

The Role of Village Conventions in Rural Social Management at Present

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Abstract: Village conventions also bound individuals to organizations as well as connected organizations together. Every member of the village took part in many different institutions and they had a responsibility to abide by regulations of those institutions. Village conventions regulated both responsibilities of some organizations and “sorts of people” towards the village community. In turn, the organizations forced every member to undertake the responsibilities and regulations. Thus, village conventions connected all the village institutions together. The paper describes village convention in rural social management at present and proposes some policy recommendations.

Key words: Village convention, rural, social management, Vietnam.

1. Existence background of village conventions in the traditional rural society

1.1. Viewed from the universal law

At the time of tribes and clans, human society was administered by blood - relations and other specific regulations (based on living and production activities as well as security, worship, and membership, etc.) for every bloodline community (clan - commune), to which people conformed through many generations.

After the primitive society (or clan - commune) broke up, the blood relations - based habitation was replaced by the neighborly relations - based habitation. To maintain common life, people of different lineages in a new habitation unit (a rural commune or a neighborly commune or an agricultural commune) set up unwritten conventions on various aspects of the community life. People abided by those conventions strictly from generation to generation. And, the conventions gradually

became customs - a major tool for social management.

In class - stratified society, the state authorities carried out social management by law. However, the state still relied on rural communes to take control over the sources of revenue from taxes, laborers, and soldiers. The state, therefore, used legal regulations to force commune institutions to undertake fully their obligations and prevent the acts that caused serious social impacts on social order, but it still let the communes maintain their customs to correct the community life. On the other hand, pre - industrial economy was highly self - sufficient and self - reliant, so it was not strong enough to break social relations of traditional communes. Organizational institutions and social relations were really tight in every commune; individuals were not respected much, but they had to comply

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with the community. In such a context, customary laws played an important role in uniting all the commune members and attaching every individual to the community. People were inclined to abide by customs rather than by laws. Social management in the rural commune was basically done by customs or customary laws.

Economic - monetary relations in industrial society step - by - step broke social relations and institutions of rural communes. Customs and customary laws involved with social management declined gradually; there are some customs involved with cultural activities left. Industrial society has also made social relations and life of people more complicated. At the same time, after being liberated from the previously institutional ties, people started to have demands for the new community cohesion, which is guaranteed by the law. In such a situation, it is urgent and inevitable to carry out social management by the law. Yet, not all aspects of daily life are mentioned in the law; on the contrary, many aspects of life and a lot of social relations still remain ruled or adjusted effectively by customs and public opinions on the basis of the moral viewpoints as well as religions and faiths.

Customs and customary laws are set up to aim at creating and maintaining social order and stability in every local residence community, as they help to adjust social relations and orientate the behavior of every individual towards the general pattern. Different from the law, traditional customs are very close to and practically significant for life of every residence community. They are, consequently, maintained for a long time with a very little change. On the other hand, people are aware of customs since their childhood, as they are transmitted

naturally from generation to generation within the family - line or community (cultural transmission). Thus, people of different generations conform to the customs as a habit or “natural inertia”. In the meanwhile, the law is set up due to the subjective will of the ruling class; it bears the top-down administrative imposition and it can be changed easily, when the institutions or leaders of the institutions are replaced. To make all people aware of the law, the state has to propagandize and disseminate it systematically. Yet, it is not easy to make all people (usually, working - aged ones) understand and accept the law. Thus, a part of population or just people of a certain generation understand and conform to the law; whereas, other parts or other generations do not accept or conform to it. The high effectiveness of customs is additionally shown in the fact that it results in the community obligation, imposition, and coercion on individuals through rewards and punishments (for both direct and joint responsibility).

At the pre-industrial time, a country was a set of villages. The stability of each residence unit was strengthened by customs and customary laws, making a contribution towards the general stability of the whole country. Some contents of the customs and customary laws may be different or even contradictory with the law, but they are generally suitable and non - contradictory with the law. Moreover, customs and customary laws are persistently maintained for a long time, regardless of interventions from the state. As a result, in both pre - industrial and industrialized countries, reasonable keys and positive aspects of customs and customary laws are used and inherited for social management. This used to happen as an antecedent tradition in the

history of Vietnam as well as other Northeast Asian countries such as China, Japan, Korea and Southeast Asian countries (Ngo Duc Thinh (Ngô Đức Thịnh), and Phan Dai Doan (Phan Đại Doãn), etc.).

2. Viewed from Viet traditional village

2. 1. Particular features of Viet village - the existence background of village conventions

Anthropological research works show that Viet people gathered in làng, chạ, chiềng (village) in the Northern and North Central Regions before and at the time of Hung Kings. Every village was a self - constituted and self - reliant community in almost all aspects of life, irrespective of economic type or environmental landscape. To maintain living activities in all aspects, every residence community set up its own regulations. Through a number of generations, the regulations were followed strictly and gradually became customs, which were concretized in the customary laws of each village to be maintained persistently due to following factors:

1. *Firstly*, the self - reliant economy did not provide conditions for people to have large - scale or complicated socio - economic relations. For the entire life and even from generation to generation, peasants mainly worked and stayed within the village area; they got used to living with neighborly relations and ties of kinship, which were overlapping and tightly attached to each other; the relations were sometimes very complicated and “restricted” within the village. Thus, peasants understood each other since the childhood; they knew the ancestry, personal characters, the gait, and the voice of every person in the village. They therefore trusted each other in daily behavior and economic activities as well; on the basis of the trust, they could borrow

money and things from others without any administrative documents such as contracts or bonds that are used in capitalist society. If necessary, they just needed a relative or a neighbor as a witness. Most of conflicts or disputes between people inside the village were solved via negotiations in the principle of toleration to let pass mistakes of others; they treated each other by love, instead of “reasoning” or the law, so that everyone could feel satisfied; they did not want to take legal proceedings against others at the administrative or legal institutions. When they had to “take others to court” in an unwilling case, they tried to solve the problem reasonably.

In conclusion, living conditions made Vietnamese peasants attach much importance to tolerance and reasonableness rather than the law and the reasoning, unlike urban, industrial or business people. In the past, feudal governments often accepted and encouraged people to solve problems by customs and negotiations among peasants.

2. *Secondly*, people in Viet villages were influenced much by Confucianism - a theory that highly appreciates moral education and does not give prominence to the law or the law - based social governance. It advises people to behave appropriately to the social status, live in accordance with the social order that differentiates between honorable and small - minded men, between the rich and the poor, and conform to the “king - master - father” order and the principle of “the three moral bonds and five constant virtues” as well as the principle of “compassion - righteousness - politeness - wisdom - faithfulness”. In the context that customs caused great influence and was highly appreciated, Confucianism made people more realize that the law was not

really necessary for their particularly self-reliant residence units.

In the meanwhile, the law was set up rather late (it was set up for the first time in 1042, when the Ly Dynasty promulgated the first law named “Hình thư” - the Criminal Law). For thousands years, before the state law was set up, people in Viet villages used their customs. The feudal law was actually incomplete and asynchronous (it often consisted of a universal set of laws in form of the criminal law); there were very few copies of legal documents and they were written in Chinese. Thus, people could hardly access the documents, so they did not understand the law. Consequently, they usually used customs and village conventions to deal with problems inside the village, except for the ones that far exceeded their power or ability; at that time, they had to bring the cases on trial so that the superior authority would make a judgment by the law.

3. *Thirdly*, Viet villages in the Red River Delta, the Northern Midland, and the North Central Region were established very early. Until the ruling government of the T'ang Dynasty imposed the administrative unit at the grass - roots level in rural areas (named as Commune in 662), villages used to be self - governing residence communities that tended to be “centrifugal” as opposed to the “centripetal” force from the state; as a result, the state had to show more concern and accept a part of the self-government. In principle, the law was just implemented in the administrative aspect; in the residence communities, the grass - roots self - government was accepted to some extent through various forms and tools, of which the most effective was the custom. In terms of social relations, each village was a relatively complicated community with a

lot of implicit contradictions and camps. As Viet villages often suffered from bad crops and famine, they would be more centrifugal, when the government made intervention; i.e. the centripetal force increased. Thus, the best solution chosen by the feudal government was to avoid intervening internal issues of the village community and to let the village have a “self - governing margin” (and a “security margin” for the government afterwards). This is the “relatively ignoring behavior” of the government towards the village, owing to which residence communities had some “self - governing power”; i.e. they could maintain their long-lasting customs [1].

Due to the above - mentioned conditions, traditional customs were formed very early and they were preserved from generation to generation through thousands years in history, making Vietnamese peasants treasure their customs. In the mid 15th Century, when the feudal government incessantly made interventions in the village life by all means, therefore, those residence communities still continued improve their organizational structure and customs; social relations became increasingly more diversified and complicated; and, the pinnacle was that they decided to draft and set up their village conventions.

Described above are the background and favorable conditions for formation and development of village conventions in the rural society before the August Revolution in 1945.

2.2. Viet village conventions - forms, contents, and roles in life

Village conventions are documents that record customs of the village, including regulations on behavioral rules, responsibilities, forbidden activities, etc. in order to bind individuals and groups to the community life.

Research works reveal that village conventions appeared for the first time in Viet villages in the mid 15th Century in two forms that are relating to two periods, as below:

Ancient village conventions: They are village conventions that existed before August 1921, consisting of documents drafted by the very villages on the basis of their own characteristics. As a result, they are very diversified in terms of name, such as hương ước (conventions), khoán ước (contracts), tục lệ (customs), khoán lệ (rules of fine), điều ước (regulations), etc., as well as in terms of manifestation (they are mainly written in Chinese, but they have different layouts of terms and articles, different numbers of terms, and different structures, depending on customs and organizational, economic and faith characteristics).

The main content of the ancient village conventions consists of terms (or conventions) involved with various aspects of the village life.

* The conventions on the village organizational structure and social relations, including:

- Those involved with organizational institutions (hamlets, family - line, camps, village notables, village officials, and guilds).

- Those involved with social relations by sex (male - female), blood - line (people of the same or different family - line), age groups (the old and the young; the elder and the younger), and "social status" (officials and commoners; local residents and immigrants) etc. They are the central aspects of social life in the village.

* The conventions on security, defense, and production protection of the village, including:

- Those involved with the organization

of patrolling activities as well as the responsibility, power, and interests of night-watchmen.

- Those involved with prevention and punishment for acts of theft as well as rewards and compensation for losses from participation in catching thieves or robbers.

- Those involved with farmland protection.

* The conventions on protection of spiritual life (construction, maintenance, and restoration of sites of worship, ceremony, and deity offering).

* The conventions on duty accomplishment (tax payment, military service, and coolies)

Attached to most of the terms in the village conventions, there are warnings, advice, and provisions of reward and punishment.

The reformist village conventions: They are written in Vietnam national language, Nôm or Chinese language. Some of them are also written in French. The content of the reformist village conventions consists of two parts, including: (1) The political part, in which all activities of the village are institutionalized (income and expenditure of the village budget, security protection, etc.); and, (2) The customs, in which the customs involved with wedding, funeral, worship, cerebation, etc. are regulated according to the village reformist administration and business imposed by the French colonial government for the sake of taking more control over the rural areas.

With such a relatively comprehensive content and the fundamental attributes (the specificity, the normality, the community, the cultural), village conventions played an important role in life of Viet traditional villages.

Firstly, village conventions bound individuals to the village community through two following ways:

- There were regulations on the village member's duties and responsibilities towards the village activities (as described above).

- Daily behavior and acts of every individual shown in a range of relations were supervised through strict regulations of reward and punishment; the village conventions, therefore, created ties, imposition, and even coercion from community on every member in the village.

Village conventions also bound individuals to organizations as well as connected organizations together. Every member of the village took part in many different institutions and they had a responsibility to abide by regulations of those institutions. Village conventions regulated both responsibilities of some organizations and "sorts of people" towards the village community. In turn, the organizations forced every member to undertake the responsibilities and regulations. Thus, village conventions connected all the village institutions together.

In conclusion, village conventions created ties, imposition, and coercion of the village community on the village members through two ways, aiming at supervising individuals' behavior and activities for the purpose of taking control over organizations as well as regulating duties and responsibilities of organizations for the purpose of taking control over individuals. As a result, village conventions created a "legal framework", owing to which the village leaders could take control over organizations and individuals in the village. Based on the regulations applied to every village member, village conventions adjusted relations between organizations, creating a system that could run regularly and synchronously through community activities according to a close and

harmonious assignment [1]. In addition to village conventions, there were other factors that helped to take control over individuals and organizations in the village, including: public opinions (attached with the moral conceptions), religious faiths and the law; combined with each other, they strengthened the ties, the imposition, and the coercion of the village community on its members [3, pp. 117 - 118].

Village conventions were used by the feudal governments as a tool to take control over villages. At first, village conventions were set up to protect the rights and particularities of the village before the state and other villages. That's why at first King Le Thanh Tong tried to prevent villages from drafting and setting up their conventions. And then, he realized reasonable and positive aspects of village conventions, which is to create the social order and stability for villages. This is similar to the objectives of the law. He, therefore, allowed villages to set up and use conventions. He expected to take control over villages through their conventions. This sense was shown in the 5-provision proclamation issued in 1464 (the proclamation consisted of 5 provisions, as below: "1. Each village shouldn't have its private conventions, because there is the law applied for the whole country; 2. If a village has an abnormal custom, it can be possible to set up some terms and prohibitions; 3. In that case, it is necessary to assign a person, who has good Confucian knowledge, a official social position, and sufficient age, to draft the conventions; 4. After the conventions are completely drafted, they must be submitted to the superior authority and they may be rejected; 5. After the conventions are passed, those, who do not abide by the conventions, will

be punished [8, pp. 102-103]). In the later dynasties, village conventions were drafted in accordance with the state intentions. This is clearly shown in some following points:

+ The village convention drafting and revising process was done under the state control. As regulated in the proclamation issued in 1464, the responsibility for drafting village conventions must be assigned to those who had “an official duty,

Confucian knowledge, good virtue and sufficient age”; in fact, they were retired officials or Confucian scholars. Village conventions were then submitted to the superior authorities (at the provincial or district level) to be censored; the terms that were inappropriate to the law or the state interests and the terms that might cause harm to the customs or culture would be rejected.

Figure 1. Content and impacts of village conventions on village management

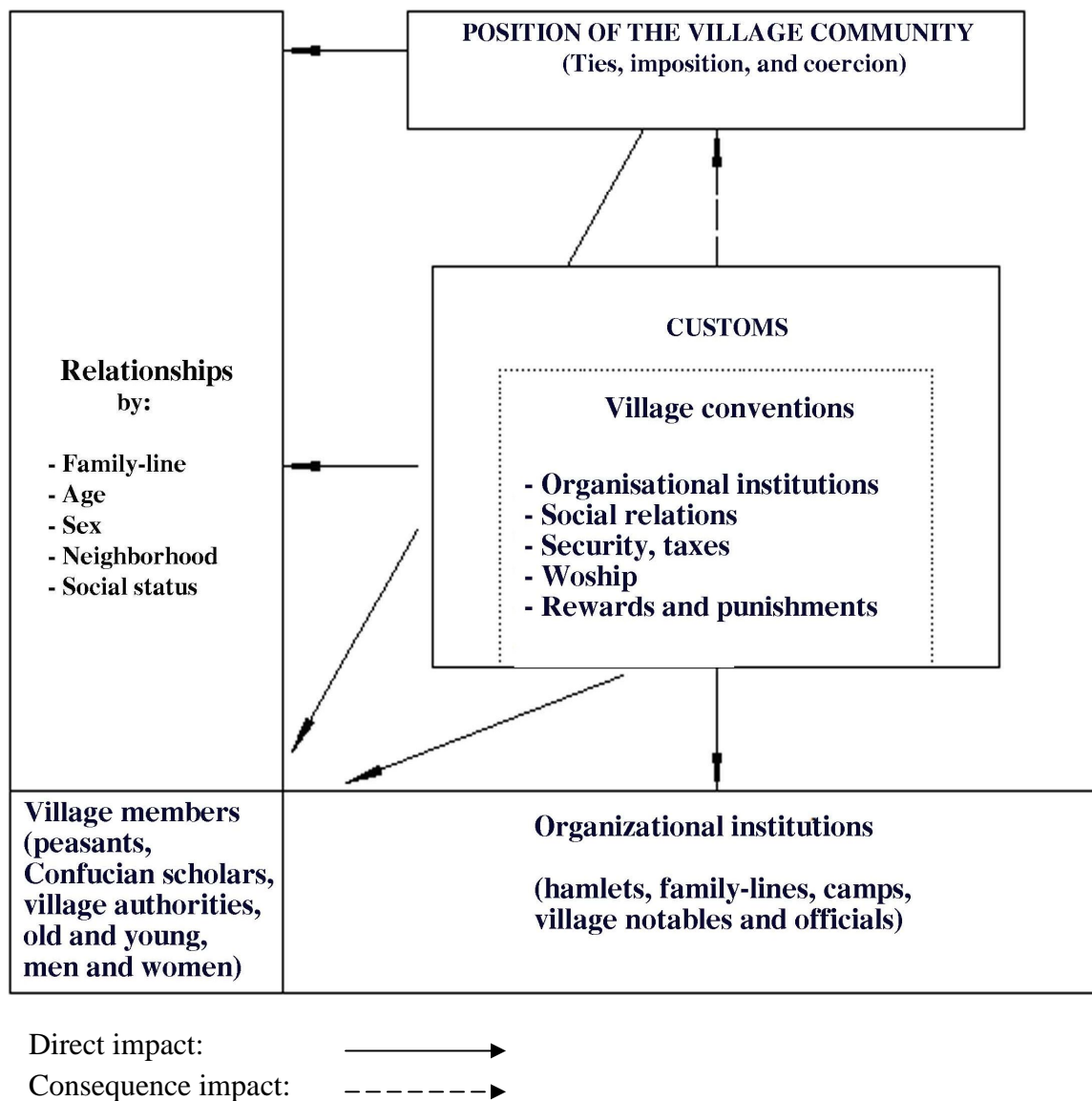
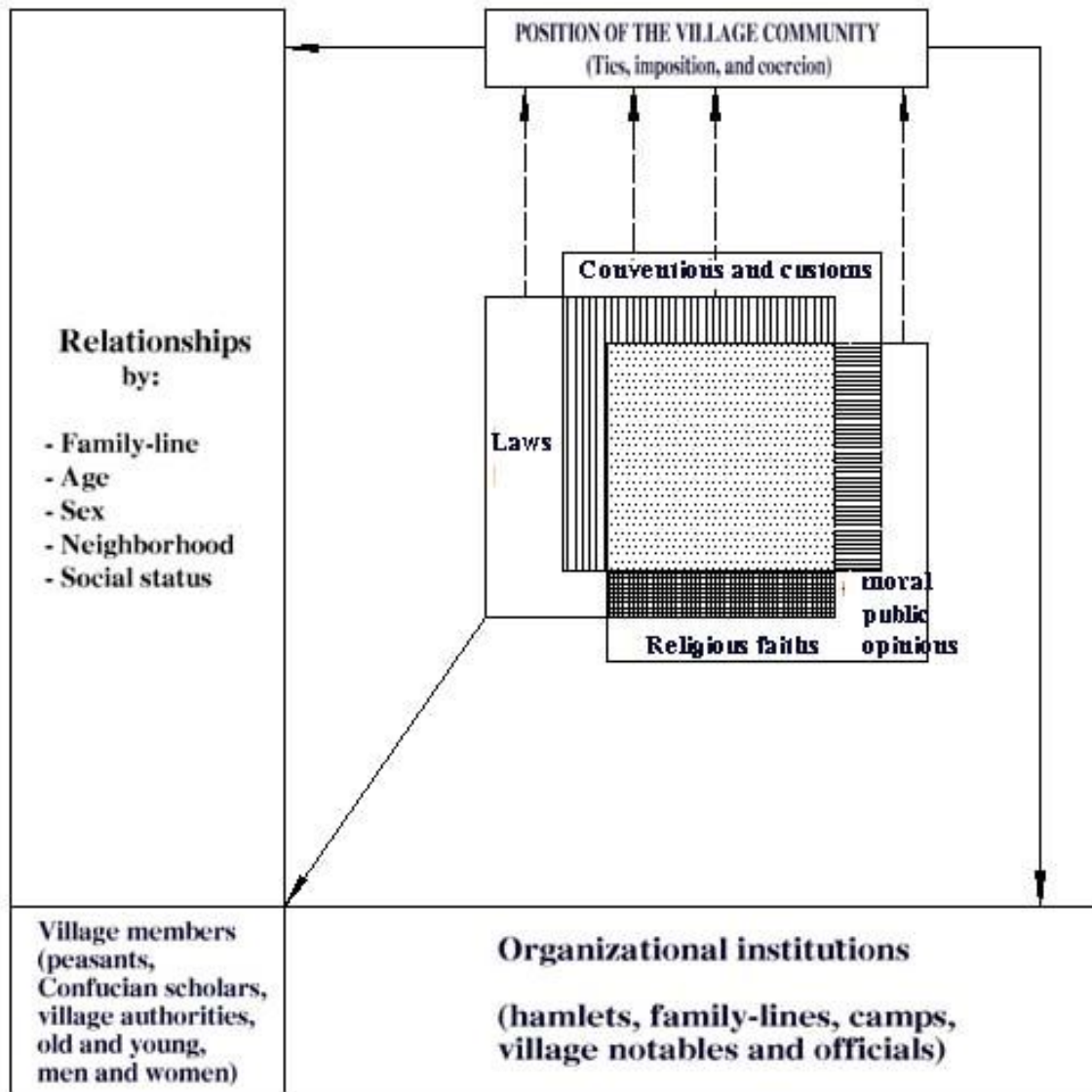


Figure 2. Combination between village conventions and other factors in village management



Direct impact : —————→
 Indirect impact: - - - - -→

+ The management model of the feudal state was added into the village management (regulating functions, power, and duties of the village officials. In the reformist village conventions in 1921, regulations on the structure of the commune system and taxation duties as well as compulsory

military service make up a high proportion of all terms).

+ Confucian content was applied in social relations (husband - wife relationship, parents - children relationship, male - female relationship, officials - commoners relationship, etc.) for social management.

Most of revisions in village conventions regulated specifically and strictly the feudal order in the most important areas of village life, in which priority was given to Confucian scholars and those who have qualifications, office and titles.

+ Villages were allowed to make punishments for some cases involved with the community lifestyle (adultery, theft, fighting, duty non - fulfillment towards the village, etc.). For other cases that exceeded the village power (such as murder, opposition to the government, or even violation of a regulation of the village, but the village had difficulty in tackling it, etc.), it was necessary to submit those cases to the superior authority; i.e. they had to “give up the power” or rely on the “power” of the law. Thus, it is not always true that “customs rule the law” as mentioned in our idiom.

+ Owing to village officials as representatives, feudal governments took the power in making punishments for violations of the village conventions. This is the most obvious evidence to show that feudal governments used village conventions to take control over villages.

In conclusion, village conventions were the product of Viet village development in the framework of the feudal state. In other words, at first village conventions were set up from folk knowledge for community management, but they were then institutionalized by the state, becoming a major tool for social management in Viet villages; i.e. the management of Viet traditional village society was firstly and mainly done via village conventions, in combination with other tools, such as public opinions, moral norms, faiths, religions and law. The fact that village conventions were accepted by the feudal government shows the concession of the state, owing to which

villages could adjust and reconcile mutual interests. This is the harmonization between the law and customs; between administration and self - government; between the state interests and the village interests.

For the above - described roles, village conventions caused positive impacts on villages and peasants, helping people to abide by the disciplines and have appropriate behavior towards social relations in the village. Village conventions made a contribution into creation of valuable traditions and virtues; people showed more concern about the community interests and undertook fully responsibilities to the village; the community mutual aid was also improved; people took more initiatives in carrying out security and social assistance work as well as cultural activities.

Village conventions, however, also caused some negative impacts. They increased the local partiality of villages, formed the thinking about social hierarchy, and made customs turn unsound. Village conventions were also used as a tool to lessen democracy, increase the village despotism, and deprave the feudal authorities at the commune level. Especially, village conventions contributed a great part into formation of the lawless behavior among peasants, which is still causing negative influence on our modern society.

2. Village conventions in life of villages at present

After the August Revolution in 1945, the national political and socio - economic institutions changed; villages also changed and village conventions gradually declined and disappeared. Peace was then established in North Vietnam (October 1954). Particularly, the cooperative movement was carried out in the late 1950s, resulting in two major factors for extermination of village conventions.

- *Firstly*, the commune size was expanded. In the feudal time, each commune consisted of only one village. After 1954, there were very few such communes left (accounting for less than 10%) [4]. As the commune size increased, the traditional village self-government and self-reliance decreased.

- *Secondly*, as an economic organization in rural area, the cooperative also undertook the social management function. This step - by - step lessened the village self - government and self - reliance, making villages “dissolved” in co-operatives, especially when the size of the cooperative covered the whole commune.

The Resolution 10 of the Politburo (the Resolution on agricultural land contracting promulgated in April 1988) resulted in a relatively comprehensive change in rural areas, creating a premise for “re-establishment of small - agricultural villages”. Folk institutions and various aspects of life were considered as focal. Local institutions such as the Party’s organizations as well as other mass organizations also inclined towards the change. The reaffirmation of the village role and position required dealing with new problems. When the commune authority still remained puzzled with administrative tasks, villages, as highly self - governing communities, took the initiative in handling their issues. Some villages in formerly Ha Bac (Hà Bắc) province set up village conventions on their own, aiming at taking control over all aspects of the community life.

Thus, village conventions (called as new village conventions afterwards) were drafted, not because of the “nostalgic thinking” but due to the internal demand and requirement for rural life of Viet people in the North and the North Central Region before comprehensive changes resulting

from the Resolution 10. It reaffirms the inheritance of the self-governing tradition from residence communities in pre-industrial society. It is not by accident that people in industrialized countries as well as the countries, where village conventions never existed, still stressed the self-governing power at the grass-roots level. The concept of “local self - government” was in fact created inside capitalist society.

When being alive, President Ho Chi Minh already paid attention to inheritance of positive aspects of customs and self - government. He affirmed “Village conventions are the very internal contacts inside the village. Ones prescribe together that they are forbidden to let livestock or poultry, such as buffaloes, cows, chicken, ravage crops; they are also forbidden to do thieving, etc. These are really sound customs in the rural areas of our country from the past. It is unreasonable that you eradicated all the village conventions after the August Revolution. It is unfair. In the revolution, we should eradicate only bad and unsound things; whereas we have to keep good and sound things” [12, p.30].

Formation of the new village conventions took place in conformity with the law. All the Constitutions promulgated in 1946, 1959, 1980, and 1992 appreciate the preservation of traditional cultural values of ethnic groups. Article 5 of the 1992 Constitution affirms that all ethnic groups in our country have the right to preserve ethnic identities and develop valuable traditional customs and culture. In the meanwhile, village conventions are viewed as an element of the ethnic customs and culture. Articles 11 and 53 prescribe that Vietnamese citizens have a responsibility to take part in the state management and social management and perform the mastery over

the country by contributing a part towards activities to keep social order and security as well as organize community life. Article 79 regulates that citizens have a duty to abide by public regulations. In the spirit of the above - mentioned articles, we can realize that Vietnamese citizens in all ethnic groups and all social strata have the right to participate in organizing community life by setting up and performing conventions on public activities in accordance with the law. The conventions lie in the category of social rules, consisting of: moral conceptions, traditional customs, religious rules, regulations of socio-political organizations together with legal norms. All of them are used to correct social relations in all fields. It is the theory on the model of “co - management” and “legal diversification” that has been applied in many countries in the world [10, pp. 767- 78].

In conclusion, the restoration of village conventions after the promulgation of the Resolution 10 was carried out on its legal and socio - economic grounds; it is the inheritance of village self - government, the reconciliation between administration and self - government as well as between the law and customs, which used by our ancestors at the feudal time in history; after Renovation was initiated, the Party realized further the significance of village conventions. After village conventions were promulgated, they showed positive effects on stabilization in rural areas. According to our fieldwork findings, almost all villages, where village conventions were drafted and implemented, have gained improvements in various areas, such as conservation of social security, construction of infrastructure, preservation of historic and cultural vestiges, cultural activities, economic development, and inheritance of good habits and customs.

Besides the positive changes, however, there are still a lot of shortcomings relating to village conventions. A majority of village conventions have copied articles from the state law; they repeat the legal content inflexibly; as they were drafted according to “a sample”, they contain a similar composition and style. Particularities of each village, which is considered as the first attribute of village conventions, are very opaque. Many sets of village conventions are understood as socio - economic development projects; lifestyle rules are mixed up with socio - economic development targets. The necessity and feasibility are very low. Many sets of village conventions contain inappropriate terms; some of them are even contrary to the law, especially the terms involved with fees; they have imposed various types of punishments arbitrarily, which exceed the power of the commune authority and do not match the spirit of the law (for example, those, who have violated the village conventions, will be dismissed from the mass organizations or their field - land will be withdrawn). The present convention - making technique is so far poorer than that of our ancestors in the past. The writing is non - standard, dry, and diffuse; words are used incorrectly. Meanwhile, the writing of the previous conventions is really succinct, concise with rhymes; it sounds like the legal writing style and the instructions written in rhyme. When reading or listening to the previous village conventions, therefore, uneducated peasants could “know by heart” and could realize their rights and duties, what they could and had to do as well as what they couldn’t do and should avoid.

It has been a quarter of a century, since the Renovation was initiated as a significant breakthrough in agriculture, resulting in

great changes in agriculture, rural areas, and peasants' life. Favorable conditions were made for re-establishment of villages and village conventions. Village conventions have, consequently, demonstrated an important position in rural social life. At present, however, it is necessary to conduct comprehensive and serious research on positive as well as negative impacts of the village conventions, aiming at finding out a new appropriate measure to determine the role of village conventions in the coming time. From the history - anthropological perspective, I would like to raise some points for consideration, as below:

1. At present, village still remains as a major residence unit in rural areas; it keeps an important position and plays a significant role in social management as well as preservation and development of cultural values. Yet, the village power has been more limited. As a village used to be a commune (the grass - roots administrative unit) in the feudal time, it had full powers to deal with activities of the community; the boundaries between administration and self - government as well as between the law and customs were really "unclear"; village conventions were therefore considered as "the code" to handle the village's work. As a result, administration sometimes had to rely on self - government and "self - government sometimes transgressed administration and the law". By now, a village (a semi - administrative unit) is just a part of a commune; it therefore has to follow the administrative management of the commune; and, customs cannot rule the law now.

2. In the past, feudal governments established communes to take control over villages, keeping security and forcing the villages to complete their taxation and

soldiering duties, but they did not aim at supporting development of the villages. At present, villages are "more open", owing to commodity economic development and democratization. Our State has promulgated appropriate policies and measures to accelerate socio - economic development of every village community; villages no longer have full powers to solve their issues, but they have to follow the State directions and plans.

3. At the feudal time, village conventions and customs used to be the major tool for rural social management. The advantage of this type of social management is that it could promote rural self - government and improve the village initiative. Yet, it made villages more closed and more isolated, resulting in the customs - based lifestyle that made people not conform to the law.

At present, rural social management is done mainly by administration and law. Thus, the boundaries between administration and self - government and between customs and the law as well as powers assigned to village authorities and commune authorities must be defined clearly and specifically. In fact, village conventions contribute a part towards handling the boundaries. Village conventions play the transitional role, complementing and concretizing the law as well as applying the law into practical situations of every village in order to enhance peasants' awareness of the law, since they are still used to relying on customs, neighborly relations and kinship. In the coming time, commodity economic development will take place much more rapidly and vigorously. At that time, rural people will be no longer tied closely to villages and customs; village conventions, consequently, will be less significant; there

will be only terms on preservation and development of cultural values together with some regulations (that are neither opposed to the law nor the village common interests) for each group of people and each institution in the community.

2. Traditional village was obviously a “closed” community, due to its self - reliant economy based on mainly agriculture and “village internal marriage”. By now, this closeness has been broken not only because of the disappearance of the two above - mentioned factors but also due to the current context of multi-dimensional information as well as diversified and complicated residence composition.

3. Compared with the small agricultural villages re-established over a quarter of a century ago, the present villages have changed comprehensively and profoundly, especially in some aspects as below:

- Agriculture is no longer considered as a major economic activity in a lot of villages; the income earned from agricultural work is no longer the main source of income for a majority of households. A high proportion of rural households do not have farmland for agricultural production or they are completely separated from farmland and agriculture (a large part of rural people do not know how to do farming; even, young people do not know the names of agricultural equipment). Most of young laborers leave the village for business. This has been causing great impacts on family relations, child education and community life, especially in the cultural aspect.

A quarter of a century ago, peasants together did agricultural work in the farmland and they spent the whole life within an area of the village surrounded by bamboo groves. They had similarities in job, income, relations, cultural appreciation, and emotional identification, etc. By now,

people in the same village earn a living by different jobs and in different areas; they have different social relations; their incomes are also different. As a result, similarities and mutual identification among rural people have been seriously lowered. The gap between the rich and the poor has increased; development differences and inequality between social strata, between different local areas, and even between people in the same village have been increasingly higher. Besides traditional institutions, other new institutions are formed on the basis of economic activities and social classes, making a contribution to cultural and social restructuring.

- Socio - economic changes have caused great impacts on cultural life. In addition to the impact caused by globalization, the transition from wet - rice farming economy to industrial economy and the change from the empirical thinking to the scientific thinking have been turning cultural values from side to side and diverting standards of values. Rural traditional cultural values cannot meet the requirement of being a lever for development now. In the meanwhile, industrialization and modernization haven't created new values and a new cultural structure. This has raised a big question about how to preserve, inherit and develop traditional cultural values as well as how to adopt cultural values from outside.

- Finally, Viet villages are greatly diversified in terms of types (from the perspective of environmental landscape, location, economic and religious background, and history). The content of ancient village conventions shows clearly those particularities. At present, Viet villages are influenced much by industrialization and modernization. Each type of villages as well as each village has its own approach to it. Although villages are being made “homogeneous”, therefore,

there are still traditional particularities, which should be taken into account for development policy - making and village convention drafting.

References

- [1] Nguyen Tu Chi (2003), “Góp phần tìm hiểu văn hóa và tộc người (“Making a Contribution to the Study of Culture and Ethnic Groups”), *Review “Culture and Arts”*, the Cultural and Information Publishing House, Hanoi.
- [2] Bui Xuan Dinh (1985), *Lệ làng phép nước (Village Customs and National Law)*, the Legal Publishing House, Hanoi.
- [3] Bui Xuan Dinh (1998), *Hương ước và quản lý làng xã (Village Conventions and Village Management)*, the Social Science Publishing House, Hanoi.
- [4] Bui Xuan Dinh (1998), “Bàn thêm về mối quan hệ giữa làng và xã qua quy mô cấp xã thời phong kiến” (“Further Discussion on the Relation between the Village and the Commune, according to the Commune Size at the Feudal Time”), *Nghiên cứu Việt nam - một số vấn đề kinh tế - xã hội - văn hóa (Vietnam Study – Some Socio - Economic and Cultural Issues)*, the World Publishing House, Hanoi, pp. 97 - 107.
- [5] Bui Xuan Dinh (2005), *Nhà nước và pháp luật thời phong kiến ở Việt Nam, những suy ngẫm (State and Law at the Feudal Time in Vietnam: Some Reflections)*, the Legal Publishing House, Hanoi.
- [6] Bui Xuan Dinh (2008), “Lê Thánh Tông với việc giải quyết mối quan hệ giữa pháp luật với phong tục, tập quán” (“King Le Thanh Tong with Solutions to the Relationship between the Law and Customs”), *Quốc triều hình luật - những giá trị lịch sử và đương đại góp phần xây dựng nhà nước pháp quyền ở Việt Nam (The Dynastic Criminal Law - the Contemporary and Historical Values in Contribution Towards Building the Rule of Law in Vietnam)*, the Legal Publishing House, Hanoi.
- [7] Phan Dai Doan (2001), *Làng Việt Nam, một số vấn đề kinh tế, xã hội và văn hóa (Village in Vietnam: Some Socio - Economic and Cultural Issues)*, the Social Science Publishing House, Hanoi.
- [8] Nguyen Si Giac (translation) (1959), *Hồng Đức thiện chính thư (Hong Duc Good Policies)*, Nam Ha Printing House, Saigon.
- [9] Nguyen Ta Nhi and Dang Van Tu (1993), *Hương ước cổ Hà Tây (Ha Tay Ancient Village Conventions)*, Ha Tay Provincial Department of Information and Sports.
- [10] Ngo Duc Thinh (Editor, 2000), *Luật tục và việc phát triển nông thôn hiện nay ở Việt Nam (Customary Law and Rural Development at Present in Vietnam)*, the National Political Publishing House, Hanoi
- [11] Dao Tri Uc (Editor, 2003), *Hương ước trong quá trình thực hiện dân chủ ở nông thôn Việt Nam hiện nay (Village Conventions in the Process of Democratic Implementation in Rural Areas in Vietnam at Present)*, the National Political Publishing House, Hanoi.
- [12] The Department of the Party History, Thai Binh Provincial Committee of Communist Party (1970), *Thái Bình năm lần đón Bác (Thai Binh with Five Visits of Uncle Ho)*, Thai Binh.
- [13] Ministry of Culture and Information (1998), *Một số giá trị văn hóa ở cơ sở nông thôn hiện nay (Some Cultural Values in Rural Areas at Present)*, the Ethnic Cultural Publishing House, Hanoi.
- [14] (1991), *Quốc triều hình luật (Dynastic Criminal Law)*, the translated version, the Legal Publishing House, Hanoi.
- [15] Ha Bac Provincial Department of Information and Sports (1993), *Xây dựng quy ước làng văn hóa ở Hà Bắc (To Build Conventions of Cultural Villages in Ha Bac)*, Bac Giang.

