

Is it an NGO? Is it a civil society?
Is it pluralism wriggling along?

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Dear Peter,

Prof. Pham Van Nghien is proud of three letters on his business card. They are printed right after the name of the Hanoi-based organization he founded a few years ago: The Business Management Institute (NGO). NGO is not the acronym of the group's Vietnamese name. It refers to a concept many Vietnamese people have never heard of: an NGO, a non-governmental organization. "We get no money from the state," says 60-year-old Nghien, a communist party member who wants to train professionals to face the new demands of market economy. "We are independent."

Are they? Legally-speaking, NGO's - as Westerners understand them - do not exist in Communist Vietnam. "They are neither legal nor illegal," explains 33-year-old Hanoi lawyer Nguyen The Lap who was trained in East Germany and works for Hanoi's first domestic consulting firm. "The law does not mention them."

Legal or not, organizations such as Nghien's Institute have appeared in Vietnam in the past few years. Many Vietnamese call them NGO's, a popular label these days. "Everyone wants to set up an NGO," says 35-year-old environmentalist Nguyen Thang. To some, they are a source of work and of foreign-funds; to others they are a way of advancing a beloved cause, caring for handicapped children or protecting the environment.

No one knows how many of them there are. In May 1994, without looking very far, I easily found a dozen. The *Ban To Chuc Chinh Phu*, Vietnam's Office of Government Organization had noticed too and was working on a draft law. "There is no coherence to the phenomenon," says Hanoi-based American anthropologist Neil Jamieson. "People are responding to needs, latching onto opportunities as the State withdraws from various sectors."

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Since 1925 the Institute of Current World Affairs (the Crane-Rogers Foundation) has provided long-term fellowships to enable outstanding young adults to live outside the United States and write about international areas and issues. Endowed by the late Charles R. Crane, the Institute is also supported by contributions from like-minded individuals and foundations.

Are those NGO's the first signs of the emergence of a new civil society, a new space of political freedom, not bound by the constraints of the Communist State? Some say so. Others disagree.

"A civil society must be protected by law," argues Professor David Marr. Respected historian and Vietnam watcher, Marr has made civil society the topic of the next Vietnam Update, the annual gathering of Vietnam watchers due to take place in Canberra this November. "Some people in Hanoi are unhappy about that choice," says another scholar. "They say we are politicizing the gathering."

I am in a car with three Vietnam watchers from different countries and I am working up a good headache. "It is a mistake to use the concept of civil society in the Vietnam context," argues Ingrid Schraner, a Swiss who worked many years in Vietnam with development organizations and is now a Ph.D. student at Wollongong University, in Australia. Quoting philosophers I have never heard of, Schraner machine-guns her way through my simplistic idea of what civil society is. I get out of the car heading for a library.

WHAT IS CIVIL SOCIETY ANYWAY?

Seen from Hanoi, the emergence of a new civil society had seemed obvious enough. Merchants were setting up spontaneous associations to present their demands to the authorities and were being heard; academic research centers were growing more outspoken as they were gaining access to foreign funds; workers in foreign-owned manufacturing plants were launching wildcat strikes and forcing the country's only official labor union to come to their assistance; non-profit associations were sprouting all over the place, caring for the disabled or the aged, restoring temples, teaching foreign languages. Was that not a civil society, albeit a fledgling one?

The term civil society suffers, it turns out, from the weight of history and has come to mean different things to different people. The intellectual fathers of Solidarnosc, the Polish labor union, applied the term to their effort to organize people independently of the totalitarian State. Often presented as the tool that brought about the downfall of communism in Eastern Europe, the term civil society is now so loaded it rings with irritating background noises in the ears of the Vietnamese authorities.

Still, I find no better one to describe what I have seen in Vietnam, especially when I read the following definitions from American scholar Larry Drummond. Civil society, he writes, is "the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules. It is distinct from society in general in that it involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable."(1)

(1). Diamond, Larry. "Rethinking Civil Society: Toward Democratic Consolidation", in Journal of Democracy, Vol.5, No. 3 July 1994.

According to Drummond, organizations of civil society help generate new ideas, new demands for government policies. They do not seek to challenge the state's control over the main levers of power, and, indeed, obtain their status through a tacit social contract with the authorities of the ruling party-state. "Civil society organizations seek from the state concessions, benefits, policy changes, relief, redress, or accountability." (2)

Most of the organizations I saw in Vietnam could fit in those definitions, except for a last element. "Actors in civil society," also wrote Drummond, "need the protection of an institutionalized legal order to guard their autonomy and freedom of action." That protection is still very shaky in Vietnam. The Minister of Justice himself was quoted in the local press as saying rule of law will take "at least ten years to implement". The Communist Party has not recognized the need of a politically independent judiciary.

But still, people found ways to create what they believed were independent organizations. They felt free to decide their own agenda and to raise money to act.

QUITE A CHANGE SINCE 1954

This was clearly not the case in Hanoi in 1954. All independent and autonomous political and social organizations had to relinquish control over their internal affairs to the Vietnamese Communist Party (VCP). All associations, from religious groups to social interest groups, were placed under the umbrella of the Fatherland Front, an external organization of the Party. All other groups had to be registered with and approved by the State or by a People's Council, at the local, district or provincial level. "The Party and the State were the only possible source of money and power," explained a retired party cadre living in Hanoi. "If you wanted to get things done you worked with them."

When the Communists took over in the South, existing organizations were either shutdown or co-opted by the State. Even social clubs were shut down. "In a communist society the State wants to reduce all sources of power except itself," explains Professor Deans Forbes, of Flinders University in Australia. According to him, the recent years of economic reforms have reduced the State's ability to enact such tight controls. "Citizens are more involved in public life, but it is still very limited," he says.

Forbes tried to measure that involvement using as a test case the new development plan for the City of Hanoi. The city was planning to demolish houses, widen roads, move people to different neighborhoods. Billboards across town explained the proposed changes. In spite of that, Forbes found little effort on the part of the citizens to have a say in the planning.

The city conducted no consultation among the population. "There was no articulation of policy from the bottom up," says Forbes. Hanoians harbored no hope of influencing the larger process.

(2). Diamond, Larry. *ibid*, page 6.

Instead they worked to protect their own interests, bribing an official to look away while they built a new house, for example, in contravention of the rule. "You cannot change the government's idea," explained my Hanoi landlord. "They think they know better than everyone else, they do not listen to people. We are better trying to do our own things."

For some Vietnamese people, "doing their own thing" has recently taken a broader scope than improving their individual lives. Education and poverty alleviation are major concerns among the population, and some people have banded together to do what they can. They are raising money for the handicapped, lobbying for more environmental protection, giving assistance to street children, getting involved in charity work, training business and government leaders, researching the impact of economic reforms on women, opening new schools.

To do all this they have set up new organizations, which have an odd legal status. Some have been legitimized by a University, others by the Union of Scientists, others again by a local People's Committee or even a Ministry. No national framework defines their structure or guarantees their existence. "The links are very hard to untangle," says Jamieson. "Often, a ministry or an organization has done the paper work to set them up. It is often based on interpersonal relations, some help from good friends highly placed."

To bring some order to that complex maze of organizations Hanoi is planning a new law for the end of 1994. Some people hope it will be delayed. "What you are seeing right now is a process of evolution," says Neil Jamieson. "People are feeling their way around, trying out new ways to solve their problems. The lack of definition makes it easier to experiment, to look for new models. A law may freeze initiative too soon."

A COMPLEX GALAXY OF NEW AND OLD ORGANIZATIONS

Experiments do take many forms. Observers are at a loss sometimes to describe the status of old organizations now in transition and new ones in-the-making. In this new Vietnam where all things labelled "non-governmental" tend to be popular, competition is fierce for the three magic letters, NGO.

First, you have the mass organizations such as the Women's Union, the Union of Peasants, the Youth Union. Their status is defined by the law. They are clearly tied to the State and get most of their budget from it, although they have been encouraged to become financially self-sufficient and have sometimes engaged in commercial activities to do so. (The Youth Union, for example, runs an advertising agency)

Foreign funds channelled through development programs, have also given some of those organizations renewed independence. Not that it pleases everyone. "Foreigners only give to the big mass associations controlled by the government," laments one former party cadre turned director of a new small non-profit organization. "They should encourage real NGO's."

It is a tricky choice for foreign donors. "Mass associations have a good network in the villages and the new groups do not," argues a Unicef employee. "Yes, they have stronger ties with the State, but they are also often better informed and better prepared to get the job done."

A second element of this galaxy is the new organizations created by the government itself with the label non-governmental. One example is NEDCEN, a group dedicated to help small businesses. NEDCEN has few members outside of state-owned enterprises, gets all its budget from the government but argues it is independent.

Pham Van Nghien calls NEDCEN an "ONG d'Etat", or "State NGO". Even the Vietnamese Chamber of Commerce is not a real NGO, according to Nghien, because all of its employees are paid by the government. A colleague of Nghien, who has friends in high places, recently floated with them the idea of creating an independent association of small and medium enterprises. "They told me not to attack on that front," recalls the grey-haired man who worked many years for the economic department of the Party Central Committee. "Some of them are worried such an association would adopt politics not in line with those of the Party. They want all activities to be conducted under the direction of the party."

But it may be too simple to disregard the importance of those groups because of their ties to the government. "We belong to the government but we act like an NGO," insists 35-year old Hoan Van Thang, one of the founding member of the Center for Research and Environment Studies (CRES), a research outfit created in 1985 under the sponsorship of the Hanoi University.

BELONGING TO THE STATE - BEHAVING LIKE AN NGO

CRES's office is in the main building of Hanoi's National University, on a leafy street in the heart of the capital, a two-minute walk from the Opera. The yellow-colored colonial building has lost some of its luster but none of its elegance.

Many famous Southeast Asian figures studied here in the days of French colonialism when it was called *l'Université d'Indochine*. Today, the large inner courtyard is deserted. It is exam time and many students are studying at home or killing time in coffee shops. Shutter-windows are broken, corridors are cluttered with broken pieces of furniture. On top of the stairway leading to CRES's office, suspended skeletons of animals rattle in the warm wind. During the war, Professor Vo Quy, Vietnam's most respected biologist, took many of those specimens apart and dragged them out to the country-side with the help of his students. Today, Vo Quy's students work all over Vietnam and form a dedicated network.

Five years ago when I first visited the Center, there were no computers. Today, the center has three. Students and researchers take turns using them. The computer room is small, stuffy and humid. Waiting for his turn, a student sleeps on a wooden bench. "We need all the help we can get," argues Thang. "Development is moving fast, much faster than we can monitor its damage to the environment."

About 23 people work full-time for CRES. The Center conducts research and provides training for postgraduate students. Funding comes from the Ministry of Education, the National Research Program on Environment and a cohort of foreign organizations. "We have many foreign friends," says Thang. World Wildlife Fund (WWF), the Union for the Conservation of Nature, the East West Center in Hawaii, the German-based Oroverde, a Foundation dedicated to the preservation of forests, the Asian Wetland Bureau, the International Crane Foundation, and the Canada-based International Development Research Center (IDRC), all support various projects.

"Soon, more NGO's will be established and I am afraid there will be too many," says Thang. "People are attracted by the foreign money. They do not realize that in order to get good international support you must have a good position within Vietnam, you must be able to get things done."

Centers like CRES or the Research Center on Women and the Family argue that their dual status gives them a much better position to work from in this period of transition. Smaller organizations are now beginning to challenge that.

The most recent additions to the Vietnamese galaxy of non-profit organizations may be the closest to the western definition of an NGO. Most of them appeared in the late 80's, early 90's. Their founding members are all either retired government officials or close to retirement. "These people were frustrated with the bureaucracy, the corruption, the internal politics," explains American anthropologist Neil Jamieson, author of Understanding Vietnam, presently working in Vietnam with Winrock, an agricultural organization from the United States. "During the past 20 to 30 years they have developed ideas to make things work better. They want a chance to try them out without the smooth cotton candy apparatus."



Drawing by CHOE

Saigon Times February 94 cartoon deriding the government's efforts to reduce bureaucracy. Some believe new local NGO's can respond faster to problems.

More pragmatic reasons may also be pushing older people into this new sphere of activity. Official retirement age in Vietnam is 60. The high level of unemployment and government efforts to reduce staff, has increased pressure on some officials to leave their jobs when they reach 55. "They are in full command of their ability and they have nowhere to go," explains Jamieson. "They are scared to death of sitting in a cramped home doing nothing. They cannot survive on their pension."

Those cadres may be the best chances of NGO's emerging in Vietnam. "They have credibility within the system," adds Jamieson. "They understand it, they have friends in it."

The groups usually get no money from their "sponsors". "We raise funds among the new rich and we get some from foreign organizations," explains a woman working with a new charity association based in HoChiMinh City.

Activities tend to focus on education, poverty alleviation, research, aid to the vulnerable (the sick, the handicapped, the orphans). "There is some advocacy work," explains one Vietnamese working for a new research center on women. "We try to push the results of our research in newspapers, we talk about it with senior officials, hoping the government will use our data and our analysis to make better policies."

The new organizations are proud of their independence. "The authorities do not tell us what to do," argues 62-year old Nguyen Ngoc Trinh, director of the Highland Education Development Organization (HEDO), a non-profit Hanoi-based organization created in 1990 to help Vietnam's ethnic minorities gain a better education.

As with most newly created groups, much is mysterious with HEDO. The day director Trinh agreed to see me, I bicycled to the address he had given me over the phone and found myself staring at the main entrance to the Ministry of Education. No one there knew Trinh, or HEDO for that matter. After much querying, some nice elderly woman took me outside the gate of the Ministry and directed me to a muddy narrow alley on the left. Chickens roamed around the alley, children played in the potholes. I was about to give up when I saw a small sign, about the size of a shoe box, affixed on a wall. "We only have a little money," laughed a casually-dressed Trinh as he lead me into his office. "So we only have a little office."

There is a fax machine in the office, though, no mean feat in a country where special permits are needed to own one. Fifteen people work full-time for HEDO. Where does the money come from? "I have friends abroad," answers Trinh.

HEDO is a member of four international organizations. Three of them are training centers related to drug abuse: the International Center for Prevention of Drug Abuse in Kuala Lumpur, the United Nations Drug Control Program, and the International organization of

NGO's against Drug Abuse in Paris. Opium is still a big problem in the mountainous areas but not once did Trinh mentioned his organization being involved in drug-related programs.

According to Trinh, the organization funds about 30 small development projects in the northwestern highlands of Vietnam, near the border with China. Most are literacy programs. HEDO also funds training for nurses and teachers. Since its creation in March 1990, HEDO has sent a few dozen Highlanders to University, some to foreign countries such as Malaysia, Thailand or England. Since June 1993, World Vision has been supporting one school Trinh is involved in. A scholarship to keep a pupil in school cost \$5 a month. "I do not give rice or fish," says Trinh. "They only last a short time. I give people the means to help themselves."

Trinh says he wants to expose ethnic minority leaders of highland areas, to different ways by which native people have developed in the world. In April, Trinh took a delegation to Korea and Thailand. "Can you help us bring some to Canada?" he asks.

Vietnam has a State Committee for Minorities but "they mainly do studies," laments Trinh. "They have good ideas, many good policies but no money. They cannot do much."

HEDO owes its legal existence to a decision of the Ministry of Education. The group also has ties to the Ministry of Health and the Ministry of Science. Trinh admits HEDO has provided him with a job after he retired but says money is not important to him.

Trinh grew up in a small village in the mountainous province of Lang Son, in the north of Vietnam. "We were very poor then," he recalls. "To survive, my father went into the forest to cut trees." Trinh was 10 when he entered one of the new schools set up by the communist government. He was a good student and got a scholarship to study in China where he attended university and became a teacher. "When I came back, I taught in the mountains, in Lai Chau and Son La," recalls the bespectacled man. Later on, Trinh was called back to Hanoi to train other teachers.

Today, many of Trinh's pupils work with People's Committees in mountainous regions and they turn to him for help. "In some places, life has improved with the reforms," he says. "Elsewhere, people have lost their land. We need better education to find solutions to the new problems"

Trinh is especially worried about the way his own people - the majority Kinh - regard the minorities. "They know little about them, have no respect for them," he says. In market-oriented socialist Vietnam, the minorities are mainly a tourist attraction. "When the Vietnamese talk of preserving native culture, they talk about clothes, food, and music. Not about a way of life, a dynamic system, constantly changing and adapting," laments Trinh.

Anthropologist Jamieson says the Vietnamese can hardly be blamed. "They have been isolated from most of the recent discussions on native culture and anthropology," he explains. The Hanoi School of Anthropology does not subscribe to scholarly journals. They only own one or two of the 15 major books in the field. "But they have acknowledged the need to adapt," says Jamieson.

According to Jamieson, the Vietnamese "have not begun to perceive the depth of national resistance among the ethnic minorities. They mistakenly put all the blame on the Americans for inciting ethnic resistance in the Central Highlands." But nationalism never died in the highlands, despite years of communism. And Vietnam will have to face that question in the future. But that is another story. In the meantime Trinh wants to know if I can help put him in touch with Indian leaders in Canada. "Indians in Canada have oil," he says. "They must be rich."

BUSINESS MANAGEMENT

While Trinh and his group work to improve the situation of the ethnic minorities - whose literacy rate, health record and general level of well-being are the worst in the country - others set up non-profit organizations to train business and government officials. "We must train the cadres in the provinces not only in the cities," explains Nguyen Lam Ho, a retired communist official who is worried about environmental degradation. "Clandestine logging is booming. Officials take the bribes and do not think about the future. They do not understand the harm they are doing."

Ho spent many years as an economic advisor to the Central Committee of the Communist Party. He is retired now but he has kept in touch with good friends. One of them, a former president of the Communist Party Central Committee, is now president of the Union of Science and Technology Associations. It is to him that Ho turned when he and 16 colleagues decided to create the Business Management Institute (BMI). The Union gave the Institute its legal existence and its legitimacy. "The Union acknowledged the need to train government officials in market policies," explains Ho.

The Union is a government-sponsored association covering groups as diverse as the Union of former police officers, the Union of chemists or the Architect's Union. There are between 40 or 100 of those associations, the person who answered the phone at the Union told me. I could not get her to be more precise. The Institute pays a US\$30 monthly fee to be a member of the Union. "It is," says Ho, "our only obligation".

The Institute's headquarter is on the third floor of a drab cement building on Doi Can Street, half an hour from the town center on my bicycle. The office is small. A bigger room, next door, doubles as a classroom. The first floor is occupied by a computer-consultancy firm and a car repair shop. A few dictionaries and business textbooks in English line the shelves. They were donated by foreign friends. "We still need to buy a fax machine," says Pham Van Nghien, director of the Institute.

Pham Nghien, worked from 1986 to 1993 as a consultant for CIEM, the Central Institute for Economic Management, a Hanoi-based think tank related to the Ministry of Finance. A graduate of Moscow University, Nghien holds a doctorate in transport and a first engineering degree from Leningrad in 1968. The eight years he spent in the former Soviet Union have left him with fluent Russian and halting English. We mainly speak French.

The Institute offers training on market economics. It tries to raise money by doing consulting work for domestic and foreign companies. The going is rough. "Foreign agencies pay the students to attend their seminars," complains Ho. "We do not. Our students have to pay to come here."

Paying students is an increasingly popular practice. A Canadian businessman who offered a seminar on some new technology was asked by a government official how much participants would be paid daily. "The Vietnamese know we are trying to push our product through these seminars," admits the Canadian. "If they went to all the seminars offered these days, they would never get any work done."

BMI has a branch in HoChiMinh City. It offers short-term classes on topics such as environmental law, business law. I meet three of the teachers, all lawyers trained before 1975. One went on to become a diplomat, the other a judge in a southern province and the third an attorney. The three ended up in reeducation camp in 1975.

We share a lunch of sandwiches and pop around an old wooden table set in the center of the school's main office, a room obtained from the Ministry of Commerce and Trade. The building is dark and humid and smelly but the room is warm and pleasant.

Trung, one of the three teachers, must have been a strapping attorney in his youth, fiercely in love with the law. Some of that youthful enthusiasm still burns in the frail body that did not take well to the years of deprivation. Today he is only skin and bone, his skin a translucent film tightly drawn across his face. His hand trembles as he pours some water for me but there is no denying the flicker in his eyes and the joy he finds in our discussion. "You must talk to our students Miss Carole," he insists, his voice fluttering like a flame weakly protected by the walls of a rice paper lantern.

A few days later, we are both guests for dinner at a friend's place and I have brought a bottle of Bordeaux, slightly worried my host will think I am flaunting my money, but wishing to express my delight at being invited to join them for dinner. The house is simple, still covered with the barbed wire and the old pieces of scrap metal that puzzled me when I first came here two years before. Today the house seems to mirror the change I have noticed in my friend's attitude. Doors and windows are opened, light pours in, old furniture has been replaced by new. The shy, reserved whispers of the past have been replaced by a louder welcome. There are cheers for the wine and the red liquid is toasted that night with the words of famous French poets. Trung showers on me the best

of his old-fashioned gentle gallantry. He takes the best bits of food from a central dish, using the other end of his chopsticks, and gently drops them on my plate, explaining that good manners demand that an honored guest be served that way.

Conversation bounces back and forth: rule of law, the hopes brought on by the economic reforms. "We do not get paid much to teach but it does not matter," whispers one white-haired man on my right who was a judge before 1975. "Our students want to learn, they want to know what we studied once. It is a great satisfaction."

SOON A CONFERENCE ON DOMESTIC NGO'S?

Trung, and Ho, and Trinh, all share one thing in common. They are delighted to be useful, to belong to a group in which they can discuss problems and decide on a course of action. ("We must be diplomatic of course," explains one. "Proper due must be paid") They are thrilled to feel that they can have an impact, that their talents and skills are recognized and put to use. "The government simply cannot do everything," insists Trinh.

Most admit that the concept of an NGO is rather new, especially in the north of Vietnam, and that it will take a while for it to take hold. "The expression translates in Vietnamese as organizations without government," explains an official from the Foreign Affairs Ministry. "It is really close to the Vietnam word for anarchy. Some old Communist officials do not understand why I want to associate with anarchists."

Ho confides though that one member of the Central Committee told him a new vision has to be adopted on the question of NGO's. Strengthened by that comment, Ho now dreams of holding a conference in Vietnam on NGO's. In 1993, he took part in a conference in Malaysia concerning Southeast Asian NGO's. The organizers recently called him about organizing a similar one in Vietnam in 1995 and asked for his advice on the "opportunity" for such a gathering. "I am working on it right now," he says. "Funding will be a problem."

A Party member since 1949, Ho is bold in his comments. "We suffered too long from the bookish conceptions of some people," he says, brushing away his long grayish hair. "It is time to be more realistic."

While independent unions, religion and underground literature were the vehicle of an emerging civil society in Eastern Europe, Vietnam is clearly following a different route, one along which small new organizations such as Trinh's may play an important role.

No independent union such as Solidarnosc has appeared in Vietnam. Wildcat strikes that broke out in the South in mainly foreign-owned factories have alarmed the official Vietnam General Confederation of Labor Unions (VGCLU). The Union leadership has shown a determination to respond to new needs, supporting an association of bicycle rickshaw drivers, for example, talking about creating an association for restaurant cooks, pushing for higher wages for

workers in foreign-owned companies. More recently they have won a battle to enshrine the right to strike in a new Labor Code. "We must adapt to our new role in a market economy," told me Chau Binh Nhat, assistant-director of VGCLU's international department. "Otherwise the workers will desert us."

Compared to former communist countries in Eastern Europe, Vietnam publishes little underground literature. Writings of dissidents are smuggled out of the country to publishers in France or in the US but they are not circulated that widely in Vietnam itself. Some of the strongest criticism of the regime tends to come from hard line marxists within the communist party. Novelists and poets also express their criticism in metaphorical form. But what is happening at the grass-roots level may be even more interesting. "We have had enough of words and of ideology," says the founder of a new Hanoi-based non-profit organization who wishes to remain anonymous. "Everyone one is aware of the risk of freezing your thoughts in print. Better do than talk."



Carole Beaulieu

San Francisco
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