TOWARDS

Civil Society Actors, the State, and the Business

GOOD

Class in Southeast Asia – Facilitators of or Impedi-

SOCIETY

ments to a Strong, Democratic, and Fair Society?

TOWARDS GOOD SOCIETY
Civil Society Actors, the State, and the Business Class in Southeast Asia – Facilitators of or Impediments to a Strong, Democratic, and Fair Society?

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CIVIL-SOCIETY ACTORS AND ACTION IN VIET-NAM: PRELIMINARY EMPIRICAL RESULTS AND SKETCHES FROM AN EVOLVING DEBATE

Definitions of what constitutes "civil society" abound, and are everywhere contested and reworked. Yet the concept of civil society has yet to be carefully examined in the contest of socialist countries, like Vietnam. Can "civil society" truly exist in a country that lacks democratic structures and processes? In the summer of 2003, I traveled to Ho Chi Minh City, Vietnam, to conduct my PhD dissertation fieldwork on locally established Vietnamese NGOs in Ho Chi Minh City.[1] By looking at these organizations as one form of a possible civil society in Vietnam, I hoped to find a window into the processes of civil-society formation in this socialist country, currently undergoing the economic, political, and social reforms known as *Dôi Mói*. I am only in the initial stages of my analysis and writing, so all I can offer you today are a few stories and some insights I gained during my fieldwork. To do so, I want to focus on the actions and the voices of some of the actors I encountered in Vietnam who are concerned with civil-society issues. My remarks today are preliminary, and any and all comments you have will be greatly appreciated; one of my goals for attending this workshop is to hear any feedback you may have for me.

When I traveled to Vietnam in the summer of 2003, I included in my intellectual toolkit a vague and conflicted notion of "civil society." I flew in to Ho Chi Minh City with arguments from the various literatures about the structure and nature of civil society swirling in my head. But I had a particular orientation and set of goals: I wanted the people I met in Vietnam to tell me what civil society means to them, rather than impose any number of Western models on them.

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1 Due to time constraints, I have omitted a discussion of whether these organizations are "true" NGOs. Certainly they are self-described as NGOs by their staff members and officers.
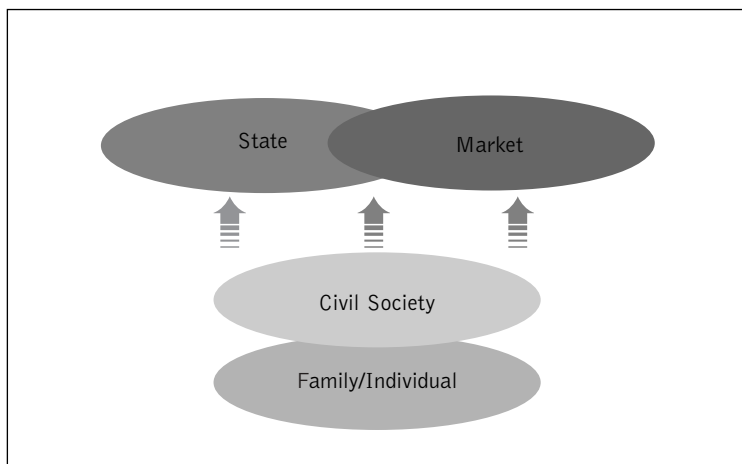
Figure 1 – *the "Four bubble model"*

At the same time, I decided to use a simplified model of civil society to start off my interviews and conversations. This simplistic model can be illustrated with four circles showing "realms" or "domains" in society, and civil society's relationship to other domains [see figure 1 – the "Four bubble model"]. Armed with my classic "4-bubble diagram," I was ready to begin exploring my questions through a combination of participant observation and ethnographic interviews.

One of my most interesting and formative interviews was conducted in a tea shop in Hanoi, where I had an "informal discussion"[2] with Mr. Cong,[3] a Communist Party theorist and an editor of a Communist Party theoretical journal. After some pleasant preliminaries and our first cup of very *chic* Taiwanese medicinal tea, our talk started in earnest. I pulled out my pen, sketched the 4-bubble diagram, and proceeded to explain the model to Mr. Cong (though I got the impression he had seen it before). He listened, politely engaged, while I drew circles, talked about the expansionary State and the buffering effects of civil society for individuals in society.

2 "Informal discussions" are perhaps the best way to understand the ideas and opinions of informants in Vietnam. Whereas meetings in offices allow for some views to be exchanged, they often never escape the formality and formulaic discussions of officialdom. The same official who would not go beyond reciting the party line may become a very open and engaged discussion partner over a coffee or beer.
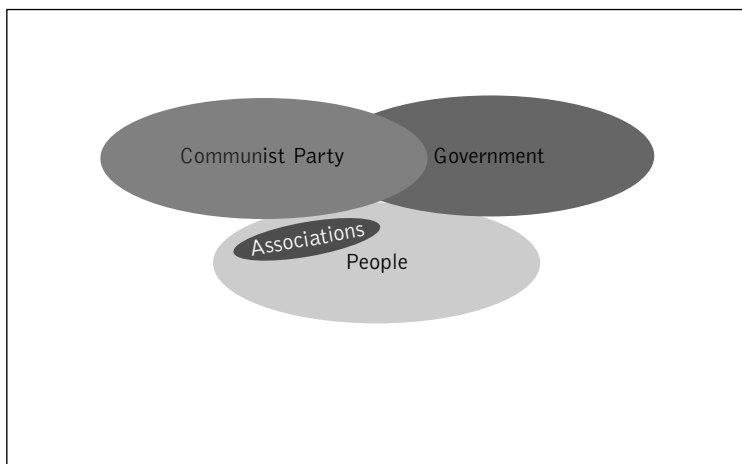3 All names in this paper are pseudonyms.

Figure 2 – *the "Three bubble model"*

When I finished, there was a thoughtful silence. Mr. Cong sat, leaning forward, lips slightly pursed, hands folded on the table across from me. For those of you familiar with Vietnam, you might recognize the body language of a polite colleague who is trying to tell you (respectfully) that your ideas are, well, nonsense.

After a very short time—Mr. Cong was too much a professional and a gentleman to let the silence become uncomfortable—he smiled reassuringly. He gestured toward a small rose in a vase decorating our table. "You know," he said, "I am looking at that flower, and I know you can see it, too. We are both looking at the same thing; there is only one flower on our table. But obviously, from where I sit, I am seeing that flower very much differently from the way you see it from your perspective."

From this preamble, Mr. Cong began a short description of the classic Marxist-Leninist model of society [see figure 2]. This model shows society in three parts: the Communist Party, the government, and "the people." This reflects very neatly the roles laid out in the slogan, "The Party leads, the people rule, the government manages."

When I asked where Vietnamese NGOs or some form of civil society would fit in this model, he deftly changed the terminology and said, "Citizens are allowed to form their own associations under the law, and these associations are clearly part of the sphere of the People." (As an aside, the exact nature of these "popular associations" was never clear to me, but they seemed to be envisioned as

membership organizations formed around a specific activity or interest. "Home village" societies, surname associations, pigeon racing clubs, and sports teams were all given as examples during my 13 months in the field.)

Mr. Cong's use of what I call the "3-bubble model" was an unfortunate reversion to the Party line, as it were, but perhaps no more so than my own unfortunate use of the oversimplified, Eurocentric, 4-bubble model. And as our conversation progressed, it was clear that neither of us had a great deal of faith in *either* the 3-bubble or the 4-bubble models for talking about Vietnamese NGOs—nor for discussing anything approaching civil society in Vietnam. Modeling the "structure" of Vietnamese society in order to map space for a Vietnamese civil society was getting us nowhere.

In fact, in all my interviews with party and government officials, as well as with Vietnamese NGO officers and staff, I never found common ground—or even much interest—in these models (no matter how many bubbles were used). On occasion, if the person I was talking to had had some academic training in the West, we could discuss these models academically. But in virtually every case, my informant could close out the train of thought with a remark something like, "But in Vietnam things don't really work that way." The conversation would inevitably shift from "the way things are"— embodied in models and expressed through *nouns*—to "the way things work"—embodied in anecdotes and expressed through *verbs.* Many writers, including a few Vietnamese, are beginning to move toward this "functional" way of discussing civil society.

My second anecdote is closer to the ground. My intention in relating it is to give some insight into how Vietnamese NGO workers perceive themselves and also to illustrate a part of what Vietnamese NGOs do *do.* I had been engaged in participant observation for several months with a local NGO whose mission was to work for the health and well-being of women workers in and around Ho Chi Minh City. The director of this NGO, Ms. Nguyen Thi Ni (pseudonym), and I had become close friends, and hence our discussions, while courteous and professional, were quite open and free.

Over the many weeks watching Ms. Ni's operation, I was constantly struck by how different it was from organizations I knew of in the United States that were involved in "anti-sweatshop" factory labor issues, particularly those involving garment manufacturing and the poor working conditions, poor pay, and poor job security

offered to (mostly) young women working there. Opposition to sweatshops in the West is generally confrontational and frequently militant. Anti-sweatshop organizations in the West perceive themselves engaged in a pitched battle to protect the rights of the poor and powerless against big multinational corporations.

Ms. Ni's organization was neither militant nor confrontational in any way. Her projects typically involved frequent contact with the large multinational brand names who contracted the work in Vietnam, the local or foreign invested companies who owned and ran the factories, and the workers themselves. Although the factory owners were Ms. Ni's biggest headache, she never discussed them in terms of an "opposition" to be subdued. Rather, they were one of the factors that needed to be balanced in order to achieve beneficial results for all three interests. Ms. Ni was firmly behind the workers, but she pictured her role as a facilitator. Her world view was one of helping the big players see their benefit in helping the workers have a reasonable life.

When I pointed out the difference between her approach and the American anti-sweatshop movement—I had to first explain the concept of "sweatshop" to her—she immediately asked more about the groups that fight against the big brands. She listened fascinated and a little appalled (like a bystander at a traffic accident) as I described protests, nationwide boycotts, email campaigns, editorials, and other confrontational tactics used to force the big brands into accepting responsibility for the conditions under which their goods are manufactured. After a very few minutes of this discussion, she sat up a bit straighter and said with a shake of her head and a gentle finality in her voice, "No, we don't work like that."

Our following discussion lasted only a couple minutes more. But during that time, Ms. Ni clearly wanted me to understand two important points. The first was very explicit: There is no social space in Vietnam at this time for anti-sweatshop movements coming from local organizations. Such activities would be illegal and extremely counterproductive. They certainly would not benefit the girls and young women in the factories.

Ms. Ni's second point was less explicit, but to me it was no less clear. Ms. Ni did not see it as her role to engage in confrontation as a tactic for change. She is not a rebel or a protester. She will work for change through negotiation and education, acting always within legal bounds. She is not a rabble-rouser who will march the streets.
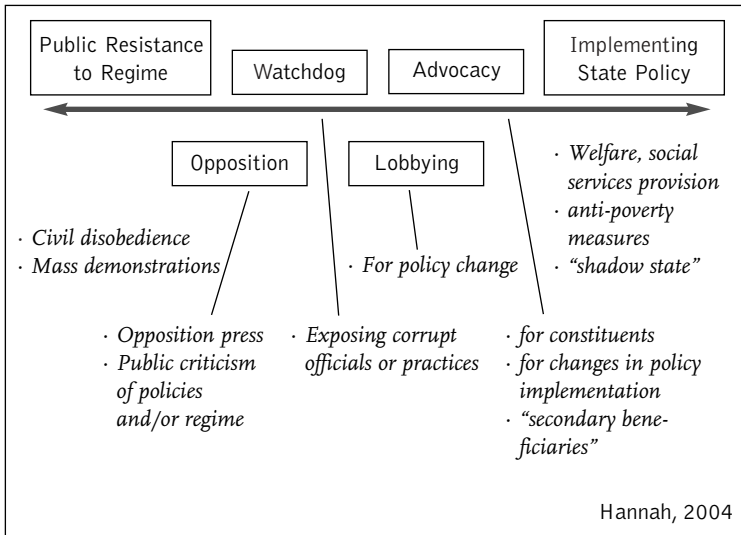
Figure 3 – *Some Possible Civil Society Roles*

She is a professional who will engage all parties on a professional level.

In my work with Vietnamese NGOs last year, I found that this identity as a "professional" who works in *partnership* with the Vietnamese government—not through confrontation—was an important recurring theme. Vietnamese NGO workers are typically urban-dwelling, well-educated, office-based staffers doing project-funded work in poverty reduction and social welfare for the benefit of poor or otherwise marginalized members of Vietnamese society. They perceive themselves and express their work as enlightened, socially conscious, intellectual, and above all, professional,[4] not unlike the foreign NGOs which often serve as their role models.

So, in these two anecdotes we see two very different views, expressed by Mr. Cong and Ms. Ni, of what a Vietnamese NGO *is,* a popular association or a professional non-profit office. In some senses this conflict over the categorization of these organizations indicates conflict between the needs of Western donors to replicate their

4   In a group discussion among Vietnamese staff of both Vietnamese NGOs and international NGOs, one participant came up after the meeting and told me I should add "middle class" to my list of NGO workers' traits.

own model of "development" in Vietnam, and the existing political and/or cultural reality there. This issue can be seen, therefore, as a window into the ongoing struggles to incorporate the foreign concepts of "NGO" and "civil society" into an existing but rapidly changing Vietnamese society.

Even though Vietnamese officials recognize the working reality of office-based professional NGOs as self-described by the NGOs' staffers, they cannot yet reconcile the existence of Vietnamese NGOs with political theory. A fifteen-year-long, closed-door attempt to develop a new "Law on NGOs," initiated by and largely funded by international donors and undertaken by what is now the Ministry of Home Affairs,5 has finally begun to see the light of day as a proposed new "Law on Associations." (The terminology switch between "NGO" and "association" was certainly not accidental and was reflected in Mr. Cong's comments to me in the tea shop.) When I asked Ministry of Home Affairs (MOHA) officials about this proposed law and why it does not explicitly deal with local NGOs, they told me that NGOs easily fit within the definition of "association," so there was no need to mention them explicitly in the legal documents. When I then asked about the "proper" (i.e., the State-authorized) translations of the terms "NGO" and "civil society," they told me that both terms were "being studied," and that in general neither term was being used in official writings until the final determination of their translation and meaning in a Vietnamese context had been "determined."6 So for MOHA to draft the new law in the absence of a firm policy about NGOs—i.e., a lack of a Party line—it has become expedient to characterize Vietnamese NGOs as a form of association. In this way, the Vietnamese government neatly slots the NGOs into the existing and politically safe "3-bubble model" Mr. Cong drew for me in the tea shop. Thus they bypass tricky, unresolved political and theoretical issues both on the definition of "NGO" and on the place of local NGOs in Vietnamese society.

The fact that Vietnamese NGO workers contest this notion of "NGO as association" is of little or no consequence to the authorities in Vietnam. In fact, the Vietnamese NGOs are somewhat ambivalent about this issue. A large number of Vietnamese NGOs are actually

5 Formerly the Government Committee on Operations and Personnel (GCOP).
6 However, the literal translation of "NGO" *(To Chuc Phi Chinh Phu)* is currently used in official documents, etc., when referring to international NGOs.

registered as "sub-associations" under a 1992 decree for establishing science and research associations. Therefore, from the Vietnamese NGO perspective, being characterized as an association is not necessarily a step backward. It is just not the hoped-for step forward. For most Vietnamese NGO workers, being called an "association" is a small price to pay for being allowed to continue to operate.

Clearly then, defining what an NGO *is* in Vietnam is a difficult and highly-contested process. Government and Party officials are still "studying" the issue, which is coded Hanoi-speak for ongoing, closed-door policy wrangling. The "official party line" has not been formulated. Luckily, there is far more agreement on what it is that Vietnamese NGOs *do* than what they *are*.

Generally speaking, local NGOs in Vietnam work in conjunction with—most of them would say "in partnership with"—Vietnamese government offices to provide some form of social service to the poor or marginalized in society. In nearly every case, these activities are in direct support of existing government programs or in support of larger policy goals (such as national development or poverty alleviation). In the past few years, there has been a trend among Vietnamese NGOs to more directly engage with government-implementing agencies on behalf of the NGO's beneficiaries in order to change standard government operating procedures or to advise them on new techniques for accomplishing their tasks. This activity I call "advocacy." In addition, a very few local NGOs (usually in conjunction with international donors), have made attempts to influence policy to enable them to better serve their beneficiaries. This I term "lobbying."

Put in context of what one would expect from civil society (as we understand it), these three things—projects in support of State policy, advocacy for better services, and lobbying for policy change in support of the marginalized—are in fact very limited. We could think of several more possible roles for civil society, such as "watchdog activities to expose corrupt laws and/or practices," "loyal" opposition to the ruling regime, and even public resistance to the regime. Back in the tea shop with Mr. Cong, I wrote all these activities on a sheet of paper (see figure 3 – "Some Possible Civil Society Roles"). I then drew an arrow under them to symbolize a continuum of activities, from full support of government policies on the right side (with the implied links to the State), though full opposition on the left side.

As one might expect, when I wrote down "Opposition" then "Public Resistance," Mr. Cong frowned and knit his eyebrows, obvi-

ously uncomfortable with the way the conversation was headed. On my paper, I circled the right half of the continuum, enclosing "Implementing State Policy," "Advocacy," and "Lobbying." These, I indicated, were acceptable activities of organizations in Vietnam today. He nodded agreement. I then took out a red pen and drew a large "X" through the left half of the continuum, canceling out "Public Resistance" and "Opposition." These activities, I said, are clearly not acceptable in Vietnam today. With visible relief, he agreed. So, I continued, it seems to me that Vietnam is going to allow NGOs to undertake certain civil-society functions (those on the right side of my continuum), but not others (those on the left side of my continuum). Again he agreed more enthusiastically, clearly drawn into my argument. So, I asked, where do the Party and the government draw the line about what is acceptable civil-society activity and what is not? How can you prevent NGOs or associations from sliding down this line in their activities?

Mr. Cong leaned back and looked me right in the eye. He held up his right index finger, pointing to heaven, and said with a smile in his voice, "Ah, that is precisely the question!"

Certainly it is not surprising that Mr. Cong, as my anecdotal representative of the Vietnamese State's view of civil society, expressed concern about civil society's role in any possible opposition to the State. The Vietnamese Party-government has made it clear that the single party system is not to be challenged; pluralism is not an option.

What may be more surprising is the view of Ms. Ni and many other NGO workers: that opposition to—or even overt confrontation with—the regime is *not* within their purview. They conceive of their role in narrow terms of social service. Democratization does not seem to be on their collective agenda (at least as expressed to this foreign researcher).

Foreign donors, however, are very concerned with the normative issues of "freedom," and "democratization." It seems to me that international support for the concept of "civil society" on one hand, and the financial investment in groups and organizations that may (eventually) demand more freedoms and even (eventually) political pluralism on the other, is in fact a rather provocative criticism of the Vietnamese State.

In this state of affairs, one might say that the NGO sector in Vietnam is a site of struggle of normative ideals between the State and

foreign donors. A radicalization of Vietnamese NGOs in the future (as some donors may hope for) is a possibility, even though the organizations themselves do not see this as a useful trajectory. It is a possibility, however, that the Vietnamese State will fight to prevent it. At the present time, the kind of opposition to the State that is theorized by classic civil-society studies may exist in Vietnam. However, it is not apparent in the Vietnamese NGO sector.

These stories and ideas are a first attempt to make some sense of what I saw and experienced in my fieldwork in Vietnam. The fact that they are more conceptual than academically rigorous reflects the early stages of my analysis. That said, I hope they serve to illustrate some of the issues and contestation that exists in the ongoing debates about Vietnamese NGOs and about civil society in Vietnam today, among and between both Vietnamese and foreigners. Time has prevented me from delving into many important issues such as the mechanisms of international funding and the relationship between "NGOs" and "civil society." These are crucial, for they put many of the struggles for meaning, identity, and interests in a context of political economy that is crucial to understanding what is going on.

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