

The Changing Nature of the Red River Delta Villages during the Lê Period (1428-1788)

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Over the 400 years of the Lê dynasty (1428-1788), the village in northern Vietnam progressively evolved as an administrative institution. The article traces this process, and analyses the changing relationship between villages and the central government, contrasting the early decades of the dynasty when the court exercised strong control over the village with later centuries when the trend was towards autonomy.

Introduction

A Vietnamese village is officially called a *xã* (社 in Chinese, which actually refers to a tutelary deity and the shrine where the deity is enshrined). Colloquially, however, the word *làng* is widely used. The word *xã* has a strong sense of being an administrative unit whereas the word *làng*, by contrast, simply means a natural village and is also considered synonymous with the word *thôn*, borrowed from the Chinese *cun*.¹ The Vietnamese social and economic community where a specific group of people lived together is thought to have been called a *làng* from early times. Later on it appears that with the rise in the worship of tutelary deities owing to the need to protect the community from natural disaster or external invasion, the notion expressed by the Chinese *she* was introduced. As the smallest local community within the Vietnamese social system, the *xã* has for a long time retained its own peculiar character. Consequently, in the view of many scholars, the study of the *xã* is indispensable for understanding the nature of Vietnamese society. This is even more the case since in premodern society there was almost nothing that might be called a city. Therefore Vietnamese and foreign scholars alike have long been deeply interested in the village, and it has been the subject of many studies. This article will examine the changing status of the Red River Delta villages over the 400 years of the Lê dynasty. More specifically, it will discuss how the internal social structure of these villages and their relationship to the state changed during this period.

Vietnamese villages have had a strong tendency to be linked to government policy objectives, not only during the French colonial period but also in post-colonial North Vietnamese academic circles. The first to study the Vietnamese village using modern methods of scholarship were the French. These studies were inextricably tied to their need as a colonising power to deal with the

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¹ There are various other Vietnamese terms to designate a village; these terms and their relationship to the words *xã*, *làng* and *thôn* are discussed below.

lowest echelon of the regional administrative system, the village. Since the Second World War, much work has been done to continue and build on the studies of those prewar French researchers, not only in France, but also in America and Japan. Whereas prewar studies tended to stress the traditional nature of the village without taking into account any changes that might have occurred over time, postwar research, especially by American scholars, has attempted to grasp the changes that occurred in the village beginning with the French occupation in the late nineteenth century.²

After Vietnam's independence there was a strong tendency in Hanoi academic circles to focus on the village as a locus of class struggles over land among the peasantry rather than trying to understand it as a single community. Subsequently, the direction of research shifted towards such economic problems as the distribution of communal land and the use of water for irrigation. The reason for this shift was the government's active promotion of village cooperatives (*hợp tác xã*) from the end of the 1970s in the face of worsening food shortages. With the adoption of the *đổi mới* policy in the mid-1980s and the subsequent emphasis on historical heritage, Vietnamese scholars have now come to resemble closely their foreign counterparts, with a sphere of interest widened to include such things as the configuration, character and customs of the village.³

With regard to studies of the premodern village, two tendencies in particular should be noted. The first is that most of the studies concentrate on nineteenth-century Vietnam under the rule of the Nguyễn dynasty (1802-1945). This is because the studies on the village were begun in the context of colonial rule, and so there is a much more abundant amount of material on this period than on any other. The second point is that there exists a strong inclination to apply the results of studies on the structure and nature of the Vietnamese village of the nineteenth century to earlier centuries as well. As already stated, there is a tendency to overemphasise the traditional nature of the village and to overlook the fact that as times and court policies change, then so will the face of the village.

Many Vietnamese scholars, as though indifferent to the passage of time, tend to write about the nature of the 'traditional' (*cổ truyền*) premodern village in an all-encompassing fashion. Of course, even these scholars acknowledge a considerable difference between the northern and southern villages and make a distinction between the two. They will, however, indiscriminately write about the village systems of the Nguyễn and that of the earlier Lê dynasty (1428-1788), without making any distinction whatsoever.⁴ These kinds of problems have also very recently appeared in the writings of Western scholars. Neil Jamieson, for example, in his treatment of the 'traditional' Vietnamese village, specifies only that the area under study is north of Hà Tĩnh and makes no reference at all to which particular part of the 'traditional period' he is focusing on.⁵

2 Sakurai Yumio, *Betonamu sonraku no keisei* [The formation of the Vietnamese village] (Tokyo: Sobunsha, 1987), p. 17.

3 Yu Insun, 'Betunam ui doi moi jongchak kwa Betunam sa ui jaehaesok' [Vietnam's *Đổi Mới* policy and a reinterpretation of Vietnamese history], *The Southeast Asian Review*, 3 (1994): 14-16. For a concise treatment of Vietnamese and non-Vietnamese studies on the village from the colonial period to the 1970s, see Sakurai, *Betonamu sonraku*, pp. 4-33.

4 One author, for example, deals with the Vietnamese village until 1945. However, the concept of time is lacking and it is impossible to determine exactly to which period the village whose characteristics are being described belongs; see Trần Từ, *Cơ cấu tổ chức của làng Việt cổ truyền ở Bắc Bộ* [The structure and organisation of the traditional (ethnic) Vietnamese village in the North] (Hanoi: NXB Khoa học Xã hội, 1984).

5 Neil Jamieson, 'The Traditional Village in Vietnam', *The Vietnam Forum*, 7 (1986): 109. Despite the fact that his paper mainly deals with the village under the Nguyễn dynasty, any notion of timeframe is very hazy indeed, and he sometimes confuses the role of the *xã trưởng*, who was village head during the Lê dynasty, with that of the *lý trưởng* of the Nguyễn period and uses the terms interchangeably. Gerald Hickey, too, pays no heed to differences in period when speaking of the traditional village; see his 'The Vietnamese Village through Time and War', *The Vietnam Forum*, 10 (1987): 2-8.

This paper seeks to differ from the two aforementioned trends in scholarship on premodern Vietnamese villages. First of all, the focus of the study will be on the Lê period. Also, on the premise that the nature of northern Vietnamese villages in the central plains will change over time, we will be looking at how they changed over almost 400 years to take on the character they would come to have under the Nguyễn. The Red River Delta villages under the early Lê would have certainly been different from those of the Nguyễn. How can the character of villages be thought of as almost unchanged over a period of 400 years? Was premodern Vietnamese society really that static? The present writer would rather believe that during this period, Vietnamese society in fact underwent many changes: political, economic and social. In this context, what should be kept in mind is that Lê rule can be broken down into at least three main periods: (1) the fifteenth century, dominated in Confucianising revolution; (2) the sixteenth century, with a first quarter of political instability due to a succession of weak rulers, a second quarter dominated by effectively contested Mạc rule in the Red River Delta after Mạc Đăng Dung's seizure of power in 1527, and a second half characterised by civil war after the Lê Restoration; and (3) the Restored Lê period from 1600 onward, in which the new rulers (the Trịnh Lords under the nominal authority of the emperors) were unable to emulate the high degree of control of, and penetration into, the delta villages achieved by the fifteenth-century central government.

Until now, there have been very few studies on the Vietnamese villages of the Lê period. Among these, Yumio Sakurai's work is an in-depth analysis of the process of village autonomy. His autonomy was centered on the distribution of *công điền*, usually believed to have been communal village land but which Sakurai asserts was actually state land under the Lê.⁶ In the early period, Sakurai argues, village autonomy was weakened by inroads made by the state, but in subsequent centuries it increased with the deterioration of state authority. Although the autonomy of the village would have varied according to the period, the village would have held absolute power over the lives of its residents. It is the aim of this article to show the nature of the Red River Delta village in relation to its form, social structure, and relationship with the state.

The historical evolution of the *xã* as an administrative unit

In the 1920s, Trần Trọng Kim stated that the system of *xã* was first introduced in the year 7 by Khúc Hạo, who styled himself as the military governor and then divided the area under his rule into *lộ* (routes), *phủ* (prefectures), *châu* (districts) and *xã*.⁷ For some time, Vietnamese academic circles accepted this theory. However, a recent hypothesis that has gained influence suggests that the very first use of the word *xã* was actually during the Tang period. According to a new view, Qiu He, a prefect in Giao Châu (the name for Chinese-ruled Vietnam under the early Tang), placed small *huông* (70 to 150 households) and large *huông* (160 to 540 households) under the district (*huyện*) and sub-divided these *huông* into small *xã* (10 to 30 households) and large *xã* (40 to 60 households).⁸ However, under Tang rule the existence of *xã* must have been

Sakurai, *Betonamu sonraku*, contends that the *công điền* only came to belong to the village during the Nguyễn period; Nguyễn Ngọc Huy et al., *The Lê Code: Law in Traditional Vietnam*, vol. II (Athens: Ohio University Press, 1987), pp. 190-6.

Trần Trọng Kim, *Việt-Nam Sử lược* [A short history of Vietnam], quyển 1 (Hanoi, 1928; reprinted edn Saigon: Bộ Giáo dục và Trung tâm Học liệu, 1971), p. 67. Trần Trọng Kim's statement seems to have been based on the *Khâm định Việt sử thông giám cương mục* (*Qinding Yueshi tongjian gangmu*) (hereafter *CM*), *tiền biên* (*qianbian*), vol. V (reprinted edn, Taipei: Guoli Taiwan Tushuguan, 1969), 14b-15a.

Trần Quốc Vương and Hà Văn Tấn, *Lịch sử chế độ phong kiến Việt Nam* [A history of the Vietnamese feudal system], tập I (Hanoi, NXB Khoa học Xã hội, 1960), p. 163; Ủy ban Khoa học Xã hội Việt Nam, *Lịch sử Việt Nam* [A history of Vietnam], tập I (Hanoi: NXB Khoa học Xã hội, 1971), p. 119; Phan Huy Lê et al., *Lịch sử Việt Nam* [A history of Vietnam], tập I (Hanoi: NXB Đại học và Giáo dục Chuyên nghiệp, 1991), p. 282. This theory must be based on the *Annan Zhiyuan* (*An nam chí nguyên*); see Ngan-Nan tche yuan, ed. Léonard Arousseau (Hanoi: École Française d'Extrême-Orient, 1932), pp. 59-60.

Khúc Hạo
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limited to a certain area – specifically Giao Chỉ, which encompassed the Red River plain – since the *li* (*lý* in Vietnamese) had been the basic unit of administration in China itself and remained so in much of Giao Châu as well. It is noteworthy that a recently discovered inscription dated 9 September 948 only mentions a *huyện* (Giao Chỉ) and a *thôn* (Hạ Từ Liêm) under it.⁹ This seems to indicate that, despite Khúc Hạo's reform of local administration in the early tenth century, the *xã* was not yet an important administrative unit, even in a core area like Giao Chỉ.

If this is so, then what would the village as a unit of administration have been called prior to the Tang dynasty? It seems that delta villages were grouped into *huong* (Ch. *xiang*) and *lý* subordinate to commanderies (Ch. *jun*, Viet. *quận*) similar to those in China. In the thirteenth century, Lý Thế Xuyên, quoting from the Chinese *Jiaozhouji* and the Vietnamese *Báo cục truyện* in his *Việt điện u linh tập*, refers to Long Đỗ *huong* and below it to Tô Lịch *thôn* as Vietnamese toponyms during the rule of China's Jin dynasty (280-316).¹⁰ This is the first time the designations of *huong* and *thôn* appear in records. Long Đỗ *huong* was an administrative unit while Tô Lịch *thôn* seems very much to have had the character of a natural village. If so, then would not the *thôn* of 'Tô Lịch *thôn*' be the Chinese character equivalent of the Vietnamese word *làng*? The same appears to be true for the above-mentioned *thôn* of Hạ Từ Liêm, which does not seem to be an administrative unit. On the other hand, the word *lý* is hardly ever found in records other than one from the Trần dynasty (1225-1400), which mentions Vạn Xuân *lý*.¹¹ Despite this fact, the compound word *huong lý* had already begun to appear in writings in the sixth century and became universal during the Tang period, while *huong-thôn* did not appear until the tenth century.¹² It would not be unreasonable to see this as further evidence for the existence of the *lý* under Tang rule.

However, the introduction of the administrative units *huong* and *lý* under Chinese rule would have had no effect on the natural village order of Vietnam. The lowest level administrative unit, the *lý*, was not several natural villages joined together; rather, it was nothing more than an administratively convenient way of counting one, two or more villages together as one unit. Moreover, even that could have been a mere formality, because Chinese rule was not firm at the time. Despite Khúc Hạo's reform of the regional administrative system in 907, the framework of *huong* and *lý* was maintained until after Vietnam's independence.

9 The inscription was found on the bell in the temple for the worship of Confucius and his disciples located in *thôn* Nhật Tảo and is now kept in *đình* Đông Ngạc, Từ Liêm, Hanoi.

10 *Việt điện u linh tập* (hereafter *VDULT*) (Saigon: Nhà sách Khai Trí, 1960), pp. 73, 210. See also *Việt điện u linh tập lục toàn biên* (*Yuedian youling jilu quanbian*) in *Yuenan Hanwen xiaoshuo congkan* [Collected Chinese-language novels from Vietnam], ed. Chen Qing-hao et al., *Shenhua chuanshuolei*, vol. II (Taipei: Xuesheng Shuju, 1992), p. 189. In *Việt điện u linh tập lục* (*Yuedian youling jilu*), which is another wood-block printed version of the *VDULT* included in the volume just cited, Long Đỗ *huong* and Tô Lịch *thôn* are called Bôn Độ *huong* and Tô Bách *thôn* respectively (p. 27). There are several versions of the *Jiaozhouji* (Viet. *Giao Châu ký*), but it is possible that the book quoted here was written by Zeng Gun at the end of the Tang period; see Keith Taylor, *The Birth of Vietnam* (Berkeley: University of California Press, 1983), p. 233, n. 29. The *Báo cục truyện* (*Baojichuan*) seems to have been written in the second half of the eleventh century; Keith Taylor, 'Authority and Legitimacy in 11th Century Vietnam', *Southeast Asia in the 9th to 14th Centuries*, ed. David Marr and A.C. Milner (Singapore: Institute of Southeast Asian Studies, 1986), p. 145.

11 Lê Tắc, *An Nam chí lược* (*Annan zhilüe*) (Hue: Viện Đại học Huế Ủy ban Phiên dịch Sử liệu Việt Nam, 1961), pp. 238 (Vietnamese text) and 147 (Chinese text).

12 *Đại Việt sử ký toàn thư* (*Dayue shiji quanshu*) (hereafter *TT*), ed. Ch'en Ching-ho (Tokyo: Tokyo Daigaku Toyobunka Kenkyujo, 1984-6), pp. 147-8. Also in the *Toàn thư* is the record that a certain woman named Mrs Kim became famous for her virtue and all the people of her *châu lý* took her as a paragon. It seems that the compound word *châu lý* was also used, as *lý* was quite common at the time. *TT*, p. 160; *CM, tiền biên*, vol. IV, 25a; *An Nam chí lược* (Chinese text), p. 147.

On the other hand, there were many instances of *cun* (*thôn*) becoming *she* (*xã*) in China during the Song dynasty, because among the types of community under the *xiang* (*huong*), many *cun* had a *she* where a tutelary deity was enshrined.¹³ Therefore it can be supposed that in Vietnam too, after this period, there would probably have been instances of *thôn* becoming *xã* in that they had been formed around their own tutelary deity. Examples of the 'one *xã* one *thôn*' (*một xã một thôn*) of later days would have certainly already existed by this time at the latest.

Even if there were reforms in the regional administrative system of the Ngô (939-963), Đinh (966-980) and Early Lê dynasties (980-1009), their effect would not have reached any lower than the district level. Furthermore, the regional administrative system of Lê Hoàn of the Early Lê is said to have been modelled on that of the Song, so it does not seem as though there was any alteration in the framework of *huong* and *lý*. Even if these local administrative units existed, it is quite possible that central power did not extend down that far and that they existed in name only, mainly because of the frequent changes of dynasty from the Ngô until the establishment of the Lý (1009-1225). In a situation of political turmoil, each village went in the direction of strengthening its own autonomy for the sake of its own safety and as a result, the *lý*, unable to fulfill any particular function, gradually disappeared. 「*理*の消滅

In the *Việt điện u linh tập* there is a record of two villages, Cỏ Bi and Dàm Xá, having a border dispute in the early years of the Lý. Interestingly enough, the person who settled the dispute was a certain Lê Phụng Hiếu from neighboring Bãng Sơn *xã* (also known as Na Sơn *xã*). He is said to have subdued Dàm Xá by military force and made it give the land back to Cỏ Bi.¹⁴ Neither a *lý* nor a *huong* played any role in this dispute. This example tells us that these administrative units were nothing more than nominal structures at this time and that each village had no recourse but to sort out its own problems by itself. It is also noteworthy that the name *xã* definitely appeared for the first time at this point. Since the later accounts found in the chronicles *Đại Việt sử ký toàn thư* and *Khâm định Việt sử thông giám cương mục* (usually referred to as the *Toàn thư* and *Cương mục* respectively) identify Lê Phụng Hiếu as coming from Bãng Sơn *huong*, not Bãng Sơn *xã*,¹⁵ it can be surmised that some *huong* had already become *xã*. Almost all *huong* had in actual fact been changed to *xã* by the end of the Trần.¹⁶ After that the term *huong* did appear, but its meaning as an administrative unit had already disappeared, and it remained merely in place names. Unlike the case of *thôn* becoming *xã*, in this case one *xã* would be made up of at least two or more *thôn*.

The Lý court reformed the regional administrative system, but there is no record to be found anywhere to the effect that the *lý* was abolished as a unit. However, if we consider the fact that the compound *huong thôn* had begun to be used instead of *huong lý* by the end of the Lý,¹⁷ it would not be unreasonable to conclude that over the course of that dynasty's rule the *lý* itself had almost completely disappeared. Furthermore, below the *huong* and *giáp*¹⁸ there were residential units such as *xã*, *thôn*, *giang*, *trường*, etc., though scholarly opinion is divided as to whether these were administrative units or simply designations for village communities. It appears, however, that at least some of the *xã*, *thôn*, *giang*, *trường*, etc., situated in the central part of the Red River Delta under the direct rule of the Lý rulers would have functioned as administrative units. In fact, there

13 Sogabe Shizuo, *Chugoku narabi kodai Nihon ni okeru kyoson keitai no henshen* [The change in village types in ancient China and Japan] (Tokyo: Yoshikawa Kobunkan, 1963), p. 124.

14 VDULT, pp. 77, 207-208; *Việt điện u linh tập lục toàn biên*, p. 191.

15 TT, p. 217; CM, *chính biên* (*zhengbian*), vol. I, 28b.

16 Sakurai Yumio, 'Betonamu chusei shasui no kenkyu' [A study of the number of *xã* villages in medieval Vietnam], *Tonan Ajia*, 5 (November 1975): 28.

17 *Đại Việt sử lược* (*Dayue shilüe*), ed. Ch'en Ching-ho (Tokyo: Soka Daikaku Ajia Kenkyujo, 1987), vol. III, p. 85.

18 For the nature of the *giáp*, see below.

李朝
1212/12
行政
1121
1111
1111

Dai tu xã
大司社?

表記
is a notation in the *Cương mục* to the effect that the Lý appointed *xã*-level officials (*xã quan*) to annually report the size of the local population.¹⁹

陳朝
各社已集
如
大理境
社
七示
Under the Trần dynasty, the basic regional administrative framework was similar to that of the Lý, being composed of routes, prefectures and districts (*châu* in mountainous areas). The big difference between the two dynasties' systems had to do with *huong* and *xã*. It is recorded that in 1242, during the reorganisation of the regional administration system, officials known as either *dai tu xã* (fifth grade or higher) or *tiểu tu xã* (sixth grade or lower) depending on the size of the *xã* were posted to take charge of from two to four *xã*. At the same time officials such as *xã chính* (chief), *xã sử* (secretary) and *xã giám* (assistant), collectively called *xã quan*, were appointed to each unit.²⁰ The fact that the *dai tu xã* and the *tiểu tu xã* each controlled several *xã* suggests that their sphere of influence corresponded to the previous unit, the *huong*. As previously stated, the *huong* had almost all become *xã* by the end of the Trần, a fact which must also have had something to do with these reforms. In contrast to the reduction in the number of *huong*, the *xã*, representing the smallest administrative unit by the reform of 1242, became somewhat more numerous than before. At that time, a *xã* was composed of one or more *thôn* depending on its size. However, that the *xã* did not establish itself as the smallest unit of the regional administration subsequent to the 1242 reform was because the Trần court was not able to exercise firm control over the whole country.

In 1397, just before usurping the Trần throne, Hồ Quý Ly replaced the *dai tu xã* and *tiểu tu xã* with *quản giáp* with the aim of centralising political power and establishing a systematic administrative system.²¹ Because the *quản giáp* is said to have been a tax-collecting official, it seems that the *xã* as a sub-unit of the *huong* disappeared, leaving only the *xã* as the smallest administrative unit. This reform opened the way for the district and the *xã* to be directly linked in later days.

The Ming dynasty, which destroyed the Hồ Quý Ly regime (1400-07), preserved the existing sub-district system. Such names as *phường*, *nhai*, *thị*, *trường*, *sách*, *trang*, *động* and *trại* appear as units separate from *huong* and *xã* and, according to the statistics of the *Annan zhiyuan* (a Ming source on Vietnamese history and geography), reached 3,385 in number.²² This figure includes 19 *huong*, 2534 *xã*, 135 *thôn*, 44 *phường*, 115 *thị*, 38 *nhai*, 302 *sách*, 81 *động* and so forth. These figures tell us that most Vietnamese villages were known as *xã* by the end of the Trần period at the latest. The *xã* were, for the most part, concentrated in the region of the Red River Delta. The small number of *huong* suggests that they were no more than administrative units linking together several *xã*. Moreover, the fact that these *huong* are located only in the mountainous regions tells us that the effects of the changes had yet to be felt; they were seemingly vestiges of the previous system. In addition, the *lý giáp* (Ch. *lijia*) system, said to have been put in force in 1419,²³ would likewise only have been in operation for a short while and in an extremely small area of the delta.

19 *CM, chính biên*, vol. VI, 6b; in the *Toàn thư* the period is not specified (*TT*, p. 324). Sakurai, by saying that there were no *xã* during the Lý period, casts doubt on the record; however, the names of four *xã* appear in the *Toàn thư* and the *Việt sử lược*, another early chronicle. Sakurai, 'Betonamu chusei', p. 28.

20 *TT*, p. 331; *CM, chính biên*, vol. VI, 13a.

21 *TT*, p. 473; *CM, chính biên*, vol. XI, 27a-28b; Phan Huy Chú, *Lịch triều hiến chương loại chí* (*Lichao xianzhang leizhi*) (hereafter *HC*), (Tokyo: Toyo Bunko X-76), vol. XIV, *quan chức chí* (*guanzhizhi*), 23a-b; Momoki Shiro, 'Chinchoki Betonamu no losei ni kansuru kisoteki kenkyu' [A study of the *lộ* system during Vietnam's Trần Dynasty], *Shirin*, 66,5 (1983): 66.

22 *Ngan-Nan tche yuan*, pp. 60-3; Yamamoto Tatsuro, *Annanshi Kenkyu* [A study of Anamese history], vol. I (Tokyo: Yamakawa Shuppansha, 1950), p. 580.

23 *TT*, p. 517; *CM, chính biên*, vol. XIII, 5b-6a.

The Lê dynasty, set up after the expulsion of the Ming, abolished the latter's regional administrative structures and established a new system. The whole country was divided into *đạo* (circuits), at the top of a hierarchy of *lộ* (routes), *trấn* (defence areas), *phủ* (prefectures), and *châu* (districts in mountainous areas). In 1466, during the reign of Thánh Tông (1460-97), *lộ* and *trấn* were abolished and replaced by a system of prefectures and districts under the *đạo*.²⁴ The new system may have been intended to simplify the regional administration in order to strengthen political control over local governments and villages. In addition, the *huông*, *xã*, *phường*, *nhai*, *thị*, *thôn*, *trường* and others dating from before Ming rule were restructured into villages within the districts. The fifteenth-century gazetteer *Dư địa chí* listed a total of 1 *huông*, 9728 *xã*, 294 *thôn*, 119 *châu*, etc.²⁵ A similar statistic appeared in the *Toàn thư* record for the year 1490, towards the end of Thánh Tông's reign: 20 *huông*, 6851 *xã*, 322 *thôn*, 637 *tràng*, etc.²⁶ What is to be noted from these records is that although there is a not inconsiderable difference in the numbers of *xã* given in the two sources,²⁷ in both cases *xã* do constitute the majority of the villages.

There was almost no change in the framework of the upper echelons of the provincial administrative apparatus under the early Lê rulers; it was made up of circuits (renamed *trấn* from the beginning of the sixteenth century), prefectures and districts (*châu*). It is also noteworthy that some time during the Hồng Đức period (1470-97) of Thánh Tông's reign,²⁸ a local unit of *tổng* seems to have been introduced, having been placed between the district (also *châu*) and the *xã*. Quoting the *Hồng Đức bản đồ*, another fifteenth-century gazetteer, the scholar Lê Quý Đôn says that there were 131 *tổng* in the two circuits of Thuận Hoá and Quảng Nam (in what is now central Vietnam). The *tổng* was similar to the previous *huông* and embraced several *xã*.²⁹ However, under the Lê it seems not to have had any important administrative function like the former *huông*, as it has been scarcely mentioned in the *Toàn thư* and other sources.

As we enter the Nguyễn period, we find there were considerable reforms in the upper echelons of the regional administrative system, but no great changes took place at the lower levels. As in the previous period, the smallest unit was the *xã* and above it, the *tổng* also continued as it was. The only change, however, was that the head of the *tổng* was called *chính tổng*, as opposed to *tổng chính* under the Lê. Also, if there was any special difference between the village system under

24 TT, pp. 656-7; HC, vol. XIII, *quan chức chí*, 13a; CM, *chính biên*, vol. XX, 7b-8b.

25 Nguyễn Trãi, *Ức-Trai tập* (*Yizhaiji*), *tập hạ* (Saigon: Phủ Quốc vụ khanh Đặc trách Văn hóa, 1972), pp. 734-5; Sakurai, 'Betonamu chusei', p. 15.

26 TT, p. 736; Lê Quý Đôn, *Phủ biên tạp lục* (*Fubian zalu*), *tập I* (Saigon: Phủ Quốc vụ khanh Đặc trách Văn hóa, 1972), p. 59; Sakurai, 'Betonamu chusei', p. 15.

27 The number of *xã* cited in the *Dư địa chí* is nearly 50 per cent higher than the figure in the *Toàn Thư* for 1490. The reason seems to be that the *Dư địa chí* was reworked on numerous occasions through the seventeenth and eighteenth centuries, and the figure given reflected the situation in later times.

28 Vietnamese emperors, like their Chinese counterparts, occasionally changed reign titles during the course of their time on the throne. Thánh Tông used 'Hồng Đức' for much of his long reign.

29 Lê Quý Đôn, *Phủ biên tạp lục*, *tập I*, pp. 60-1. The *Hồng Đức bản đồ* (*Hongde bantuo*) he quotes seems to have been the text published in 1490, which is different from the version available to us now. The term *tổng* first appeared in 1470. According to a document related to the land reforms in the late seventeenth and early eighteenth centuries, the total number of *tổng* in the region under the Trịnh Lords was 1,055. HC, *quốc dụng chí* (*guoyongzhi*), 6b; *Hồng Đức thiện chính thư* (*Hongde shanzhengshu*) (hereafter *HDTCT*) (Saigon: Nam Hà Ấn quán, 1959), pp. 144-5; TT, pp. 907, 934; *Quốc triều điều lệ điền chế cấp điền thổ sự* (*Guochao tiaoli tianzhi jitian tushi*) (Henceforth *QTDL*) (EFEO A. 258), 100a-109a. (Unpublished Sino-Vietnamese texts are cited according to the original classification number assigned by the École Française d'Extrême-Orient library.) Lê Văn Lan asserts (incorrectly) that the *tổng* became an administrative unit under the late Lê or early Nguyễn; Lê Văn Lan, 'Ảnh hưởng của nông thôn đối với các thành thị thời phong kiến ở Việt Nam' [The influence of the countryside on the towns during the feudal period in Vietnam], in *Nông thôn Việt Nam trong lịch sử* [The Vietnamese village in history], ed. Viện Sử học, *tập I* (Hanoi: NXB Khoa học Xã hội, 1977), p. 201.

the Nguyễn and under the Lê, it would be that the title *xã trưởng* (village chief) had become *lý trưởng*. In this period, there was no attempt to reform the already existing *xã* system, but newly founded villages were called *lý, ấp, trại and giáp*, etc, rather than *xã*.³⁰ These names may bear some relation to the new title of the village chief.

The structure of the *xã*

The most important external feature in most of the Red River Delta villages (*xã*) was a bamboo fence or hedge that made them impregnable. There were even some where the outside of the grove was further surrounded by an embankment or a deep ditch. The need for a fence began in ancient times when each village had to defend itself due to the weakness of state authority and lack of security. The state, too, understood the situation, and Lê Thánh Tông encouraged the village inhabitants to defend their village from robbers by planting trees around the *xã* and making a fence.³¹ The hedge of bamboo or shrubs as a defensive barrier for each village had absolute and incomparable importance.

Because of their surrounding fence, the villages could only be accessed via their entrance. Generally speaking there were four entrances, one facing each of the four compass points, though there are a few cases with only two or three. Going through the entrance there was a large road that led to the residential areas. A *xã* could be made up of one or several natural concentrations of houses (*làng*). Generally, a *xã* is bigger in conception than a *làng*. Where there is one concentrated group of houses in a village, then the *xã* and the *làng* are the same size, and it is commonly called *một xã một thôn* (one *xã* one *thôn*), but where there are two *làng*, it is called *một xã hai thôn* (one *xã* two *thôn*). In conclusion, the state bound two or more *làng* in the same place and created the administrative unit of the *xã*. Just as there were *xã quan* or *xã trưởng* in every *xã*, so there was a *thôn trưởng* assigned to every *thôn*.

Làng or *thôn* were further divided into more than one residential group, and these individual residential groups were called *xóm*. *Xóm* were further divided into several areas called *ngõ*. *Ngõ* were separated from each other by paths; a *ngõ* usually consisted of several houses.³² However, these divisions are at best only an aid to understanding the physical structure of the *xã*. Many villages were indeed structured in this way, but there were also some villages structured differently. In other words, just as there are *xã* composed of only one *làng*, *xóm* did not always have to be composed of two or more *ngõ*. Not only that but there were also instances where *xóm* themselves were *làng*. In the Vietnamese language villages are not just simply known as *xã* or *làng*, and their designation by the use of such compounds as *làng xã, làng thôn, làng xóm, xã thôn* reflects the aforementioned structure of the villages.

Depending on their population, the *xã* were classified as large, medium or small. Right after the establishment of the Lê dynasty, it is recorded that a large *xã* had 100 people or more, a medium *xã* 50 or more and a small *xã* more than ten.³³ If we go by these population figures, the *xã* may appear excessively small, but the population figures of the time, in contrast to today's concept of population, are thought to indicate only adult males [*đinh*], and so the actual population would have been far greater.³⁴ The scale of *xã* became much bigger in the Hồng Đức

30 Sakurai, 'Betonamu chusei', p. 37.

31 HDTCT, pp. 50-3.

32 I am grateful to Professor Phan Đại Doãn of Hanoi University for his generous help with the study of the lower-level *xã* structure.

33 TT, p. 556; CM, *chính biên*, vol. XV, 13b.

34 Sakurai, 'Betonamu chusei', p. 32.

period. Large *xã* consisted of 500 households [*hộ*] or more, medium *xã* were 300 households or more and small *xã* were 100 households or more,³⁵ and so we can see that the scale of the *xã* had been expanded. The reason for this expansion seems to have been that neighbouring two or three *làng* had been merged into a *xã* for convenience of administration on the one hand and for strong control of the villages on the other.

In contrast to China, one feature of premodern Vietnamese villages is the virtual non-existence of villages consisting of the same lineage group. Consequently, the Vietnamese commonly use the phrase 'a person of a certain village', not 'a person from a certain clan'.³⁶ This sense of belonging to a certain village gave rise to the distinction of villagers between insiders (*chính hộ*) and outsiders (*khách hộ*), the latter only qualifying as formal members of a village after a certain period, usually three years. The absence of villages of a common lineage group originated from such factors as the prevalence in premodern Vietnamese society of small nuclear families and the lack of extended families resulting from this, as well as the loose concept of kinship.³⁷ Of course, the relatively rare existence of common lineage villages does not mean that there were no powerful clans based on blood relationships.

Whereas some French scholars during the colonial period stressed the homogeneity and equality of village members, others focused on the oligarchical rule of the ruling class within the village, known as *kỳ mục* or elders.³⁸ This argument was based on the village system of the Nguyễn dynasty, but even now there is still a tendency among Vietnamese scholars to stress the existence of village democracy by saying that there was already local election of *xã trưởng* by the Lê period.³⁹ However, as we can see from the example of Mộ Trạch *xã* where the Vũ clan wielded power,⁴⁰ there was a difference in influence among the inhabitants of the village. As will be shown later, it is doubtful that the villagers had equal status or that village politics were democratic, inasmuch as the Lê court itself made distinctions of status based on whether a person held an official post or had a grounding in Confucianism.

The present writer believes that within the village, differences in status were conspicuous and that an elite minority controlled village politics not only during the Nguyễn period, but also under the Trần, beginning from the end of the thirteenth century after the Mongol invasions. However, the factors that decided relative status within the village seem to have varied from one century to another and to have varied even within the period of Lê rule. Generally speaking, the further we go back in time, the greater the importance attached to age, whereas as we come forward in time, a grounding in Confucianism becomes a more important criterion. Up to the end of the Trần and the beginning of Ming rule, it is probable that a person of advanced age and some degree of wealth almost automatically assumed a high position within the *xã*.⁴¹

The story of the so-called 'Diễn Hồng Conference' tells of all the old men (*phụ lão*) in the

35 *Thiên Nam dư hạ tập* (Tiannan yuxiaji) (hereafter TNDHT), (EFEO A. 334), *luật điều* (*lütiao*), 32b, 39a; TT, p. 737; CM, *tiền biên*, vol. XXIV, 11a; Sakurai, 'Betonamu chusei', pp. 32-3. At this time one *hộ* usually consisted of no more than five people.

36 Trần Tử, *Cơ cấu tổ chức*, p. 32.

37 Yu Insun, *Law and Society in Seventeenth and Eighteenth Century Vietnam* (Seoul: Asiatic Research Center, Korea University, 1990), pp. 84-8.

38 Sakurai, *Betonamu sonraku*, pp. 8-10.

39 Nguyễn Tử Chi, 'The Traditional Viet Village in Bac Bo', in *The Traditional Village in Vietnam*, ed. Phan Huy Lê et al. (Hanoi: Thế Giới Publishers, 1993) p. 91, n. 2 and p. 92.

40 *Danh hương khoán lệ* (*Mingxiang quanli*) (EFEO A. 742). The *Danh hương khoán lệ* is a collection of what are known as village codes (*huong ước*, Ch. *xiangyue*) of Mộ Trạch *xã* dating from different centuries.

41 For a similar view see Nguyễn Thừa Hỷ, 'Về sự phát triển và cấu trúc đẳng cấp trong các làng xã cổ truyền Việt Nam' [The development and structure of social classes in traditional Vietnamese villages], in *Nông thôn Việt Nam trong lịch sử* [The Vietnamese village in history], ed. Viện Sử học, *tập II* (Hanoi: NXB Khoa học Xã hội, 1978), pp. 107-9.

country gathering to discuss countermeasures when faced with the second Mongol invasion of 1284.⁴² This indicates the high position of the elderly, or at least those of some financial means, in Vietnamese village society. It is also recorded that in 1407 the officials and elders (*kỳ lão*) stated that there were no living descendants of the Trần as they had all died at the hands of the Hồ regime, so that now the Vietnamese would be under Ming rule. Thus we can see that up to this time the political and social role of those advanced in years was considerable.⁴³

From the end of the thirteenth century, a power elite based on large landholdings gradually began to emerge. From the start of the dynasty, the Trần court distributed large holdings to royal aristocrats and subsequently assigned sizable tracts of land to the doers of meritorious deeds in repulsing the Mongols, so that a large landholding system rapidly developed. These large landholders and their agents emerged as a privileged class within the villages as they seized the land of commoners or made them slaves. Although there were some in the privileged class who had received a Confucian education, they remained a minority. This is because until the end of the Trần, Buddhism was the dominant ideology in Vietnamese society and Confucianism was not universal.

Immediately after establishing the Lê dynasty, Emperor Thái Tổ (1428-33) put the equal-field system (*quân điền*) into effect. Exactly how this system was implemented at the time is unclear, but one point to be noted is that old men (*lão hạng*) were classified on a equal basis with orphans and widows.⁴⁴ Throughout the entire Lê period, those advanced in years received no particularly favourable treatment as long as they had neither official post nor wealth.⁴⁵ This meant that the elderly were unable to exercise any influence on the basis of age alone and, depending on circumstances, were not even the object of any special respect.

The village power holders in the early decades of Lê rule included high-level officials who had rendered meritorious services to help establish the dynasty, their sons, and up-and-coming officials who had passed the examinations. Among them were also those from regional families of influence dating from the Trần period. In the first decades of the Lê, these groups exercised influence as talented men of power in the village. We can verify this from the fact that there are many restrictions in the Lê Code (*Quốc triều hình luật*, usually known as the *Lê triều hình luật*) targeting high-ranking and powerful families (*quyền quý* and *thê gia*).⁴⁶ Also, in the *Hồng Đức thiên chính thu*, another contemporary legal text, stipulations are frequently reiterated which forbid officials and men of power in the village from forming factions, looking down on the weak, and especially possessing large areas of land. Furthermore, there are even decrees preventing them from arbitrarily setting up local offices (*nha môn*, Ch. *yamen*) and passing judgements.⁴⁷

Stressing the importance of Confucianism, Lê Thánh Tông brought about certain changes in the character of the village elite. At the time the insiders of the village were composed of members of the ruling class such as *quan viên* (officials), *giám sinh* (national university students), *sinh đồ* (local students) and *xã trưởng*, as well as the *đình*, the 'common people' who were subject to various taxes, *corvée* labor and military service. But in Lê society, social status had yet to become completely fixed, as is clearly evident in a Vietnamese proverb: 'The gentry are first and the peasantry second. However, when rice is scarce, the peasantry is first and the gentry second' (*Nhất*

42 TT, p. 357. Even before this, in the tenth century, there was a story that the old men of several villages recognised the extraordinary abilities of future ruler Đinh Bộ Lĩnh and decided to be his followers (TT, p. 179).

43 Ibid., p. 494.

44 Ibid., p. 558; CM, *chính biên*, vol. 15, 17b-18a. See also Sakurai, *Betonamu sonraku*, p. 205.

45 TNDHT, *luật điều*, 28a; QTDL, 12a-14b; Sakurai, *Betonamu sonraku*, pp. 118, 137, 205.

46 *Lê triều hình luật* (*Lichao xinglü*) (hereafter LTHL) (EFEO A. 1995), 32b, 54b, 60b-62b, 66a-b, 82a-b, 114b.

47 HDTCT, pp. 44-5, 52-5, 86-7, 120-1.

sĩ nhì nông, hết gạo chạy rông, nhất nông nhì sĩ).⁴⁸ Furthermore, Lê Thánh Tông made it possible for anyone, regardless of social status, to sit for the official examinations so long as they had not been born to singers and actors or done things that violated Confucian morals.⁴⁹ Consequently, any successful examination graduate was able to move up the social ladder, becoming a local student, a national university student or even an official.

Even those who did not pass the examinations could be appointed as *xã trưởng* as long as they were known to have had a grounding in Confucianism and were considered upright. As one example, a decree of 1462 stipulated that a *xã trưởng* must be an aged lower-level official, an older national university student or a local student over 30 years of age who had failed to progress in his studies and came from a good family. This decree seems not to have been well-observed, however, for in 1487 another edict was issued ordering that 'those who do not know how to read and write be barred from the post of *xã trưởng* and [the post] be returned to the commoner to whom it previously belonged.' An edict of 1494 cited old age and virtuous conduct as requirements for the post.⁵⁰ Thánh Tông, more than any monarch before him, stressed the importance of Confucianism and so cited virtuous conduct in line with Confucian moral principles as a requirement for the position of *xã trưởng*. In addition, the continued importance attached to age was the result of maintaining the Vietnamese tradition of respect for the elderly.

Imperial power declined not long after Thánh Tông's death in 1497. His successors were young and inexperienced, and political control was concentrated in the hands of powerful clans at the Court. When Mạc Đăng Dung made himself emperor in 1527, he reestablished the Confucian tradition of the earlier period. This tradition began to fall apart no more than 20 years later, however, because there developed a political confrontation between the Mạc family and the supporters of the Lê. Soon after the Mạc were expelled from the delta area and the Lê restored in 1592, Vietnam once again became divided into two separately governed regions, under the Trịnh in the North and the Nguyễn in the South. The rivalry between the two families raged in open warfare through the first half of the seventeenth century. In such circumstances the powerful families were more concerned with military consolidation than the establishment of social order in villages within the context of Confucian ethics. However, the Mạc and then the Trịnh⁵¹ continued to hold examinations every three years and consequently increased the numbers of the rural elite.

It seems to be against this background that ordinances to respect the elders of a village were reiterated in the seventeenth century, but these had already become nothing more than a dead letter. In reality, the holders of official posts took precedence over the aged and came to wield absolute authority. As expected, there was no smooth transition of status from the elders to Confucian literati within the village. In a 47-article edict on moral education promulgated in 1663, some articles exhort the offspring of public officials or the students of Confucianism to aid the *xã trưởng*, while others prevent virtuous *xã trưởng* of advanced years from being looked down upon by the rich and powerful within the village. These articles indicate the tensions that occurred

48 Huynh Dinh Te, 'Vietnamese Cultural Patterns and Values as Expressed in Proverbs', (Ph.D. dissertation, Columbia University, 1962), p. 125, n. 2.

49 TT, pp. 645-646; CM, *chính biên*, vol. 19, 19a-b. In reality, however, the number of people who participated in the examinations may have been small, partly because few books on Chinese classics were available at the village level in the fifteenth century and partly because preparations for the examinations were time-consuming and poor families preferred their sons to concentrate on agricultural or commercial activities.

50 TNDHT, *luật lệ (luli)*, 6a, 34b-35a; HDTCT, pp. 54-5.

51 The Trịnh wielded much of the actual power in the North under the nominal authority of the Lê emperors; it is therefore common to refer to 'Lê rule' but to 'Trịnh' decisions, laws and policies.

1616

during the transitional phase.⁵²

The village code of 1689, which stipulated the relationship among the three *xã* of Dương Liễu, Quê Dương and Mậu Hòa – situated in present-day Đan Phượng District of Hà Tây Province – is said to have been established after consultation among the ‘officials, village elders, *xã trưởng* and *thôn trưởng*.’⁵³ From this it is clear that within the village ruling class officials ranked first, followed by village elders, then *xã trưởng* and *thôn trưởng*. The village code of Mộ Trạch, formulated more than 20 years earlier than this one, was composed entirely under the leadership of officials and literati.⁵⁴ Because it was one of the villages that had produced the greatest number of successful candidates in the examinations, Mộ Trạch was more influenced by officials and intellectuals than any other *xã*, and so it is only natural that the code should be formulated under their direction. In fact, this code frequently deals with problems regarding the treatment of officials and those who had passed the examinations. Also, among the provisions added to the 1689 code are references to ‘officials, *xã trưởng* and *thôn trưởng*’; it seems that the village elders had already experienced a significant loss of status by this time. The customs and mores that regarded the aged as being important waned more and more with the passage of time. By the close of the Lê period and the beginning of the Nguyễn, they had almost completely disappeared, leaving only a skeleton in the form of the *hội đồng kỳ mục* or council of elders.⁵⁵

What best reveals the relative status of village residents was the seating allocation and the distribution of food at the *đình*, which was the shrine of the tutelary deity of the village as well as the site for the formal meetings of village members. In the so-called *huong âm tọa thứ*, the allocation of seats and the distribution of food and drink at the *đình* are prescribed down to the most minute detail because of the close connection between these matters and the relative status of each village member.⁵⁶ Which person sat where and what food and drink he was given – in particular the portion of the pig used at the sacrificial rites – were issues of primary concern with regard to the village hierarchy. At the end of the Trần, the principal seats at the *đình* would still have been occupied by the powerful and elderly members of the village, but it seems that as time went by, those seats went instead to officials and scholars with training in Confucian teachings.

The arrangement of seats and the distribution of food at the *đình* were important to each individual within the *xã* for securing his own position. It was, however, the sacrificial rites or festivals held there which were of incomparable significance for the solidarity and well-being of the *xã* that far transcended any individual interests. Each Vietnamese *xã* had its own *đình*, through which it worked for the unity and solidarity of the whole community. The sacrifices offered to the tutelary deity, whether on New Year’s Day or at some other time of the year, were not just ceremonies as such but were also village festivals. At such times all the people of the community would assemble to pray for the wellbeing of the village and, at the same time, would strengthen their bonds of attachment to the village.

The Vietnamese displayed loyalty to their own *xã*. Attachment to their specific *làng* could take precedence, however, especially when the *xã* was a merger of several different *làng*. In such circumstances, this manifested itself by the independent actions of the *làng* within the *xã*. This is made clear more than anything else by the fact that each *làng* had its own *đình*. The members of each *làng* would assemble there and hold festivals to their own tutelary deity, but beyond this they

52 The relevant articles of the edict are in *Lê triều chiếu lệnh thiện chính* (Lichao zhaoling shanzheng) (hereafter CL), ed. Nguyễn Sĩ Giác and Vũ Văn Mẫu (Saigon: Nhà in Bình Minh, 1961), pp. 284-5, 288-9.

53 *Dương Liễu – Quê Dương – Mậu Hòa đăng xã giao tục lệ* (Yangliu Guiyang Maohedeng shejiao suli) (EFEO A. 2855).

54 ‘The Statute of Mộ Trạch Commune’, in *The Traditional Village in Vietnam*, pp. 392-401.

55 The *hội đồng kỳ mục* literally means ‘the meeting of the elderly’.

56 Sakurai, *Betonamu sonraku*, pp. 203-6.

17C
宮
老人
班
↓
紫衣に
かけ
長光の
子孫力

xã に 11 個 の làng の 統治
From 紫聖宗

would also discuss internal problems of the *làng*, their relations with the *xã* and so on. The tendency towards independence of each *làng* can also be seen from the fact that Lê Thánh Tông, although having required the villagers to plant trees around the *xã* as a defense against robbers, strictly prohibited any *làng* or *xóm* within the *xã* from planting trees or digging ditches around their own perimeters without permission.⁵⁷ It goes without saying that such prohibitions stemmed from the desire to prevent internal divisions within the *xã*. Inasmuch as the *xã* was the smallest administrative unit of the state, it is clear that division would be a hindrance to state control.

With the Lê Restoration war in the second half of the sixteenth century and the subsequent anti-Nguyễn campaigns by the Trịnh in the 1600s, however, it became difficult for the central authority to intervene in *xã* affairs. The central governments implemented military-oriented policies: in 1579 the Mạc made the Minister of War the most senior of the six ministers, giving him control over the other five,⁵⁸ and at the beginning of the Restoration the Trịnh established three departments: Army (*bình phiến*), Revenue (*hộ phiến*), and Navy (*thủy sư phiến*).⁵⁹ Naturally, they failed to pay much attention to rural affairs and, as time passed, residents in many *làng* tended to be more loyal to their own *làng* than to the *xã* as a unit.⁶⁰ This was especially true in cases where several different *làng* had been forced to merge into one *xã* during the Hồng Đức period. As a result there were many instances where *làng* became independent of the *xã*. The disintegration of this unit seems to have been one of the reasons why the number of *xã* and *thôn* increased in the seventeenth and eighteenth centuries.⁶¹ Despite such instances, however, confrontations between *làng* in most *xã* tended not to be too serious. The reason is that the members of a *xã* as far as possible sought to maintain harmony by making mutual concessions, having been afraid that the state might interfere in village affairs in case of disharmony among the villagers.

Parentetically, Christianity attempted to penetrate into the delta villages from the early seventeenth century. But it was not very successful, partly because of the strength of ancestor worship and partly because of the cohesiveness among the residents within the village community. Most converts to the new religion were poor and marginalised people who saw material advantage in accepting it. Furthermore, they were living in villages rather far from the administrative and cultural centres, not those located in the central area of the delta.⁶²

57 HDTCT, pp. 70-3.

58 Lê Quý Đôn, *Đại Việt thông sử* (*Dayue tongshi*) (Saigon: Bộ Văn hóa Giáo dục và Thanh niên, 1973), p. 251.

59 The original date of the three wartime departments' establishment is not known; in 1718 they were expanded into six departments. These organs, under the authority of the Trịnh Lords, duplicated the functions and appropriated the powers of the regular six ministries (*lục bộ*) and six courts (*lục khoa*) of the imperial government. Yu Insun, 'Political Centralization and Judicial Administration in 17th and 18th Century Vietnam', *Journal of Asiatic Studies*, 23, 1 (January 1980): 127; Đặng Phương-Nghi, *Les institutions publiques du Viet-Nam au XVIIIe siècle* (Paris: EFEO, 1969), p. 68.

60 Alain Forest, *Les missionnaires français au Tonkin et au Siam, vol. II, Histoires du Tonkin* (Paris: L'Harmattan, 1998), p. 44.

61 Sakurai, *Betonamu sonraku*, pp. 170-80. Other reasons for the increase in the number of villages included famines, peasant revolts, etc., as discussed below.

62 Yu, *Law and Society*, pp. 120-1.

The *xã* and state authority

Whenever the nature of the premodern Vietnamese village is discussed or debated, a topic that is often raised is the village's autonomy or its individuality. The village is often said to have been independent of central authority as a 'state within a state', handling all of its own affairs. Was the village really autonomous from the intervention of the central court? If so, then to what degree and why? Closer scrutiny of these issues suggests that village autonomy varied according to the period in the same way as the relative status of village residents. In fact, the degree of autonomy could inevitably vary only with the central court's policies and its ability to carry them out.

When Vietnam was under Chinese rule, Chinese influence was extremely minute despite the importation of the local administrative system based on *huong* and *lý*. Once Vietnam had freed itself of Chinese rule, its independent dynasties tended to work towards strengthening the external forms of state control over the village through the reorganisation of the regional administrative system, compilation of family census registers and the establishment of a criminal code. However, recent research has been unanimous in concluding that the central authorities were weak – not only the tenth-century rulers, but even the Lý and Trần courts. Consequently, it is doubtful just how accurate the census register was and to what extent the penal code penetrated the villages.

While the Ming dynasty was ruling Vietnam, it even made efforts to ascertain the number of villages, the smallest administrative unit, in its pursuit of financial exploitation and cultural assimilation. However, the Ming at once met with resistance from the Vietnamese, and their forces had to expend their energies on the suppression of uprisings. It is therefore uncertain to what extent the Chinese were able to place Vietnamese villages under their control. The Lê court, from its early days, took great pains to gain such control to ensure access to manpower, the expansion of arable land and the stability of political power. This is implied by the fact that as soon as Lê Thái Tổ took the throne, he had new family and land registers made, divided *xã* into three different sizes – large, medium or small, depending on their population – and appointed *xã quan* to them. Thánh Tông, more than any previous ruler, strove to gain complete control over the villages, first to make central authority firm through the expansion of population and land and second to disseminate Confucian morals.

Thánh Tông's determination is evident from his decree in 1462 to change the *xã quan* to *xã trưởng*. In a 1465 decree he ordered *huyện* and *châu* officials to summon the *xã trưởng* to the capital with the census registers in order to collate them.⁶³ While having the officials of the *huyện* and *châu* appoint *xã trưởng* based on villagers' recommendations, Thánh Tông would not tolerate independent-minded villages and in some respects tightened his grip over them. According to a decree issued in 1486, if there were two or more *xã trưởng* among relatives in the same village, then the upper-level officials would have to investigate and approve only one of them.⁶⁴ In the *Hồng Đức thiện chính thư* code there is a provision to the effect that if a *xã trưởng* forms cliques or proves damaging to public morals, then the person who initially recommended him is to be punished.⁶⁵ Vietnamese academic circles assert that the *xã trưởng* was elected by the villagers of their own accord and that the autonomy of the village had expanded during the reign of Thánh Tông.⁶⁶ This assertion can clearly be called a fallacy, however, in view of Thánh Tông's concern

63 TT, p. 652; HC, vol. XX, *quốc dụng chí*, 6a.

64 TNDHT, *luật điều*, 40a–41b; Sakurai, *Betonamu sonraku*, pp. 100-1.

65 HDTCT, pp. 54-5.

66 Một số văn bản pháp luật Việt Nam thế kỷ XV – thế kỷ XVIII [Some Vietnamese legal documents from the fifteenth to eighteenth centuries], ed. Viện Nghiên cứu Nhà nước và pháp luật (Hanoi: NXB Khoa học Xã hội, 1994), p. 212; Ủy ban Khoa học Xã hội Việt Nam, *Lịch sử Việt Nam*, tập I, p. 275; Nguyễn Từ Chi, 'The Traditional Viet Village', pp. 91-2.

over the power of the *xã trưởng* as well as his administrative reform for political centralization. The stipulations just mentioned show that the *xã trưởng* was in fact essentially appointed by the prefect and the district magistrate.

Above all, the control of the village manifested itself in the qualifications imposed on the *xã trưởng*. As stated earlier, he had to be a low-ranking official, national university student or local student, the son of a good family and of sufficient age and virtue. A grounding in Confucianism was emphasised as a prerequisite for becoming a *xã trưởng* because Lê Thánh Tông wanted to disseminate Confucian morality to the villagers through these officials. Almost all the edicts based on Confucian morals are recorded in the *Hồng Đức thiện chính thư*, the most important being those concerning filial piety, womanly virtue and marriage relations. The *xã trưởng* was responsible for passing on these ordinances and laws to the villagers; he was the so-called 'vanguard of moral transformation' and more than anybody else had the duty to counsel the villagers and to lead them towards goodness and away from iniquity.⁶⁷

The *xã trưởng*, like the *xã quan* before him, was given the authority to complete the census register himself, but even under such circumstances the state did not neglect to supervise his work. The register contained detailed records of such things as the position and rank of officials, whether local scholars had passed the examinations and the classification of *đinh* (adult males eligible for taxation and conscription). At the time of compilation the officials of the prefecture and the district would provide on-the-spot supervision. Under these circumstances, even a small error in compilation would not be tolerated.⁶⁸ The *xã trưởng* also kept the cadastral register, but there is no record of how the state would regulate its compilation. Since Thánh Tông had *huyện* and *châu* officials directly handle the distribution of the *công điền* (communal lands) within the village, the accuracy of the cadastral register would have been confirmed at that point.⁶⁹

Prefectural and district officials not only distributed land but also directly collected taxes. During the time of Thánh Tông these included the poll tax, land tax, and so on. Except for officials, scholars who had passed the examinations and *xã trưởng*, the rest of the population of taxable age was taxed according to the amount of land allotted to them. With the exception of officials, all were subject to the poll tax.⁷⁰ In the Nguyễn period, on the other hand, the tax was calculated according to the taxable population and levied on the village as a collective unit; a meeting of the elders then determined the amount of tax owed by each individual, and the *lý trưởng* collected it.⁷¹ From this we can see a considerable difference in the power of the village between the early Lê and Nguyễn periods. This difference was the result of the gradual demise of state authority from the mid-Lê period onwards and the corresponding gain in village autonomy.

During the fifteenth century, it was not left up to the village to decide who was liable for military service; those eligible were directly selected by the state. The officials of the district and the prefecture personally oversaw the classification of adults during the compilation of the census register, and the law specified that no two men and women within the same *xã* could share the same combination of given name and surname.⁷² This gives us clear evidence that it was by means of these records that the state conscripted each individual liable for military service. This method

67 HDTCT, pp. 52-3. The reason Thánh Tông tried to abolish the village code handed down by the village is that he considered it as going against Confucian standards; see HDTCT, pp. 102-3.

68 LTHL, 52a-b.

69 The direct intervention of officials in the distribution of the *công điền* supports Sakurai's argument that the land belonged to the state, not to the village; cf. Nguyễn Ngọc Huy et al., *Lê Code*, vol. II, pp. 190-1.

70 TT, p. 724; CM, *chính biên*, vol. XXV, 7b-8a and vol. XXXII, 2b-3a; Sakurai, *Betonamu sonraku*, p. 106.

71 Pierre Gourou, *The Peasants of the Tonkin Delta* (New Haven: Human Relations Area Files, 1955), vol. I, p. 310.

72 TT, p. 699.

of conscription differed greatly from the policy of the Nguyễn period, whereby the number to be drafted was determined for each village, which would then choose the draftees itself.

Even though Lê Thánh Tông sought to regulate the village as mentioned above, it is difficult to imagine that everything went according to his wishes. He seems to have been unable to regulate the village completely. For instance, he forbade the use of the private village regulations (*tục lệ*), which had long been the basis for local customs, yet he is thought to have made a sort of a compromise proposal by allowing their use on the condition that they be rewritten by a person of virtue within the community. In fact, he not only sanctioned many of the customs peculiar to Vietnam, he even went so far as to protect them by law. A few important examples are the virtually equal property rights for both spouses, a wife's right to request a divorce, a daughter's right to inherit property and to be responsible for sacrifices to the ancestors, and the right of children to establish their own household during the lifetime of their parents.⁷³

It seems that Thánh Tông probably allowed the village a certain degree of autonomy so long as this did not go against national interest. If the need temporarily arose for the distribution of land when an official was promoted or dismissed or a village member reached adulthood or died, then the *xã trưởng* could carry it out. He had the obligation every four years to compile and submit the cadastral register, however.⁷⁴ Because most of the districts situated in the center of the Tonkin Delta incorporated 50 to 90 villages, it was not realistically possible for the prefecture and district officials to redistribute the land each year, and so the management of *công điền* was assigned to villages over six-year periods.⁷⁵ The state's decision to leave the selection of examination candidates entirely in the hands of the *xã trưởng* can also be understood in this context, and in the case of litigation, the village was granted even more autonomy.⁷⁶ As seen above, it is apparent that Thánh Tông sought to regulate the village through the prefecture and district officials and the *xã trưởng*, while still allowing the latter and his village a certain amount of autonomy.

Village efforts to break free of state control grew stronger as the authority of the state weakened. During the Lê Restoration civil war and the Trịnh/Nguyễn rivalry, which lasted from the mid-sixteenth century through the late 1700s, the priority of men in power was how to strengthen themselves militarily; control over the villages remained secondary. It is difficult to know what the situation within the village was like during the sixteenth century, since few contemporary sources make reference to it. However, from what sources say about the seventeenth and eighteenth centuries, it is possible to infer that by the 1500s delta villages, especially those with powerful clans, had a strong tendency to free themselves of central government control.

By the middle of the seventeenth century, however, the situation began to exhibit something of a change. By this time the Trịnh Lords had had several armed clashes with the Nguyễn Lords and had begun to sense that they would be unable to subjugate their enemies to the South. Accordingly, the Trịnh tried to strengthen their control over the village, which had been for some time almost left to itself, and to rebuild the Confucian social order while securing the collection of taxes and manpower needed by the state. Such efforts can be seen primarily in the ordinances dealing with the appointment of *xã trưởng* and the compilation of the census register from the Vĩnh Thọ reign period (1658-61) of Emperor Lê Thần Tông. According to one ordinance, the

73 On these specific issues see John Whitmore, 'Social Organisation and Confucian Thought in Vietnam', *Journal of Southeast Asian Studies*, 15, 2 (1984): 296-306; Yu, *Law and Society*, pp. 53-104.

74 LTHL, 2a-b; Sakurai, *Betonamu sonraku*, p. 107.

75 Ibid., p. 107. Each prefecture had a prefect and 14 functionaries, while a district was staffed by a district magistrate, a deputy magistrate and 14 functionaries (Sakurai, *Betonamu sonraku*, p. 104).

76 The selection of examination candidates is in TT, pp. 645-6; on litigation, see HDTCT, pp. 48-9 and 54-5; and TT, p. 577. A similar regulation appears in the *Lê triều hình luật* (121b).

→ 社長の権限強化 (17c)

district magistrates selected *xã trưởng*, *xã sử* (secretaries) and *xã tư* (assistants) from among students of Confucianism and entrusted them with the affairs and litigation of the *xã*.⁷⁷ Unlike the past, the *xã trưởng* was now required to report all cases of litigation to the district magistrate at the end of each year. Some scholars interpret this as an expansion of the *xã trưởng*'s right to use his own discretion, but it seems more appropriate to see the unprecedented demand for a report as a strengthening of supervision of the *xã trưởng*.⁷⁸

The appointment of *xã trưởng* from among students of Confucianism constituted a retightening of rules that had been slackened after the Hồng Đức period, and the regulations for the compilation of census registers were heading in the direction of the strengthening of central authority, especially that of the Trịnh Lords. This was probably an effort by the Trịnh to secure their own position as well as to help settle people who had been scattered by the war. In the ordinance on equal distribution of land, promulgated in 1711, the subordinates of the Trịnh (not those of the imperial court) were not only to manage the census register, but also to take charge of the distribution of land and the collection of taxes.⁷⁹ In addition, the Trịnh stressed Confucian morals and contrived to stabilise the authority of the state based on the establishment of an overall social order. The aforementioned 1663 edict on moral education seems to have been promulgated against this background.⁸⁰

→ 社長の考課について

A system for evaluating a *xã trưởng*'s merits was also introduced in the Cảnh Trị reign period (1663-71).⁸¹ This system, which was intended to perform evaluations and reassignments of district officials every three years, was no doubt a way of regulating the *xã trưởng*. The Trịnh seem to have sought to draw these officials into the machinery of the state by offering them official posts because in reality, direct control over them was impossible. It is uncertain, however, just how successful such efforts were during the 1660s. To begin with, one part of the edict of 1663 strictly forbids the powerful members of the village elite from 'looking down' on and bypassing the *xã trưởng* to deal with litigation on their own. This tells us that tyranny within the village ruling class was a serious problem and that there must have been a considerable disparity between what was set out in the decree and what occurred in reality. In fact, governmental decrees were not being properly transmitted to the villages due to corruption among the regional officials. In 1660, it was suggested that recompilation of the census register be carried out every 10 years, but it is doubtful whether even this was done properly. In 1664 Phạm Công Trứ, a mandarin, actually proposed abandoning altogether the recompilation of the census register. That this proposal was accepted vividly substantiates the argument that the power of the central government was not able to penetrate into the villages.⁸²

In 1658 the financial drain of the military campaigns against the Nguyễn led the Trịnh to

77 Đặng Phương-Nghi, *Les institutions publiques*, p. 87; Philippe Langlet, 'La tradition vietnamienne: un état national au sein de la civilisation chinoise', *Bulletin de la Société des Études Indochinoises*, new series, 45 (1970): 37; Nguyễn Thế Anh, 'State and Civil Society under the Trịnh Lords in Seventeenth Century Vietnam', in *La société civile face à l'état dans les traditions chinoise, japonaise, coréenne et vietnamienne*, ed. Léon Vandermeersch (Paris: EFEO, 1994), p. 374.

78 TL, pp. 454-5; Yu, *Law and Society*, p. 129.

79 QTDL, 62a-66b; HC, vol. XXX, *Quốc dụng chí*, 12a-18b; Sakurai, *Betonamu sonraku*, pp. 181-99.

80 TL, pp. 278-99.

81 HC, vol. XIV, *quan chức chí*, 23b; Đặng Phương-Nghi, *Les institutions publiques*, p. 87.

82 HC, vol. XXIX, *Quốc dụng chí*, 10a-b; CM, *chính biên*, vol. XXXIII, 29a-30a; Nguyễn Ngọc Huy et al., *Lê Code*, vol. II, p. 168. Keith Taylor offers a different interpretation of this proposal: '[T]he rationale behind this reform was twofold. First, it simplified procedures and made the taxation process more responsive to central authority by taking it out of the hands of village authorities; second, it put an end to "swindling, knavish tricks" by village authorities.' Keith Taylor, 'The Literati Revival in Seventeenth-century Vietnam', *Journal of Southeast Asian Studies*, 18, 1 (1987): 15.

introduce the sale of official posts with no regard for the social status of buyers.⁸³ This practice resulted in a further weakening of control over regional officials, as well as unfairness in the examinations and a worsening of corruption among government officials. Samuel Baron, who stayed in Thăng Long (Hà Nội) in the second half of the seventeenth century, said that for money most crimes would be pardoned.⁸⁴ The local examinations in 1657, 1660 and 1663 were so corrupt that half of those who passed them were not considered to be honorable.⁸⁵ To correct this situation, in 1696 the Trịnh reexamined previous graduates of local examinations.⁸⁶ Many 'successful' candidates proved to be unqualified, and more than half of them failed the second time around. Faced with such circumstances, the Trịnh made an attempt at direct control over the village, but their efforts were in vain. What made the situation worse was that there was no consistency in policy, and depending on who was in power, efforts were made to either strengthen central authority or leave the villages to their own devices.

The autonomy of the delta villages tended to increase considerably as direct control became less feasible given a lack of personnel and widespread corruption. This is apparent from the fact that in 1645 an edict was issued granting the *xã trưởng* as much authority as they had originally had, a decision which was reaffirmed in 1653, 1658 and 1661.⁸⁷ The decree of 1663 mentioned above may be regarded as an attempt by the state to infiltrate the village in the sense that it emphasised Confucianism as a national ideology. When we consider that it sought to restore the local social order by leaving the practice of Confucian morals to the *xã trưởng*, we can see that this was not totally unconnected with the autonomy of the village.

In the eighteenth century the Trịnh once again applied themselves to the strengthening of state authority. An ordinance for the equal distribution of *công điền* land, the *Quân cấp công điền lệ*, was promulgated in this context. When we compare this ordinance with the land allocation regulations of the Hồng Đức period, however, we can see that the later law gives far more importance to village conventions.⁸⁸ For instance, the order of priority for the allocation of land to the ordinary people was not decided upon by an official, but was carried out according to the *huong âm tọa thứ*, the ranking of people of the village as decided upon amongst themselves. The *xã trưởng* was entrusted with full authority to distribute land or, if necessary, to return a particular piece of property outside the ordinary period of allocation. Furthermore, it was left up to the village whether to set the age at which one could first receive land at 18 or 20. This sort of expansion of the authority of the *xã trưởng*, together with regard for village conventions in the allocation of *công điền*, opened the way for what had been state land to shift to communal ownership. The village's allocation of land by itself was the natural consequence of the gradual diminishing of the concept of land as state property.

One additional observation to be made is that the proportion of land classified as *công điền* varied greatly from village to village, and by the nineteenth century some villages had none at all. The reduction in the amount of *công điền* was due to the existence of *lậu điền*, land omitted from the cadastral register. In the early Lê period, the secret harbouring of *công điền* was to be punished;

83 TT, p. 961; CM, *chính biên*, vol. XXXII, 20b; Langlet, 'La tradition vietnamienne', p. 67; Nguyễn Thế Anh, 'State and Civil Society', p. 377, n. 45.

84 Samuel Baron, 'A Description of the Kingdom of Tonqueen', in *A Collection of Voyages and Travels*, comp. Awnsham Churchill (London, 1704-32), vol. VI, p. 23.

85 Langlet, 'La tradition vietnamienne', p. 64.

86 TT, p. 977; CM, *chính biên*, vol. 33, 9b-10a; Langlet, 'La tradition vietnamienne', p. 64.

87 TL, pp. 388-92, 400-1, 426-7, 450-1; *Lê triều hội điển (Lichao huidian)* (EFEO A. 52), 102b; Langlet, 'La tradition vietnamienne', p. 37; Yu, *Law and Society*, p. 128.

88 QTDL, 62a-66b; Sakurai, *Betonamu sonraku*, pp. 202-18.

but in the latter part of the dynasty, once land was omitted, it was acknowledged as such and tax was not to be levied on it.⁸⁹ The levying of tax on private land for the first time in 1722 was doubtless to compensate for the sharp reduction in the amount of tax revenue owing to the pervasiveness of unregistered land.⁹⁰

In 1722 the reigning Trịnh Lord (Cuong) introduced a new tripartite tax system called *tô dung điều* (*zuyongdiao* in Chinese) modelled on that of the Tang.⁹¹ His intention was to divide the land among the peasants and to make the collection of taxes more secure. According to the compiler of the *Cuong mục*, in 1730 this new system is said to have been relaxed because the peasants had many grievances due to its harshness.⁹² It is very possible, however, that the relaxation could have been due to village opposition to the state's unilaterally levying taxes where statistics for population and land were inaccurate. The attempt in 1724 to once again put into effect the legislation for a triennial recompilation of census registers seems to have been related to the implementation of the new tax system two years previously. The revival of a census system abolished since 1664 implied the strengthening of central authority; it ended in failure, however, as the state was unable to obtain the cooperation of the villages. In 1730 the 1724 law was revised so that a survey of the population was only to be made every 12 years.⁹³ This new law did not call for the whole population to be resurveyed, but merely for increases or decreases in inhabitants to be recorded; it would therefore be difficult to tax and conscript each individual.

In this context, we have to keep in mind that natural disasters forced some poor people to leave their own villages. Nguyen Thanh Nha lists several areas severely hit by flood in the second half of the seventeenth and the first half of the eighteenth centuries: Thăng Long in 1660, Khoái Châu and Thường Tín (Sơn Nam) in 1663; Sơn Tây, Sơn Nam and Thanh Hóa in 1684 and 1713; and Cự Lĩnh (Bắc Ninh) in 1729.⁹⁴ The French missionaries also reported frequent droughts and floods, and the consequent famines that hit the Red River Delta areas during this period.⁹⁵ One of the main reasons for these crises was the government's failure to build or to repair the banks along canals and rivers.

Another reason for peasant drain was frequent rural revolts.⁹⁶ Some Christians also moved to the peripheral areas in the Red River Delta to avoid government persecution.⁹⁷ According to statistics in the *Cuong mục*, 3,691 villages (one-third of the total under the Trịnh) lost some of their inhabitants by 1741; more specifically, 1,730 of these suffered a heavy decrease in population.⁹⁸ Those who abandoned their own villages settled down in the unpopulated areas, cultivating them and establishing new villages which had their own tutelary gods and were usually exempted from paying taxes for two or three years. This was also one of the reasons for the increase in the number of villages in northern Vietnam during the 1700s.

Without exact village population figures, as a result partly of the census law of 1730 and

89 LTHL, 62a; TL, pp. 158-9; Sakurai, *Betonamu sonraku*, pp. 209-10.

90 TT, p. 1025; HC, vol. XXX, *quốc dụng chí*, 22b; CM, *chính biên*, vol. XXXV, 6b-7a.

91 TT, pp. 1054-5; HC, vol. XXX, *quốc dụng chí*, 22b-23a; Nguyen Thanh Nha, *Tableau économique du Viet Nam aux XVII^e et XVIII^e siècles* (Paris: EFEO, 1970), pp. 28-32.

92 CM, *chính biên*, vol. XXXVII, 12a-b.

93 TT, p. 1069; HC, vol. XXIX, *quốc dụng chí*, 22b; CM, *chính biên*, vol. XXXVII, 13b-14a; Nguyễn Ngọc Huy et al., *Lê Code*, vol. II, p. 168.

94 Nguyen Thanh Nha, *Tableau économique*, p. 50. Cf. Sakurai, *Betonamu sonraku*, pp. 253-78; Nguyễn Thế Anh, 'State and Civil Society', p. 379.

95 Forest, *Les missionnaires français*, pp. 57-9.

96 Sakurai, *Betonamu sonraku*, pp. 285-6.

97 Forest, *Les missionnaires français*, pp. 58.

98 CM, *chính biên*, vol. XXXIX, 18b; Nguyen Thanh Nha, *Tableau économique*, pp. 42-3; Sakurai, *Betonamu sonraku*, p. 286.

partly of depopulation, the abolition of the tripartite tax system was inevitable. The policy of imposing taxes and military service on the village as a unit rather than on each individual, which was the norm in the 1800s, may thus have originated with the Trịnh in the previous century even if the Nguyễn did not directly borrow the Trịnh system itself.

On the other hand, the system of evaluating the merits of *xã trưởng*, which had been introduced half a century earlier but had come to exist on paper only, was once again put into force in 1726.⁹⁹ Since the state had by that point lost control over the villages, this policy was as unsuccessful as the others. In the 1730s the state had no choice but to completely relinquish to the village the right to appoint *xã trưởng*.¹⁰⁰ Villages were thus able to maintain their autonomy so long as they did not directly challenge state authority. After this point, of course, further edicts to regulate the village were promulgated from time to time, but these were nothing more than demonstrations that the state recognised its power was in jeopardy, and they had no substantial effect. In fact, almost all extant village codes were drafted between the seventeenth and nineteenth centuries, and not a few of them conflicted with the law of the central authority.¹⁰¹

The sanctioning of 2,511 village deities by the state in 1722 may also be understood in the context of village autonomy. The deities were classified into five grades – apparently in accordance with the political and economical importance of a particular village – and included the spirits of mountains and rivers, national heroes, Confucian scholars, meritorious officials and so on.¹⁰² Official recognition of these spirits definitely did not signal the forceful infiltration of state authority, but was instead intended to get the villages' voluntary support when the state felt threatened by social unrest. The villages welcomed such recognition of their spirits, mainly because they believed it would enhance their own authority.

These developments suggest, then, that it would probably be better to view the independent character of the Vietnamese village as already having been formed before the establishment of the Nguyễn dynasty.

Conclusion

These days, the Vietnamese village is commonly called a *xã*, but before this Chinese term came into use, it would have been called only by the purely Vietnamese word *làng*. From the Tang period on, under the political control of China, the village started to be occasionally referred to as the *xã* as well. It was in the latter half of the Trần dynasty that this usage became universal. It seems that as almost all Vietnamese villages had their own tutelary deity, they did not refuse to use the borrowed term with its connotations of spirit worship.

In premodern Vietnamese society, these villages, called *xã* or *làng*, were where people's entire lives took place. They were born there and, after having lived their lives in the same village, were

99 HC, vol. XIV, *quan chức chí*, 23b; TT, p. 1062.

100 HC, vol. XIV, *quan chức chí*, 24a; Đặng Phương-Nghi, *Les institutions publiques*, p. 88; Langlet, 'La tradition vietnamienne', p. 38; Nguyen Thanh Nha, *Tableau économique*, p. 67; Yu, 'Political Centralization', p. 132.

101 Vũ Duy Mên, 'Nguồn gốc và điều kiện xuất hiện hương ước trong làng xã ở vùng đồng bằng – trung du Bắc Bộ' [The origins and context of the appearance of village codes in the villages of the Northern delta and midlands], *Nghiên cứu lịch sử* [Historical research], 266 (1993): 49-57; Martin Grossheim, 'Village Laws as a Source for Vietnamese Studies', in *Viet Nam: sources et approches*, ed. Philippe Le Failler and Jean Marie Mancini, (Aix-en-Provence: Publications de l'Université de Provence, 1996), p. 104; Abbé Richard, 'History of Tonquin', in *A General Collection of the Best and Most Interesting Voyages and Travels in All Parts of the Worlds*, ed. John Pinkerton (London, 1808-14), vol. IX, p. 755.

102 Lê Quý Đôn, *Kiến văn tiểu lục (Jianwen xiaolu)* (EFEO A. 32), vol. II, 30b-31b; Alexander Woodside, 'Conceptions and Change and of Human Responsibility', in *Moral Order and the Question of Change: Essays of Southeast Asian Thought*, ed. David Wyatt and Alexander Woodside, (New Haven: Yale University Southeast Asian Studies, 1982), pp. 142-3; Yu, *Law and Society*, p. 113.

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buried there. Except in times of danger like famines and natural disasters, few people, especially those in the Red River Delta, were willing to leave their own village. Consequently, if they were ever forced to do so, in their hearts they were always ready to go back. The Vietnamese express such feelings in a proverb that says, 'The leaf that falls from the tree goes back to the root' (*lá rụng về cội*).¹⁰³

The status system within the village in the early Lê period can be described as follows. In the upper social stratum were the officials, national university students and *xã trưởng* in that order, and the status of the common people was lower. The *xã trưởng* was substantially in charge of village administration. Confucian scholars such as officials and national university students were not yet numerous within the village, mainly because the establishment of Confucianism as the state ideology and the institutionalization of frequent, regular examinations (after several centuries of comparatively sporadic usage) were recent developments. Above that the power of the state was stable and attempted to curb the abuse of power by the privileged class, so that the *xã trưởng* was able to carry out his duties to the best of his abilities.

As for the position of those advanced in years, we are unable to say that they enjoyed a high position in the early Lê period. The state at least made efforts to protect them, however. Such efforts naturally resulted from the traditional custom of respect for the elderly while also reflecting Confucian moral principles. At the same time, however, the class of Confucian scholars in the village became larger as time went on because examinations were continuously being held despite the long period of political instability. They had the fortune to be able to rise to power by taking advantage of the weakening of the central authority, and they were thus able to exploit their fellow villagers. In the absence of absolute support from the state, the *xã trưởng* were unable to restrain the power of these members of the local elite and gradually became their followers instead. Those older people who were not descended from powerful families were no longer the object of any special respect and were pushed into lower positions.

In the mid-seventeenth century when the Trịnh/Nguyễn war entered into a period of respite, the Trịnh Lords sought to restore the social order within the village by stressing Confucian ideology and at the same time strengthening state authority. This proved to be only a temporary phenomenon, since the village was already effectively out of the state's reach and the *xã trưởng* was more dependent on the local power elite than on state authority. This resulted in such developments as the toleration of unregistered land, the attention to village conventions in the allocation of *công điền* and the expansion of the *xã trưởng*'s authority in regard to the irregular allocation of those same lands, which had not been recognised during the early Lê period. By the first half of the eighteenth century, when the village was given the right to elect its *xã trưởng*, who had previously been appointed by the state since Thánh Tông's reign, this was a mere formality, but one which constituted an abandonment of state efforts to control the village.

It must be noted that the state did not always seek such control. Sometimes by joining forces with the local elite and at other times by allying itself with the ruled, it sought to draw the village into the fabric of the state, but met with little success without the support of a powerful village authority. In the end it could be said that the weakness of the state allowed delta villages to break free of its control and to establish their own autonomy.

In conclusion, the power structure of the Red River Delta villages and their relationship to

103 Huynh Dinh Te, 'Vietnamese Cultural Patterns', p. 123. A major factor in the failure of the so-called 'strategic hamlet program' implemented by the Saigon government in 1962 in the Mekong Delta was that it ignored the attachment of the Vietnamese to their own village. The people of the South are generally said to feel less attached to their villages than those in the North, but it is still noteworthy that this programme failed.

the state during the early Lê period show a considerable difference from the dynasty's later years. Under the early rulers, state control over the villages was comparatively firm, and the villagers did not strongly resist state authority. As time went on, however, the villages gradually freed themselves of state control; and as they grew more autonomous, they came to take on some of the features which scholars attribute to them in the nineteenth century. In a sense, it seems as though the characteristics of delta villages under the rule of Lê Thánh Tông were exceptional in Vietnamese history. Whether under Chinese rule or after independence, at no point did the state seek to control the village completely. Its efforts to do so in the fifteenth century seem to have been the result of accepting the Chinese political system aimed at absolute power of the ruler. This system was still maintained through the end of the dynasty, but because of prolonged warfare it could no longer be effectively implemented, resulting in official toleration of village autonomy. It is also noteworthy that by the late Lê period, intellectuals with a grounding in Confucianism were able to consolidate their position as a local ruling class owing to the dissemination of Confucian thought and the regular examinations. The Nguyễn court, like the Lê, made Confucianism its state ideology and made no change to the status of this village elite.

