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# State Livelihood Planning and Legibility in Vietnam's Northern Borderlands: The “Rightful Criticisms” of Local Officials

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**ABSTRACT** *Macro-level policies frequently transform and reconfigure local livelihood options. While there is a small but growing body of ethnographic work regarding ethnic minority livelihoods in Vietnam's mountainous borderlands, there is far less research examining the state decrees and policies implemented there and the opinions of state workers who have to apply them. This article starts to address this gap. First, we examine contemporary Vietnamese state legislation regarding upland livelihoods. We focus on the directions found in 82 livelihood-related state decrees, examining their scope and edicts while critiquing what they overlook regarding upland livelihood needs and approaches. Then, from in-depth interviews with state officials in Hà Giang Province, a mountainous upland region with a proportionately large ethnic minority population, we explore the opinions of those charged with the implementation of these decrees. Building on O'Brien's earlier work on rightful resistance in China, we suggest that a form of “rightful criticism” has emerged among upland state officials, allowing us to reveal the contours of political power in Vietnam's borderlands. Moreover, we draw attention to the lack of acknowledgement of ethnic diversity in these uplands within policy and official practice.*

**KEY WORDS:** Vietnam, Hà Giang, livelihoods, ethnic minorities, state planning

While it can be argued that the Vietnamese government is working hard to improve the livelihoods of residents in the northern mountainous provinces, socio-economic tensions and ethnic diversity have created a distinct upland political geography. The incorporation of minority nationalities (*các dân tộc thiểu số*) in the northern uplands into the communist state and Viet nation has been a governmental priority since 1976 (Corlin 2004; Nguyen Thi Thu Phuong and Baulch 2007; McElwee 2004).<sup>1</sup> This process of “development,” alongside “enclosure” and “legibility” (Scott 1998, 2009), incorporates market integration, the encouragement of shifting cultivators to become settled farmers, the replacement of common property with private land-use rights and the introduction of hybrid seed technology and cash-cropping. Simultaneously, government-sponsored enterprises are extracting valuable natural resources through mining and hydro-electricity projects, and lowlanders arrive in the uplands seeking new economic opportunities. Efforts to bring the livelihoods and lifestyle practices of the diverse ethnic minority groups living in this

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frontier region under official control and regulation – to make them more legible – can be seen in decrees originating at the national and provincial levels and in targeted programmes initiated by numerous state ministries.<sup>2</sup>

In this article we explore state legislation regarding upland livelihoods and consider more closely how specific decrees work towards a particular style of development, enclosure and legibility. The majority of ethnic minority livelihoods in these borderlands are semi-subsistence and agrarian-based, centred principally on rice or maize cultivation supported by livestock rearing, home gardens, the collection of forest products and small-scale trade and barter. For Kinh (Việt) residents of these uplands, originally from the lowlands, livelihoods tend to be more focused on trade, services and business opportunities, although a small portion are also semi-subsistence farmers. Since the mid-1980s, all upland residents have been encouraged by the state to integrate into the market economy (Jamieson, Le, and Rambo 1998). While the broad agrarian shifts that encapsulate these changes are becoming better documented (Michaud and Forsyth 2011; Sikor et al. 2011; Bonnin and Turner 2012; Turner 2012a, 2012b), less well understood are the specific policies and decrees that determine state decision-making in the uplands. These pronouncements frequently reconfigure local livelihood options, often working to standardise diverse social practices so that they may be recorded and monitored (Scott 1998). Moreover, we know little about the thoughts and considerations of the officials tasked with implementing these decrees and state functions.

The case study site in which we investigate these elements is Hà Giang Province, a mountainous region that shares 274 kilometres of border with the Chinese provinces of Yunnan and Guangxi (Novellino 2000). We focus on Hà Giang for four reasons. First, it is considered a remote province by Kinh state officials (both those residing in the province and those based in the lowlands) and leads the government's list of "difficult areas" because of its physical distance from the capital Hanoi, its relatively high poverty levels, its high percentage of ethnic minorities and the semi-subsistence nature of the majority of local livelihoods (Socialist Republic of Vietnam 2007). The province is physically and cognitively removed from centralised decision-making in Hanoi, which, we will argue, has important effects on policy directives and their implementation. Second, 87% of the province's population of 724,500 are categorised as ethnic minorities (GSO 2010), a proportion which we suggest influences targeted state policies due to a pervasive discourse among the Kinh majority that renders upland ethnic minorities as backwards and unmotivated (van de Walle and Gunewardena 2001; McElwee 2004; Sowerwine 2004; World Bank 2009). Moreover, due to the transnational character of many ethnic minority groups in these borderlands, allegiances to the state are not necessarily as strong as authorities would like, and specific state logics of borderland minorities as potentially unpatriotic and disloyal to the state's modernisation projects play into political decision-making.<sup>3</sup> Third, in 2010 UNESCO designated the northern part of Hà Giang Province as the Dong Van Karst Plateau Geopark, beginning to bring greater national and international attention to the province. This move has made Hà Giang a potential model for state-sponsored development in other northern provinces with high proportions of ethnic minorities deemed underdeveloped by the government, such as Cao Bằng and Bắc Kạn. Finally, beyond a few case studies completed by non-governmental organisations (Plan in Vietnam 2012) and socio-economic assessments by international bodies (UNDP 2003; IFAD 2004; World Bank 2010; Hoang Thi Le Thao et al. 2013), little has been written regarding rural livelihoods in this province and nothing regarding local political dynamics.<sup>4</sup>

The purpose of this article is to expand our knowledge of the state decrees that influence upland livelihoods in Hà Giang (and often other upland provinces), to examine their role in affecting the legibility of these uplands for state purposes, and to analyse how local officials charged with their implementation reflect on these directives. Four key elements of livelihood decision-making and diversification in these uplands are focused upon in turn: food security and agriculture, extreme weather events and climate change, marketplaces and trade, and border crossings and control. Each is initially examined through a review of policy documents and critiques by local officials.

To interpret our findings regarding officials' critiques, we develop the conceptual tool of "rightful criticism," drawing from the notion of "rightful resistance" utilised by O'Brien (1996) in a Chinese context. Rightful resistance includes popular complaints and contentions over state actions that challenge the state's failure to follow through on its duties to citizens in protecting their rights, but which do not question the authority of state laws or the state's core principles (O'Brien 1996, 2013; O'Brien and Li 2006). Rightful resistance is open and vocal, with the intent of forcing direct recognition by the state or powerful elites. Such activities commonly transpire through institutionalised routes, with resisters drawing directly upon state law, polices, rhetoric or propaganda to legitimately seek redress for wrongdoings (O'Brien 1996).

We use the term "rightful criticism" to encompass a slightly different phenomenon, namely state officials – rather than local residents – criticising the implementation of state policy. Rightful criticism is a form of contention that operates within the system, much like rightful resistance (O'Brien 2013). The officials we focus on, working at the local level, have no power to create policy, but are charged with the implementation of state decrees (Zingerli et al. 2002; MacLean 2013). We examine the ability and perceived right among low-level officials to critique and dispute the means by which state decrees and policies are realised, based on their understandings of local conditions. For readers not familiar with Vietnamese (or Chinese or Lao) political structures, this might seem somewhat inconsequential, yet it is exceedingly uncommon for low-ranking or peripheral state officials to voice criticisms of state policy and propaganda on-record in these countries.<sup>5</sup> In Vietnam, the central government maintains a hard line towards external criticism of the state, and local residents tend to stay within permissible boundaries by targeting local cadres with their concerns and criticisms (Thayer 2009; Tran Thi Thu Trang 2009). For example, ward officials in Hanoi – who have personal relationships in their constituency and are held closely accountable – practice discretion when enforcing official policies in order to offer pragmatic relief to local residents (Koh 2004). Likewise, Kerkvliet (1995, 2001) has found that authorities may turn a blind eye or actually help people to skirt the law. Such actions by local cadres give us a sense of their attitudes towards state decrees.<sup>6</sup> Yet there is little published regarding these individuals' actual opinions and critiques of state commands, which would allow us to better understand pressures and divisions within the state (Stern 2013).

### **Case Study Locale**

Hà Giang Province has a population density of 91 persons per square kilometre, similar to other mountainous borderland provinces. Some 88.4% of the province's population resides in rural areas and, as already noted, 87% are ethnic minorities, the second highest provincial percentage after Cao Bằng (GSO 2010). There are 29 ethnic groups present in

Hà Giang, the five most numerous being Hmong (H'mông), (231,460), Tày (168,720), Yao (Dao) (109,710), Kinh (95,970) and Nùng (71,340) (GSO 2010). These groups have diverse cultures, migration histories, political structures, economic systems, religious beliefs and traditional healing practices (Michaud 2006).

The province is divided into ten administrative districts, each subdivided into communes (181 in total), plus Hà Giang Town (Figure 1). The province's total land area is 7945.8 square kilometres, 67% of which is forest and 19% agricultural (GSO 2010). It was estimated in 2013 that the official poverty rate stood at 30% (Appendix, document 137).<sup>7</sup>

The province spans three distinct agro-ecological zones. Zone 1 includes the northern districts of Mèo Vạc, Đông Văn and Quản Bạ, which comprise a reasonably homogenous, high plateau agro-ecological zone. About 90% of the surface area here is limestone, reflecting the region's karst geography. Zone 1 supports the cultivation of maize, often on steep slopes, and the raising of livestock, mostly cattle, horses, goats and poultry. It also includes Yên Minh District, which is somewhat different, having large areas of open land both with and without forest cover. Zone 2 covers the mountainous western districts of Hoàng Su Phì and Xín Mần. It has an average elevation of 1,600 metres, many steep slopes and poor soil. Agriculture includes rice and maize, cash crops such as tea, and livestock rearing. Zone 3 includes Hà Giang Town as well as the districts of Bắc Mê, Bắc Quang and Vị Xuyên. These are less mountainous (500 to 1,000 metres), with old forests and valleys alternating with rivers and large streams. Zone 3 experiences the highest annual rainfall in Vietnam (2,500 to 3,200 mm). Here one finds tropical plants, cash crops like tea and citrus fruit, rice cultivation and livestock rearing (Novellino 2000; interviewees). The Dong Van Karst Plateau Geopark is located in the northern part of the



Figure 1. Hà Giang Province, northern Vietnam. Source: authors.

province, encompassing Zone 1 (UNESCO n.d.). While aiming to preserve ecological diversity, a core target of the Geopark is to increase tourism to the province, with a casino being part of the most recent – and controversial – plans.

## Methods

This study began with a semi-systematic literature review of state decrees. The first and second authors followed a systematic literature review approach as far as possible for our analysis of state decrees, but given the sources of our documents, some flexibility was introduced (see Petticrew and Roberts 2006). Rather than using online academic reference databases, our review required government decrees at the national and provincial levels to be sourced from state officials in Hà Giang and Hanoi. The third author requested all documents then currently employed in policy decisions, with inclusion criteria limited to four core elements of livelihood decision-making and diversification: food security and agriculture, extreme weather events and climate change, marketplaces and trade, and border crossings and control. These criteria were chosen based on fieldwork completed by the first and fourth authors since 1998 in the Vietnam uplands.

A total of 166 state documents from 2006 onwards were collected. Of these, 82 were retained for further analysis (see Appendix). We excluded countrywide decrees with no direct reference to Hà Giang, those focusing on specific physical or infrastructural concerns and those detailing only the minutiae of fiscal management or administration. We analysed these 82 based on a number of *a priori* and *a posteriori* thematic codes, the latter emerging upon review by the first and second authors. In addition, semi-structured interviews were completed with 17 senior officials (all of whom were Kinh, one of whom was a woman) from relevant government departments in the province. We interviewed an average of two officials from each department (*sở*): Industry and Commerce, Science and Technology, Culture, Sports and Tourism, Agriculture and Rural Development, Border Crossing Management, Bureau of Customs, Labour, War Invalids and Social Affairs and Natural Resources and Environment.

None of the interviewees were born in the province; all had moved there at various points in time as part of the state employment promotion process. Interviews were completed by the vice-director of a provincial department in Lào Cai Province, a young Kinh male holding a Master's degree. This official already had a good rapport with a number of officials in Hà Giang Province and was considered an equal in official status, albeit younger than most interviewees. He was briefed by the lead author on how to complete semi-structured interviews with open and probing questions, following an interview schedule designed together with the fourth author. Interviews were transcribed in Vietnamese by the interviewer, with anonymous scripts then translated by a Vietnamese research assistant.

There are clearly a number of concerns raised when undertaking interviews in this manner in Vietnam. By having one state official interviewing another, certain rules are automatically in place regarding what is and is not said. Both state officials know that certain criticisms (if they ever wished to make them) are not accepted within public discourse (see Turner 2013). Nevertheless, we were keen to take the route we did because of the rapport the interviewer already had with many participants, easing access and encouraging other interviewees to come on board via chain-referral sampling. While we remain highly cognisant of the biases this raises, we also found respondents willing and

able to critique certain elements of the numerous policies that supposedly support local development and livelihoods.

Finally, although the principal focus of this article rests on analysing government discourse and local officials' critiques, we also build on 35 conversational interviews completed by the first author with ethnic minorities (Hmong, Yao and Nùng) in Đồng Văn, Hoàng Su Phì and Mèo Vạc Districts in 2009 and 2010. In this way, we seek to contextualise the effects of official policies on ethnic minority lives and livelihoods, in many ways considered to be located on the economic as well as physical margins of Vietnam.

### **What the Documents Disclose and Officials Critique**

As in China, the Vietnamese state's discourse of "development" is bound within a modernisation framework. The central government of Vietnam organises and shapes the rural highlands through a bewildering array of resolutions and policies. For example, in 1998, there existed 21 different national projects focused on poverty reduction and socio-economic growth in ethnic minority and upland areas (Nguyen Thi Thu Phuong and Baulch 2007). Of these, two key national targets continue to form the foundation of many subsequent policies. The Programme for Socio-Economic Development of Extremely Difficult Communes in Ethnic, Mountainous, Boundary and Remote Areas (Programme 135) and the Hunger Eradication and Poverty Reduction Programme (HEPR, or Programme 143) both strive to improve basic physical infrastructure in rural areas, while promoting market integration and economic development. P135 and HEPR are not addressed further here, as they operate in a number of provinces and have been discussed elsewhere (Oxfam 2001; Nguyen Thi Thu Phuong and Baulch 2007). Nonetheless, they often support or underpin the decrees we analysed, revealing how local state officials must negotiate numerous policy stipulations as they make local planning decisions.

State officials pointed to a large number of positive changes in rural Hà Giang, emphasising that the state is indeed fully committed to livelihood "development" in the uplands. As expected, the 17 officials interviewed seldom directly criticised state policies *per se* in discussing how decrees intersect with the livelihoods of local farmers. What we found surprising, however, given the political context, was the degree of criticism officials directed towards the implementation of policies – what we have deemed "rightful criticism." Core concerns included a lack of resources and funding, a lack of co-ordination at different managerial levels and trouble training and retaining skilled officials. Some officials also noted a lack of information sharing, directly reflected in the conflicting answers we received regarding the implementation of specific policies. The core livelihood policies are analysed next along with details of these officials' concerns.

### *Food Security and Agriculture*

A central component of upland livelihoods is food security. The Declaration of the World Summit on Food Security (FAO 2009, 1) notes that: "Food security exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life." In 2004, the FAO estimated that approximately 6.2 million people in northern

Vietnam were food insecure, with ethnic minorities the most vulnerable. It stated: “As a proportion of the provincial population, the largest share of vulnerable people is found in the four remote border provinces of Son La, Lai Chau, Ha Giang and Cao Bang” (FAO 2004, 13).

*The decrees:* At the provincial level, Hà Giang’s five-year plan (2011–15), approved by the provincial People’s Council, sets goals to produce on average “460 kg of food/person/year” by 2015 (food is not specifically defined here) and a “whole grain yield of 40 thousand tons of corn,” as well as to “strive to increase the efficiency of land use” (26). There are calls for livestock production to improve by growth rates of 6% per year (cattle), 10% (goats) and 8% (pigs). There are also plans to expand rapeseed cultivation to 5,000 hectares, soybean cultivation to 25,000 hectares, and rubber plantations to 10,000 hectares (26). Decree 85 suggests that crop rotation will become ever more important, with an emphasis on increasing competition.

A number of the decrees we reviewed focus on specific agricultural improvements that could improve food security. These include producing hardier winter crops for rocky areas of Hà Giang through trial studies (72); attempting to increase corn yields by 10–20% using superior fertilisers and more intensive planting (75); and aiming to increase soybean yields and acreage by testing two new varieties (76). Since 1995, the government has been promoting soy as a cash crop rather than just a local subsistence food source: “In Hà Giang, soybean plants were grown for a long time, but before soybean products only served the food needs of the people, and had not become a commodity.” As such, a project for increasing soybean acreage and productivity is being implemented in seven districts (86).

An interesting set of documents from the Department of Science and Technology for 2001–10 (54, 56–61), includes summary charts of “progress” regarding the province’s scientific and technological projects. These documents reveal the provincial government’s focus on cultivating hybrid crops and improving the winter crop capability of rural areas to enhance food security. While hybrid crop programmes in the uplands are open to critique, it is encouraging that these provincial-level directives discuss the need for locally suitable varieties rather than just accepting the wholesale adoption of seeds often better suited for lowland climates (see Bonnin and Turner 2012, 2013).

At the district level, policies focus specifically on intensifying farming production and the application of “scientific advances in technology” (6). For instance, in Hoàng Su Phi District, the government aims for hybrid “high quality” rice to account for 95% of rice production (6). Through trial studies, the district government also hopes to gain a better understanding of the success of the seeds in specific microclimates and to improve harvesting and storage technologies (10). Yet for officials, these decrees were not going far enough.

*Officials’ rightful critique:* Focusing on the agro-ecological limitations of the local topography, an official from the Department of Labour, War Invalids and Social Affairs noted that “more research is required to find crop varieties that do not require much water and yet produce high yields to reduce support by government and society.” He added that for food security to improve,



...more studies are needed to find ways to produce seeds for the next season. The reality is that when there is state assistance for seeds, fertiliser, transportation and price support, people grow new seed varieties. When government support ceases, people go back to the old varieties. Also, new seed varieties do not grow in highland areas as well as they grow in the lowlands.

In a separate interview, a colleague from the same department added:

Hybrid maize doesn't taste as good as the local variety even though the local yield is not high. Growing hybrid maize only started in the last 10 years, so when the government doesn't provide support with new hybrid seeds, people go back to the old variety. The reason is quality; local maize doesn't develop insect problems and is easy to keep for a long period of time. Hybrid maize has a higher yield but rots more quickly and doesn't keep well.

This official went on to provide a series of open-minded recommendations that challenge a range of policies in place. He noted:

The government needs to study how to create conditions for people in the highland areas to develop themselves, like the way they developed their forte in growing forests... We need to give support to specific groups of people, especially to border districts and communes to stabilise the population; there's a need for a bottom-up policy.

He also explained how policy implementation had gone wrong in the past: "Scientists introduced new plant varieties but these projects cost a billion đồng and produced no plants, no results. Let local people grow their local maize and rice varieties."

An interviewee from the Department of Agriculture and Rural Development added: "In reality, the implementation of a number of support policies in Hà Giang has encountered numerous obstacles." He explained: "[Take] one-time support such as giving a buffalo. The buffalo grows up and gives birth to another buffalo; that's considered effective. Giving hybrid seeds isn't effective since people cannot reproduce the same seeds. The effect of support stops at the point of giving." Such comments parallel upland ethnic minority interviewee views, like one Yao farmer who declared "the hybrid maize doesn't taste good, we try never to eat that maize, we only use it for pig feed. If we can, we grow our own maize and eat that instead" (Mèo Vạc District, 2010). Nevertheless, these concerns regarding hybrid seeds were directly contradicted by another official who portrayed the hybrid maize programme as highly successful, reflecting a clear divergence of state officials' opinions at the local level.

Inequities in the distribution of financial support for agricultural and livelihood policies are also targets for critique. An official interviewee argued that while the central state previously supported rural communes under Programme 135, "then came Policy 128, now the number one policy of the Ministry of Planning and Investment; Hà Giang's plan is five times as large as Bắc Ninh's but central [financial] support is the same for both provinces. This is an inadequacy." This interviewee continued to explain that "in a highland province such as Hà Giang, the quality of life and everything else cannot be equal to that of

lowland areas. The lowland provinces have infrastructure, convenient transportation, people are more developed intellectually; therefore, economic growth is obvious.”

This informant added that while the Agriculture Bank makes loans to poor households for production, few households with limited assets can meet the bank’s requirement for collateral. In the uplands, “poor households have nothing for collateral; as such, loan procedures have obstacles.” Moreover, a household that has gained a bank loan under this state regulation cannot borrow again if their first loan has not produced any profit for reinvestment (97). As such, the main critiques by local state officials regarding food security and agriculture focused on the central government needing to be more aware of local socio-economic and agro-ecological realities, tailoring policies and financial support accordingly.

### *Extreme Weather Events and Climate Change*

With vast, densely populated lowland and coastal areas, Vietnam is exceedingly vulnerable to extreme weather events and climate change. The National Strategy on Climate Change aims to increase awareness and expand Vietnam’s capacity to respond to climate change, emphasising improved modelling and monitoring of its possible effects as well as the reduction of greenhouse gas emissions through adopting “green” measures (Socialist Republic of Vietnam 2011). While most discussion centres on lowland areas because of the overarching concern of sea-level rise, there is a slowly increasing awareness that upland areas will also need to adapt to the growing frequency and intensity of climate-related natural disasters. In the uplands, the livelihoods of ethnic minorities are considered by some non-governmental organisations to be highly exposed to climate change effects because of their relative poverty. This vulnerability is compounded in mountainous areas by exposure to heavy rain, landslides and drought (Plan in Vietnam 2012). For instance, Hà Giang faces water shortages from November to March, especially in rocky areas like Quản Bạ District. According to local authorities, the situation has become notably more difficult since the 1980s. Disasters involving flash floods, landslides and soil erosion are now common and are expected to increase in frequency and extent, affecting incomes and increasing overall vulnerability (Plan in Vietnam 2012).

*The decrees:* There is no uncertainty in national-level documents as to the existence and ongoing effects of climate change, demonstrating that the government is taking this hazard seriously. The state is adjusting not only its disaster response plans, but also its rural development infrastructure and agricultural priorities to adapt to new climate realities. At the provincial level, extreme weather events are now beginning to gain the attention of government authorities. A significant drought occurred in northern parts of Hà Giang from January to mid-March 2009 (6, 8), and a 2010–11 report provides in-depth information on the extent of floods, drought and cold snaps in the province, linking these events to global climate change (101). Another report from 2010 notes the negative impacts of drought and prolonged high temperatures on agricultural production (27). The winter of 2010–11 was harsh, and natural disasters not only caused the loss of livestock and property, but affected the timing of the following planting season (82). Such extreme weather events were also reported to us by Hmong farmers, who noted significant impacts: “My maize all fell over because of the high winds” (Đông Văn District, 2009); “My chickens got sick because of the cold. Most of them died” (Hoàng Su Phi District,

2010). The province then experienced typhoons and intense rain in 2011–12 (102). In response, specific reports from the Directorate, Flood Prevention, Mitigation of Natural Disasters, Hà Giang, focus mostly on relief provisions and future analysis and forecasting of risk areas, as well as infrastructure changes and public awareness campaigns (2007–08 in 98; 2008–09 in 99; 2009–10 in 100). Overall, provincial documents tend to stress the operation of specific programmes, such as flood protection and local infrastructure adaptation.

*Officials' rightful critique:* Officials from the Department of Science and Technology and the Department of Agriculture and Rural Development were notably concerned about extreme weather events in the province, especially droughts, flash floods and severe cold spells. They were troubled by the lack of technology to prevent damage and monitor change, a lack of data sharing, poor co-ordination among departments and limited human resources and training.

The restricted application of science and technology regarding climate change is considered “a large problem that needs investment.” The current limited budget and a lack of technology transfer, including GIS (geographic information systems) technology, make it difficult to monitor and respond to extreme weather events. An official explained that when natural disasters such as landslides and flash floods occur,

...the limited local budget means we cannot respond and implement plans to mitigate the impacts of natural disasters...The means of communicating policies to villages from communes and districts are lacking and untimely, making the task of directing the prevention of natural disasters confusing.

A lack of transparent data sharing is also a concern. As one official lamented:

Recently, there were two government-level studies in districts X and Y about landslides due to climate change. When the studies were complete, the researchers kept all the results and never transferred them to the localities. In addition, no recommendations of these studies were ever applied in these localities...The task of [tackling] climate change needs co-ordination between various localities and research centres...Doing that would reduce the cost of research. In reality, there's almost no exchange of such information; if there is, the out-of-date information is inapplicable and useless.

A lack of trained personnel also hinders policy implementation at the local level: “More than 100 officers have been sent to professional training and higher education, but on their return no capacity is developed and there are no results.” This official also noted that while a policy exists to attract talented and professional staff, appropriate positions have not been created.

Officials from different departments – and even within departments – contradicted each other regarding the degree to which useful legislation has been implemented and research results shared. For instance, regarding a programme to create early warning systems for natural disasters such as flash floods and landslides, one official interviewee asserted that “the province has already devised a number of options as well as warnings concerning

natural disasters,” while a different official from the same department claimed that such programmes have not achieved the expected results. He noted:

The main reason is the lack of machines and specialised equipment. Presently, the task of forecasting and early warning is based primarily on experience from observation of natural disasters in past years, as is the development of plans for prevention and mitigation of natural disasters. There must be specialised equipment for early warning in order for Hà Giang to do a good job at prevention and mitigation of natural disasters.

The need for more relevant technology, the lack of shared knowledge about local concerns and preparedness, and the absence of relevant positions for trained personnel and staff were notable complaints from local officials. Moreover, these all point to significant hindrances to cadres’ abilities to help local farmer livelihoods recover from extreme weather shocks and adapt to longer-term climate change. We also found an absence of reflection among officials as to how ethnic minority knowledge could factor into local coping strategies, reflecting a similar lack of recognition in government policies. There was no evidence of on-the-ground consideration of what one United Nations Vietnam report (2009, v) found, namely that “while climatic stresses will greatly affect ethnic minority people in the uplands, they must not be seen only as victims. Their traditional knowledge and practices can hold significant value for developing responses to climate change.” State cadres instead focused on structural concerns regarding the implementation of policies, rather than taking a people-centred approach to local problem solving, suggesting an ignorance of upland minority concerns and ongoing strategies (see Delisle 2014, for similar conclusions in Lào Cai Province).

### *Marketplaces and Trade*

Since the implementation of *Đổi Mới* (1986–) and the normalisation of Sino-Vietnamese relations (1991), market integration imperatives across many upland livelihood sectors have increased the economic significance of marketplace trade for upland households. Above all, the state-sponsored introduction of hybrid rice and maize has created the need to purchase inputs yearly, meaning that upland minority farmers are looking to expand the cash portion of their livelihood portfolios – often via marketplace trade (Bonnin and Turner 2012).

As part of an ongoing agenda at both the central and regional levels to accelerate market integration in the northern mountains – and, one could argue, also hasten the legibility of these trade sites – rural marketplaces are being physically and managerially restructured according to standardised, state-approved models (Bonnin and Turner 2014). There is a three-tier marketplace stratification: wholesale markets (Grade 1), daily markets (Grade 2) and periodic markets (Grade 3). The latter two are far more common in upland provinces such as Hà Giang, where there are 178 official marketplaces (45). Of these, 30 markets lie within Hà Giang’s 22 border communes and eight are at border crossings, according to an official from the Department of Industry and Commerce.

*The decrees:* The state decrees we analysed reveal national-level market regulations that are highly prescribed and top-down, with market activities preordained and centrally

controlled. All marketplaces are categorised according to type, with nationally set standards and controlled investment and construction (34). For instance, a decree passed in 2009 emphasises central control over local budgets (36), while financial policies and fees for marketplaces are also centrally dictated (41).

Border trade has its own set of regulations (31). The Vietnamese state establishes border markets rather than allowing local villagers to launch them more organically (37). Chinese residents of neighbouring villages are given specific border-crossing permits and the right to carry out a certain amount of business at these markets (37). Tariff exemptions are provided for particular items produced in Vietnam and China, and residents of border villages have certain tax-free importation privileges (42).

Along with numerous references to the need to modernise marketplaces, a 2009 decree goes further, promoting the establishment of supermarkets and convenience stores in the province based on the number of households in an area; Hà Giang Town is to get a supermarket, while smaller urban areas are targeted for convenience stores (43). The development of district wholesale markets is also emphasised, with one planned for agricultural products in Hoàng Su Phì, one for cattle in Đồng Văn, and one for fruit wholesaling in Bắc Quang (43). This document outlines development plans to 2015 and goals for 2020, so the success of these schemes remains to be seen.

In one decree from 2012, there are mentions of encouraging the cultural heritage of ethnic minorities via trade, though with no specific information as to how this might occur. Interestingly, in a move very similar to Thailand's "one village one product" rural development strategy (Natsuda et al. 2012), this decree also proposes an "every village, one product" scheme, encouraging villagers to specialise in specific exports (10). We have yet to see evidence of this being implemented.

Likewise, another decree published in 2012 by the Hà Giang People's Committee expresses the need to attract investment for commercial projects in 2011–15 through upgrading infrastructure and improving marketplaces (38). The document focuses on integrating these uplands into lowland and cross-border economies. The language in this document stresses bringing rural farmers into "modern civilisation" through government market-oriented programmes aimed at increasing the trade of commodity goods. This extends to subsidising loans and registration fees and providing free advertising on government-run websites (38).

A few decrees provide upland-specific criteria and commentary, with one noting that upland marketplaces are not just places to trade goods and commodities, but are also places to meet, find marital partners and carry out communal cultural activities (44; see Michaud and Turner 2003). Nonetheless, despite acknowledging these broader purposes, this document goes on to note that an important provincial goal is to relocate "inefficient" markets to more "suitable" spots to reduce wasted investment, though no definitions of these terms are supplied.

*Officials' rightful critique:* Interviewees from the Department of Planning and Investment and the Department of Industry and Commerce noted – as for other livelihood activities – that a core difficulty with the construction, expansion and maintenance of marketplaces is finding sources of investment: "There's a limited state budget that does not meet the needs to develop and build the network of markets in the province." This official noted that his department has advocated changing the management model for marketplaces from one where marketplaces are governed by a state-appointed management board to a more

co-operative approach, in the hope of gaining more local investment for market infrastructure. This, however, has not yet happened. A lack of funds for market management payrolls is also a concern and officials linked this to the low quality of management. Nonetheless, interviewees stressed that since 2008 a number of large Grade Two markets have been upgraded, such as Vĩnh Tuy and Đồng Văn markets.<sup>8</sup>

Officials spoke of inefficiencies regarding marketplace planning, especially concerning market locations and their physical layouts. Marketplace traders concurred that marketplaces were often redesigned in inappropriate ways, with this Nùng trader questioning: “Why are they rebuilding the [Đồng Văn] market? This old one is fine, we like it. People say it will cost us much more to sell in the new one” (Đồng Văn 2010). Officials suggested that not only was there a need for far greater consultation with local residents to evaluate their needs regarding marketplace construction, but “operations are not as effective as expected. There are many reasons for this problem but probably the planning is not in accordance with people’s customs and habits.” This official wisely added, “it is necessary to have a long objective view, not a short-term view.” When asked about marketplaces that have been constructed but that are not operational, one official responded:

It’s true that in Hà Giang there are new markets that are spacious, but aren’t operating. The reason is that markets are built according to decisions following meetings of various authorities. The task of surveying and evaluating the needs for markets among local residents hasn’t been effective, nor objective. Sometimes it’s the subjective opinion of just some people. For example, a number of markets built with funding from Programme 135 such as the wholesale markets of Bắc Quang and Ta Uy Districts have been completed, but residents are not using them.

Indeed, across the uplands one finds marketplaces built by the state but not used by local residents (see Dan Tri 2010; Bonnin and Turner 2014, for similar discussions regarding inappropriate marketplace planning in Lào Cai Province).

### *Border Crossings and Control*

Turning to our final livelihood component, Vietnam classifies its border crossings with China as one of three tiers (32). First are international crossings, of which there is one in Hà Giang Province, between Thanh Thủy and Thiên Bảo. Third-country nationals may cross with a passport and visa at these crossings, as well as Vietnamese and Chinese residents with a passport or permit. Second are national-level or “principal” crossings, of which there are three in the province, where any Chinese or Vietnamese citizen can pass with a passport or a permit. At small third-tier “auxiliary” border crossings (*cửa khẩu phụ*), borderland residents alone are permitted to cross with a permit. A border control official noted 13 such border crossings in 2013.

*The decrees:* In the decrees which mention border crossings, two main themes emerge: the economic benefits of enhancing trade with China, especially the encouragement of closer economic relations with China’s southern and south-eastern provinces (17, 25, 51, 152, 154–156), and numerous rhetorical statements about “security” and “defence,” with smuggling being a key element (50–52). The state’s reaction to both of these ongoing concerns

has involved resettling people to strategically placed border communes (17, 25, 94, 156) so that infrastructure along the border is well-supported (39, 152), especially given the “under-development” of Hà Giang (50). Through a range of decrees, the central government is strongly encouraging economic border zones as gateways to international trade and increased exports (25, 38, 39, 42, 152, 154, 155, 160, 161–163). Nonetheless, the documents reviewed are somewhat vague as to specific ways that economic border zones can strengthen local socio-economic development or upland livelihoods.

Border agreements between the governments of China and Vietnam (31, 32) are couched in the language of friendship and co-operation, despite prohibiting the importation of numerous items (40). As noted earlier, border residents have certain importation privileges, including tax exemptions (40, 42). Nonetheless, one decree documents how many construction workers in Hà Giang are from China, stating that these Chinese workers are taking locals’ jobs. This has resulted in tensions between Vietnam and China regarding the protection of foreign unskilled workers (39).

While permission for local residents to trade across the border more freely than those from other communes is a benefit for upland residents and supports ethnic minority livelihoods in the province, the overall vision and direction of these decrees remains focused on expanding large-scale trade and creating economic border zones (25, 38). Such plans, targeting commodity exports and creating transportation and trade channels for lowland goods, are unlikely to directly benefit local ethnic minority farmers to a large degree. These plans could also be argued to once again support the increasing legibility of these uplands via increased taxation and the encouragement of larger-scale, detectable cross-border trade through the main border gates.

*Officials’ rightful critique:* In their critiques, officials from the Department of Industry and Commerce, the Bureau of Border Crossing Economy Management and the Bureau of Customs highlighted a lack of shared understanding and agreement over certain aspects of cross-border trade control. They complained of a scarcity of co-ordination among departments, a shortage of financial investment and a need for improved infrastructure. Frustrations over decision-making procedures were evident: one official interviewed explained that while his department is currently working on a proposal for the future planning of border commerce, this will have to be submitted to the provincial government and then relevant national ministries for discussion and approval. He explained that in the document they would be submitting, they have made it clear that “this hierarchy is not rational,” adding that his department “would like to resolve with the [national level] Ministry of Industry and Commerce and Ministry of Finance the management authority over a number of goods.” For example, he noted complications regarding who is in charge of controlling certain goods crossing the border:

A number of imports require permission from the national ministry, such as coke/coal going through open area 504, which is four kilometres from Son Vỹ [border crossing]. Yet customs at Son Vỹ cannot come to do the import procedure since that exceeds their authority. If the ministry would assign the authority to Hà Giang to have their own mechanisms to manage trade, it would be so much more favourable for the import-export procedures at the border crossings and local pathways.

Another interviewee stressed shortcomings in the co-ordination between China and Vietnam regarding regulations of goods and crossings. He gave the example of the export of rubber latex from Vietnam to China: “China only allows this good through the open crossings [level 2] but not the main crossings [level 1]. Vietnam only allows it through the main crossings but not the open crossings. The difference in administrative procedures creates congestion and is an obstacle to the export of this commodity to China.”

He also noted that there are a number of goods, such as agricultural plant seedlings, that Vietnam presently does not allow to be imported from China. This comment reflects some of the ambiguity in border crossing regulations, as a border control official from a different department asserted that “residents are free to trade in agricultural goods.” From fieldwork however, it appears that agricultural goods are indeed restricted. Chinese hybrid seeds and pesticides are commonly smuggled across the border rather than legally imported, as reported by both smugglers and farmers in China and Vietnam to the first author. For instance, one Hmong interviewee noted, “I sneak in maize seed from China. I want to get the type that works in this valley; the officials here, they give us the wrong types” (Đông Văn District, 2009).

Yet again, the lack of funds for action at the local level was brought up in interviews, with a border control official noting that “Hà Giang is a poor province bordering a friends’ province which is also poor... There are no high-speed highways for transportation.” He added that “after many years of opening the crossings and development, the degree of centrally-funded investment is still very meagre.” A customs official also focused on problems regarding inadequate infrastructure, this time in regard to third-tier crossings in the province, noting that due to a lack of infrastructure there existed many transportation difficulties. He suggested that “to accelerate cross-border commerce, the government needs to invest in infrastructure to improve the movement of goods and develop cross-border commerce. Border communes without crossings should develop border markets as places where residents can trade goods.” Once more, local officials were not shy to voice their own opinions and proposals regarding how centrally decided decrees could be improved for the local context.

### “A Number of Inadequacies” and Limited Legibility

In this article we hope to have laid the groundwork for future livelihood research in Hà Giang Province by providing an overview and critique of decrees and policies implemented there that impact local ethnic minority livelihoods, as well as interpretations of state cadre opinions of these policies. In this final section we highlight three core concluding thoughts. First, we concur with state cadre interviewees that there are a number of inadequacies in the content and implementation of these decrees, noting in addition that gender and ethnic diversity are ignored. Second, we suggest that the state’s efforts in these uplands has resulted in limited legibility, in part due to deficiencies in how these decrees have been executed and in part due to upland residents’ opposition to state interference in their livelihoods. Finally, we point to potential impacts of this complex situation on ethnic minority livelihoods.

Our review of these 82 documents reveals an overwhelmingly top-down, quantitative approach to policy design, somewhat akin to a statistically rationalised formula: *given the X percentage of poverty in this province, Y and Z need to be done*. By comparing national and provincial documents it is clear that the overarching diktats – reduce poverty, develop



rural areas, increase market integration – come from the national level and are routinely reproduced in provincial-level decrees. Precise concerns and considerations of local factors, such as particular climatic conditions, topography and infrastructure needs, emerge only in limited provincial or district reports. This is a positivist research agenda typical of both the Vietnam state's reading of Marxist ideology, as well as the current market economy credo linked to globalisation.

Across the documents, there is a notable lack of detail regarding who is responsible for identifying the “problems” that need solving. Moreover, national and provincial decrees consistently fail to mention any form of public consultation. The fact that such consultation is not reported probably reflects the findings of other authors who have highlighted a lack of public participation in Vietnamese law-making. Kerkvliet (2001, 246) explains that “most policies and laws are made in a process that is hard to follow. Much of it seems to occur within the Communist Party and government offices behind closed doors.” Gillespie (2008) adds that it is important to view public participation in the broader context of Vietnamese constitutional and organisational principles. Democratic centralism (*dân chủ tập trung*), for example, is designed to entrench party leadership over the state (see Dixon 2004). This approach works against public participation by discouraging lawmakers from seriously considering public comment that challenges party policy.

While some of the decrees' infrastructural plans, such as for improved road access, might arguably have beneficial outcomes for local livelihoods, the documents remain opaque about what sorts of persuasion (or coercion) are used when resettlement is needed, such as for road projects, dam construction or border security. There is little critical reflection in these official documents regarding the possible adverse impacts of implementation approaches, and ethnic minority upland residents are expected to accept state legislation without question.

One of the starkest findings from the review of these decrees was that ethnic minorities are seldom mentioned beyond provincial demographics, while the gendered nature of possible outcomes is entirely ignored. Indeed, these 82 documents appear ahistorical, completely lacking ethnic minority voices and failing to recognise the diversity of local knowledge, histories and cultures. Regularly, decrees refer to “the people” of the province, be they minorities or Kinh, men or women. Given the overwhelming proportion of ethnic minorities within the provincial population of Hà Giang – 87% – the lack of recognition of specific impacts of decrees on gendered and diverse minority livelihoods is notable. In sum, state planning and implementation in these uplands ignores ethnic diversity and continues to be embedded in socialist-style modernisation discourse, with development conceived of as a linear progression.

Perhaps more unexpected, however, are the critiques that emerge when we turn to the voices of local officials tasked with implementing these decrees, revealing how the state appears “from below” and illuminating the contours of political power in upland Vietnam (see O'Brian 2013). One official summed up the general tone of many of our interviews: “State policy at the macro-level is correct. But when implementing it there are a number of inadequacies.” The concept we develop here of rightful criticism allows us to better consider and analyse a number of important and interesting features regarding the implementation of national as well as provincially designed policies in these rugged borderlands. The rightful criticism in which our 17 interviewees participated covered a number of inadequacies regarding the implementation of state decrees at the provincial, district and commune levels. These shortcomings ranged from poor financial support for

the implementation of regulations and programmes to a lack of co-ordination across provincial departments and between national and provincial offices of the same ministry. Additionally, senior officials complained about junior officials' and trainees' lack of skills, yet current advertising to attract more skilled officials makes no sense without relevant jobs available. A lack of support for research and equipment such as GIS tools, as well as a lack of research co-ordination, were additional criticisms. Officials were also concerned about a lack of public participation in planning and decision-making, especially with regard to marketplace location. It is notable, though, that ethnic minorities continued to be discussed by provincial cadres in generalised terms, often referred to as "local people" or "local residents," with no specific groups or customs ever mentioned.

The central state continues to crack down on dissent (*Time*, June 27, 2013; *Wall Street Journal*, October 2, 2013). Yet it is interesting to observe that state officials were themselves voicing concerns regarding the need for greater public participation and a bottom-up development approach. It therefore appears that there is space in Vietnam's political landscape for rightful criticism of the implementation, financing and monitoring of state decrees. What does not yet exist is the freedom for provincial state officials to directly critique state policy.

In *Seeing like a State*, Scott (1998) argues that states have developed a range of tactics for converting diverse, complex and illegible local practices into standardised, simplified and legible ones. State planning as applied to Hà Giang Province provides examples of this, as the state works to increase the legibility of upland practices, in particular trade and agricultural systems, and encloses the northern borderlands. Scott (1998, 6) goes on, however, to note how these projects fail because such planning "ignores essential features in any real, functioning social order." As such, we suggest that the rightful criticism we have documented among provincial cadres provides evidence that a unified project of legibility has had limited success to date in this province due to important deficiencies in the implementation, financing and monitoring of state decrees. This lack of success is also due to the inability of policies (and oftentimes practitioners) to comprehend and account for local social order, customs and diversity. A similar conclusion is reached by MacLean (2013, 23) for lowland rural populations in the Red River Delta, where he argues that the recent state approach he labels "guided self-regulation," building on previous forms of "ideologically driven mass movements" and "scientific management," has "contributed to the very problem it was meant to resolve: illegibility." MacLean (2013, 15) also notes: "Not surprisingly, the demands these approaches placed on the labor time and labor power of low-level cadres and the rural populations they administered had an inverse impact on the willingness of both to implement policies in the prescribed manner."

What does all this mean for the local, everyday livelihoods of upland ethnic minority residents? Elsewhere we have argued that there is an everyday politics of covert resistance among many residents in these uplands as they deal with and negotiate the diktats of the central state and the impacts that state decisions have on local trade (Turner, Bonnin, and Michaud 2015), cross-border movement (Turner 2010), and livelihood coping strategies (Turner 2012a, 2012b). This covert resistance was also reflected in the interviews we completed in Hà Giang with Hmong, Yao and Nùng farmers as they sought to avoid marketplace fees, smuggled goods across the border, and resisted hybrid maize adoption. Our review of state decrees coupled with state official interviews adds further evidence as to why ethnic minorities negotiate, contest and at times resist state policies the way they do. Maintaining livelihoods within the context of a highly circumscribed centralised planning system, with

market integration and economic modernisation as the underlying forces driving upland state policies, leaves little space for alternative approaches to “development” from local, culturally informed perspectives. The diversity of local ideas and views are patently ignored.

It is important to recognise that like ethnic minority interviewees, provincial state officials also bemoan the fact that marketplace planning is inconsistent with local needs and priorities, and they too are concerned that hybrid seed varieties are introduced without current-day livelihood practices taken into full consideration. On the one hand, it is positive that local officials are cognisant of such livelihood concerns and constraints (albeit acultural), but on the other hand, if these civil servants do not feel empowered to critique state policies in a way that effects change, it will be a long time before ethnic minority farmers do. There appear to be few channels through which local officials can voice their concerns regarding policy implementation in a manner that can inform concrete, locally appropriate approaches and solutions. Without participation and consultation at this level, let alone ethnic minority representation, the creation of relevant support for upland livelihoods faces a number of significant hurdles.

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### **Notes**

- <sup>1</sup> Autonomous regions were initially promised by French and Communist forces to entice non-Kinh allies to enter the struggle for independence on their side. After independence was declared by Ho Chi Minh in 1945, diluted versions were implemented in the shape of the Viet Bac and Tay Bac (Tai-Meo) Autonomous Regions. This policy was abandoned and the autonomous regions abolished in 1976 after the Second Indochina War (McElwee 2004; Michaud 2006).
- <sup>2</sup> The hierarchical administrative units used by the Socialist Republic of Vietnam dictate that provinces are divided into districts, communes and then hamlets. At the provincial and district levels, local authorities comprise three governing bodies: the Party Chapter (Communist Party), the People's Committee (executive), and the People's Council (legislative) (Tran Thi Thu Trang 2009).
- <sup>3</sup> Examples include the Hmong, part of the official classification of Miao in China, and the Tày and Nùng, subsumed within the Zhuang classification in China.
- <sup>4</sup> There has been far less research in Hà Giang than, for instance, in neighbouring Lào Cai Province to the west, which is more accessible from the lowlands thanks to the Hanoi-Kunming railroad and has been the focus of a number of academic studies and non-governmental organisation interventions since the mid-1990s (Ford Foundation, Oxfam GB, Plan International and so on).
- <sup>5</sup> Within the Vietnamese state political apparatus there exists a range of factions at the central level vying for power and control. Before 1993, the one-party system tended to keep a fairly uniform external front and any opposition was “behind the scenes” (Dixon 2004). Since then, divisions and tensions within the party have become more open (Khng 1993; Quan Xuan Dinh 2000; Dixon 2004; Thayer 2009). It is, however, important to realise that such tensions are at the central party level, not with regard to less powerful provincial officials critiquing the central state.

- <sup>6</sup> While numerous state documents refer to “cadres, public servants and state officials,” the differences among these are not clearly defined. We use them here as synonyms, as in the Vietnamese *cán bộ*, used for officials of any rank.
- <sup>7</sup> Each decree and document analysed for this research is listed in the Appendix by the original number we allocated when collecting the 166 documents.
- <sup>8</sup> The latter has been built opposite the historic 1908 French military-built market, which has not been torn down as older markets often are. One could argue that this is positive from a cultural and architectural heritage standpoint, or negative as a remnant of French colonial rule.

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## Appendix 1

The documents that formed the semi-systematic literature review of state decrees. A total of 166 state documents dating from 2006 onwards were collected. Of these, 82 were retained for further analysis, listed here. List includes: the original number (from the initial 166 documents reviewed), date of document (if stated), publisher, title, title translated.

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