and IFAD (February 2006)

Delegation of administrative responsibilities to the locality has to be accompanied by popular participation. If not, the process would only intensify bureaucratic competition for resources. Consensus and compromise at the leadership level may create stability of leadership, but in the long run might lead to instability. To move grassroots democracy forward, public administration reform needs to promote transparency in administrative procedures and create opportunities for dialogue and connections between the government and citizens of Vietnam. This could be carried out through the existing frameworks for information sharing, popular consultation, popular discussion, and popular inspection. Grassroots democracy implementation would in turn further strengthen the local government reform process.

A successful process of local governance reform will also depend on the extent to which a new set of governance culture that supports decentralization is promoted. Change in governance culture is required of both the local state and society sectors alike.

Dr. Thaveeporn Vasavakul *received her PhD from the Department of Government, Cornell University. She served as a post-doctoral researcher at the Australian National University from 1994 to 1997. Between 1998 and 2002, she worked as Director of the Council on International Educational Exchange (USA) Vietnam Program at the Vietnam National University in Hanoi and as Regional Director of the Council's Southeast Asia Program. She also taught Southeast Asian Politics in her capacity as visiting professor at various universities in the United States and Australia, including the University of Michigan, the University of California in Los Angeles, Yale, and the Australian National University. Dr. Thaveeporn Vasavakul currently is a visiting scholar affiliated with the Center for Southeast Asian Studies at the University of California at Berkeley. Since 2002, she has also been working as a governance consultant in Hanoi. For contact, mail to:* thaveeporn@mail.kvsinter.com

Changing Governance and Governance Culture in Myanmar/Burma: Some Thoughts

Alex M. Mutebi

1. Introduction

There is little disagreement today about the importance of institutional factors, particularly governance, in the socio-economic development of countries. Experience from many countries has long pointed to a high correlation between weak governance arrangements and poor socio-economic development. Indeed, governance, as a concept, has progressively become a major concern for the success of any development initiative and has been considered from different perspectives by political leaders, institutions, and national and international communities.

It is thus unsurprising that Myanmar's/Burma's post-independence socio-economic fortunes, which have largely fared worse than some of its neighbours, have routinely been related to bad governance (Rajah 2001; Steinberg 2002).

Yet, as much as governance is of great significance to socioeconomic development, many challenges remain in effectively assessing and analyzing issues of governance. In fact, the concept itself presents many definitional challenges. First, the term is broad and subject to varying interpretations, and there is not, up till now, a common definition applied to governance terminology, although there are commonalities in the applications of key terms through development plans of action programs, management systems and mechanisms. There is also a proliferation of governance approaches that are reflected in different titles highlighting specific principles such as engaged, inclusive, or shared governance focusing on the participation principle, and democratic governance focusing on legitimacy and voice, direction and leadership, accountability, human rights and fairness. Elsewhere, governance has also been labelled as

urban, local, national, international, economic, institutional and corporate.

Because the term "governance" covers so wide a range of issues and activities, it can also be a catch-all label that obscures more than it reveals. Indeed, when discussing governance, academics and practitioners often talk past one another as do scholars in different academic disciplines and fields. For example, Michalski, Miller and Stevens (2001: 9) define governance simply as "the general exercise of authority" where authority refers to systems of accountability and control. For Williamson (1996), governance not only includes global and local arrangements, but also formal structures and informal norms and practices, as well as spontaneous and international systems of control. For others, such as Kaufman et al. (2004), governance is broadly defined as the set of traditions and institutions by which authority in a country is exercised. This not only refers to the process by which governments are selected, monitored and replaced, but also to the capacity of the governments to effectively formulate and implement sound policies, as well as the respect of citizens and the state for the institutions that govern economic and social interactions among them.

Hyden and Court (2002: 7-16) point out that the differences in understanding governance tend to revolve around two things: the substantive content of governance and the character of governance in practice. Scholars focusing on the former are further subdivided into those who view governance as concerned with the rules of conducting public affairs, on the one hand, and those, on the other, who see it as steering or controlling public affairs. Scholars focusing on the character of governance in practice include those who emphasize the institutional determinants of choice as well as those who concentrate on how choices get implemented.

To avoid getting bogged down in these sorts of definitional arguments about the term, this paper takes a more elliptical view for a start: simply sticking to the term's Latin origins that suggest the notion of "steering". This sense of "steering" a society essentially refers to how governments manage the tension-filled and dynamic interaction between citizens and rulers and the various means by which the latter can either help or hinder the former's ability to

achieve socio-economic prosperity. By emphasizing its tension-filled and dynamic nature, such a conceptualization of governance points to the fact that it is not fixed, but is in a constant state of flux.

In most democratic states, citizens can generally count on their leaders to help them meet their preferences and needs, with the knowledge that they possess the tools to change things when they are dissatisfied: mobilizing interest groups, employing legal means, acting at the election booth, and so on. In contrast, in many countries of the developing world, particularly in authoritarian ones, the majority of citizens are not only unable to hold their rulers accountable, but are unable to participate in or influence their governments, or to use the ballot box to affect significant change. For them, governance is thus mostly a capricious endeavour at best, or a synonym for autocracy and despotism.

This short paper revisits the ongoing conversation about how best to contemplate change in governance and governance culture in present-day Myanmar/Burma. The paper makes a case for not only de-politicizing the current narrative on governance in Myanmar/Burma, but also, working with and through a more broadly-defined civil society, as well as recognizing the crucial but often forgotten role of local-level bureaucrats – all meant as practical and realistic avenues for change. Such an approach almost invariably implies an incremental model of change in Myanmar/Burma – a sometimes-controversial position that has been advocated by others.

The rest of the paper is organized as follows: *Section 2*, which is included mostly to provide context and as background, briefly outlines some well-known challenges to governance in Myanmar/Burma. To avoid undue controversy, the focus is kept on six commonly used dimensions of governance. *Section 3* then advances three critical issues in thinking about any changes in governance and governance culture in Myanmar/Burma: de-politicization of the current narrative on governance, redefining civil society under broader terms, and engaging the local-level bureaucrat arena. Finally, *Section 4* concludes the discussion.

For the record, a couple of caveats: First, because of its length, the paper runs the obvious risk of gross simplification that outsiders

usually bring to the contemporary Myanmar/Burma question. Second, those seeking a toolbox for solving the governance and governance culture problems in present-day Myanmar/Burma will be disappointed, as this essay makes no such pretensions. Rather, the paper – from but one member of a large epistemic community consisting of people from both within and outside Myanmar/Burma who routinely share and discuss ideas about its development and fate – humbly offers some remarks on possible avenues to change governance and governance culture in Myanmar/Burma.

2. Challenges to Change in Governance and Governance Culture in Myanmar/Burma

When we say that Myanmar/Burma today is characterized by poor governance, we do not only mean that that there is something wrong in the relationship between the government and the people, but also in the relations among those who work in government. Myanmar's/ Burma's extreme post-independence circumstances including war, ethnic conflict, economic hardship, and social inequalities, have posed serious strains on the workings of government as well as on the general fabric of society. Even in the post 1988 period, during which the country has experienced comparatively less war and economic hardship, its institutions and policies – the hardware and the software from top to bottom – have continued to undermine how well the government of Myanmar/Burma carries out its work.

In general, there is a governance challenge when government institutions are corrupt, inefficient, unresponsive, secretive or inequitable, as is routinely said of contemporary Myanmar/Burma (for example, Fink 2001; Tucker 2001; Kulantzick 2002; Mutebi 2005). In general, we can think of Myanmar's/Burma's governance challenges as a problem of sick institutions, that is, institutions functioning poorly because of inadequate resources or bad policies and procedures. The reasons for the poor governance picture in Myanmar/Burma are well known, including: the excessive control and monopoly power of the government; few penalties for abuses; resistance to changes in policies and programs, unclear rules,

procedures, and objectives in the public sector; little oversight or transparency, and so on.

Admittedly, on a global scale there is still neither consensus on what actually constitutes the best measures for governance, nor are there enough reliable (quantitative) indicators of the quality of governance for most countries. However, some researchers have reconceptualized the term to allow for the development of six dimensions of governance for which some provisional comparative data is now available for various countries, including Myanmar/Burma. These include: voice and accountability; political stability and absence of violence; government effectiveness; regulatory quality; rule of law; and control of corruption (Kaufman et al. 2004: 4-5).[1] To be sure, any quantification of governance, particularly in a cross-country, highly-aggregated format, is fraught with many limitations that can only be overcome by conducting in-depth, country-specific governance diagnostics. Indicators, however, can serve the purpose of providing

[1] ***Voice and Accountability*** includes in it a number of indicators measuring various aspects of the political process, civil liberties, political and human rights, measuring the extent to which citizens of a country are able to participate in the selection of governments. ***Political Stability and Absence of Violence*** combines several indicators that measure perceptions of the likelihood that the government in power will be destabilized or overthrown by possibly unconstitutional and/or violent means, including domestic violence and terrorism. ***Government Effectiveness*** combines responses on the quality of public service provision, the quality of the bureaucracy, the competence of civil servants, the independence of the civil service from political pressures, and the credibility of the government's commitment to policies. ***Regulatory Quality*** instead focuses more on the policies themselves, including measures of the incidence of market-unfriendly policies such as price controls or inadequate bank supervision, as well as perceptions of the burdens imposed by excessive regulation in areas such as foreign trade and business development. ***Rule of Law*** includes several indicators that measure the extent to which agents have confidence in and abide by the rules of society. These include perceptions of the incidence of crime, the effectiveness and predictability of the judiciary, and the enforceability of contracts. ***Control of Corruption*** is a measure of the extent of corruption, conventionally defined as the exercise of public power for private gain. It is based on scores of variables from polls of experts and surveys. All these data reflect statistical compilations of responses on the quality of governance given by a large number of enterprise, citizen and expert survey respondents as reported by a number of survey institutes, think tanks, non-governmental organizations, and international organizations.

rough "snapshots" of governance in a particular country and can be used to benchmark that country with others and over time. Some indicators for Myanmar/Burma are summarized in Table 1 and the accompanying Chart 1 below.

TABLE 1: Myanmar/Burma: Governance Indicators 1996-2004

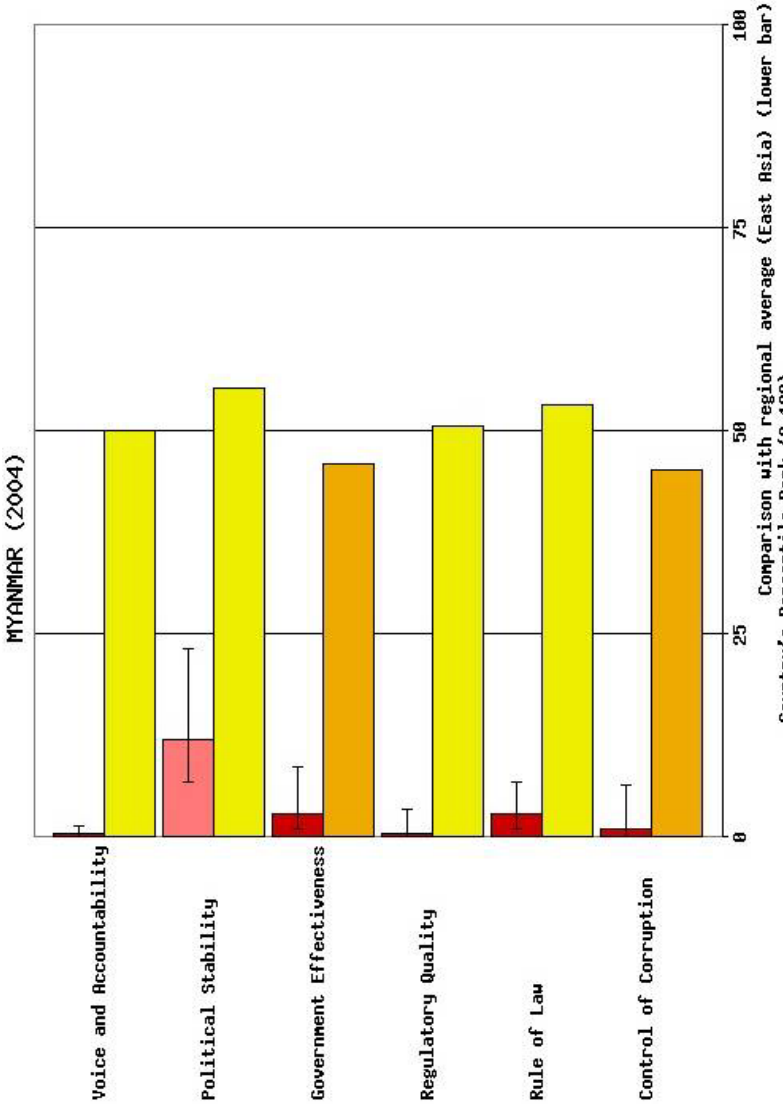
Voice and Accountability					**2004**
Range Estimate (-2.5 to + 2.5)					-2.19
Percentile Rank (0-100)					0.0
Standard Deviation					0.15
Number of surveys/polls					8
Political Stability					**2004**
Range Estimate (-2.5 to + 2.5)					-1.21
Percentile Rank (0-100)					12.1
Standard Deviation					0.22
Number of surveys/polls					8
Government Effectiveness	**1996**	**1998**	**2000**	**2002**	**2004**
Range Estimate (-2.5 to + 2.5)	-1.73	-1.92	-2.12	-2.05	-1.57
Percentile Rank (0-100)	1.6	1.0	0.0	1.0	2.9
Standard Deviation	0.21	0.23	0.22	0.17	0.19
Number of surveys/polls	4	4	5	7	8
Regulatory Quality	**1996**	**1998**	**2000**	**2002**	**2004**
Range Estimate (-2.5 to + 2.5)	-1.09	-1.17	-1.47	-1.26	-2.34
Percentile Rank (0-100)	15.2	13.3	7.9	15.1	0.5
Standard Deviation	0.32	0.27	0.27	0.22	0.21
Number of surveys/polls	4	4	5	7	7
Rule of Law	**1996**	**1998**	**2000**	**2002**	**2004**
Range Estimate (-2.5 to + 2.5)	-0.99	-1.64	-1.31	-1.33	-1.62

Percentile Rank (0-100)	11.7	3.3	7.5	6.5	2.9
Standard Deviation	0.28	0.31	0.24	0.18	0.15
Number of surveys/polls	3	3	4	7	9
Control of Corruption	**1996**	**1998**	**2000**	**2002**	**2004**
Range Estimate (-2.5 to + 2.5)	-1.12	-1.25	-1.40	-1.83	-1.49
Percentile Rank (0-100)	11.6	9.2	7.0	2.6	1.0
Standard Deviation	0.29	0.40	0.37	0.19	0.19
Number of surveys/polls	4	3	3	6	6

Source: Kaufmann/Kraay/Mastruzzi (2005)

Incomplete as it is in capturing the complete governance picture in Myanmar/Burma, the table above points to a dismal picture in Myanmar/Burma on all of Kaufman et al.'s six measures. An even more obvious way of representing the same data can be found in Chart 1 below, which graphically depicts Myanmar's/Burma's percentile rank on each of the six governance indicators. Percentile rank indicates the percentage of countries worldwide that rate below Myanmar/Burma (subject to margin of error). Myanmar's/Burma's figures are shown alongside those of a comparator, in this case, East Asia (where the statistically likely range of the governance indicator is shown as a thin black line). Thus, the "Political Stability" figure in both Table 1 and Chart 1 of 12.1% has the following interpretation: O*nly* an estimated 12.1% of the countries in the world rate worse than Myanmar/Burma in terms of political stability. A higher value would imply greater political stability. So, for example, the corresponding figure for East Asia as a region is approximately 60%, meaning that an estimated 60% of the countries in the world rate worse than the region in terms of political stability.

CHART 1: Myanmar/Burma vs. Rest of East Asia: Governance Indicators Snapshot 2004, *Source:* Kaufmann/Kraay/Mastruzzi (2005)



At any rate, Myanmar's/Burma's governance challenges are numerous using almost any measure whether one looks at say, procedural aspects (e.g., participatory democracy, rule of law, accountability, transparency, responsiveness, and consensus building), outcome-based measurements (e.g., administrative effectiveness, efficiency, equity, and strategic vision), or even broader output measurement in terms of human development.

3. Envisioning Change in Governance and Governance Culture in Myanmar/Burma

Given the various governance challenges in present-day Myanmar/Burma – challenges that are neither new nor unfamiliar – how can one envision a change in the country's governance or governance culture? Such a question can very easily shift the discussion to the long-running impasse in Myanmar's/Burma's national-level politics that has pit the military against the opposition in a seemingly endless struggle, engendering conditions not propitious for any swift or large-scale change. However, without belittling the importance of that impasse at the national level, the aim here is to direct some of the attention to talking about such a change in governance and governance culture starting from below the central state. Indeed, of particular interest are avenues focusing on the social and political daily grind of the various actors at the local community level, as advanced by Wischermann (2006) and others.

This section makes two general (and well known) propositions about envisioning change in governance and governance culture in Myanmar/Burma. The first proposition is fairly straightforward: There is a need to change the narrative on governance before any meaningful change can take place in Myanmar/Burma. The second proposition is that there needs to be a candid recognition of the fact that short of revolutionary change in national-level politics, change in governance and governance culture in Myanmar/Burma can only be incremental.

3.1 Changing the Narrative on Governance as a Necessary Condition

The backdrop of the narrative on governance in contemporary Myanmar/Burma – a narrative that has gained the status of conventional or received wisdom especially within the epistemic community of those interested in the country, particularly those located outside the Myanmar/Burma – paints a rather bleak, but well-documented picture: the country's pre-colonial ethnic and political divisions institutionalized and exacerbated by Great Britain's colonial policy; the half century of post-independence political instability and civil strife occasionally supported by outside powers; the nationalist though intellectually and administratively vacuous post-independence leadership; and the many years of self-imposed autarky. Likewise, the narrative on key aspects of governance and governance culture are no less bleak: the ailing economy; the widespread human rights abuses and general lack of voice and accountability or the rule of law; the corrupt and decrepit public services from an ineffective government; the stalemate between an unswerving military junta and the country's major opposition party; and so on. By all measures, it is a particularly bleak narrative because it has framed – rightly or wrongly – the country's situation as being in urgent need of action, with dire consequences if action is not taken.

Yet, like discourse on governance elsewhere, any narrative on the state of Myanmar's/Burma's governance invariably tries to make sense of an extremely complex multitude of interactions, processes and systems of which some are administered by the government, but many of which are not. Likewise, many of these interactions, processes and systems are rightfully depressing, but some are not. In the process, such a narrative has inadvertently simplified a complex and multifaceted situation and, in turn, drastically reduced the ability – and motivation – to think about new alternatives as well as different approaches to modify the status quo. Indeed, as the discourse has been (and continues to be) transmitted through the various epistemic communities and policy networks, it has developed an influential life of its own and ultimately manifested itself into grossly reductionist debates on whether to engage or not engage with the regime, who the good guys and bad guys are, and so on.

All narratives serve the interests of certain groups. In the case of Myanmar/Burma, the current, seemingly ingrained narrative on governance and governance culture particularly serves the interests of the idealist and realist camps and the respective epistemic communities and policy networks that sustain them. More important, though, is that the current narrative has also often served to reduce the role and perceived expertise of local/indigenous groups, providing justification for the role of experts and outsiders in Myanmar's/Burma's affairs. Indeed, the perpetuation of the seemingly entrenched "orthodox" views on Myanmar's/ Burma's governance and governance culture, particularly those emphasizing that which is desolate, dysfunctional and destructive seem to serve the interests of various key actors – everyone from government officials and their agents, to members of the international donor community to local and foreign civic groups and independent "experts".

So, how could the process of changing the narrative begin, in practice? A good starting point is through the de-politicization of the highly emotive discourse on institutional change in Myanmar/Burma. An analogy can be seen in how Foucault first used the term "political technology" to relate to the way an essentially political problem is removed from the realm of political discourse and recast in the neutral language of science. While he uses the term in a completely different manner, we can borrow it with the explicit aim of depoliticizing the current narrative on governance and change in Myanmar/Burma. This means that discussion on institutional change in Myanmar/Burma by members of the various epistemic communities and policy communities should deliberately seek to use as objective, neutral, and value-free terms as they can, if only to "calm the rhetoric". In this way, the political nature of "governance" and "governance culture" would be relegated (though certainly not ignored) by the use of language that emphasizes greater rationality and objectivity, if one could call it that. An important effect of such simplification and de-politicization of the narratives we use to discuss governance issues in Myanmar/Burma would be to create a balm in which the various concerned parties can begin thinking out-of-the-box. In fact, they can begin speaking a more similar language.

3.2 Embracing a Broader View of Civil Society in Thinking About Change in Governance

If the stark narrative about the challenges of governance and governance culture in Myanmar/Burma can be changed as suggested above, then one of the few avenues for change in governance and governance culture in Myanmar/Burma, outside of the central state actors, is through civil society. To be sure, this is a position that has long been advocated and explored (see, for example, Burma Center Netherlands 1999; Fink 2001; International Crisis Group 2001; James 2005). Indeed, civil society organizations are now seen as indispensable in engendering as well as consolidating any lasting change in Myanmar's/Burma's governance and governance culture (Lorch 2006).

However, even though it is now almost impossible to have a conversation about change in Myanmar/Burma—in governance or otherwise—without the mention of "civil society", one might think that there is universal clarity when the term is used and why it is so important. Unfortunately, clarity and rigor are conspicuously absent in the civil-society-in-Myanmar/Burma debate—something that threatens to overwhelm the concept under a rising tide of skepticism and confusion. Should civil society be seen only as the preserve of groups predefined as democratic, modern, and "civil"? Or is it also home to all sorts of associations, including the less-than-"civil" society – like government-linked USDA and other Government Organized NGOs (or GONGOs) – and traditional associations based on inherited characteristics like ethnicity and religion, all of which are common in Myanmar/Burma? Should small, neighbourhood, and often unregistered village-based self-help groups be considered in or out? What about Myanmar's/Burma's business sector? Should civil society be a bulwark against the state, an indispensable support, or should it be dependent on government intervention for its very existence? Should it be seen as the key to challenges of governance and governance culture in Myanmar/Burma through creating avenues for greater pluralism at the local level or as a threat to democracy through special interest politics? Can civil society in Myanmar/Burma be built through foreign aid and intervention as advocated by some in the international community, or is that just

another post-colonial fantasy? Should these questions even matter, except to a small band of scholars, many of whom are far from the daily grind of present-day Myanmar/Burma?

Recognizing that civil society does indeed mean different things to different people is crucial for understanding how to better engage with civil society in seeking change in governance and governance culture in Myanmar/Burma. Part of the lack of clarity when discussing civil society in Myanmar/Burma is the result of an obsession with one particular interpretation of civil society as a part of society – the world of voluntary associations – forgetting that there are other ways of conceptualizing the term that have just as much to offer. For example, some people, including this author, see civil society in a much broader view: as a universal expression of the collective life of individuals, at work in all countries and stages of development but expressed in different ways according to history and context, rather than simply as a separate sector in addition to the state and the market. Such a more inclusive view of civil society in Myanmar/Burma could allow us to go beyond the prevalent view that civil society is simply the embodiment of "good society" from which values like tolerance and cooperation, and the skills required for living a democratic life will spring. As pointed out by others, real associational life is in reality home to all sorts of different and competing values and beliefs (think pro and anti-sanction groups, for example, or Buddhist nationalists and ethnic-based local NGOs). Similarly, the more expansive view of how one should decide on what to include in the civil society of Myanmar/Burma also allows that the changes in governance and governance culture many want to see developed are fostered in all the places where Myanmarese/Burmese people learn and grow, and where their dispositions are shaped, which means families, schools, workplaces, village and township collectives, and all sorts of political institutions large and small. The citizens of Myanmar/Burma actually spend a lot more time in such places than they do in voluntary associations, which means that their experiences in the former are especially important. Indeed, by themselves, NGOs and other voluntary associations in present-day Myanmar/Burma can hardly secure the level of consensus that is required to engender and consolidate broad-based reforms in governance and governance culture, especially

given the "little room to move" for civil society in the country, as Liddel (1999) has aptly put it.

A reconceptualization of civil society above and beyond "the good society" is indispensable as it places the contributions of the burgeoning voluntary associations of Myanmar/Burma in the proper context and guards against the tendency, particularly in the donor community, to privilege one part of society over the others on ideological grounds – voluntary self-help groups over state-sponsored organizations for example, or business associations over both.

However, with such an inclusive view of civil society in Myanmar/Burma, how should the international community decide which organizations to engage with, and whether they are the right ones, especially as conditions and circumstances in Myanmar/Burma continue to change over time? For answers to these questions, there is no alternative but for the epistemic community interested in Myanmar/Burma to keep its collective "eyes on the prize" – whereby the prize is addressing the various challenges in governance and governance culture in present-day Myanmar/Burma that require coordinated action across different sets of institutions. The current differences and particularities of associational life across Myanmar/Burma will continue to generate competing views about the ends and the means of the ideal nature of governance and governance culture for that country, anchored in its unique religious mix, its politics, its competing ideologies, its various ethnic groups, and its culture.

3.3 Local Bureaucracy – The Seldom Mentioned Arena for Change in Governance

As the international community searches for local-level actors to engage with in the bid to assist in a bottom-up transformation of the governance culture of Myanmar/Burma, it is important to then identify both state and non-state actors who will lead some of the desired change.

For many citizens of Myanmar/Burma, both in urban and in rural areas, their experiences with the state arise from their interactions with local bureaucrats. These interactions lead to the public policies with which citizens must actually live. Many of these bureaucrats determine who gets benefits, how much they get and when they get them. In other words, street-level bureaucrats determine who gets access to public policies and programs. Therefore, understanding street-level bureaucratic decision-making is essential for understanding any possibilities for change in the governance and governance culture of the country.

As highlighted by Khin Zaw Win and Mai Ni Ni Aung elsewhere in this volume, local authorities at the ward, village and township levels play crucial, albeit infrequently emphasized roles in state-society relations in Myanmar/Burma. As indicated in Table 2 below, Myanmar/Burma has more than 60,000 wards and villages, each led by *Peace and Develpment Council* (PDC) members. Although these counsellors are not formal state employees, they are perhaps the only official extension of the state at the local level outside the government-linked mass organizations and military and law enforcement agencies. And because PDC councillors are tasked with various functions, they are, in effect, Myanmar's/Burma's "street level bureaucrats" in their respective wards and villages.[2] In conjunction with school and health officials, the police, and officials of large organizations, they are the tail-end tentacles of the Myanmarese/Burmese state. This "local bureaucratic arena", as it were, essentially refers to all state and quasi-state organizations engaged in interpreting, implementing and in some cases, even formulating policy at the local level as well as in regulating and delivering local services.

[2] Examples of some of the functions of PDC councillors include: keeping peace, keeping an eye on outside visitors, providing endorsements for certification of residence, arbitration and conflict resolution, public hygiene enforcement, relief work, and so on.

TABLE 2: Myanmar/Burma Administrative Divisions 2005

State/ Division	District	Town-ship	Sub-Town ship	Town	Ward	Village Group	Village
Kachin	4	18	6	24	127	602	2,612
Kaya	2	7	1	8	31	79	620
Kayin	3	7	5	13	59	374	2,067
Chin	2	9	3	12	34	472	1,353
Sagaing	8	37	3	40	182	1,768	6,087
Tanintharyi	3	10	6	16	83	264	1,230
Bago	4	28	0	252	249	1,423	6,448
Magway	5	25	1	27	163	1,541	4,771
Mandalay	7	31	2	31	266	1,609	5,466
Mom	2	10	2	13	80	383	1,200
Rakhine	4	17	3	20	132	1,040	3,861
Yangon	4	45	1	21	706	627	2,101
Shan	12	55	20	74	415	1,633	15,421
Ayerawaddy	5	26	7	34	235	1,912	11,701
	65	**325**	**0**	**585**	**2762**	**13,727**	**64,938**

Source: General Administration Department, Ministry of Home Affairs, Myanmar

Whereas matters of local-level bureaucracy are not constitutive of governance per se, they are essential determinants of the degree to which there can be changes in Myanmar's/Burma's governance and governance culture. To be sure, this set of issues has been of concern since the advent of centralized administration, but are now considered crucial by academics and practitioners alike interested in governance issues.

Local-level governance issues in the bureaucratic arena take on special significance in Myanmar/Burma given the massive pressures placed on public agencies due to state weakness and incapacities (Lorch 2006). Indeed, the rules that determine procedures for these street-level bureaucrats, whether formal or informal, are especially important for public perceptions of how the state, weak as it is, operates. As we know, many contacts that Myanmarese/Burmese citizens have with their government are with these first-level bureaucrats responsible for processing requests for services and assistance. However, as is the case for street-level bureaucrats elsewhere, those in Myanmar/Burma are far from simply being cogs in the automatic transfer of directives from Nay Pi Taw to policy outcomes in their respective wards and villages. Due to resources, time and bureaucratic constraints at the local level, these field-level workers invariably exercise considerable flexibility in interpreting and implementing the rules and procedures they have from the central state. This discretion, along with the "agency" of these local actors in using their knowledge and power to act autonomously and mould local-level outcomes, provides a potential opening for the international community to engage with these state actors in changing governance and governance culture in Myanmar/Burma.

4. Conclusion

Myanmar's/Burma's post-independence socio-economic fortunes have routinely been related to bad governance. Indeed, the country does badly in any of the proxy variables commonly used to study governance. This paper has sought to add some thoughts to the ongoing conversation on how to contemplate change in governance and governance culture in the country. In particular, the paper attempted to make the case for de-politicizing the language when discussing governance issues in Myanmar/Burma, working with and through a more broadly-defined civil society, and lastly, recognizing the critical role of the local-level bureaucratic arena as practical and realistic avenues for change.

However, the combination of a call for the de-politicization of language on governance in Myanmar/Burma, working with and

through civil society and the empowerment of street-level bureaucrats almost ensures that we will have to live with an incremental model of change in governance in Myanmar/Burma. In that way, change will be that which the majority of Myanmar's/Burma's people agree on rather than what one group or another thinks is best to solve the country's governance challenges. Such incrementalism would essentially be remedial as it would focus on small changes to existing policies rather than on any dramatic changes sought by some. As argued elsewhere by others (for example, Collignon 2001; Pedersen 2004), the changes in governance that might be feasible politically might very well be only marginally different from the policies that already exist, given that the impasse in central-level politics means that revolutionary changes fall beyond the pale. This implies that the larger epistemic community on Myanmar/Burma as well as the policy networks that support it, should recognize that change in governance will also be serial, with the various stakeholders repeatedly coming back to it as mistakes become apparent and are corrected, and as new approaches to the various issues are developed. Such a view is without a doubt controversial, not in the least because it suggests that major changes will only occur through a series of small steps, each of which will not "rock the boat" in any fundamental way. However, it could be the most realistic and healthy way of thinking about the way forward.

Dr. Alex M. Mutebi *is an Assistant Professor at the Lee Kuan Yew School of Public policy at the National University of Singapore. His teaching and research interests focus on the comparative political economic development and underdevelopment; politics and the state; the public sector and public sector reform. His main geographic research interests are in mainland Southeast Asia. He was trained at Macalester College and Princeton University. Currently, Dr. Mutebi is a Visiting Scholar at John F. Kennedy School for Government, Harvard University. For contact, mail to:* amutebi@nus.edu.sg *or* alex_m._mutebi@ksg.harvard.edu

References

Burma Center Netherlands/Transnational Institute (1999): StrengtheningCivil Society in Burma: Possibilities and Dilemmas For International NGOs, Chiang Mai, Thailand: Silkworm Books

Fink, C. (2001): Living Silence: Burma under Military Rule, London: Zed Books

Hyden, G./Court, J. (2002): Governance and Development, Working Paper: World Governance Survey Discussion Series, Tokyo: United Nations University

International Crisis Group (2001): Myanmar: The Role of Civil Society, ICG Asia Report No. 27, Brussels: International Crisis Group

James, H. (2005): Governance and Civil Society in Myanmar: Education, Health, and Environment, London, New York: Routledge-Curzon

Kaufmann, D./Kraay, A./Mastruzzi, M. (2003): Governance Matters III: Governance Indicators for 1996-2002, Working Paper, Washington, D.C.: World Bank - Research Department

———. (2004): Governance Matters III: Governance Indicators for 1996, 1998, 2000, 2002, World Bank Economic Review, 18, 253-287

———. (2005): Governance Matters IV: Governance Indicators for 1996-2004, Working Paper, Washington, D.C.: The World Bank

Kurlantzick, J. (2002): Can Burma Reform?, in: Foreign Affairs, 81, 133-146

Liddel, Z. (1999): No Room to Move: Legal Constraints on Civil Society in Burma, in: Burma Center Netherlands/Transnational Institute (eds.), Strengthening Civil Society in Burma: Possibilities and Dilemmas for International NGOs, Chiang Mai, Thailand: Silkworm Books, 54-68

Lorch, J. (2006): Do Civil Society Actors Have Any Room for Manoeuvre in Burma? Locating Gaps in the Authoritarian System, paper presented at the Roundtable "Societal and Political Change in Vietnam – An Instructive Example for Myanmar/Burma?", jointly organized by the Heinrich Boell Foundation and the German Institute for International and Security Affairs, Berlin, March 31 – April 1, see pp. 120-139 in this publication

Michalski, W./Miller, R./Stevens, B. (2001): Governance in the 21st Century: Power in the Global Knowledge Economy and Society, in: Organization for Economic Co-Operation and Development (ed.), Governance in the 21st Century, Paris: (OECD), 7-26

Mutebi, A. M. (2005): "Muddling Through" past Legacies: Myanmar's Civil Bureaucracy and the Need for Reform, in: Kyaw, Y. H./Taylor, R. H./Tin, M. M. T. (eds.), Myanmar: Beyond Politics to Societal Imperatives, Singapore: Institute Of Southeast Asian Studies (ISEAS), 140-160

Pedersen, M. (2004): The Crisis in Burma/Myanmar: Foreign Aid as a Tool for Democratization, in: Badgley, J. H. (ed.), Reconciling Burma/Myanmar: Essays on U.S. Relations with Burma, Seattle: National Bureau of Asian Research, 87-101

Raja, A. (2001): Burma: Protracted Conflict, Governance and Non-Traditional Security Issues, Working Paper, Singapore: Institute of Defense and Strategic Studies

South, A. (2004): Political Transition in Myanmar: A New Model for Democratization, in: Contemporary Southeast Asia, 26, 233-255

Tucker, S. (2001): Burma: The Curse of Independence, London: Pluto Press
Williamson, O. E. (1996): The Mechanisms of Governance, New York: Oxford University Press

Wischermann, J. (2006): Societal and Political Change in Vietnam: An Instructive Example for Myanmar/Burma?, paper presented at the Roundtable "Society and Political Change in Vietnam – An Instructive Example for Myanmar/Burma?", jointly organized by the Heinrich Boell Foundation and the German Institute for International and Security Affairs, Berlin, March 31 – April 1, see pp. 9-25 in this publication

Chapter 5

Conclusion

Thinking Politics Sociologically: Engaging with the State and Society in Vietnam and Myanmar/Burma

Zarni[1]

As the last speaker on the panel, I am to present a summary of the thematic issues we have discussed throughout this seminar. During the coffee break, several people came up to me and said they didn't envy me for my assignment. I told them I could approach one of two ways: I could either be a street sweeper, collecting everyone's garbage, or I could approach it as a sausage-making business. I prefer the latter approach because then I can butcher everyone's arguments and turn them into one big sausage in which you will not recognize your own argument. I already asked for Adam Fforde's permission of forgiveness if I were to butcher his argument and he said I'm forgiven, so I'll go ahead and proceed with the intellectual sausage making!

We have had very rich discussions and we have only scratched the surface of these profoundly vital issues pertaining to societal transformation in Vietnam and Myanmar/Burma. I only wish that we could have extended this conversation a little longer than the time permitted: at least one more day. There are three things I will do in my presentation:

First, instead of summarizing all the arguments I will choose to stress some of the salient points that emerged repeatedly throughout the seminar. Second, I want to share my critical observations and reflections on what we have discussed, in addition to the insights that were shared by the researchers and seminar participants. Finally, I want to raise some questions back to the seminar participants, because this seminar has done what a good seminar should: it has created cognitive dissonance between what one thinks one already

[1] The author welcomes feedback and comments on this essay. He can be reached at info@freeburmacoalition.org

knows or understands about the social change process and the reality that has emerged in discussions based on close observations of this change process. We have had the benefit of feeling "disciplined intellectual confusion" and I welcome this confusion as a clear sign of the high quality of the papers given and the corresponding discussions.

This last part – raising more questions – is important because none of us, I suspect, came here thinking that we have all the answers to the difficult questions regarding the social change processes in Vietnam and Myanmar/Burma: a process still dynamically unfolding as we speak. Hopefully we will ask or frame questions differently so that we can obtain a greater understanding of the issues and questions at stake, thereby inching closer towards effective policies or strategies to help facilitate democratic change in such countries.

As you all know, the purpose of this seminar is to look at democratization as a process and not as a "top-down" process, but as a "bottom-up" process. I have some reservations about characterizing change process as either "top-down" or "bottom-up" and I have the impression that there are some participants here who feel intellectually dissatisfied with approaching democratization and social change simply as a bottom-up process. The whole change process happens on a continuum. Looking at the change process only as bottom-up, we only capture one end of the continuum. Looking at democratization as a top-down process, which Ambassador Wild was suggesting, referring to China, then we find ourselves on the other end. It is the dynamic interactions between these two processes that seem to be foster change and hence a more realistic portrayal or appraisal of the nature and process of social change must deal with both processes.

Dr. Gerhard Will talked about the state's crisis as an opportunity: individuals who wish to intervene in current political circumstances or help promote social change processes need or should welcome crises as opportunities for new action. He analyses advocated viewing crisis positively as rich in change-potential, and talked about the role of active citizenry in change process and about the need to engage with non-state actors who operate at sub-national levels. Then we had this discussion about cooperation (with the state actors). Is

cooperation simply cooperation or is it a form of confrontation with and against the state at its weakest? For example, consider the social sector where it fails spectacularly to deliver on its promise of promoting citizens' welfare and hence feels a profound crisis of legitimacy?

Dr. Adam Fforde discussed economic transition as something, which bypasses the whole policy process and takes place independent of what policy makers wish or desire. Based on his work in Vietnam, he explained how this economic transformation is taking place in the Vietnamese society at large. His presentation made a very useful insight by highlighting the importance of paying attention to detailed and textured historical understandings of how things are and how things are happening because there is no single Vietnamese or single Myanmarese/Burmese entity.

As a Myanmarese/Burmese, I find the comparison between Vietnam and Myanmar/Burma extremely useful – I do not know whether my compatriots share this sentiment or not but it is highly relevant given Dr. Khin Zaw Win's observation that: "What we are looking for is ways to do politics in a context where political channels have either been shut down or completely monopolized by the state." He doesn't put it in a theoretical language because, as we all know, he spent 11 years behind bars. I can only imagine what he could have done with his 11 years if he was doing public policy research elsewhere or interacting with other people instead. But despite his 11 years of imprisonment, he articulated something elegant, insightful and highly relevant, not necessarily on the basis of any theoretical academic understanding, but on the basis of lived experiences of the Myanmarese/Burmese people within Myanmar/Burma. There is no space for rights-based politics, the type of politics we are all accustomed to living in various Western democracies. Therefore, it is incumbent on the Myanmarese/Burmese who live the realities of Myanmar/Burma, as well as our friends internationally who want to help the country's change process, to think creatively and strategically outside a rights-based paradigm. Dr. Win's important point is that in a political context where there is no possibility of doing politics as we know it, we are therefore compelled to ask the

question: What channels remain open and available to citizens to pursue political goals without appearing to do so?

In relation to this last question, Dr. David Koh's presentation is therefore timely because it raises the issue of how we understand doing politics in an authoritarian, communist party controlled context. He asks: "Is democratic or pro-democracy politics all about freedoms, like woman's rights or equality? Or do other "mundane" things such as the right to live in one's own house where one grew up for, say, two generations or one generation count as part of a "democratic experience" or life in a democracy? Do they constitute democratic politics?"

Is politics only noble and democratic when it deals with free speech, the freedom to assembly, and freedom of the press, but not with "bread and butter" matters?

The issue of freedom of speech, publications and so on may occupy a major part of Western democracies but as David points out, these freedoms need to be grounded materially because that's what life is all about: We must first pursue our material needs before we demand that we get the right to vote.

David observed, quite rightly, I think, that when we are fixated on elite politics – urban or rural elite, or the left, right, centre – we end up viewing politics and political change from an elite-driven or elite-focused perspective which makes us oblivious to other equally important change venues or activities that will help shape societal relations, or social relations. This observation, a central argument of David's paper, needs to be fully appreciated.

Prof. Vinh from Vietnam discussed the diversification of local civic organizations, and he argued that there exist four or five types. In contrast, Dr. Thaveeporn argues that there are only two types of mass organizations that operate at the pleasure or at the urgings of the state and the party. Perhaps this divergence in observation arises from differences in conceptualization as to what qualifies for civic or community organizations in Vietnam. The observation which I found most interesting in Prof. Vinh's presentation was that a phenomenon which he observed and termed "fence-breaking" occurs when the state's official policies are no longer serving the interests of *either*

those who are assigned to implement these policies *or* those who are the supposed beneficiaries then individuals. In this situation, the local or sub-national officials and members of local communities, take issues into their own hands and make the official policies work for both players. For these individuals are the ones who are *actually* involved in the messy everyday politics despite the intentions of policy makers at the top.

In her presentation on civil society, Jasmin Lorch raises a creative question: "Is it possible to foster civil society - or for civil society to grow out of an authoritarian state?" I think this is a constructive way of framing the problem. Jasmin's essay offered a textured view of the embryonic and resilient civil society in Myanmar/Burma and I found her "relational approach" – that is defining civil society in terms of its scope of actions in relation to the authoritarian state's attempts to control, monitor, and co-opt autonomous social spaces and actions – extremely helpful. Echoing this view, Mai Ni Ni Aung talked about using small scale cultural preservation projects as a way to engage the authoritarian state, to negotiate and contest its power, and to deceive the power that is already monopolistic, to hide the projects pro-community empowerment goals using the state-approved language of minority cultures and languages. Minority cultures in Myanmar/Burma have been under onslaught by the state that wishes to integrate forcibly all non-dominant languages and cultures. However, Mai Ni Ni found rather creative, if paradoxical ways to use the "culture under attack" as a fortress. That is the genuine strength of these projects, which is generally overlooked by pro-democracy advocates and dissidents which defines legitimate opposition and resistance only in directly political and confrontational terms.

The important question which arises is the following: How do you negotiate with the state when it is overwhelmingly more powerful than you? The answer offered is that you have a "small" tool box, or a fortress: your language and your culture. You can crawl into these and then confront the state wearing that armour. I found the last two presentations equally useful, particularly Dr. Thaveeporn's examination of the master plans to carry out administrative and governance reforms by the Vietnamese national authorities. The most striking thing is that there you have a monopolistic state, an

authoritarian state that attempts to project its power up to the lowest ward/local level, but it is incapacitated both intellectually and in terms of man power to enforce its official administrative reforms. While these reforms may be considered merely superficial, prompted by the state's need to respond to external donors who insist on the Vietnamese state to meet certain conditionality such as "good governance", what is most striking is that there are some significant attitudinal changes that take place in Vietnam in terms of how citizens perceive themselves and their relations with the state's institutions. In a society and culture at large such as Vietnam where a thousand years of history and culture still holds sway in terms of power relations, even a seemingly minor attitudinal change is profoundly consequential.

Finally this brings us to the presentation by Dr. Alex Mutebi. Alex stresses the need to pragmatically embrace incremental change and to get out of this highly polarized politics of the Myanmarese/Burmese. Now, if you are self-styled revolutionary or self-styled exile dissident, the last thing you want to hear is someone advocating incremental change because it seems to threaten the core of revolutionary dissidents' existence and self-perception. Furthermore, it raises the question about the validity of our tried and untrue revolutionary actions. Being a dissident, being an exile, or being a member of the overly political opposition, if someone asked you to cooperate with the current regime or wait for incremental change with patience, you would not be overly receptive to, or welcoming of, this kind of request.

This is why it has been very difficult for Myanmarese/Burmese of different ideological, cultural and ethnic backgrounds to have a genuine dialogue with one another despite sharing a common goal: the creation of a decent civilian government responsive to citizen's needs and demands. We have been talking past one another for almost twenty years since the country erupted into a series of political uprisings in 1988.

To conclude, I will offer some of my own observations. Because I am in Germany at an academic seminar, I want to raise a few "big theoretical questions". First, participants in this seminar use the word "state". But what is the state? Different theorists have different

understandings of the state. For example, to Marxists the "state" is there to serve the interests of Capital, to help Capitalist class to control the means of production and to help with their wealth and power accumulation. Following Alex, who drew on Foucault, post-modern theorists might suggest that the state is there to discipline people and create subjectivities, to create self-governing and self-regulating citizens through political technologies and foster "governmentality". In contrast to both of these perspectives, neo-liberals would argue that the state is there to help with "structural adjustment" aid packages so that the proverbial "free market" can best perform its mission of meeting the needs and wants of the people.

Thus there are radically different conceptions of the state. To these it should be added that in a more or less in an authoritarian context, is considered this "monolithic monster". But if you examine (state) power, it is like technology: neither good nor bad in and of itself. Rather, the power of the state is like electricity: it can be used for good purposes, or it can be used for bad purposes. I don't think we have conceptualized adequately the state in our discussions.

A second big question is: "What is civil society?" There are volumes of books and articles written about this highly contested notion and many people make their careers out of debating what exactly civil society is.[2] Wrestling with definitional issues can go on and on. However, to be relevant, I think several crucial questions need raised here if we are to better understand societal transformation in Vietnam and Myanmar/Burma. First, can we conceptualize and do politics in societal terms? Can we understand and engage in politics economically? These are not just highly abstract theoretical questions or issues. They are directly relevant to the earlier thematic issues and allow us to inquire what ways citizens can push for social change in the context of the monopolistic and authoritarian state. Can we conceive of ways and strategies to bring about social change through venues other than revolutionary politics? (The Myanmarese/Burmese, especially the opposition, have been blinded by their fixation on

[2] For an excellent summary of intellectual traditions and debates about "civil society", see Hyden, G. (2006): Civil Society: What Next?, in: Development Dialogue, June 1:47, 183-201

conventionally revolutionary politics so much so that many of them are oblivious to any venues or opportunities for meaningful change in our country). All the discussions and media coverage about the previous and contemporary coloured revolutions around the world, for instance, *Orange Revolution, Velvet Revolution, People Power Movement*, and so on – and now the Myanmarese/Burmese in exile and their fantasy of a "*Jasmine Revolution*" at home – have glorified oppositional and revolutionary politics, to the point of excluding or depreciating change through less glamorous venues.

There are indeed social change processes or venues for fostering these processes. They may be unglamorous or less glorious in the eyes of the world's media which shapes people's perception about what constitutes real change and in what (established) ways change happens, but which are nonetheless revolutionary in outcome but evolutionary in process and manifestations.

These are issues which the Myanmarese/Burmese, both the citizens and card-carrying opposition members will have to grapple with, if we are to get out of the current political stalemate and intellectual poverty characteristic of all camps in conflict.

Furthermore, one additional issue that Dr. Thaveeporn raised yesterday in the discussion about civil society needs to be taken seriously. That is, that we must find ways to re-engage with monopolistic states because we have inadvertently put the state on a back burner in our rush to embrace "civil society". As she pointed out, the state has all but disappeared from our discussions. It is good that the last two presentations today brought the state back in the form of administrative reforms in Vietnam and bureaucracy in Myanmar/Burma.

My final point is that the effort to understand or push for social change, either in Vietnam or Myanmar/Burma must recognize this change does not simply take place within the confines of national borders. There are direct political pressures coming from outside, direct economic and societal pressure coming from below from the citizens, and also there are dominant intellectual frameworks through which discussions about change or the need for change are taking place.

These forces include international financial institutions and Western economic and political interests. The frameworks for intellectual and policy discussions about change in places like Vietnam or Myanmar/Burma originate or are defined in Western capitals and among national governments such as Germany, UK or USA These powerful Capitalist governments and constitutive institutions BMZ (*Bundesministerium fuer wirtschaftliche Entwicklung und Zusammenarbeit*, Germany) or the *Department of International Development* (United Kingdom) or *US Agency for International Development*, as well as the international financial institutions which these governments frame commonly these national, localized debates in ways that serve the larger interests that exist outside the national, local borders of Vietnam or Myanmar – or for that matter, a great majority of Third World nations. The language these global players have formulated and promoted (for instance, good governance, anti-corruption campaign, poverty alleviation) and the analytical framework they develop and spread worldwide (for instance, Third World state as facilitator of a free market, not as direct instrument for promoting public welfare) have become hegemonic in the sense that we, from the Third World, debate these issues within pre-defined western hegemonic boundaries.[3]

This is something that the Myanmarese/Burmese and Vietnamese citizens have to consider and something they will have to deal with as they/we explore and seek ways to promote change that will serve the interests of the citizenry in whose name the battles for social change is typically waged. Academics and policy makers concerned with Myanmar/Burma should work to expand the limited framework of debate and action that they have inherited from the west, adapting it so that it becomes a productive and positive lens through which to pursue social change that effectively accounts for (and meets) local interests and needs.

For us the Myanmarese/Burmese, it is not enough to democratize the state, to make the power relations equal, just and fair. For the current

[3] For a most systematic analysis of how poverty is produced within the context of Capitalism, see Harriss-White, B. (2006): Poverty and Capitalism, in: Economic and Political Weekly, April 1, 1241-1246

battle for freedom and democracy is not just about democratizing and taming the state. The Myanmarese/Burmese are in effect confronted with the twofold problem: Firstly, how do we/they transform the oppressive and pauperizing national security state in Myanmar/Burma something more humane and answerable to the citizenry in whose name it must exist into? And secondly, in what ways must the state defend, serve and advance local citizens' interests in the face of global Capitalist hegemonic forces that are knocking on our/their door in their relentless search for new markets, cheap labour and natural resources?[4]

Needless to say there exist no easy answers to these questions. But raising these questions in and of itself is a crucial step in the direction.

To conclude, we need new understandings and conceptualizations of politics and democratization. Rather than helping those on the ground who seek to understand change or potential for change in difficult authoritarian contexts, current paradigmatic debates about civil society have been reduced to unproductive definitional contests devoid of or insensitive to the issue of context.

When we say civil society, we are looking for neatly defined characteristics, fixed features or, at least, measurable variables. However, in reality "civil society" is far more textured, amorphous and messy than order-driven researchers and policy makers are prepared to deal with. Even some of us Third World scholars who trained in the dominant Western intellectual traditions look at our own Third World societies as "deficient" because there are no autonomous civic or other associations registered as NGOs or serving as overt policy advocacy or campaign groups considered signs of social space autonomous from the state or the market. Some have gone so far as to argue that there is no civil society in Myanmar/Burma. I suggest we use these Western social science concepts simply as lenses, tools which can be valuable, if used with an ever-present awareness that social sciences are not value-neutral

[4] For a wonderful sample of critical essays that challenge the trendy but popular texts on promoting citizens' welfare, see McMichael, P. (2005): The End of Poverty: Economic Possibilities for Our Time, by Jeffrey Sachs. 2005. New York: Penguin. International Journal of Comparative Sociology, 46, 4 (2005): 347-355

enterprises. Far from being value-neutral, they are ideologically driven and culturally loaded: as such these lenses come with prejudices, interests, and economic, ideological baggage.

Because we are looking at possibilities of effecting change through the strategic engagement with authoritarian states at the sub-national level, and of course the society at large, what I would encourage us to do here is the following:

Instead of calling or viewing Third World societies under authoritarian rule as "civil society", I would be more inclined to consider Dr Will's portrayal of an essentially political and politicized people as "active citizenry" or "activated society". This captures the essence of what civil society, the concept, is meant to convey, without being bogged down with definitional issues, whether NGOs have to be registered with and seek permissions from the state for their initiatives or whether it does it by "getting in bed" with state officials or party leaders.

The essence here is that, sandwiched between the impersonal "Free Market" with its immutable logic of primitive accumulation sucking all that is profitable from nature and people and the oppressive state, the citizenry needs to be encouraged to take control of their lives - from the need to express themselves culturally, intellectually, to putting bread on the table or fighting to live in their ancestral homes or making sure that the water they drink is safe or that public sewage system is working. This is the essence of democratization: self-governance. And so I am not as desperate as I would normally be after a Myanmar/Burma-related or -focused seminar. The discussions here have enriched my own understanding of what has gone wrong and what can be corrected in my country.

Finally, if we think of politics not just as grabbing power but as reshaping power relations, then we get out of this "zero-sum mentality" which puts the players in an intellectual and policy straight-jacket wherein they must grab power. Clearly, that approach obviously has not helped the Myanmarese/Burmese or the Vietnamese, or the Chinese, for that matter, so without any more elaborations I'll just stop here. Thank you.

Dr. Zarni *is Visiting Research Fellow (2006-09) with the Department of International Development (Queen Elizabeth House), Oxford. His current research focuses on sustainable and rural development, nation-building, social movements, and imperialisms. In 1995, he founded the Free Burma Coalition, one of the Internet's first and largest campaigns with the intent of supporting Aung San Suu Kyi's National League for Democracy party in its struggle for democratic change in Myanmar/Burma. In 2005, he voluntarily ended his exile in the US, returned to his native Myanmar/Burma and resumed Myanmar citizenship, having lost confidence in both the NLD's leadership and organizational capacities and the Western policy of the prolonged sanctions and isolation of Myanmar/Burma as the strategy for social change. After 16 years of his involvement with the pro-sanctions Myanmarese/Burmese opposition, he now advocates openly engagement with and integration of both the regime and society in Myanmar/Burma in such areas as trade, commerce, tourism, education and capacity building, humanitarian field, cultural exchange and technology transfer.*

Zarni received his initial education at St Peter's Boys School in Mandalay and Mandalay University in Burma and did his post-graduate studies at the universities of California, Washington and Wisconsin in the United States. He edited "The Free Burma Coalition Manual: How You Can Help Burma's Freedom Struggle" (1997), co-authored, with Naw May Oo, the Free Burma Coalition report entitled "Common Problems Shared Responsibilities: A Citizens' Initiative for National Reconciliation in Burma/Myanmar" (2004), and wrote his PhD thesis (1998) entitled "Power, Knowledge, and Control: The Politics of Education under Military Rule in Burma (1962-88)", based on his year-long archival research at Cornell, Northern Illinois, Berkeley and London, as well as face-to-face interviews with about 100 Myanmarese/Burmese émigrés in the US, including former military intelligence and security officers, cabinet level officials, academicians, teachers and students from diverse ethnic, class and ideological backgrounds.

For contact, mail to: info@freeburmacoalition.org

Related publication of Heinrich Boell Foundation:

*"**Towards Good Society**: Civil Society Actors, the State, and the Business Class in Southeast Asia – Facilitators of or Impediments to a Strong, Democratic, and Fair Society?"* Documentation of a workshop of the Heinrich Boell Foundation, October 26-27, 2004 in Berlin (HBF, Berlin 2005), ISBN 3-927760-49-8

"… In view of political blockades many pin their hopes on civil-society actors and civil-society-related ideas. Increasingly, civil society is being equated with 'good living' in a socially fair and tolerant society. But what is the 'real' understanding of civil society in Thailand, Indonesia, and Vietnam? Which ideas do people in these countries have with respect to democracy, social equality, and gender equity? And, can there be a common understanding of civil society in Southeast Asian countries? The documentation gives a broad picture of the achievements as well as the problems that democracy is facing in Southeast Asia …"