

RESOURCE GOVERNANCE AS DEPOLITICIZED DEVELOPMENT:  
THE RISE OF FISHERIES CO-MANAGEMENT IN VIETNAM

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RESOURCE GOVERNANCE AS DEPOLITICIZED DEVELOPMENT:  
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The rise of new, hybrid modes of environmental governance involving multiple actors is commonly attributed to a changing role of the state, in which it no longer assumes sole responsibility as custodian of the nation's environment and natural resources. This dissertation addresses the question of whether the reverse may also be valid, namely whether the rise of these new forms of environmental governance may in fact be spurring a rethinking of the role of the state, and a consequent change in the relationship between society and the state. To do so I examine the emergence of co-management—a form of governance where management responsibility and authority is shared between the state and a community of resource users—in Vietnam's fisheries, and ask if and how it may be changing the nature of the Vietnamese state. In-depth interviews, documentary analysis, and participant observation of events at several co-management pilot projects in the Mekong River Delta reveal a dominant discourse that portrays co-management initiatives as mere development interventions, and which lacks serious consideration of both their political ramifications and the historical context in which they occur. By examining the lineage of this discourse, the various societal relations that co-management will invariably impact, as well as the power relations between

co-management actors operating at different scales, I argue that co-management represents a much farther-reaching transformation of state-society relations than is commonly perceived. I further contend that the rise of co-management epitomizes Vietnam's peculiar approach to policy innovation, where local-level experimentation tests the limits of that which is officially sanctioned under law, but is eventually co-opted into policy if it can be shown to work. The uncertainty engendered by the lack of clear policy guidance amidst the imperative to innovate represents a 'creative tension' that a few policy entrepreneurs have begun to successfully exploit. I conclude that the rise of co-management augurs a shift in power, accountability, and legitimacy that will see the Vietnamese state playing an ever greater yet more meaningful role in the lives of its citizens.

## BIOGRAPHICAL SKETCH

The author, Edmund Joo Vin Oh, was born on November 9, 1973 in Ipoh, Perak, Malaysia. He attended Universiti Sains Malaysia in Penang, Malaysia and graduated with a Bachelor of Applied Science degree in Environmental Biology with a minor in Journalism. He then attended the UNESCO–IHE Institute for Water Education in Delft, The Netherlands and graduated with a Master of Science degree in Environmental Science and Technology. Following this degree, he worked at Paya Indah Wetlands, a wetland park in Selangor, Malaysia, in the areas of water resource management, organizational development and environmental education. Thereafter, Edmund attended the University of Cambridge in the United Kingdom and graduated with a Master of Philosophy degree in Environment and Development. He then worked as a researcher specializing in institutions and governance at The WorldFish Center, an international research organization focusing on fisheries and aquaculture in developing countries, first in Penang, Malaysia, and then in Phnom Penh, Cambodia. Edmund began doctoral studies in Development Sociology at Cornell University in 2006, and was awarded a Fulbright Malaysian Graduate Student and Research Program Grant, a Milton L. Barnett Scholarship, and a WorldFish Center Doctoral Research Fellowship. He pursued his doctoral research in rural and environmental sociology focusing on fisheries co-management in Vietnam under the direction of Charles Geisler, Linda Williams, Fouad Makki, and Blake Ratner.

Dedicated to the good people of Ithaca, New York, whom my family and I have grown to know and love, and to the memory of my grandmother Sally Lim Siew Hong (1923–2007) whose passing on the very first day of my dissertation fieldwork has been a poignant reminder of her constant enjoinder to do good work, hard.

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## LIST OF ABBREVIATIONS

|           |  |
|-----------|--|
| ADB       | Asian Development Bank   |
| ASEAN     | Association of South-East Asian Nations  |
| AusAID    | Australian Agency for International Development  |
| BMUB      | Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit (German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety) |
| BMZ       | Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (German Federal Ministry for Economic Cooperation and Development)                              |
| CGIAR     | Consultative Group of International Agricultural Research  |
| DARD      | Department of Agriculture and Rural Development  |
| DECAFIREP | Department of Capture Fisheries Resources Exploitation and Protection  |
| DED       | Deutscher Entwicklungsdienst (German Development Service)  |
| DONRE     | Department of Natural Resources and Environment  |
| EU        | European Union   |
| FAO/RAP   | Food and Agriculture Organization of the United Nations, Regional Office for Asia and the Pacific  |
| FSPS II   | Fisheries Sector Programme Support (Phase II)  |
| GIZ       | Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (German Society for International Cooperation)  |
| GTZ       | Deutsche Gesellschaft für Technische Zusammenarbeit GmbH (German Society for Technical Cooperation)  |
| ICLARM    | International Center for Living Aquatic Resources Management   |
| IFM       | Institute for Fisheries Management   |

|         |  |
|---------|--|
| IIED    | International Institute for Environment and Development                            |
| INGO    | International non-governmental organization  |
| InWEnt  | Internationale Weiterbildung und Entwicklung (Capacity Building International)     |
| IUCN    | International Union for the Conservation of Nature                                 |
| Lao PDR | Lao People's Democratic Republic   |
| MARD    | Ministry of Agriculture and Rural Development                                      |
| MOFI    | Ministry of Fisheries  |
| MONRE   | Ministry of Natural Resources and Environment                                      |
| MPAs    | Marine protected areas   |
| MRC     | Mekong River Commission  |
| MRRF    | Management of River and Reservoir Fisheries component of MRC's Fisheries Programme |
| MSC     | Marine Stewardship Council   |
| NGO     | Non-governmental organization  |
| PPC     | Provincial People's Committee  |
| RIA2    | Research Institute for Aquaculture No. 2   |
| SCAFI   | Strengthening of Capture Fisheries Management component of FSPS II                 |
| SOEs    | State-owned enterprises  |
| UNCED   | United Nations Conference on Environment and Development                           |
| VIFEP   | Vietnam Institute for Fisheries Economics and Planning                             |
| WWF     | Worldwide Fund for Nature  |

## CHAPTER 1

### INTRODUCTION

#### **The state and environmental governance at a crossroads**

The meaning and nature of environmental governance has undergone a profound transformation in the last quarter of a century. What used to be primarily the responsibility of the state is now increasingly seen as also encompassing the domains of civil society and the market through new, hybrid modes of governance that involve networks of multiple actors or institutions (Lemos & Agrawal, 2006). This transformation is commonly attributed to a broader shift in the nature and reach of state power that, in turn, has occurred largely as a result of the growth and spread of neoliberalism (McCarthy & Prudham, 2004; Peck & Tickell, 2002; Rhodes, 1996; Wolf & Bonanno, 2014). On the one hand, the state is characterized as “shrinking”, “retreating”, or being “hollowed out”, and its importance vis-à-vis other actors with respect to making and implementing decisions on the environment is consequently diminished and diminishing (Agrawal & Lemos, 2007; Rhodes, 2007). On the other hand, however, modernity has introduced in its wake new risks and magnitudes of uncertainty such that reliance on a sole actor—i.e., the state—to solve environmental problems and crises is no longer tenable, nor is it practical. Enter network governance—hybrid forms of governance that involve collaborative partnerships between two or more of the three main arenas of social interaction, namely the state, markets, and communities. These forms of

governance are considered innovative not only because they consist of multiple partners, but also because their polycentric nature and degree of participation give them the capacity and legitimacy to address the multi-scalar nature of many of today's environmental problems (Lebel et al., 2006). The rise of such hybrid, networked forms of environmental governance is therefore widely understood in the literature to be a consequence of, and/or a response to, the evolving nature of the state (Agrawal & Lemos, 2007; Lemos & Agrawal, 2006).<sup>1</sup>

This dissertation addresses the question of whether the reverse may also be true, namely whether the state may also be changing as a consequence of, and/or a response to, the rise of these new hybrid forms of environmental governance. What implications might these developments entail, for example, with regard to the notions of sovereignty, legitimacy, citizenship, and democracy? To answer these questions I consider the emergence of co-management (one such hybrid form of environmental governance involving the state and communities of resource users) in Vietnam (a socialist state undergoing a transition towards a neoliberal market economy yet still retaining significant elements of its socialist ideals). More specifically, I examine the rise of co-management in Vietnam's fisheries and aquatic resources sector, and how it may become a nascent paradigm for environmental governance in the broader sense. On one hand I examine why and how the state has both resisted and

---

<sup>1</sup> The spread of such hybrid forms of governance has also been attributed to the growth of polycentric thinking inspired by the work of Elinor Ostrom (see Ostrom, 2010). This burgeoning body of work has demonstrated the importance of polycentric governance arrangements—institutional arrangements with multiple and multilayered centers of authority with overlapping jurisdictions—in the sustainable management of the commons in various parts of the world (Robson et al., 2014).

facilitated its emergence. On the other hand I examine how the emergence of co-management may in turn be contributing to a rethinking of the role of the state in environmental governance, of notions of participation and democracy, and therefore towards a broader and more fundamental transformation of the state itself. Importantly, because the sharing of power is central to the notion of co-management, I also examine how the introduction of co-management can unsettle and reconfigure existing power relations and what implications this may have on the longer-term viability of the concept itself.

### **Co-management as a development intervention**

*“Biển bạc của ta do nhân dân ta làm chủ.”* (“Our people are the sovereign masters of our silver seas.”) — A well-known quotation by Ho Chi Minh, on a framed poster prominently displayed at the entrance to the Department of Capture Fisheries Resources Exploitation and Protection (DECAFIREP) in Hanoi.

For a country where the state constitutionally has exclusive control over natural resource governance, the emergence and spread of a mode of governance that not only allows but also necessitates the participation of local resource users in decision-making must surely be a rather surprising—if not profoundly anomalous—development. Yet much of the discourse in the official and semi-official literature in Vietnam portrays the state’s experimentation with co-management simply as a pragmatic attempt to find a better and more practicable solution to the growing problems of resource scarcity, overexploitation and conflict. Co-management—understood in Vietnam as the sharing of responsibility and authority between the state and a community of resource users over the

management of a defined resource—has been gradually gaining appeal within policy circles over the past twenty years. However, discussion of co-management tends to be confined within the relatively cloistered domains of economic sectors—forestry and fisheries being notable examples—and only recently has there been some effort to integrate and exchange lessons learned across sectors (see, e.g., Spelchan, Nicoll, & Nguyen Thi Phuong Hao, 2011). Even so, such exchange still remains primarily at the technical level, that is, over what works, what doesn't, and what can be done to make co-management work better.

This situation may be attributed to the fact that co-management in Vietnam has been implemented largely as a result of considerable advocacy, advice, expertise, and expense on the part of multi- and bilateral development assistance organizations as part of their agenda to promote sustainable development in the global South. As a result, co-management initiatives typically assume the shape of a pilot project to which a dedicated expatriate staff and various foreign consultants are attached, ostensibly to provide technical support to the Vietnamese local government agency charged with overseeing the project. Dependent on such assistance to maintain much of the operating budgets of local agencies, the government is naturally inclined to demonstrate some commitment towards governance reform, upon which the continuation of such aid is often contingent. At the same time, being accountable to their respective governments, donor organizations want to see quantifiable progress towards such objectives as promoting accountability, encouraging participation, empowering local communities, developing institutional capacity, and so forth (see, e.g., Kühl, 2009). The clout that these

organizations collectively wield in influencing policy is not trivial, yet for various reasons their foothold in the policy process is at times tenuous (Bartholomew & Lister, 2005).

The donor-government relationship, therefore, while still healthy, resembles a delicate diplomatic balancing act in which each party attempts to obtain optimal mileage out of it while taking care not to step on each other's toes. For both the Vietnamese government and these donor organizations, co-management projects represent a useful and pragmatic way to further their respective agendas. It is also in both parties' interest to keep co-management couched within a highly technical discourse, for a number of reasons: First, such a discourse confines the sharing of power within the relatively 'safe' realm of resource management, and no further. Second, by defining co-management in terms of knowledge, the discourse serves to acknowledge and legitimize relations of power, both between the foreign 'experts' and the local officials, as well as between the state and the people.

Because of its origins, co-management in Vietnam is considered first and foremost a development intervention, one in which the imperative to act—or rather, to demonstrate activity and results—often takes precedence over the need to critically reflect upon the deeper meanings behind the activity and how these interact with the broader nexus of social and cultural meanings in which it intervenes.<sup>2</sup> By treating co-management as if it were a technical solution to a technical problem, this 'interventionist' discourse at once accomplishes two things: First, it effectively depoliticizes

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<sup>2</sup> For Giri and Quarles van Ufford (Giri & Quarles van Ufford, 2004, p. 2), this growing separation between action and reflection is at the heart of what they call development's "moral crisis" (see also Quarles van Ufford, Giri, & Mosse, 2003).

co-management, rendering invisible the web of power relations in which co-management arrangements inevitably become embedded, and which they invariably reconfigure. Second, it also dehistoricizes co-management's emergence and disembeds it from the specific particularities of the time and place in which it appears.

Stripped of its dimensions of power, space, and time, co-management thus becomes a neutral and unthreatening concept that can easily be transplanted across regions, cultures, and even political ideologies. Thus handbooks and instructive overviews have been written (e.g., Abrams, Borrini-Feyerabend, Gardner, & Heylings, 2003; Pomeroy & Rivera-Guieb, 2006) that aid practitioners in engendering the right conditions for co-management to work. The rhetoric of participation and empowerment appeals to donors, eager to justify their taxpayers' investment in international development. Poorly funded and understaffed local authorities are attracted by the promise of funding and the opportunity to benefit from developed-world knowledge, expertise, and training. Finally, the ostensible ideological neutrality of co-management provides some reassurance to those in central government that co-management, alien though it may be, might just be made to work in Vietnam. It is hardly surprising, therefore, why such a conceptualization of co-management might hold such appeal among development practitioners, foreign donors, local authorities, and even state policy-makers alike.

## **How I arrived at the research problem**

All researchers bring to their research enterprise a complex personal history that influences to a certain extent the types of questions that are asked, the choice of methods that are used to address the questions, and even how their findings are interpreted. It is therefore only proper that I explain how I became interested in fisheries co-management, why I chose Vietnam as my site of study, and how I eventually came to focus on the intersection between environmental governance and the state.

As previously emphasized, context is crucial to understanding the implications of co-management's introduction in Vietnam. In the chapters that follow, I explore different aspects of the political and historical context in which co-management has taken place. Yet if this project is to yield credible findings, I would be remiss to be sensitive merely to the context of the processes under study without paying similar or even more attention to the context of the inquiry itself. Tilly and Goodin (2006) provide a germane insight that distinguishes between different types of context:

Valid answers [to political questions] depend triply on context, with regard to understandings built into the questions, with regard to the evidence available for answering the questions, and with regard to the actual operation of the political processes (p. 6).

While the third type of context referred to above (that of co-management's introduction in Vietnam) underlies much of the rest of the dissertation, here I focus on the first two types of context: first, that which gave rise to and shaped my own understanding of the issue; and second, that within which I was able to avail myself of the evidence that I present in this dissertation to make my case.

The first type of context concerns how I came to encounter fisheries co-management in Vietnam in the first place, what motivated me to want to ask the questions that I ask in this dissertation, what values underlie my research,<sup>3</sup> and what broader normative aims I hope this work will address beyond contributing to scholarship. Put differently, therefore, contextualizing my own understanding of my research topic represents my attempt to reflect on, make sense of, and disclose *why* I undertook this research.

Tilly and Goodin's second type of context can be understood both as the constellation of opportunities and constraints that shaped what evidence was available to me as well as the choices I made on which methods to use to obtain such evidence. In other words, contextualizing the availability of evidence concerns *how* I undertook this research and *how* the research process eventually unfolded.

Crucially, these three different types of context interact in a variety of ways. Choosing to employ a primarily qualitative approach to my inquiry, for example, is both a consequence of the types of initial questions I chose to ask, as well as a determinant of what further questions I came to consider. The constraints and opportunities I encountered first-hand in the field constituted a sobering reality check that led me on several occasions to reconsider and recalibrate why I was doing this research in the first place. Finally, my very interaction with the people I encountered in my

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<sup>3</sup> Apart from recognizing that no research is independent of the values that the researcher holds, being explicit about my own values and normative goals also reflects my aspiration for this research to contribute not only to scientific and instrumental knowledge (*episteme* and *techne*, respectively), but also to the kind of action-oriented wisdom that is rooted in values—what Aristotle calls the intellectual virtue of *phronesis* (see Flyvbjerg, 2001; Jentoft, 2006).

research may well have had an effect, however small, on how co-management is being adopted in Vietnam.

### ***Why I undertook this research***

Admittedly, when I began my doctoral studies I did not envision my dissertation taking its present form. Although co-management was one of the first few topics I considered exploring, and although I eventually set out for my fieldwork confident that I had given sufficient thought and preparation to this undertaking, the research problem I ended up addressing turned out to be a rather different one from the one I initially had in mind. In this section I explain the various motivations—both internal and external—that led to this evolution in my thinking.

Building on my interest in resource governance and my longstanding fascination with wetland ecosystems,<sup>4</sup> I knew at the outset that I wanted to base my research around the general area of wetlands governance. I was inspired to conduct my research in the vicinity of the Mekong region as, having previously lived and worked there, I had been able to witness some of the manifold issues facing resource managers and gained some sense of the rich historical context that has shaped its modern-day society. Eventually, I decided to focus on Vietnam. I found it fascinating to see the speed at which the country and its society was being transformed as it liberalized its economy; I wondered what these changes meant for rural livelihoods and the environment.

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<sup>4</sup> I have reflected elsewhere on my interest in wetlands and how it has influenced my career and worldview (Oh, 2007).

My interests, however, were not the only matters I had to consider. As a recipient of a research fellowship from the WorldFish Center—the research organization at which I was employed prior to beginning my doctoral studies—I was also expected to plan and conduct my dissertation research in collaboration with this organization.<sup>5</sup> My dissertation topic would therefore need to be aligned in some way with WorldFish’s research priorities.

It helped, of course, that co-management was not an entirely alien concept to WorldFish. On the contrary, over several decades WorldFish researchers had published a significant amount of highly-cited research on fisheries co-management in various developing countries. In Vietnam, as I elaborate in Chapter 4, WorldFish even played an instrumental role in putting co-management on the policy agenda. Nevertheless, much of this early research was focused on determining the effectiveness of co-management, and what enabling conditions needed to be in place for co-management to ‘succeed’ at the local level. In a paper I co-authored with two WorldFish researchers (Ratner, Oh, & Pomeroy, 2012), we identified a distinct shift from these early research concerns towards a “second-generation perspective” on fisheries co-management that sought to understand and influence change in the broader institutional and governance context beyond that of local-level fisheries.

In line with such a shift in perspective, I proposed a dissertation project that sought to disentangle how fisheries co-management in

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<sup>5</sup> My fieldwork was partially funded through a Doctoral Research Fellowship from the WorldFish Center, for which I am very grateful. Beyond this funding, this dissertation also benefited greatly from discussions with various WorldFish researchers to whom, likewise, I owe a debt of gratitude.

Vietnam could be ‘scaled up’ from local-level experiments and ‘mainstreamed’ into national-level policy. Not only had relatively little work been done in this area where Vietnam was concerned, but such a project had the added advantage of potentially contributing to WorldFish’s focus at the time on “multi-level and multi-scale governance.”<sup>6</sup> Given several indications at the time that co-management in Vietnam’s fisheries sector was on the cusp of ‘breaking into’ the national policy arena, I felt that it was a suitable and historically opportune time to give this process the scrutiny it deserved. And so I set out for Vietnam to do just that. What I was to encounter in the field, however, made me rethink what turned out to be several rather naïve assumptions.

### ***How the research process unfolded***

When I arrived in Ho Chi Minh City to begin my fieldwork in June 2009 I had (or thought I had) a fairly good idea of the questions I would be seeking to answer even if I wasn’t yet entirely sure how I would go about answering them.<sup>7</sup> Given my own motivations and the parameters within

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<sup>6</sup> One of six ‘projects’ or priority research areas outlined in the WorldFish Center’s 2009–2011 Medium-Term Plan, this particular ‘project’ seemed most apropos to understanding co-management in its wider institutional context in Vietnam. One of the project’s stated objectives was “to improve understanding of key policy processes, particularly decentralization and democratization, and the opportunities and constraints they provide for small-scale fisheries and aquaculture in the context of development policy in key countries.”

<sup>7</sup> I had, of course, decided by then to adopt a primarily qualitative approach to my research, with semi-structured interviews, documentary analysis, and participant observation as my key strategies for data collection. These decisions were based both on my previous professional experience as a WorldFish research analyst in Vietnam as well as five weeks of preliminary and exploratory fieldwork in the Mekong Delta two years earlier. I describe these methods and my rationale for choosing them in more detail in Chapter 2. What I had not known at the beginning of my fieldwork was which sites I would focus on and who I would be interviewing and observing.

which I was able to operate, I had decided to focus on scale as the central organizing theoretical concept around which to build my dissertation. I made this decision partly in response to a growing recognition in the literature of both the multi-scalar nature of environmental problems as well as the need to adopt a consequent multi-scalar approach to environmental governance.

Co-management, as it turns out, happens to be especially suited to the study of scale. As I argue in Chapter 5, co-management is an inherently scalar process insofar as it is a bridging strategy that promotes interplay between actors and institutions operating at different scales. The various co-management initiatives being implemented or planned in Vietnam afforded me the opportunity to examine several types of challenges being faced with regards to scale. These included the challenges of ‘downscaling’, that is, adapting policy formulated at the national level to make it relevant to the needs and conditions at specific local sites; ‘upscaling’, that is bringing local lessons to bear on higher levels of policy (Gupta, 2008); and ‘fit’, or instituting governance arrangements appropriate to the scale of the relevant biophysical processes of specific environmental problems (Cash & Moser, 2000; Galaz, Olsson, Hahn, Folke, & Svedin, 2008; Tomich et al., 2004).

Notwithstanding the opportunity to study and possibly address these challenges, however, I chose instead to examine the prior issue of how scales of environmental problems came to be defined in the first place. A growing literature had been giving credence to the notion that scale is a product of the interactions between social and environmental processes, and is implicated in the production and reproduction of relations of power

(Bulkeley, 2005; Engel-Di Mauro, 2009; Lebel, Garden, & Imamura, 2005). Where co-management was concerned, therefore, I wanted to understand how the concept of scale was being used, negotiated, and possibly contested within the policy and practice of fisheries co-management in the Mekong Delta, and what implications that may have on the configurations of power. By understanding better how and why certain conceptions of scale were held by certain actors and why certain conceptions of scale became dominant and were able to influence policy, I hoped to generate insights into how cross-scale linkages in the implementation of co-management could be better built so as to contribute to more equitable and sustainable outcomes, both in terms of people's livelihoods and the environment. Such was the research problem I posed in my dissertation proposal, and which I set out to make sense of as soon as I began my fieldwork.

With time and exposure in the field, however, I began to wonder if I may have been asking the wrong question. The more I spoke with people about co-management and observed their interactions and deliberations, the more I came to appreciate just how much the adoption of co-management both depended on, as well as had the potential to influence, the context of the broader transformations that Vietnam had been undergoing. The establishment of co-management resource user groups, for example, rekindled memories of collectivized agriculture for many. Allocation of use rights encountered resistance from those who perceived co-management as challenging the constitutional stipulation that the state held exclusive ownership rights to land and all natural resources. These seemingly minor obstacles were clearly more than mere misunderstandings that could be explained away with more and better communication. Rather,

they signified that much more was at stake than sustainable resource use. To view co-management—as I had hitherto been doing—merely as an enlightened approach to governing natural resource use seemed to be missing the forest for the trees.

It then dawned on me that co-management—especially in the case of Vietnam—represented a fundamentally different way of conceptualizing the relationship between the state and its citizens, most pointedly the rural resource-dependent poor. This piqued my desire to understand what broader ramifications co-management might have on state-society relations should it eventually become adopted as a ‘mainstream’ approach to resource governance. How, for example, would citizens view and perform their roles vis-à-vis the state once they became accustomed to jointly deliberating and making decisions as partners with the state? What new sources of state legitimacy would co-management give rise to?

Interestingly, such considerations were conspicuously absent not only in the co-management project literature in Vietnam, but also in the discussions I had with those involved in advocating, implementing, or participating in co-management. Why, I wondered, was there such a preoccupation with the technical, organizational aspects of co-management almost as if co-management were an end unto itself? Why wasn’t there greater recognition of the deeper governance issues embedded in co-management and its potential of transforming the relationship between society and the state?

Thinking along these lines eventually led me to the literature on the depoliticization of development, in the light of which the silence on the politics of co-management seemed to make much more sense. Several

authors have written in various contexts about the pernicious way in which development is often discussed and portrayed in sanitized terms that divorce it from the larger political context in which it occurs. Some of the most insightful treatment of the subject can be found in the work of authors such as Leftwich (1994, 1995), Hout (2009, 2012), Li (2007, 2011), and Mosse (2003, 2005). Yet perhaps the single most influential work in this vein is that of Ferguson (1994). Ferguson's central contention is that by "suspending" politics from both poverty and the state, the "development" apparatus is able to both continually legitimize itself as well as pervade and influence the structures of power within the state. As he puts it:

By uncompromisingly reducing poverty to a technical problem, and by promising technical solutions to the sufferings of powerless and oppressed people, the hegemonic problematic of "development" is the principal means through which the question of poverty is de-politicized in the world today. At the same time, by making the intentional blueprints for "development" so highly visible, a "development" project can end up performing extremely sensitive political operations involving the entrenchment and expansion of institutional state power almost invisibly, under cover of a neutral, technical mission to which no one can object (Ferguson, 1994, p. 256).

Ironically, the depoliticization of development is especially pronounced in the discourse on *governance*—something that some have argued should in fact be regarded as "an utterly political activity" (Hyden, Court, and Mease, 2004, cited in Hout, 2010, p. 13).<sup>8</sup> The World Bank's

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<sup>8</sup> Interestingly many academics, in contrast to policy makers working on international development, subscribe to a notion of governance in which politics plays a much more central part (Hout, 2010). The political scientists Hyden, Court, and Mease, for example, have defined governance as "the formation and stewardship of the formal and informal rules that regulate the public realm, the arena in which state as well as economic and societal actors interact to make decisions" (Hyden, Court, and Mease, 2004, cited in Hout, 2010, p. 3). As such, governance is "a meta-level process" that should "explicitly be distinguished from policy making, public administration and management, [since] the latter operate, as instruments, within the rules regulating the public realm" (Hout, 2010, p. 13).

approach to “good governance,” for example, “presents governance almost as if it were an autonomous administrative capacity, detached from the turbulent world of politics and the structure and purpose of the state” (Leftwich, 1994, p. 364). Leftwich (1993, 1994) reminds us to distinguish this more limited, administrative, and depoliticized conception of governance espoused by the World Bank from a broader conception of governance that includes an emphasis on democratic politics. By depoliticizing development, we risk the systematic erasure of this latter conception of governance from public discourse. The stakes, as Straume and Humphrey (2011) depict, are considerable:

The politically active public sphere is, among other things, the very condition for society’s collective reflections upon its use of power, its laws, its education, principles of fairness and responsibility, and many other things. Depoliticization then represents a decline in activity in all of these matters. When political activity recedes, so does the scope of political visions, limiting alternatives and ideas for socio-cultural creation. Depoliticization is therefore a disinvestment in the political as such, a loss of political significance, and a loss of political stories and myths (p. 18).

These collective reflections on the range of political possibilities, I came to realize, are what co-management is uncommonly positioned to spark and to stimulate in Vietnam. And yet I found that the very actors who were championing and implementing co-management were seemingly complicit in its depoliticization—consciously or otherwise. Given the idiosyncratic nature of policy-making in Vietnam (see Chapter 6), one plausible explanation was that co-management’s advocates may have been pragmatic in keeping co-management depoliticized and as insulated as possible from any consideration of how it may impinge on the state and its broader structures of power. Such a strategy, it seemed, would increase the

chances of co-management eventually making its way from local pilot experiment to national policy. Put another way, politicizing co-management might risk it being perceived as a threat to the status quo that many in positions of power would rather retain. Provoking opposition in such a manner could ultimately result in the demise of co-management as a nascent policy idea. In practical terms, therefore, depoliticizing co-management made sense.

In contrast to co-management's proponents, however, I had no particular vested interest in ensuring the eventual adoption of co-management into mainstream policy. Rather, I was genuinely curious about what effects co-management would have on the broader society and its relation to the state once it became more widespread and accepted. Given my privileged vantage point as a disinterested observer, from which I was able to witness a remarkable and historical policy process unfold—albeit for a relatively brief period—I decided to change tack mid-way through my fieldwork and begin asking the questions that few others seemed to be asking.

### ***My research question***

The research question I eventually chose to address is, in a nutshell: Is the introduction of co-management in Vietnam's fisheries changing the nature of the Vietnamese state, and if so, how? The choice of tense is deliberate and critical—the problem thus concerns a process that is both ongoing at the time this dissertation is being written as well as how it will likely play out in the future. Specifically, I seek to understand how the rise of co-management may be spurring a rethinking of, on the one hand, the role of

the state in environmental governance, and on the other hand, state-society relations themselves.

I ask these questions not merely out of academic interest, but because they concern a historically significant process that may have real consequences for the future of Vietnam, its people, and its environment. Despite enjoying a period of relative peace after decades of violent conflict, Vietnam is in an unusually dynamic state of flux. The range and extent of the social, economic, and political reforms enacted in recent years have led some to regard Vietnam as a ‘state in transition’ (see Chapter 6 for more on this). These conditions signal the existence of a historic ‘policy window’ for reform to occur where environmental governance is concerned. Given such a precious opportunity for positive change, if proponents continue to implement co-management as a mere technical solution to a natural resource management problem, ignorant or dismissive of its historical context or political ramifications, co-management risks becoming yet another development “buzzword” bereft of meaning and purpose (Cornwall, 2007), or, worse, a disguise for something more portentous regarding state power in Vietnam’s future.

### **Conceptual contribution**

The main conceptual contribution of this dissertation is a new way of thinking about the mutability of state-society relations—and by extension, the very nature of the nation-state itself. Specifically, it demonstrates the disruptive potential of a new mode of environmental governance on existing relations between society and the state and proffers a vision of the

range of possibilities that this disruption may augur. Whereas existing attempts to theorize the rise of new, hybrid modes of environmental governance like co-management regard these to be emerging *in response* to broader shifts that have decentered or displaced the nation-state as the central locus of power (see e.g., Agrawal & Lemos, 2007), the findings of this dissertation suggest instead that such modes of governance may themselves be instrumental in transforming the state through the state-society relations.

The validity of such an assertion no doubt depends to a large extent on a range of contextual factors. These may include the political system of the state in question, the existing nature of state-society relations, the history of environmental governance, the type of governance mode being introduced, and so forth. It may be argued, therefore, that the claims being made in this dissertation are too context-bound to be generalizable and to be applicable elsewhere. This dissertation, however, makes no claim to that effect, and neither is it aimed at drawing conclusions that are necessarily generalizable across all locations and times. What it does do, however, is provide a strong case that shifts in governance—in particular, though not necessarily limited to, environmental governance—have consequences that go beyond the immediate remit of the governance system itself towards transforming the very notion of what we have come to understand as the modern nation-state.

Such an argument—and indeed, such questions as have been posed in this dissertation—are admittedly a product of their time and need to be understood in this context. To begin with, the rise of new, alternative, hybrid modes of environmental governance in which the state no longer

assumes a primary role is a relatively recent 21st-century phenomenon coinciding with what some have called the “retreat” or “hollowing out” of the state (Agrawal & Lemos, 2007). The starkness of these developments, as Agrawal and Lemos (2007) point out, largely owes itself to the fact that the state assumed such a central role in environmental governance in the period following World War II. In the case of Vietnam, as I have taken pains to emphasize elsewhere in this dissertation, the rise of co-management must be seen against the background of post-*đổi mới* reforms and the growing threat to state legitimacy of climate change and resource scarcity.

Likewise, the term governance itself, despite having been in use for some time, only became widely known after the 1990s when the World Bank introduced the term ‘good governance’ as a development norm (Leftwich, 1994). Since then, the word has become something of a ‘buzzword’ in development discourse (Mkandawire, 2010), and has taken on somewhat different meanings in both policy and academic domains. Nevertheless, it bears noting that the ascendancy of the term governance has occurred at a period when broader societal changes are afoot across the globe. As Kooiman and Bavinck (2005) point out, one common perspective shared by the different variations of the term governance is “the realisation that governance has a basis in societal developments, and constitutes a reflection thereof” (p. 16). They continue, noting that “the state of contemporary governance reflects in particular the growth of social, economic and political interdependencies, and trends such as differentiation, integration, globalisation and localisation” (Kooiman & Bavinck, 2005, p. 16). It is not yet clearly understood, however, whether the

shape of governance merely reflects these broader societal developments as Kooiman and Bavinck (2005) claim, or whether it may itself have played some part in bringing about these changes. These two propositions are not necessarily mutually exclusive, i.e., one may be just as valid as the other. This dissertation represents an attempt to contribute to this conversation by advancing an argument that there may be some validity to the latter proposition. Naturally, further research is needed to shed more light on this question; certainly, studies of the introduction of other modes of governance in other countries under different political ideologies would be a promising way to proceed.

### **Structure of this dissertation**

This dissertation is structured as follows. In this introductory chapter I have described the stakes involved in the seemingly unproblematic introduction of fisheries co-management in Vietnam and why it is consequently a topic worthy of study. I also explained what motivated me to study this topic in the first place, and how and why my research question changed over time. I then described the main conceptual contribution of the dissertation.

In the following chapter on *Methodology*, I describe and justify the methods used in carrying out the research for this dissertation. I explain how underlying my research approach is a social constructivist epistemology that regards the meanings that different actors attach to certain categories as interesting and valid. Importantly, however, I also detail the process through which I arrived at my choice of method and

approach. I explain how I had to modify my initial approach to adapt to the realities I experienced in the field, which also necessitated a reformulation of my initial research question. The barriers I encountered and the reflexivity needed to navigate them were therefore as constitutive of my methodology as the approach I eventually adopted.

Chapter Three, *Co-management in the context of changing societal relations*, contextualizes the emergence of co-management in Vietnam by examining four different types of societal relations that co-management will invariably impact, namely property rights, societal structure, state-society relations, and human-nature relations. I argue that these relations are not static, but have each been shaped by historical events and have evolved along their own trajectories. I discuss the potential ways in which co-management will complicate and influence the course of these trajectories, as well as the potential ways in which co-management itself might be transformed as a consequence of its intersection with these changing relations.

Chapter Four, *Lineages of co-management: Origins and evolution of the co-management discourse in Vietnam*, traces the origins of the co-management concept in Vietnam by examining the roles of various organizations—both local and foreign—and key individuals and events in influencing the policy discourse. I locate the emergence of the co-management discourse within the broader policy shift towards decentralization and market liberalization and examine the historical factors that contributed to its present appeal. I then elaborate on my earlier claim that co-management has tended to have been introduced, implemented, and funded by development assistance organizations in the

shape of pilot development projects. Co-management is therefore regarded first and foremost as a development intervention, and I argue that this has not only shaped perceptions of it, but has also constrained its potential. I then explore several reasons why it is in the interest of the organizations involved—including various levels and agencies of the government—to keep this discourse depoliticized and dehistoricized.

Chapter Five, *Co-management and the politics of scale*, examines the power relations between different actors involved in natural resource management and the ways in which co-management have reconfigured these relations. Specifically, I examine how co-management is not simply a bilateral power-sharing relationship between a monolithic state and a homogeneous community of resource users, but involves multilayered relationships of power between myriad actors operating at different scales. I then address the question of who stands to gain and lose from co-management, and how these actors are consequently reacting to its emergence. Drawing on the theoretical contributions of geographers on the politics and social construction of scale (e.g., Bulkeley, 2005; Delaney & Leitner, 1997; Engel-Di Mauro, 2009; Lebel et al., 2005; Marston, 2000; Swyngedouw, 2004), I argue that co-management articulates power through the ways in which it intervenes in the reproduction of scale.

I conclude the dissertation by way of Chapter Six, *Co-management and the re(-in)novating of the Vietnamese state*, in which I use co-management as a lens to examine the ways in which policy innovation occurs in Vietnam. My analysis supports the observation that innovation in co-management tends to occur incrementally from below, rather than being driven by policy from above (see, e.g., Fahey, 1997). I also point out the

irony that the most innovative policies and institutions arise at the local level despite the relative inertia and ostensibly restrictive policy environment at the central level, but are then inevitably co-opted by the center as soon as they are demonstrably successful. I then bring the insights from the earlier chapters to bear on the question of whether Vietnam's experience with co-management may be leading it to rethink the role of the state in a broader sense. I also address the enigma of why the concept appears to be so popular, even among central government policy-makers, when it implies the state having to relinquish a significant amount of authority over the governance of natural resources. Indeed it also implies a reversal or perhaps even abandonment of the long-held socialist ideal of the "public ownership of the essential means of production." I suggest that the apparent ceding of sovereignty may be a necessary price for the state to pay in return for an increase in legitimacy—particularly "performance legitimacy," much of which has been eroded in recent years due to increasingly critical levels of resource scarcity and conflict among the rural poor (Thayer, 2010). I then postulate that the new spaces for participation opened up through the encounter with co-management could have a significant impact on the direction and pace of the broader social, political, and economic transitions that Vietnam is currently undergoing.

## CHAPTER 2

### METHODOLOGY

#### **Method as process**

Like my research question, the approach I took to collect and analyze my data was the result of a process in which I had to constantly reflect on and reevaluate my methodological choices, and adapt to the realities I faced in the course of my fieldwork. Rather than merely describe the endpoint of this process, that is, the research approach and methods I eventually came to use, I explain in this chapter the twists and turns I experienced—both physical and conceptual—and how navigating these helped shape the nature of this inquiry. Doing so is instructive not only because it reveals the challenges of conducting social science fieldwork in Vietnam as an independent doctoral researcher, but also because these challenges themselves speak to and illuminate the very questions that I pose. In other words, the constraints I experienced in the field were not merely unexpected practical inconveniences that forced me to seek a different approach to answer my original research questions; rather, they spurred me to ask if those were the right questions to ask in the first place. Ultimately they led me to understand just how fundamental state-society relations are to environmental governance and how futile it would be to attempt a research project on co-management that was devoid of such considerations.

## **Epistemology and approach**

The nature of my inquiry is rooted in a social constructivist epistemology in the sense that it is premised on the notion that environmental problems (Dryzek, 2005), scale (Marston, 2000), state sovereignty (Biersteker & Weber, 1996), and the very idea of the nation state itself (Anderson, 1983), are social constructs. In other words, these phenomena, concepts, or entities are continuously being created and recreated in the crucible of social interaction through what Hannigan (2006) calls “a dynamic social process of definition, negotiation, and legitimation” (p. 31). This is not to deny that each of these categories have an ontological reality of their own. They do, and consequently have material characteristics and consequences that affect our lives in ways that are all too concrete. Rather, to recognize that these are the product of social processes is to acknowledge the plurality of worldviews that give rise to multiple and often contested understandings of these categories, which in turn shape our responses towards them and thus ‘construct’ their very reality. It is thus possible, as Litfin (2004) points out, to “subscribe to both a hermeneutic epistemology (i.e., an interpretive philosophy of inquiry) and a realist ontology (i.e., a commitment to the actual existence of [environmental] problems)” (cited in Dryzek, 2005, p. 12). Such is the methodological standpoint I adopt in this dissertation.

Since what interested me were these different interpretations of reality, I chose to adopt a qualitative research approach that focused both on the interpretation of meaning and how such meaning is constructed through social processes. Such an approach would allow me to uncover and understand both the meanings attached by certain actors to certain

categories, as well as the social processes by which these meanings are arrived at, contested, and legitimated.

Given that these social processes in question are thoroughly imbued with the exercise of power, my approach was also one through which I sought to be sensitive to the operation of power and the structural relations of domination and subjugation through which they operate. As such I attempted to understand the meaning-making experiences of actors as shaped by the fault lines of class, race, and gender. As explained in Chapter 1, my aim in this dissertation is to render visible the ways in which co-management is both political in nature and historical in origin. Yet I do not merely seek to inform and augment the body of scholarship on environmental governance and the state; there is also a normative aspect to my research. By revealing the political and historical context of co-management, I hoped to sensitize those involved in its adoption so that they would be more willing and able to empower resource users and engender a genuine sharing of decision-making power between the state and the rural poor. Hence, insofar as this research interrogates relations of power and is aimed ultimately towards the emancipation of the marginalized and disenfranchised, it may be characterized as critical in spirit and approach.

### **Research design**

Based on the approach described above, and given my initial research question that focused on the politics of scale in co-management, I decided to employ two complementary strategies to collect my data.

My first strategy was to select as case studies two to three sites within the Mekong Delta where co-management was in the process of being implemented. I would gather and analyze documents related to the history and background of the respective co-management projects and interview key actors involved in the project to construct detailed case studies. I would then ‘map up’ the networks of institutions and stakeholders that bear upon local resource use along two scales of governance I identified as converging on the delta (mentioned in further detail in the following section). Participating where possible in the co-management process itself, my intention was to document the process through participant observation in addition to conducting in-depth, semi-structured interviews in order to understand the ways in which co-management was being understood and made sense of by the various actors involved.

My second strategy was to gather data on the macro-level aspects of fisheries co-management in Vietnam. This would entail gathering and analyzing policy documents from the government, civil society organizations, and donor agencies. The assumption would be that these documents would constitute a fair representation of the (development) discourse of fisheries co-management in Vietnam, the analysis of which would enable me to trace the ways in which narratives of scale may have influenced the genesis and evolution of co-management policy in Vietnam.

Two factors would aid my fieldwork: First, I was able to spend five weeks in Vietnam in the summer of 2007 conducting preliminary fieldwork. During this time I visited several wetland sites in the Mekong delta and spent time in Ho Chi Minh City and Hanoi establishing

relationships with potential contacts or reconnecting with the network of contacts I had made during my previous work with the WorldFish Center.

Second, by the time I began my fieldwork proper in June 2009, I had a reasonably fluent command of spoken (conversational) and written Vietnamese, gained through four semesters of intensive language training at Cornell University. While my familiarity with the language went a long way towards ‘opening doors’ and establishing a considerable level of trust among the people I met, I nevertheless needed to rely on the services of an interpreter when conducting my interviews.

### **The Mekong Delta as my focal study site**

Having considered working on fisheries co-management sites in various parts of the country—key among which were the mangrove forests in the Red River Delta in the North, the Tam Giang lagoon in central Vietnam, and the upland reservoirs in Dak Lak Province—I eventually decided to focus on the Mekong Delta. The delta interested me for the following reasons:

First, as the terminus of one of the largest river systems in Asia, its vast deltaic plains comprise a diversity of both natural and man-made wetland ecosystems ranging from freshwater marshes to rice fields to *Melaleuca* peat swamp forests to coastal mangrove forests—all of which provide aquatic resources critical to the livelihoods of the rural poor.

Second, the interaction between humans and nature in this region is especially intense. To begin with, it is home to some 16 million people or approximately one fifth of the population of Vietnam, most of whom live in

rural areas (Dang Nguyen Anh, Tacoli, & Hoang Xuan Thanh, 2003). It is also the most productive agricultural region in the country thanks to its fertile alluvial soils and a favorable climate. Largely because of its agricultural productivity, the region is also the most prosperous in the country; as a result it has attracted large numbers of inter-regional migrants from the less prosperous North and Central regions (Dang Nguyen Anh et al., 2003). As Sneddon and Nguyen (2001) put it, the delta is “a profoundly rhythmic socio-ecological system, one where human inhabitants have historically adapted to the daily and seasonal fluctuations of water” (p. 245). Add to this the fact that some of the heaviest fighting in the Second Indochina War took place in the delta and one can begin to fathom just how much ecological and hydrological disturbance the region has endured in recent history (Biggs, 2010; Brocheux, 1995).

Third, relative to other regions in Vietnam, society in the Mekong Delta appears to be especially divided along widening faultlines of class, religion, ethnicity, and gender. As Taylor (2004) has observed, the region is characterized by a number of paradoxes. For example, the delta has the highest proportion of farmers who have become landless since the agricultural liberalization policies that, ironically, was to have returned to farmers control over their land. Also, the region has some of the highest incomes in the country despite having the lowest rate of educational enrolment. Recognizing that the co-management discourse lacked much engagement with this growing social inequality and attendant processes of social differentiation, I address this in the following chapter (Chapter 3).

Fourth,—and perhaps as a result of some of the characteristics mentioned above—the Mekong Delta in particular and the southern region

in general has gained a reputation for being a frontier of innovation. As I discuss in Chapter 6, much of this innovation has occurred ironically despite a policy environment that is largely inimical to experimentation. The term “fence-breaking” has been used to describe the pushing of boundaries and breaking of rules to effect what are essentially policy experiments (Malesky, 2004). Fence-breaking experiments deemed ‘successful’ are eventually co-opted into official state policy. Examples abound of how the Mekong Delta and the South has typically led such innovations (see, e.g., Gainsborough, 2010; Jandl, 2013; Pingali & Vo-Tong Xuan, 1992). Against such a history, it was particularly interesting to think about how co-management initiatives in the Mekong Delta might constitute a new frontier of innovation.

Finally, the Mekong Delta has the distinction of lying at the intersection of two axes of scale that impinge upon the governance of natural resources. The first is the axis of political governance within the Vietnamese nation-state, where central authority radiates downwards from the capital Hanoi through the provincial, district, and commune levels of local government (Kerkvliet, 2004; Marr, 2004). There is also the added layer of historical tensions between the seat of government in the North and the southern region of Vietnam within which the Mekong Delta lies (Spencer, 2007; Taylor, 2004, 2007). The second axis involves the transboundary governance of water resources along a river basin that extends across the territory of six countries and terminates at the Mekong Delta. Water resource allocation and the impact of upstream dams on the Mekong Delta are issues of considerable policy debate in which hydrological scale features prominently (Bakker, 1999; Molle, 2009).

## **Barriers in the field**

The research plans described above were made prior to my commencing my fieldwork proper. Nevertheless, having previously worked and conducted preliminary fieldwork in Vietnam, I was reasonably confident of their feasibility. Yet, soon after I arrived in the field, I began encountering various constraints that made it difficult to execute my research the way I had intended to. While this may appear to indicate either poor planning or even naïveté on my part, in retrospect I realize that these unexpected experiences—as frustrating as they were—were meaningful in their own regard and were just as worthy of careful interpretation and analysis as the rest of the ‘data’ I gathered from my fieldwork. As it happened, these encounters led me to reconsider and eventually modify not only my initial research question, as I have explained in the previous chapter, but also my research approach.

Clearly I was not the first researcher to experience difficulties doing fieldwork in Vietnam—or for that matter in the developing world. Much has been written about the practical realities of field research in low- and middle-income countries, and the aspiring field researcher has at their disposal excellent guides to help them prepare for such challenges as they may occur (see, e.g., Barrett & Cason, 2010). Still, Vietnam and its neighboring countries pose certain challenges to the researcher unique to their political and cultural environments.

### ***Of gatekeepers and red stamps***

One such challenge concerns the restrictions that researchers face in gaining official approval from the authorities to conduct research.

Reflecting on her experience working among the upland minority communities near the border between northern Vietnam and Yunnan province, China, for example, Turner (2013a) wrote of the critical role of gatekeepers in regulating her access to ‘the field’. Gatekeepers, she recounted—and to which I can readily attest—operate at various stages of the fieldwork process, and dealing and building relationships with them was an essential skill to hone if one is to officially conduct social science fieldwork in Vietnam (and China). To access research sites and subjects, Turner explained, one needed to obtain

the correct research visa and a variety of ‘red stamps’ ... [that] must adorn letters and authorisations, provided by all levels of the state apparatus from the national to the provincial/prefecture, county/district and commune levels — this is when a lot of (often lukewarm) green tea sipping occurs” (Turner, 2013a, p. 3).

The negotiation and diplomacy required to obtain these “red stamps” of approval could at times be trying even for the most intrepid researcher (see also Turner, 2013b). My own attempts at obtaining a research visa—which ultimately proved to be in vain, despite my having jumped through the various administrative hoops required to do so—is a case in point. To obtain a research visa in Vietnam, one first had to be affiliated to a state scientific organization or a university which would then apply for one on your behalf. I had approached the Research Institute for Aquaculture No. 2 (RIA2), based in Ho Chi Minh City, for this purpose. RIA2 were working then on several co-management pilot projects in the Mekong Delta, to which I hoped to gain access. They also had a history of collaborating with the WorldFish Center, which is how I had come to know several of their

staff. I felt it was a sensible decision to seek affiliation with them as my institutional research base in Vietnam.

RIA2 agreed to sponsor my research after I had submitted the necessary letters of recommendation from my university and presented my research proposal at a specially convened seminar. However, after several months of waiting, I was told they were unable to secure a research visa for me since my research wasn't part of any particular collaborative research project being undertaken at the time. Thankfully, RIA2 agreed to assist with securing letters of authorization (with the requisite "red stamps," naturally) for me to visit certain rural sites,<sup>9</sup> but I would have to travel under my existing tourist visa. This meant that I would need to either travel to the Cambodian border or return to my home in Malaysia at least once every 30 days to renew my visa, which is what I ended up doing throughout the 12 months I spent in the field. This may seem a relatively small inconvenience, but it did entail significant cost both in time and funds for a graduate student operating on a limited budget.

Writing in 2006, Scott et al. (2006) noted that "independent, foreign social science researchers are a relatively new phenomenon in Vietnam" (p. 30). Nevertheless, while there has been a gradual opening of geographical space for the work of such researchers to take place (Scott et al., 2006), much of the research conducted by foreigners was still being done under the auspices of bilateral development cooperation projects. It may have therefore appeared rather atypical for an independent, foreign doctoral

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<sup>9</sup> RIA2 helped obtain approval on various occasions for me to visit several sites in the provinces. I remain very grateful to them for their invaluable assistance and also their willingness to let me accompany them on several field visits to the co-management sites in which they were working.

researcher like me to be asking questions about resource governance, scale, and the relationship between different levels of government. I have often wondered if this may have been the reason why I was denied a research visa.

### ***Under the watchful eye of the state***

The issue of my research visa (or lack thereof) aside, one of my biggest challenges was gaining access to interview rural folk, much less spend any extended amount of time in their communities to observe and participate in their daily routines. Notwithstanding the fact that for the few times when I did manage to visit villages I had to apply and wait patiently for the “red stamps” of approval from multiple levels of authorities, there was also the issue of me having to be constantly accompanied by one or more officially sanctioned interpreters—almost always a government or research institute staff, and almost always at my own expense. While I valued their assistance, I could not help but notice the constraints posed by their presence during interviews—both on the type of questions I was at liberty to ask as well as on the ability of my respondents to be candid in their responses.

Both Turner (2013a) and Scott et al. (2006) have acknowledged the constraints this form of official ‘surveillance’ has had on their own fieldwork. As Turner (2013a) put it, “While some assistants have become friends over the years, their institutions still need to keep a watch on me and these assistants must report back regularly on our activities” (2013a, p. 4). Miller, writing in a vignette describing her own field experience in Scott et al. (2006), likewise noted how restricting the authorities’ control

and scrutiny over her activities were, which eventually led her to revise and adapt her research strategy:

Faced with these constraints on my interview questions and time in the commune, my plans for relatively free flowing, semi-structured interviews and casual conversations had to be vastly revised. In response, I adopted a more structured approach, devising strategic encounters and maximising the limited time available. This compromised the quality and quantity of information I received and the nature of relationships with research participants (p. 32).

The presence of government interpreters, however, was not the only form of surveillance I was subjected to. On more than one occasion when I was accompanying RIA2 researchers to conduct interviews at a rural co-management project, I noticed one or two young men accompanying us who behaved and were attired in such a way as to suggest that they were not members of the local community.<sup>10</sup> After inquiring with my interpreter, I learnt that they were in fact plainclothes police personnel from the district whose presence was required and routine in the particular area we were in. I later came to understand that this was due to the fact that the vast majority of the villagers were followers of a particular religion unique to the region which had a history of armed conflict thus making it a particularly 'sensitive' region.<sup>11</sup>

Knowing this did nothing to diminish my sense of discomfort at being under such close scrutiny of various organs of the state. Not only was I no longer sure if I wanted to ask the questions I originally intended to ask, but I was also doubtful as to the extent to which my respondents

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<sup>10</sup> These men struck me as being rather more urbane in their dress and mannerisms than the typical villager. Moreover, unlike the villagers we met, they were conspicuously silent throughout the course of our interviews.

<sup>11</sup> We were in a village in Phú Tân district, An Giang province, which is considered the homeland of the Hòa Hảo Buddhist religion (see Taylor, 2001).

would be able to be truly forthright with their responses. More importantly, given this level of scrutiny, I was no longer confident that my original line of inquiry would not put my respondents in an uncomfortable position or one in which their safety would be at risk.

### ***A change in method and approach***

All too aware of the ubiquitous presence of the state and realizing—like Miller above—that my limited opportunity for meaningful interaction meant that my original plans to conduct in-depth, open-ended interviews and participant observation among the resource users were no longer practicable, I decided to change tack and adapt my research strategy in response to these realities.

In observing this relationship between the state and the resource users I met, I was also made to reassess my original intention to determine how co-management lessons could be better scaled up to inform policy. This was when I realized that in the context of the predominantly top-down and government-knows-best environment that characterized state-society relations in Vietnam, co-management actually represented, or at least held the promise of, a distinctly different way for the state and local resource users to relate with each other.

Furthermore, in light of what I experienced, not only did my original line of inquiry seem rather banal, but I also felt that pursuing it would reinforce the stereotypical ‘problem-solving’ view of development rather than one that took account of its political dimensions. Upon further reflection, the implicit understanding of what could and could not be

spoken about in the presence of state officials<sup>12</sup> suggested another reason why practitioners and scholars alike tend to emphasize the technical, i.e., soluble aspects of co-management rather than its emancipatory potential to foster more genuine participation. Avoiding any possibility of contention and sticking to a safer, more pragmatic approach seemed to promise a greater chance of co-management being adopted. These reflections led me to modify my original research question, the details of which I have explained in the introductory chapter.

Methodologically, this shift in my line of inquiry meant that I would now shift my focus from conducting interviews and participant observation in specific co-management sites to extracting meaning from the few opportunities in which I was able to witness the interaction between the state and resource users on one hand, and between different levels of government and other stakeholders on the other. I managed to gain access to several such events, which I list below.

### **Selecting my study sites**

To gain a sense of the fisheries co-management ‘lay of the land’ in the Mekong Delta, I attempted to cast as wide a net as possible during my first several weeks in the field. Building on the network of professional contacts I had established from my previous work with the WorldFish Center—which consisted primarily of government and NGO personnel working in

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<sup>12</sup> After several uncomfortable experiences, I learnt that it was acceptable to enquire about such topics as local knowledge, resource management practices, household income, and even challenges that were being faced; yet any mention of party rule, relations with authorities, or property ownership would tend to result in raised eyebrows or uncomfortable silences.

fisheries, aquaculture, and nature conservation—I conducted initial exploratory interviews. I also used what opportunities I had to attend relevant workshops and other such meetings in order to widen my network and find out more about the state of co-management in Vietnam.

From these initial conversations, I drew up a list of projects in the Mekong Delta that were piloting the co-management of aquatic resources at the time (see Table 2.1 and Figure 2.1). This list was remarkable in its diversity of resource types, implementing agencies, and donors. Projects 1 and 2 were located in coastal ecosystems, project 3 in a tidal/brackish water (man-made) ecosystem, and projects 4-6 in inland freshwater ecosystems (riverine, marshland, and lacustrine, respectively).

Of these six projects, I was able to visit in the course of my fieldwork project 1 (Sóc Trăng mangroves), project 3 (Mỹ Xuyên rice-shrimp farming), project 4 (Vàm Nao capture fisheries), project 5 (Tràm Chim National Park), and two cooperatives in project 2 (Bến Tre clams). Because of time constraints I was not able to visit project 6 (Búng Bình Thiên lake).<sup>13</sup>

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<sup>13</sup> ‘Projects’ 2 and 6 were in fact two province-level manifestations of the SCAFI (Strengthening of Capture Fisheries Management) component of the Danida-funded Fisheries Sector Programme Support Phase II (FSPS II) that was implemented in eight provinces across Vietnam. Bến Tre and An Giang were the two provinces in the Mekong Delta participating in the SCAFI project. I discuss the SCAFI project in Chapter 4, while I provide a case study of the co-management reforms in Bến Tre in Chapter 6.

Table 2.1: List of aquatic resources co-management sites in the Mekong Delta in 2009-2010 (based on information collected during fieldwork).

| No. | Project   | Location   | Implementing agency   | Donor agency   | Ecosystem type                            | Resource(s) managed  | References  |
|-----|---|--|---|--|---|--|---|
| 1.  | The Management of Natural Resources in the Coastal Zone of Sóc Trăng Province | Áu Thò B hamlet, Vĩnh Châu district, Sóc Trăng province        | Sóc Trăng Forest Protection Sub-department (Kiếm Lâm), German Technical Cooperation (GTZ) | German Federal Ministry for Economic Cooperation and Development (BMZ) | Coastal mangrove forest                   | Fuelwood, fish fry, mudskippers, snails, crabs, clams                                    | (Lloyd, 2010; Schmitt, 2009)  |
| 2.  | Strengthening of Capture Fisheries Management (SCAFI), Bén Tre province       | Various districts, Bén Tre province                            | Bén Tre Department of Agriculture and Rural Development (DARD)                            | Danida (via Fisheries Sector Programme Support Phase II – FSPS II)     | Coastal mudflats, estuaries, shrimp ponds | Clams, snails, shrimp  | (WorldFish Center, 2009)  |
| 3.  | Strengthening of Participatory Water Management in Sóc Trăng Province         | Various communes, Mỹ Xuyên district, Sóc Trăng province        | Research Institute for Aquaculture No. 2 (RIA2), Mekong River Commission (MRC)            | Danida (via MRC Fisheries Programme)                                   | Rice-shrimp fields                        | Water resources for rice-shrimp farming  | (Nguyen Van Hao et al., 2006; Pham Ba Vu Tung et al., 2010)   |
| 4.  | Fisheries Management and Governance (FMG) Vietnam Sub-component (Vàm Nao)     | Vàm Nao hamlet, Phú Tân district, An Giang province            | Research Institute for Aquaculture No. 2 (RIA2), Mekong River Commission (MRC)            | Danida (via MRC Fisheries Programme)                                   | Inland river (deep riverine pools)        | Freshwater capture fisheries, specifically of the Asian catfish <i>Pangasius krempfi</i> | (Vu Vi An, Nguyen Nguyen Du, Hidas, & Nguyen, 2009)   |
| 5.  | Plain of Reeds Wetland Restoration Project                                    | Tràm Chim National Park, Tam Nông district, Đồng Tháp province | Tràm Chim National Park Authority, The Coca-Cola Company and WWF Global Partnership       | The Coca-Cola Company  | Freshwater marsh, <i>Melaleuca</i> forest | Fish, snails, sedge, fuelwood  | (Lai Tung Quan & Vij, 2011; Meynell et al., 2012; Smardon, 2009; van der Schans & Nguyen Huu Thien, 2008) |
| 6.  | Strengthening of Capture Fisheries Management (SCAFI), An Giang province      | Búng Bình Thôn lake, An Phú district, An Giang province        | An Giang Department of Agriculture and Rural Development (DARD)                           | Danida (via Fisheries Sector Programme Support Phase II – FSPS II)     | Inland freshwater lake                    | Freshwater capture fisheries   | (WorldFish Center, 2009)  |

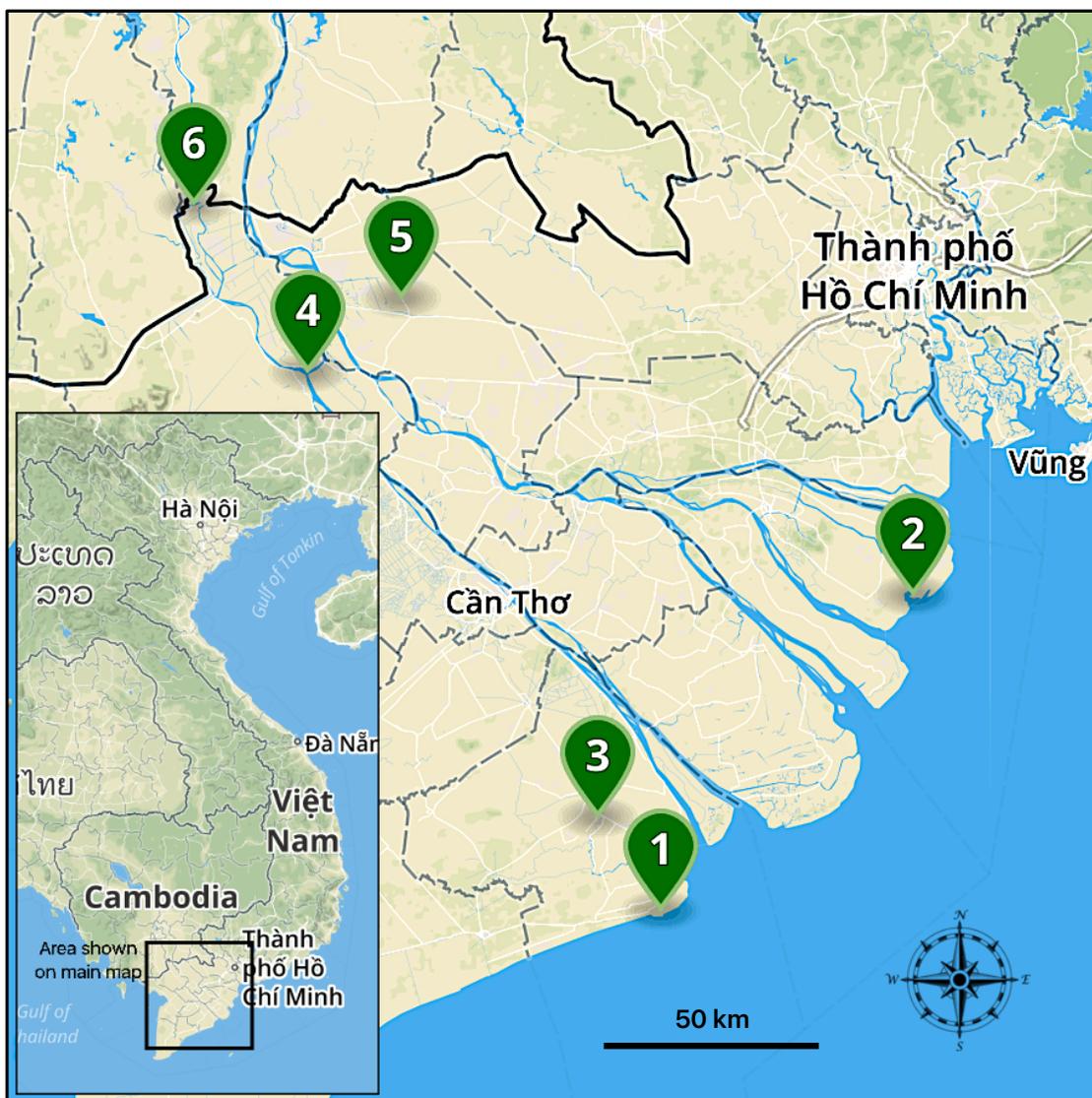


Figure 2.1: Aquatic resource co-management project sites in the Mekong Delta. (Source: © Mapbox, © OpenStreetMap. Note: Numbers on markers correspond to the project numbers in Table 2.1).

My experience, however, varied considerably in my visits to each of these different project sites. In some cases, the only way I could access the site was by ‘tagging along’ and accompanying a research team from the relevant implementing agency who were conducting their own field research. In other cases, my visit was restricted to a brief tour of the resource system and a meeting with the village head or commune

chairperson, and even then only in the constant company of an officially assigned interpreter. Both these situations presented conditions that did not lend themselves well to gathering in-depth ethnographic qualitative data. Given the change in my approach mentioned above, I decided to focus on the projects in which I was able to observe and participate in discussions and meetings for extended periods and time. Project 1 (Sóc Trăng mangroves) presented me with several such opportunities and is consequently the source of two ethnographic vignettes in Chapter 5.

### **Sampling strategy and in-depth interviews**

Because co-management was still a relatively new concept specifically in the fisheries sector, but also in Vietnam in general, the pool of individuals with specialized knowledge of fisheries co-management was relatively small. Consequently, I used snowball sampling (also known as chain referral sampling) to identify individuals to interview, beginning with those I had previously been in contact with (see Biernacki & Waldorf, 1981; Noy, 2008). Using this strategy, I was able to interview several government officials, NGO personnel, researchers, academics, and donor agency staff, operating at the provincial, national, and regional levels. These were individuals whose work involved co-management in a variety of ways: either through the implementation of particular co-management projects, through advocacy and policy advice, or through research and training. These interviews were conducted either at/near my respondents' offices in the respective provincial capitals, Hanoi (the national capital) or Bangkok

(where some of the regional NGOs were headquartered), or on the sidelines of the various conferences and workshops that I attended.

The interviews I conducted were in-depth and open-ended, with the aim of gleaning information about the history of co-management's emergence and growth in Vietnam, my respondents' role in that process, and what their views or conceptions about co-management were. We also spoke about mechanisms of accountability and relationships with other organizations or individuals with the aim of understanding better the cross-scale networks of power relations behind the management of aquatic resources in Vietnam.

To this latter end, the snowball sampling technique I used was especially useful and appropriate as, apart from enabling me to identify potential respondents, it also allowed me to ascertain how power operated in and through these networks. As Noy (2008) has argued, snowball sampling has a unique emergent dimension to the extent that it “relies on and partakes in the dynamics of natural and organic social networks” (p. 329). As such, he continued, “knowledge is at the same time both researched and produced through snowball sampling, and it is of a dynamic nature” (Noy, 2008, p. 340).

### **Participant observation of events**

The events I managed to attend and observe included the following:

- Co-management negotiation meetings between government officials and village resource user groups;

- Two training workshops on communication and natural resource co-management: one for government officials and one for members of a village resource user group;
- Two training workshops on fisheries co-management: one for provincial government officials (which included a field trip to a co-management site); and one for central government officials.
- A national (and multi-sector) workshop on co-management concept and practice in Vietnam (which included a field trip to a co-management site);
- A regional conference on small-scale fisheries co-management.

Notably, these events involved the convergence of actors from different scales—ostensibly to discuss ways in which they would work together or to learn from each other. Conceivably, therefore, these meetings could be viewed as platforms that facilitated the bridging of knowledge between scales. I would argue, however, that they entailed not merely the exchange of knowledge, but also the assertion of status and power. One of the main objectives of my analysis of these events, therefore, was to render visible the ways in which power was being asserted. However, it would be simplistic and presumptuous to assume that the more powerful actors would necessarily tend to prevail in such meetings; the coming together of a plurality of actors from different scales may well have provided recourse for the less powerful to articulate appeals to further their cause, for example. Furthermore, in the first place, it may not necessarily have been obvious who were the most or least powerful actors.

Sensitive to the different ways in which power may be exercised (see, e.g., Gaventa, 1980; Lebel, 2006), I strove to observe and record not only the dialogue that transpired but also my interpretations of non-verbal cues such as body-language and interpersonal dynamics displayed by the participants. I also took note of the setting, equipment used, and other contextual pieces of information that helped clarify the meaning behind the interaction that I was witnessing.

### **Documentary analysis**

As described above, my second data collection strategy was to obtain and analyze documents pertaining to fisheries co-management in Vietnam with the aim of tracing and thus historicizing the discourse. Following a preliminary survey of the grey and published literature, I decided to narrow my focus to three main institutional actors who arguably have had the biggest influence on the co-management discourse in Vietnam. I discuss the results of this analysis in Chapter 4.

## CHAPTER 3

### CO-MANAGEMENT IN THE CONTEXT OF CHANGING SOCIETAL RELATIONS

#### **Introduction**

Faced with alarming incidences of environmental degradation and resource conflict, the Vietnamese state has in recent years begun to rethink its approach to environmental governance. *De jure* exclusive state control over the management of natural resources has proved in many cases to be far removed from reality, where understaffed and underfunded government agencies lack the necessary resources and capacity to adequately manage the resource (Zweig, Ha Xuan Thong, Le Thanh Luu, Cook, & Phillips, 2005). For the rural poor whose livelihoods depend on the collection of wild aquatic resources, this state of affairs has especially critical consequences. Already marginalized from the mainstream of economic activity, and further disempowered from having any say in how their resources are managed, these communities often have little choice other than to eke out a living on a day-to-day basis while the cumulative effects of their actions and other forces beyond their control contribute to a downward spiral of overexploitation and degradation (Trap, 2006). All this adds to an already precarious situation where living in low-lying coastal areas means that these communities are at the mercy of typhoons, shoreline instability, flooding, and salinization of soils due to sea-level rise.

In response to this situation, co-management has emerged as a promising solution. Understood in the Vietnamese context as the sharing of responsibility and authority primarily between the state and a community of resource users over the management of a defined resource, co-management has generated significant interest among various levels of government, donors, and non-governmental organizations. A growing number of pilot projects are being implemented to test the approach at the local level, and there have been expressions of commitment at the central level towards the policy and legal reform needed to legitimize co-management (Pomeroy, 1995; Pomeroy, Nguyen Thi Kim Anh, & Ha Xuan Thong, 2009).<sup>14</sup>

These are in themselves quite remarkable developments, given that not too long ago such an arrangement would have been deemed highly antithetical, subversive even, to the official ideological position of the Vietnamese state which considers all resources within national borders to be the collective property of the Vietnamese people, and therefore under the exclusive authority of the state. The current state of affairs appears to signal the willingness, to a degree, of the state to relinquish the exclusivity of control it wields over the management of natural resources, if it can be convinced that co-management can indeed lead to better outcomes than the status quo. Presently, however, co-management is still very much a policy experiment in Vietnam (Swan, 2011); much hinges on the ability of the pilot projects to demonstrate the feasibility, viability, and sustainability of co-management arrangements if they are to be more widely adopted.

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<sup>14</sup> Despite such stated commitment at the ministerial level, however, the pace of reform has been perceived by some to be frustratingly slow and lagging behind the need to implement co-management at the local level.

Proponents of co-management, therefore, might consider this moment to be a historic window of opportunity to significantly shape the future of environmental governance in Vietnam.

Given the growing momentum, much of the present discourse on co-management appears to centre on figuring out how it can be made to ‘work,’ that is, how it can be successfully put into practice in specific circumstances. As one practitioner put it, “Co-management is recognized on all sides as essential; the big question is not ‘if,’ but ‘how?’” (Sollows, 2005, p. 6). It appears then, that the case for co-management—at least among its advocates—has largely already been made; the challenge that remains is to ‘operationalize’ it. Two key challenges in this respect are commonly cited, both in the literature as well as in conversations with actors involved in co-management: first, the difficulty of building capacity and engendering genuine participation in communities that have long been accustomed to having their use of resources circumscribed by limits defined exclusively by the state (Nasuchon, 2009; Nasuchon & Charles, 2010); and second, the need for formal legal recognition of co-management such that it can be given greater legitimacy beyond mere “legal or administrative tolerance” (Pomeroy et al., 2009, p. 423; see also Swan, 2011). These challenges are believed to be the primary obstacles to a more widespread adoption of co-management.

This chapter takes as its premise the view that a preoccupation with the ‘how’ of co-management, while necessary and pragmatic, risks losing sight of what co-management is intended to achieve in the first place, and who ultimately benefits from it. That is, co-management in this emerging discourse could become an end in itself, rather than the means to a larger

end that it really is. For co-management to result in meaningful outcomes for all involved, I argue that adequate attention must be paid to the specific societal and institutional context in which it has emerged in Vietnam at this point in time, and to what extent its adoption will influence or be influenced by that context. Failure to do so risks two undesirable outcomes: on the one hand, there is the danger of co-management becoming yet another prescriptive panacea for sustainable development, with efforts to ‘mainstream’ the approach into policy riding roughshod over local particularities in time and space (see Lane & Corbett, 2005; Li, 2002; Matose, 2006). On the other hand, there is the danger that by failing to pay adequate attention to its changing context, efforts to establish co-management may be doomed to an untimely stillbirth, and proponents may be left to rue the missed opportunity to influence policy for the better.

If we can accept Natcher et al.’s (2005) claim that “co-management has more to do with managing human relationships than resources per se” (p. 241), we might characterize co-management as consisting primarily of three aspects of societal relationships: first, the relationship of a unit of society with other units vis-à-vis the rights it holds over a particular resource, i.e., its property rights; second, the relationships between members of a community of resource users in a particular locality especially across the fault-lines of class, ethnicity, and gender; and third, the relationship between resource users in general and the state. This chapter explores the evolution of each of these types of relationship in Vietnam and considers their respective implications for contemporary efforts to institutionalize co-management.

The reflections in this chapter are inspired by fieldwork undertaken in 2009-2010 at several sites in the Mekong Delta where co-management of aquatic resources was being piloted. These insights are intended to provide the sociological context for the chapters that follow.

### **Changing notions of property rights**

Central to an understanding of co-management is the concept of property. And since co-management has its roots in common property theory,<sup>15</sup> it is widely perceived that co-management entails entitlements over a resource—be they ownership or usufruct—that are held under a common property regime. As stated in Pomeroy and Rivera-Guieb (2006) in a handbook on fisheries co-management popular among practitioners, “co-management provides for the collective governance of common property resources” (2006, p. 12). “A common property regime,” they explain, “is composed of a recognized group of users, a well-defined resource that the group uses and manages, and a set of institutional arrangements for use of the resource” (Pomeroy & Rivera-Guieb, 2006, p. 12).<sup>16</sup>

Yet in the Vietnamese context, the issue of who owns the resource is seldom clear-cut, and is something that co-management initiatives often come up against. The issue of property rights in Vietnam has for more than

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<sup>15</sup> See footnote no. 17.

<sup>16</sup> To be sure, Pomeroy and Rivera-Guieb (2006) note, citing Bromley (1991), that many marine and coastal resources are held under property regimes that cannot be neatly categorized as either communal property, state property, private property, or open access regimes, but rather combine characteristics of two or more of these ideal types. Nevertheless, they maintain that “co-management is a governance arrangement located between pure state property and pure communal property regimes” (Pomeroy & Rivera-Guieb, 2006, p. 13).

a century been the subject of much contention, and has powerfully shaped the way people use and manage natural resources. Yet this fact is often given short shrift in the co-management discourse, which tends to take the present, legal conception of property rights as a given that defines the parameters of what can or cannot be done. A more nuanced understanding may reveal opportunities for co-management to result in better outcomes.

The key issue for co-management where property rights are concerned is the tension between contending notions of resource ownership, and how it can best position itself within the discursive as well as the material interplay of these interests. This tension has characterized the evolution of the present notion of property rights in Vietnam and is most apparent in the various shifts in land policy that accompanied the agrarian transformations in the latter part of the twentieth century. Much has been written about these reforms (Akram-Lodhi, 2004, 2005; Hare, 2008; Kerkvliet & Selden, 1998; Luttrell, 2001a, 2001b), but a brief recapitulation may be useful to provide the necessary context for the arguments that follow.

In response to a growing inequality in land distribution engendered by policies enacted by the colonial French authorities and even during the pre-colonial dynastic period, the communist government in the 1950s sought to redress the situation by collectivizing the means of production (Luttrell, 2001b). The collectivization of land after 1959 in the north and 1976 in the south did away with the notion of individual or household ownership of land, and efforts were made to organize rural society into co-operatives (Kerkvliet, 1995b). By 1979, however, when the weaknesses of collectivization became increasingly evident, culminating in widespread

food shortages, the state began a gradual policy of decollectivization, effectively undoing its earlier policy (Akram-Lodhi, 2004). Through a series of reforms, the state gradually abolished the co-operative as the basic unit of resource ownership and endowed the household instead with the rights to own long-term leases on land (Akram-Lodhi, 2005; Luttrell, 2001b).

It should be noted that property rights in the current sense does not imply right of ownership, as according to law, all land belongs to “the entire people” of Vietnam and is managed and held on its behalf by the state (Land Law, 2004, cited in Kerkvliet, 2006, p. 288). Nevertheless, the Constitution also states that “land is allocated by the state to organisations and individuals for stable long-term use” (Vietnam Government Press, 1992, cited in Luttrell, 2001b, p. 532). This principle was given concrete form in the 1993 Land Law which secured the right for individual households to hold long-term renewable leases on agricultural land (20 years for annual crops and 50 years for perennial crops) (Akram-Lodhi, 2005). This required a distinction between “legal ownership” by the state which maintained “ownership rights” (*quyền sở hữu*) to all land, and “practical ownership” by society, to which “controlling rights” (*quyền quản lý*) and “use rights” (*quyền sử dụng*) were allocated (Nguyễn Văn Suu, 2007, pp. 309, 320-321). These reforms provided significant security of tenure for households and represented a dramatic reversal of the earlier efforts to collectivize land holdings. Apart from improving security of tenure, the Land Law also enabled the exchange, transfer, lease, inheritance, or mortgage of land use rights—effectively creating a market for land (Akram-Lodhi, 2005) (Hare, 2008; Kerkvliet, 2006).

We may surmise at this point that, notwithstanding earlier policy shifts and reversals, we are currently witnessing a distinct trajectory towards a privatization of property rights, although private property per se does not exist as yet. How, then, might this concern co-management? Co-management requires a significant investment and commitment by the members of a *community*, not only to jointly manage a resource with an organization representing the state, but also—and perhaps more importantly—collectively among themselves.<sup>17</sup> Put another way, a prerequisite for successful co-management is a strong community with the necessary incentives to engage in collective action for mutual benefit. The evolution of property rights in Vietnam may provide some clue as to whether the necessary policy, legislative, and institutional environment exists for such collective behavior to flourish. It may also provide an insight into the changing nature and structure of Vietnamese communities and whether co-management as it is currently conceived is an appropriate institutional response to the challenges of natural resource management at this point in time. This will be addressed in the next section.

Kerkvliet (2006) sees the emergence of land markets in Vietnam as a product of several contending ‘schools of thought’. While it appears that the

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<sup>17</sup> It is worth pointing out here that co-management thinking emerged in *contradistinction* to the top-down, rational choice approaches espoused by common-pool resource (CPR) theory (Murray, 2007). Garrett Hardin’s (1968) *Tragedy of the Commons*, perhaps the best known exemplar of such approaches, advocated private property or state property regimes in order to avoid the over-exploitation of common-pool resources. In contrast, the thinking behind co-management and other “community-based” approaches to management, arose from commons scholarship in the 1970s–1980s that questioned the assumptions behind Hardin’s thesis and demonstrated instead that communal property regimes are in many cases just as, if not more, viable than private- or state property regimes (see also Feeny, Hanna, & McEvoy, 1996; Murray, 2007, p. 4; Ostrom, Burger, Field, Norgaard, & Policansky, 1999).

revival of land markets signifies a growing predilection towards a free market ideology, Kerkvliet argues that in the Vietnamese context, these markets are ‘tempered’ by other schools of thought that are rooted in the ideology of the ruling Communist Party as well as in the ‘everyday practices’ of village life (Kerkvliet, 2006). These include the socialist school of thought which emphasizes public, not private, land ownership and a large role for the state in regulating or restricting, if not eliminating, land markets; the ‘family farming’ school of thought which emphasizes the household as the basic unit of land ownership and a role for the state to protect family-based farming; and the community school of thought which emphasizes “communal (usually local) land ownership and decisions over how land is used and by whom” (Kerkvliet, 2006, p. 287). Interestingly, Kerkvliet also acknowledges the possibility of a recent fifth school that “emphasizes ecological considerations in how land is used and for what purposes” (Kerkvliet, 2006, p. 287, note 8). Although both overlaps and tensions exist between these different schools of thought, all of them feature to some degree in the current land regime—both in policy and in practice.

The communal and ‘ecological’ schools of thought appear to be the most congruent with the thinking that lies behind co-management. Indeed, recent developments in policy and legislative reform seem to suggest a shift towards more accommodation of communal land ownership than was previously the case in Vietnam. This is evident in the 2004 revision to the Land Law, which, in addition to households, recognized communities for the first time as legal entities with the right to hold long-term land leases (Kerkvliet, 2006; Swan, 2011). The law states that “a land use right holder

may be an entire community, which then has the responsibility for deciding how to use it *according to local customs so long as they do not contravene national laws*” (Land Law, 2004, cited in Kerkvliet, 2006, p. 289, emphasis mine). Moreover, the law provides for authorities in sub districts to reserve up to 5 per cent of agricultural land to “benefit the public interest of the locality”—a provision that allows the use of such land to generate income to support, for instance, “welfare services for the poorest members of the community” (Land Law, 2004, cited in Kerkvliet, 2006, p. 289).

However, while such legislation seems conducive to the introduction of co-management, there exists significant room for interpretation of the law at the level of local government. This has led to considerable variation in the holdings of communal land, much of which is rooted in historical regional differences in community characteristics. For example, 0.13 percent of farmland in the Mekong Delta was reported to have been under the discretion of local authorities, in sharp contrast to the 6.76 percent in the Red River Delta (Nguyen Sinh Cuc, 1999, cited in Hare, 2008). Attributed to the historical lack of social insurance in the Mekong Delta when compared to the Red River Delta region (Hare, 2008; Luttrell, 2001b), these differences suggest that despite there being enabling legislation to provide communally held land use rights for co-management initiatives, the receptivity of local authorities or even communities themselves to the idea may be a wholly different matter.

Where communally held and managed land already exists, in some cases those rights are being challenged by competing schools of thought. For example, for many ethnic minority communities in the Central Highlands who have long adhered to a communal notion of property rights,

a combination of demographic and environmental pressures together with government policies that discourage swidden agriculture have put them under considerable pressure to abandon communal land use rights and adopt household or individual land use rights instead (Kerkvliet, 2006). The emergence of land markets has also challenged the values of ethnic minority communities which do not generally subscribe to idea that land can be bought and sold.

Thus, while policy and legislation appear to be more and more cognizant of and even favorable towards communally held property rights, overcoming the tensions posed by competing schools of thought at the local level remains a significant challenge for those intending to establish co-management in a particular locality.

### **The changing structure of society**

In the previous section I examined the ways in which the evolution of property rights in Vietnam may have influenced the policy, legislative, and institutional framework for co-management to flourish. This section addresses the question of how the nature and structure of communities themselves have changed, and what implications this may have for co-management. In some ways, these changes may have been brought about and/or mutually influenced by the changes in property rights, yet here we are dealing not so much with the notion of resource ownership per se as with the interpersonal relations of mutual dependence that allow communities to function as a social unit and engage in collective behavior vis-à-vis the Vietnamese central state.

The question that bears asking, therefore, is whether the social bonds of communities in which co-management projects are to be established are sufficiently strong for them to participate in a co-management arrangement on a long-term basis. This can be usefully examined through the lens of social capital (see Brondizio, Ostrom, & Young, 2009; Plummer & FitzGibbon, 2006; Pretty, 2003). Social capital includes relations of trust; reciprocity; common rules, norms, and sanctions—or in a word, institutions; and connectedness within, between, and beyond groups (Pretty, 2003). If communities lack such social capital, then the question becomes what can be done to address it, or indeed, whether any interventions can appropriately be taken in the first place. All too often co-management projects are implemented without sufficient consideration of this aspect, with the assumption that communities are roughly homogenous, self-contained entities whose interests are common enough to be represented by a committee of representatives, elected or appointed, in negotiations with the state.

Despite some efforts at building the institutional capacity of community resource user groups, many projects simply do not invest the necessary time and resources to address the intricacies of social relations and norms within the community. Emphasis is typically given to negotiating and enforcing a set of regulations, or providing economic incentives for compliance. Yet as Pretty (2003) argues, “Without changes in social norms, people often revert to old ways when incentives end or regulations are no longer enforced and so long term protection [of natural resources] may be compromised” (p. 1914). To understand social capital requires taking into account—and not merely quantifying—socio-economic

factors within a community such as wealth inequality, ethnic heterogeneity, conflict resolution mechanisms, relations of power, the role of social institutions such as religion, and gender relations. A lack of attention to such details risks the danger of eroding or displacing existing social norms—most notably, customary law—when new institutions are established and externally imposed upon communities.

Critical scholarship has challenged several widely-held assumptions about communities: namely that they occupy a small spatial area, have a homogeneous social structure, and share common interests and norms (Agrawal & Gibson, 1999). Several developments in recent history give further reason to challenge the notion that communities in Vietnam are typically homogeneous, internally cohesive structures with high levels of social capital. The wars of the twentieth century and the ensuing post-war relocation of economic and political migrants are only some of the most obvious factors that have greatly impacted the social structures of many localities and have given rise to a diversity of community structures with varying degrees of a ‘sense of community’ (Hoang Huu Cai & Phan Trieu Giang, 2011).

The liberalization of land markets, too, have had an impact on the structure of communities. Akram-Lodhi (2005) has argued that the post-*đổi mới* land reforms have resulted in a growing stratification in access to land and are facilitating a process of class differentiation among peasant society. Three classes have emerged as a result: rich peasants, with larger landholdings, larger capital, greater access to hired labor, and larger yields per unit area; a much larger mass of poor peasants, whose assets are much smaller by comparison; and a growing number of rural landless (Akram-

Lodhi, 2005). Despite the state's commitment to socialist ideals, a gradual proletarianization of rural society appears to be occurring as a result of a neoliberal enclosure of agricultural land (Akram-Lodhi, 2007). Farmers who, for a variety of reasons, are forced to sell their land (use rights) usually seek employment in the larger farms (including fish and shrimp farms) and/or the cities—often on a seasonal basis especially in the Mekong Delta—or, alternatively, switch to a dependency on natural resources for their livelihoods.

Le Thi Van Hue (2006, 2008) provides evidence in support of this argument in her case study of a coastal community in a mangrove ecosystem in the Red River Delta. Her analysis shows that the process of economic liberalization, while creating economic opportunities for many, has resulted in a growing social differentiation of members of the community along lines of class, age, and most notably, gender (Le Thi Van Hue, 2006, 2008). Because of the persistence of patriarchal values in the implementation of market reforms, women were systematically disadvantaged when it came to ownership of land use rights, wage labor, and access to resources. The following quotation puts it particularly starkly:

“Women-headed households and women and girls more generally have been the most adversely affected and they have become victims of both environmental degradation and the process of privatization since they have less opportunities than men to engage in trade and instead are confined to selling their labor to pond owners” (Le Thi Van Hue, 2006, p. 56).

Given that the community studied by Hue is hardly atypical, what then are the prospects for co-management to succeed in such communities? In such a complex social structure, Hue argues against relying on either

the state or the private sector alone for a viable solution to resource degradation. However, she also cautions against proposing only community-based resource management, given the heterogeneity of the local community and the fact that outsiders also use the resources. Rather, she calls for a more nuanced understanding of the social dynamics and local conventions within the community and for the state to “work to adapt them rather than impose new rules from outside” (Le Thi Van Hue, 2006, p. 57).

If co-management initiatives are to succeed, therefore, they would seem to require an approach that is highly cognizant of local specificities and that can build upon rather than displace existing social norms. The nascent attempts to rediscover and build on the customary community-based institutions for marine fisheries management and mutual assistance, known as *van chai*, represent one example of such an approach (Ruddle & Tuong Phi Lai, 2009). At the same time, co-management initiatives need to be informed by, and be able to respond to, macro-level societal changes like shifts in demographic patterns, land-use change in the surrounding area, and abrupt changes in the market prices of key resources. This calls for an approach that deals with processes at multiple scales and is able to build the necessary linkages between institutions at different scales. Needless to say, therefore, co-management is not and should not be an endeavor to be taken in isolation by one sector or one government agency, but requires—by its very definition—considerable integration between sectors and scales.

## **Changing state-society relations**

The discussion thus far generally presupposes positive co-management outcomes to be largely a result of proper policy being put in place and the translation of such policy through an enabling legal framework into effective practical measures on the ground. In fact, the same can be said of much of the literature and public discourse on co-management in general. In the Vietnamese context, however, such a conception of ‘policy-driven change’ is problematic in a number of ways. First, it assumes a monolithic state with a clear power hierarchy and a well-oiled bureaucracy that allows for the translation of policy at the central level to practice at the local level. Second, it assumes a largely passive “community” as the “recipient” of development interventions by the state, that, if carefully designed, would be able to create the institutional conditions for self-sustaining, successful outcomes.

While the previous section challenged the notion of a necessarily homogeneous, cohesive community, the present section seeks to challenge the assumption of a unilinear, unidirectional, top-down policy process. In particular, I argue that policies influencing property and community in Vietnam have to be understood in the context of the dialectical relations between society and the state. The agency of local actors—both individuals and local authorities—have played a significant role in shaping not just matters of policy, but arguably the very nature of the Vietnamese state itself. If co-management is to result in successful outcomes and be more widely adopted in Vietnam, its proponents need to recognize and work with these dynamics rather than rely on the conventional narrative of policy-driven change.

Relations between Vietnamese society and the state are often characterized by a historical tension between local practice and the will of the central state, encapsulated in the widely cited saying, “*Phép vua thua lệ làng*” (“The writ of the Emperor bows to the customs of the village”) (Fforde, 1984, p. 319).<sup>18</sup> This saying is sometimes interpreted as indicating that the archetypal Vietnamese village has always been closed, relatively autonomous, and independent of central authority. More accurately, however, it indicates a tension, a recurring tug-of-war oscillating between a stubborn resistance to central authority at the local level and attempts by the central state to impose its will upon the village (Ha Xuan Thong & Nguyen Duy Thieu, 2009).

This tension has perhaps been most evident in the struggle to gain control over natural resources. The attempts to centralize control over resources during the reign of the first Le Kings in the 15th century were a key example. In attempting to put public lands—hitherto reallocated by village authorities to villagers every six years—under direct control of the central government, the Le regimes largely succeeded in “separating villages from their resources” (Ha Xuan Thong & Nguyen Duy Thieu, 2009, p. 23). However, villages soon regained autonomy in the middle of the 16th century as civil wars forced the rural populace to be increasingly self-reliant while weakening the central government’s administrative capabilities (Ha Xuan Thong & Nguyen Duy Thieu, 2009).

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<sup>18</sup> Variations on the interpretation of this saying include: “The king’s rule takes second place to village customs” (Tran Thi Van Anh & Nguyen Manh Huan, 1995, p. 209); “The State’s authority stops at the village gate” (Lux & Straussman, 2004, p. 174); “The King’s law stops at village gates” (Malesky, 2004, p. 309); “The King’s regulations are less known and important than the village customs and rules” (Ha Xuan Thong & Nguyen Duy Thieu, 2009, p. 23).

Local resistance towards central control continued during the French colonial period (1862–1954). The colonial administration’s attempts to impose a uniform and exclusive notion of property rights encountered stiff resistance not only from villagers but also from local government institutions that sought to preserve customary notions of property rights (Fforde, 1984). This hints at the fact that not only village institutions but also larger units of local government began to claim more and more autonomy from the central state. In fact, the continuation of this tension even after independence from the French led some to suggest that the above saying came to be replaced by: “*Lệnh trung ương Đảng thua lệ chi bộ xã*” (“The order of the Party Centre bows to the customs of the (Party) Committee of the commune”) (Fforde, 1984, p. 319).

At the levels of both the individual and the local authority, resistance has been carried out through subtle yet defiant acts of rule-breaking. On the one hand, Kerkvliet (1995a, 1995b, 2006, 2009) has written extensively about the “everyday politics” of village life where individual and collective acts of quiet, non-confrontational transgression against official rules have not only frustrated the state’s ability to implement policy, but have also cumulatively contributed to policy change. These acts of “foot dragging” were most evident in the resistance towards collectivization, most notably in the Mekong Delta, which eventually led to the state abandoning and undoing this policy (Kerkvliet, 1995b, 2006; Nguyen Van Suu, 2007).

At the level of the province, on the other hand, there have been numerous instances of provincial governments in the post-*đổi mới* period either violating central government regulations; or experimenting or

innovating in ‘grey’ situations which lacked a clear regulatory framework (Malesky, 2004). Such ‘innovations’—undertaken with regards to policy areas as diverse as land use rights, legal reform, trade, housing, and administrative policy—have been undertaken to varying degrees by different provinces, with certain provinces exhibiting greater ‘de facto autonomy’ or ‘decentralization’ than others (Malesky, 2004). Furthermore, although such innovations have been variously admonished, tolerated, or officially sanctioned as “experiments” by the central government, a significant number of these have eventually made their way into official policy (Malesky, 2004).

Indeed, this quite accurately describes the situation in which co-management policy has found itself over the past fifteen years. Swan (2011) points to “an evolving, but still limiting, enabling environment” for co-management in Vietnam (p. 33). Specifically, there appears to be a lag between policy reform and the often urgent need to implement co-management on the ground. While certain local authorities find the lack of enabling legislation and clear policy guidance to be frustrating, others have simply gone ahead and adopted a pragmatic, ‘write-the-rules-as-you-go’ approach. Several instances of such progressive local innovation have been recorded in fisheries co-management, with Thừa Thiên Huế, Khánh Hòa, Bình Định being some of the more notable provinces (Pomeroy et al., 2009).

Policy formulation and implementation in Vietnam is evidently less straightforward than is commonly thought. Indeed the process of policy change in Vietnam is often messy, as the following quotation aptly indicates:

“Gradually policy changes occurred, a process stretching over several years, zigzagging back and forth between the old and the still undefined new, with no blueprint to follow, varying in pace and pattern from one economic sector to another and one region to another” (Kerkvliet, 2006, p. 291).

Given the experimental nature of co-management, a willingness and ability to innovate is often critical to success. In the present policy climate, the ‘policy lag’ can be seen a critical site of interpretation, dialogue, and innovation. With the diversity of resource types, actors, scales of implementation, and initial conditions, co-management is hardly a one-size-fits-all approach, and should not be deemed as such. Waiting for greater clarity in policy, more examples of best-practice ‘models’ and the official ‘green light’ from the central level before proceeding with co-management may not necessarily result in a greater chance of success.

## **Conclusion**

Far from being a timeless, placeless concept, co-management is itself a product of a particular configuration of historical circumstance that created both the need and the possibility for the state to work together with a community of resource users to determine how a particular resource is to be used and by whom. In Vietnam, a history shaped to a significant extent by colonialism, conflict, an on-going agrarian transition, and a gradual embrace of neoliberal ideals, has given rise to a unique set of conditions that has opened a policy window for co-management to traverse the distance between the fringes and the mainstream of environmental policy. Yet whether or not it succeeds in this respect matters less than whether it delivers on its promise to result in a more efficient, legitimate, equitable, and sustainable use of resources.

This chapter has argued that for co-management to result in these outcomes for all involved, a sound understanding is required of the changing relationships that co-management seeks to embody. The ways in which understandings of property rights, the nature and structure of society, and the relationship between the state and society have changed has non-trivial implications not only for why co-management in Vietnam is “an idea whose time has come” (see Borrini-Feyerabend, Pimbert, Farvar, Kothari, & Renard, 2004, p. xxxi), but also for its success and sustainability in the long term.

The arguments and accounts put forth in this chapter are admittedly far from comprehensive. It has not been intended to provide a detailed historical account of the myriad events that comprised and influenced the changes described. Rather, the broad-brush approach taken will hopefully have hinted at the complexity of the nexus of social forces in which co-management now finds itself, and through which it will have to navigate in the future. Further research in this respect is warranted.

## CHAPTER 4

### LINEAGES OF CO-MANAGEMENT: ORIGINS AND EVOLUTION OF THE CO-MANAGEMENT DISCOURSE IN VIETNAM

#### **Introduction: The discourse of co-management in Vietnam**

Co-management is generally believed to be one of the more recent ideas to have influenced Vietnam's long record of governing its natural resources. By most accounts, the concept was introduced around the 1990s to policy makers, who then authorized limited testing of the concept through pilot projects. In the fisheries sector, for example, one of the earliest indications of the government's receptiveness to co-management was the endorsement of the concept by the Ministry of Fisheries in 1995 as a strategy for managing coastal fisheries (Pomeroy, 1995; see also Pomeroy et al., 2009, p. 423).<sup>19</sup> The Vice Minister, at the time, agreed to work toward the "selection of, formal recognition of, and funding for pilot test sites for the establishment of co-management activities in coastal fisheries including marine protected areas (MPAs) and aquaculture" (ADB, 1996, cited in Pomeroy et al., 2009, p. 423).<sup>20</sup>

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<sup>19</sup> Even as early as 1991, certain local governments had already been experimenting with the concept to varying degrees. A "consultative" form of co-management, for example, where resource users were consulted on management decisions although decision-making still rested primarily with the government, was instituted in 1991 in the management of the mangrove forest in Can Gio District, south of Ho Chi Minh City (Pomeroy & Ahmed, 2006).

<sup>20</sup> This followed a workshop on *Co-management of Living Coastal Resources in ASEAN: Theory, Practice and Implications for Vietnam* in May 1995, jointly organized by the Vietnam Institute for Fisheries Economics and Planning (VIFEP) and the International Center for Living Aquatic Resources Management (ICLARM) specifically intended to introduce the concept to government policy makers (Tuong Phi Lai, 2008; Zweig et al., 2005).

Naturally, this situation was not unique to Vietnam. The 1990s was notably a period during which the co-management of aquatic resources was being discussed, debated, experimented with, and researched on an unprecedented scale. A global study was underway during this time to evaluate the feasibility of coastal resources co-management in fourteen countries across Asia and Africa, of which Vietnam was one.<sup>21</sup> Among Vietnam's neighbors in the Mekong River Basin, there was likewise a markedly growing interest in fisheries co-management. At the Second Technical Symposium of the Mekong River Commission's Fisheries Programme in Phnom Penh in 1999, for example, the number of presentations on co-management were twice that of the year before (Hartmann, 2000). These projects and meetings provided plenty of opportunity for exchange and cross-fertilization of ideas.<sup>22</sup>

Not coincidentally, the 1990s was a period when peace and stability became the norm for Vietnam rather than the exception; a time when, in the words of Nguyen Thi Dieu, "timid portents of normalcy began to emerge" after three decades of war, setting the stage for regional cooperation rather than regional conflict (1999, p. 199). It was also the decade after the *đổi mới* economic and administrative reforms had been

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<sup>21</sup> Known as the *Fisheries Co-management Research Project*, this study was funded by Danida, and undertaken by the International Center for Living Aquatic Resources Management (ICLARM)—later renamed The WorldFish Center—and Denmark's Institute for Fisheries Management (IFM). It ran in two phases from 1994 till 2003. The countries studied were the Philippines, Vietnam, Thailand, Malaysia, Indonesia, Bangladesh, Cambodia in Asia; and South Africa, Malawi, Mozambique, Zimbabwe, Zambia, Senegal and Benin in Africa (Pomeroy & Ahmed, 2006).

<sup>22</sup> The Philippines, given its extensive experience with community-based coastal resource management and fisheries co-management was an especially notable "hub for regional exchange of experience" from which Vietnamese fisheries professionals gained important insights into co-management in the 1990s and early 2000s (Ratner et al., 2012, p. 132).

instituted, the consequences of which were beginning to be experienced. Precipitated by the socio-economic crisis of the mid-1980s, *đổi mới* not only signaled a move away from centralized planning, but also marked a clear switch towards socio-economic performance as the single most important source of legitimacy for the Communist Party of Vietnam (Le Hong Hiep, 2012; Vasavakul, 1995).

The ensuing reforms are commonly understood to have facilitated the emergence of co-management in Vietnam. First, the bitter experience with agricultural collectivization and the resultant food shortages meant that the government was especially cognizant of the growing restiveness of the large rural population whose resource-dependent livelihoods were being increasingly threatened by the mismanagement and overexploitation of natural resources. The centralized, top-down approach to resource governance was clearly failing to address the livelihood and food security of the rural poor, and the authorities were in serious need of an alternative.

Second, the quest to establish legitimacy led to an important policy shift in the late 1990s towards engaging popular participation in administrative reform at the commune level. Known as the promotion of grassroots democracy, and embodied in the slogan, “the people know, the people discuss, the people implement, and the people review” (*dân biết, dân bàn, dân làm, dân kiểm tra*), this policy initiative sought to empower citizens to play a more engaged role in, among other things, resource management and planning (Tuong Phi Lai, 2008; Vasavakul, 2002). Importantly, and of special relevance to co-management, this also saw efforts by the government to incorporate customary law into the modern legal framework (Vasavakul, 2002).

In the context of the above developments, and given the fact that Vietnam was still very much in an era of reform where there was considerable openness to change, all indications were there that the time was ripe in the 1990s for the introduction of co-management. Considering how co-management appeared to have all the ingredients necessary to simultaneously encourage participation, promote democracy at the grassroots, improve resource management, build administrative capacity, and strengthen state legitimacy, it is little wonder that the concept became such an attractive proposition to policy makers.

Soon thereafter, projects were established to pilot co-management in selected sites with considerable funding from international donors. As with most pilot projects, these were intended to test the concept at a limited, local scale, with the longer-term aim of ‘scaling up’ the approach at the provincial or national levels were they to demonstrate success. These projects were often implemented by a lead government agency, but given the novelty of the approach and lack of experience among the authorities, significant foreign expertise was engaged to provide what is officially termed ‘technical assistance.’ Co-management projects therefore also entail an explicit objective to build the capacity of government officials by equipping them with the necessary skills and experience to facilitate and implement co-management.

By the 2000s, a fair amount of experience and knowledge had been gained from the pilot projects<sup>23</sup>—enough, it seemed, to constitute a basis to begin “mainstreaming” the approach into national policy. As evidence of

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<sup>23</sup> One study listed 18 fisheries or fisheries-related co-management projects in Vietnam that were ongoing as of 2008 (Tuong Phi Lai, 2008).

“success” from these pilot sites began to accumulate, so too did a growing sense that co-management was gaining broad acceptance among policy makers. The sense of inevitability and optimism surrounding co-management has indeed led some authors to claim that, “the concept of co-management, and the need for more participation of fishers in management and sector planning, has spread as an *accepted* alternative fisheries management paradigm in Vietnam” (Pomeroy et al., 2009, p. 423, emphasis mine).<sup>24</sup> As described by a project consultant, “Co-management is recognized on all sides as essential; the big question is not ‘if,’ but ‘how?’” (Sollows, 2005, p. 6). Such pronouncements give the impression that a consensus is already established on *whether* co-management should be adopted in Vietnam; the challenge is to find ways to “*make it work.*”

What, then, could be stopping co-management from working? According to the literature, two key obstacles stand in the way of full-blown integration of co-management into mainstream policy: First, Vietnam’s legal framework—which, for the most part, remains strongly wedded to socialist ideals—contains several elements that are inimical to co-management, particularly in the granting of resource tenure and the rights of resource users to organize (see Hoang Huu Cai, Dang Thanh Ha, Ngo An, & Trinh Truong Giang, 2005; Swan, 2010). Despite efforts at legislative reform,<sup>25</sup> the pace of change has been frustratingly slow for the

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<sup>24</sup> Again, Vietnam is not the only country where this ‘paradigm shift’ towards co-management has been claimed to occur. In a recent global review of fisheries co-management, Evans et al. (2011) maintain that, “Co-management is now established as a mainstream approach to small-scale fisheries management across the developing world” (p. 1938). Likewise, the MRC (2010) claims that co-management “has now become the preferred form of management in all four [of its member] countries” (p. 9).

<sup>25</sup> One significant effort to develop a modern legal framework for the fisheries sector was the Norway-supported project “Establishment of Vietnamese Fisheries

local governments and resource managers who are eager to implement co-management. Second, engendering local participation in collective action remains a challenge, especially where there still is deep-seated antagonism and suspicion of state-directed attempts at collectivizing agriculture, but also because of decades of state suppression of informal, non-Party sanctioned local-level organizing (see Fforde, 2008; Heng, 2004). Much work, therefore, needs to be done to rebuild trust and the capacity of local communities and government authorities to work together with each other. For these reasons, most current co-management projects are focused to varying degrees on addressing these twin challenges.

### **Lineages of fisheries co-management**

The account I have presented thus far would generally be regarded as a fair, if somewhat general, representation of the emergence of fisheries co-management in Vietnam. Save for perhaps certain minor details, few co-management practitioners would disagree with the overall narrative, insofar as it resonates with the dominant narrative advanced in much of the policy and academic literature.

What this narrative fails to account for, however, is the fact that co-management has been experimented with in different ways in different resource systems by different actors and institutions, each representing different interests and therefore having rather distinct conceptions of how and why co-management should be adopted. Because of this diversity of

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Law and Regulations” (for a more critical view on Norwegian development assistance in Vietnam’s fisheries sector, see Hersoug, 2004; see Jøker & Phillips, 2007; Nguyen Thi Kim Anh, Williams, Bjordal, Duong Thanh Mai, & Bjøru, 2007).

actors and agendas, co-management is less coherent a concept than it is made to appear. It is, in fact, still being highly contested. Even after two decades of experimentation, co-management conferences and workshops in Vietnam are still consumed to a surprising extent by debates over what co-management actually means.

Like many environmental narratives, the discourse of co-management in Vietnam serves to simplify what is essentially a rather complex and multi-faceted concept. In doing so, the prevailing discourse reifies and foregrounds a certain normative perspective of what co-management *should be*, while simultaneously downplaying or dismissing competing perspectives (see Adger, Benjaminsen, Brown, & Svarstad, 2001; Bourke & Meppem, 2000). The casual observer could therefore be forgiven for mistaking co-management to be a prescription for the many unsuccessful attempts at managing fisheries resources using an authoritative top-down approach, much like certain remedies are prescribed for certain ailments. The predominance of manuals and handbooks on how to implement co-management tends to reinforce this view (see, .e.g, Pomeroy & Rivera-Guieb, 2006; Takahashi & van Duijn, 2012).

Upon closer scrutiny, however, co-management as practiced and understood in Vietnam is in fact served in several different ‘flavors’ or variants that reflect the particular circumstances under which they were first introduced, and the institutional interests that have shaped their emergence. In the sections that follow I explore three such variants of the co-management discourse which, because of their distinct institutional histories, I have chosen to call “lineages” of co-management. These lineages

can be understood as individual discursive strands that when wound together form what appears to be a consistent whole—the “cord,” as it were, that is the co-management discourse. I argue, however, that there are features unique to each of these strands that warrant more attention than they have hitherto been given, not least because these differences may provide clues to what the future of co-management in Vietnam will look like.

The cord metaphor also helps to underscore the temporal aspect of the discourse, as one can imagine it as originating at various points and then winding its way into the future. Unravelling its component strands then necessarily entails going back in time and understanding the historical conditions that gave rise to the individual lineages. Historicizing the discourse in this way also pays cognizance to the evolutionary nature of the co-management concept; indeed, in the two to three decades since co-management first appeared in the natural resource management literature, it has already undergone significant evolution and has now come to embody a variety of aspects or “faces” (Berkes, 2009).

### **The Mekong River Commission: Mitigating hydropower impacts through participatory development and research**

As one of the earliest advocates of fisheries co-management in Vietnam, the Mekong River Commission (MRC) continues to play a significant role in framing the co-management discourse. Yet it is not necessarily apparent why co-management has been so central to MRC’s efforts at promoting sustainable fisheries in the region. To answer this question, I examine in this section the institutional forces and discursive legacies that have

shaped the MRC's engagement with co-management. I begin with a brief consideration of the geopolitical context in which the MRC came into existence and which, to a large extent, still determines its agenda.

The MRC was established on April 5, 1995, when the four riparian countries of the Lower Mekong River Basin—Cambodia, Lao PDR, Thailand, and Vietnam—formally ratified the *Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin* (MRC, 2013). The MRC would constitute the institutional framework for regional cooperation to develop the Mekong river basin, and as such was given the status of an international body. Among other things, this endowed it with the authority to “enter into agreements and obligations with the donor or international community” (MRC, 1995, p. 5).

Although the MRC is only the latest manifestation of such formal regional cooperation—a process dating back to the signing of the original Mekong Agreement in 1957,—its founding nevertheless occurred during a period of unusual peace and stability that enabled the intensification of economic relations in the region.<sup>26</sup> These conditions, in turn, prompted a renewed interest by the riparian countries as well as the international donor community in harnessing the water and other natural resources of the river basin as an engine of growth and development. Notably, however, this was also not long after the 1992 United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro, when

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<sup>26</sup> For a critical account of the historical interconnections between peace, conflict, and regional cooperation for economic development, see Nguyen Thi Dieu (1999). See also Sneddon and Fox (2012b), Sneddon and Nguyen (Sneddon & Nguyen Thanh Binh, 2001), and Mehtonen et al. (2008) for the historical context in which the MRC was established.

sustainable development was arguably the reigning paradigm on the global agenda.

This historical conjuncture at which the MRC was established explains its critical role in linking what Bakker (1999) argues are two discourses that have powerfully shaped the geopolitical imagination of the region: “water as a scarce resource; and capitalism as a neutral force for regional growth, development and integration in the post-Cold War era” (p. 210).<sup>27</sup> The Mekong river, in other words, is simultaneously conceptualized on one hand as a precious, threatened resource that needs to be conserved; and on the other hand as the key to unleashing the prosperity of the region.

Caught within the contradictions inherent in these two ostensibly opposing discourses, the MRC on one hand promotes and facilitates the economic development of the river basin—the most important form of which is hydropower generation—while on the other hand works to mitigate the environmental and social impacts of such development (Sneddon & Fox, 2012a). Admittedly, the MRC Secretariat, as opposed to its individual member states, takes a much more precautionary stance with respect to hydropower development, since its *raison d’être* is the sustainable use of the Mekong river’s water resources. In this sense, the MRC’s role contrasts sharply with that of its predecessor organization, the Mekong Committee—which had a much broader remit to stimulate

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<sup>27</sup> It also bears noting that the Mekong ‘region’ that is often glibly referred to and invoked in the discourse is conceptualized simultaneously as a geopolitical, economic, and biophysical region. The fact that the logic and values of these three distinct dimensions often do not mesh with each other may explain the many contradictions in the policies and practice of the MRC and its constituent nations (Sneddon & Fox, 2012b).

economic development in the region (Hensengerth, 2008). Likewise, the MRC also contrasts with what Hensengerth (2008) has argued is the real successor of the Mekong Committee, namely the economically-oriented Greater Mekong Subregion (GMS)—a regional “growth area” established three years prior to the inauguration of the MRC, and which provides a platform for cooperation and dialogue that is more sympathetic to hydropower development (see also Haefner, 2013; Hensengerth, 2006).<sup>28</sup>

Seen in this context, it then makes sense that co-management, as espoused by the MRC’s Fisheries Programme, arose as a strategy to mitigate development impacts, particularly because it was deemed an appropriate means for achieving two of the MRC’s most important objectives: Initially, it was seen as an ideal way to foster greater public participation in environmental governance (see MRC, 2005; Sneddon & Fox, 2007). However, it soon became apparent that co-management could also serve as a means to harness local ecological knowledge, thus providing the Fisheries Programme with the critical data it needed to understand the highly complex ecology of the migratory fish species in the river basin (Mattson, Augustinus, Poulsen, & Hartmann, 2004; Poulsen, Hartmann, & Mattson, 2003; Valbo-Jørgensen & Poulsen, 2000).

More recently, through collaborating with the Vietnamese Research Institute for Aquaculture No. 2 (RIA2), the Fisheries Programme expanded the scope of its involvement in co-management into aquaculture and water management. Nevertheless, even in these initiatives, co-management for the MRC remained primarily a means towards meeting its twin objectives

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<sup>28</sup> The Greater Mekong Subregion comprises the four member states of the MRC, China’s Yunnan province and Myanmar.

of fostering greater participation in environmental management on one hand, and gathering local information to meet its monitoring and modeling needs on the other hand. In the following section I describe in more detail the ways in which these two goals have come to define the meaning of co-management in Vietnam as espoused by the MRC.

### ***MRC's Fisheries Programme and fisheries co-management in Vietnam***

The MRC's Fisheries Programme is one of several operational units within the structure of the MRC Secretariat, currently based in Vientiane, Lao PDR (see Figure 4.1). Other key units include the Environment Programme, the Flood Management and Mitigation Programme, and the Agriculture and Irrigation Programme. The fact that these units are organized in divisions separate from—and apparently in contradistinction to—the 'Planning Division,' in which are housed the units most directly related to hydropower-related infrastructure development illustrates the Janus-faced nature of the MRC mentioned above.

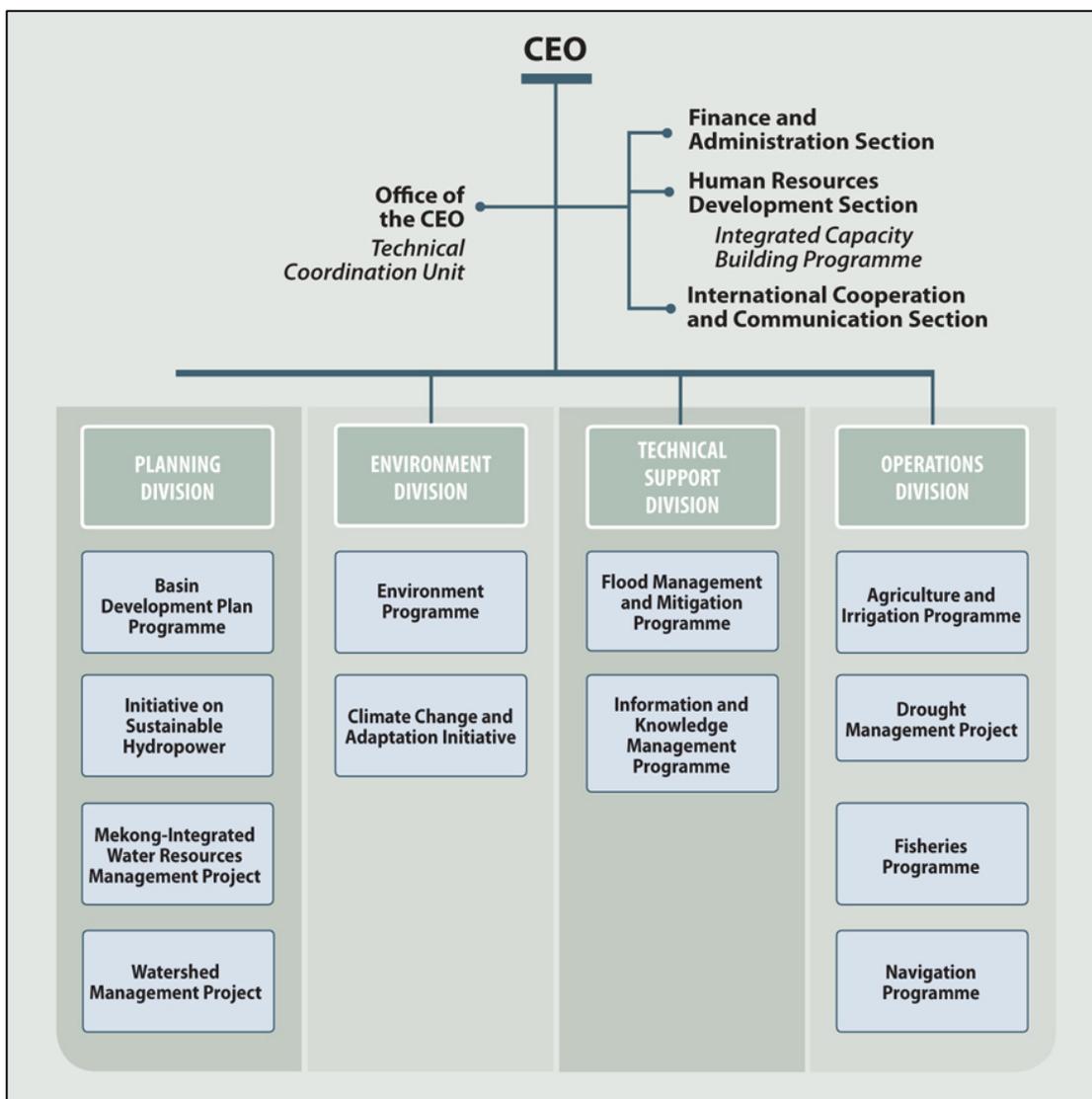


Figure 4.1: The organizational structure of the MRC Secretariat. (Source: [www.mrcmekong.org/about-the-mrc/organisational-structure](http://www.mrcmekong.org/about-the-mrc/organisational-structure). Accessed June 21, 2014).

The Fisheries Programme began its association with Vietnam in August 1995—mere months after the 1995 Mekong Agreement was signed—through a project that promoted the sustainable management of fisheries in six reservoirs in Dak Lak province in the Central Highlands of Vietnam (Truong Ha Phuong, Phan Thuong Huy, & Sollows, 2003). Implemented by the Management of River and Reservoir Fisheries (MRRF) component of

the Fisheries Programme, this project was specifically aimed at instituting co-management as a means to foster participation of local communities in the management of their own fisheries. Co-management, according to the project development plan, “was always [the project’s] ultimate objective,” although its more immediate aim was initially to build the capacity of government fisheries agencies to plan and manage the fisheries in a sustainable way (Truong Ha Phuong et al., 2003, p. 130).<sup>29</sup>

As the project attempted to build management institutions almost from scratch in fisheries that were often poorly managed in a top-down fashion by the authorities and had a history of resource conflict, its main challenges were to raise awareness of existing regulations, build management capacity, establish trust, and provide incentives for local communities to participate. These were challenges typical of development projects, and although outcomes were somewhat mixed, on the whole the project did reasonably well to foster collective action and establish functioning institutions (Truong Ha Phuong et al., 2003).

### **The WorldFish Center: Building institutional capacity for fisheries management**

With a long history of engagement with fisheries research and policy support in developing countries worldwide, The WorldFish Center (WorldFish) has been a major proponent of co-management in Vietnam. As

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<sup>29</sup> While co-management was the intended approach, ultimately the project was oriented towards increased but sustainable levels of production. The goal of the project was: “Sustained high yields of fish achieved from reservoirs managed under local community agreement with government” (MRRF project planning document, cited in Truong Ha Phuong et al., 2003, p. 130).

mentioned earlier, the WorldFish Center—known until 2000 as ICLARM (International Center for Living Aquatic Resources Management)—was instrumental in introducing the concept to the Ministry of Fisheries (MOFI) in 1995, eventually gaining the Ministry’s endorsement of the principles of co-management (Pomeroy, 1995). This was an important milestone in the history of fisheries governance in Vietnam, and WorldFish was arguably well positioned at the time to facilitate its realization. As a member of the Consultative Group of International Agricultural Research (CGIAR), WorldFish already possessed the kind of clout that few other organizations had, enabling it to gain access to key government agencies. Furthermore, through its role as an international research organization, WorldFish had built a track record of collaborating with and strengthening the capacity of the national agricultural research system (which included fisheries and aquaculture research institutes)—work that had won it broad respect and credibility in the scientific and policy community in Vietnam.

More importantly, however, through its work elsewhere in the developing world, WorldFish was already beginning to establish itself as a leading authority in the development of fisheries co-management. Together with the Institute of Fisheries Management (based in Denmark) and national partner agencies in Asia and Africa, WorldFish had embarked on an ambitious ten-year (1994-2003) global study of co-management known as the Fisheries Co-management Research Project (Pomeroy & Ahmed, 2006). Funded by Danida and other donors, the project supported research, capacity building, and policy development on co-management in eight countries in Africa and six countries in Asia.

As one of the participating countries, Vietnam was represented by the Vietnam Institute of Fisheries Economics and Planning (VIFEP)<sup>30</sup>—an agency of the then Ministry of Fisheries (MOFI).<sup>31</sup> It was through the close collaboration between WorldFish and VIFEP during this period that the idea of co-management began to take root and generate significant enthusiasm within policy circles within MOFI.

As part of this project, WorldFish and VIFEP co-organized a workshop in May 1995 on *Co-management of Living Coastal Resources in ASEAN: Theory, Practice and Implications for Vietnam* that was specifically intended to introduce the concept to government policy makers. The Vice Minister, at the conclusion of the workshop, “enthusiastically endorsed the principles of co-management,” and committed that MOFI would work towards the “selection of, formal recognition of, and funding for pilot test sites for the establishment of co-management activities in coastal fisheries including marine protected areas (MPAs) and aquaculture” (Pomeroy, 1995; ADB, 1999, cited in Pomeroy et al., 2009, p. 423; Ratner et al., 2012; see also Zweig et al., 2005, p. 19).<sup>32</sup> This was by no means a wholesale commitment that co-management would make its way into official policy and legislation, but it did indicate a certain receptiveness

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<sup>30</sup> At the time, VIFEP was simply known as the Institute of Fisheries Economics and Planning (IFEP).

<sup>31</sup> In an administrative reorganization, the Ministry of Fisheries (MOFI) was subsumed under the Ministry of Agriculture and Development (MARD) in August 2007. Most of its former functions and authorities are now assumed by the Directorate of Fisheries, established in 2010, and operating under MARD.

<sup>32</sup> This followed a workshop on *Co-management of Living Coastal Resources in ASEAN: Theory, Practice and Implications for Vietnam* in May 1995, jointly organized by the Vietnam Institute for Fisheries Economics and Planning (VIFEP) and the International Center for Living Aquatic Resources Management (ICLARM) specifically intended to introduce the concept to government policy makers (Tuong Phi Lai, 2008; Zweig et al., 2005).

towards the idea. Most importantly, it signaled to the provincial and lower levels of government that the central government was open to the testing of the idea, and in so doing heralded a period of experimentation through the establishment of pilot sites.

### ***The SCAFI project***

Even after the Fisheries Co-management Research Project ended in 2003, WorldFish continued to support the government's efforts to adopt co-management. One of its more recent contributions to this effect that I was able to observe and study as part of my fieldwork has been its participation in a Danida-funded program aimed at modernizing Vietnam's fisheries sector known as the Fisheries Sector Programme Support, Phase II (FSPS II).<sup>33</sup> Specifically, WorldFish was contracted to provide consultancy services to a component of the program called *Strengthening of Capture Fisheries Management* (SCAFI), the immediate objective of which was to "strengthen institutional capacity for formulation of policies for sustainable capture fisheries management and their implementation at national level and local level" (WorldFish Center, 2009).

What made the SCAFI project<sup>34</sup> especially remarkable was its ambitious plan to implement co-management pilot sites in selected districts and communes in nine provinces across Vietnam. While this was not the first time co-management was being piloted in Vietnam the

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<sup>33</sup> This was one of the co-management initiatives I studied as part of my field work in Vietnam in 2009-2010.

<sup>34</sup> Although the acronym SCAFI officially refers to one of several components of the broader FSPS II program, for ease of use I refer to it here as the SCAFI project.

geographic breadth and scale of the SCAFI project was nevertheless unprecedented. The provinces were selected to represent a range of different aquatic ecosystem types and were distributed across the three broad geographic regions of Vietnam—three provinces in the North, three in the Central region, and three in the South.<sup>35</sup>

Tasked with facilitating the initial implementation of co-management activities in the nine pilot provinces, WorldFish conducted various training workshops for government personnel at the central and provincial levels.<sup>36</sup> Visits were made to the various pilot sites, and further training and technical assistance was rendered to the participants of the co-management schemes. WorldFish also played a key role in organizing a regional conference on fisheries co-management in Vietnam attended by representatives from other co-management projects in Vietnam, and from as far afield as Cambodia, the Philippines, New Zealand, and Japan.<sup>37</sup> Apart from occasioning knowledge exchange, the conference was also intended to serve as a means of capacity building for the government staff.

WorldFish also supported policy development in a number of ways: Working in close collaboration with national partners, including

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<sup>35</sup> The nine initial pilot provinces were as follows: Sơn La, Quảng Ninh, and Nghệ An in the North; Thừa Thiên-Huế, Bình Định, and Đắk Lắk in the Central region; and Bến Tre, An Giang, and Cà Mau in the South. Several months into the project, activities in one southern province (Cà Mau) were terminated by the Embassy of Denmark on allegations of corruption, which reduced the number of pilot provinces to eight. While I have yet to access any official documentation that states the reason behind the cessation of project activities in Cà Mau, I was able to obtain and corroborate this information from interviews with two separate senior officials with intimate knowledge of the project.

<sup>36</sup> I was able to participate in two of these workshops in 2010: One in Bến Tre city in the Mekong Delta for provincial-level staff from each of the eight provinces, and one for ministry-level staff in Hanoi.

<sup>37</sup> This was the Regional Conference on Small-Scale Fisheries Co-management in Vietnam, held in Đà Nẵng City on 26-27 October 2009 in which I participated as an observer.

government agencies and research institutes, a local NGO, and a local university, WorldFish helped draft a set of national guidelines for the implementation of co-management, a policy brief, and a brochure targeted towards raising awareness in the pilot provinces. Its involvement in the SCAFI project also led to the publication of a peer-reviewed journal article on small-scale marine fisheries policy in Vietnam (Pomeroy et al., 2009).

The full import of the project and the optimism with which WorldFish viewed its prospects of producing tangible and far-reaching policy outcomes are encapsulated in the following excerpt from WorldFish's final report on its consultancy services to the Embassy of Denmark in Hanoi:

“The Vietnamese government has been talking about co-management now for a number of years and has discussed it in a number of policies. There have been a small number of co-management projects in the country to date. However, this project has the potential to *finally bring co-management into the mainstream* in the country as a fisheries management approach” (WorldFish Center, 2009, emphasis mine).

After its earlier role in bringing co-management to the attention of senior policy makers in the Vietnamese government, WorldFish was thus once again in a unique position to further advance the adoption of co-management into mainstream policy.

One of the most encouraging signs of WorldFish's success in this regard was a letter issued by the Vice Minister of the Ministry of Agriculture and Rural Development (MARD) responsible for fisheries to the People's Committees of all of the provinces and cities in Vietnam. Entitled *On implementing small-scale fisheries co-management* (No. 1700/BNN-KTBVNL, dated 16 June 2009), this letter requested all

Provincial and City People's Committees to take necessary steps to promote co-management in the small-scale fisheries sector.

The letter begins with a brief paragraph defining and explaining what co-management is. This is then followed by a paragraph highlighting success stories. It then goes on to list seven pieces of legislation that it claims provide the legal basis for fisheries co-management. Finally, it issues a specific set of requests, which I quote here:

Based on reality of development of small scale fisheries co-management at local level and above mentioned legal documents, Ministry of Agriculture and Rural Development requests that Provincial and City People Committees guide local Departments of Agriculture and Rural Development, districts, communes and other local units to implement following contents:

- Disseminate legal documents and regulations in relation to development of small scale fishery co-management in Vietnam.
- Use co-management as an approach to small-scale fisheries management by authorities at the provincial, district and commune levels.
- Develop institutions, legal documents and action plans in support of co- management in fisheries.
- Promote the establishment of local fishery management groups or units in the communities to engage in co-management and fisheries management with the local authorities.
- Establish exclusive fishing rights for a designated area or resource may be given to fishing communities or local fishery management groups or units to enable them to fish or use the resources in a planned and sustainable manner.

The last two bullet points are particularly noteworthy because of they may constitute the earliest official endorsement in principle of the establishment of fishery management groups and of exclusive fishing

rights—both ‘sensitive’ areas where officials at the provincial level and below typically fear to tread. Although not carrying similar legal weight as a directive or a decree, this letter was indeed a significant development in the gradual mainstreaming of fisheries co-management in Vietnam, and a feather in WorldFish’s cap. While none of the “requests” made were mandatory, and while provincial and city PPCs nevertheless wield much autonomy in deciding whether or not to implement the recommended measures, nevertheless the Vice Minister’s letter was significant to the extent that it was addressed to every single Provincial and City People’s Committee in the country. As such it could be regarded as a ringing endorsement for co-management. The letter featured prominently in the SCAFI project’s final report as evidence of the project’s successful outcomes (WorldFish Center, 2009). It has also been mentioned in at least one journal article (Pomeroy, 2013).

Evidently, WorldFish through such mechanisms as the SCAFI project has achieved much in bringing co-management onto the national agenda. It’s role in advancing the discourse of fisheries co-management in Vietnam, however, has been rather different from that of MRC, despite the fact that they have both worked most closely with the institutions within the fisheries sector. In the following section I explore how the fisheries co-management discourse may have also been shaped by institutions operating outside the fisheries sector.

### **Interlude: Co-managing within silos**

Given their close collaboration with fisheries-related government agencies, the MRC and WorldFish have arguably had the most direct influence on the discourse of fisheries co-management in Vietnam. Yet some of the most important voices to have shaped this discourse in recent years have come from outside the fisheries sector. Fisheries, it should be noted, is by no means the only type of natural resource sector in Vietnam to have experimented with co-management. Rather, as has typically been the case elsewhere, a broad range of different government agencies representing different economic sectors have dabbled in co-management to varying degrees thanks to its broad appeal. Until recently, however, there has been limited interaction between practitioners and government agencies working in co-management in different resource sectors.

Such a lack of coordination is often attributed to the institutional compartmentalization or ‘silo effect’ that pervades much of the bureaucracy in Vietnam (see, e.g., Eddison, 1985; Hirsch, 2012). Much of the effort to implement co-management has been confined to either (1) the management of aquatic resources—largely in the coastal zone, but also in freshwater bodies like rivers and reservoirs, or (2) that of forests and terrestrial protected areas (Swan, 2011).<sup>38</sup> The former has been dominated by what until 2007 was known as the Ministry of Fisheries (MOFI) while the latter has fallen mainly under the purview of the larger and more powerful Ministry of Agriculture and Rural Development (MARD) through

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<sup>38</sup> Co-management has also been experimented with to a much more limited extent in the field of community-based tourism (Swan, 2011).

its constituent agency the Forest Protection Sub-department (Kiểm Lâm).<sup>39</sup> The Ministry of Natural Resources and Environment (MONRE) also oversees a number of co-management projects in protected areas.

Where the management of different types of resources is called for in a particular area, great care is taken to distinguish between the different types of resources and to clearly delineate institutional responsibilities. The management of aquatic resources in wetland forest ecosystems is a case in point.<sup>40</sup> Prime-Ministerial Decision 186, which details the Regulation on Forest Management, assigns overall responsibility for the management of special-use forests<sup>41</sup> to MARD, but it also clearly specifies that:

The Ministry of Fisheries shall assume the prime responsibility for, and coordinate with the Ministry of Agriculture and Rural Development and the Ministry of Natural Resources and Environment, in guiding the management of the integral parts of marine creature conservation and submerged land resource in special-use forests. (Paragraph 5, Article 13, Decision 186/2006/QĐ-TTg promulgating the Regulation on Forest Management).

Such legislative boundary making typically translates into attitudes among staff, which in turn persist despite official attempts at fostering inter-sectoral interaction and sharing of knowledge. A former consultant I spoke to who had worked for many years with MOFI bemoaned this ‘silo

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<sup>39</sup> In an administrative reorganization in 2007, the Ministry of Fisheries was absorbed into the Ministry of Agriculture and Rural Development. Since 2010, the functions and powers of the former MOFI has been assumed by the Directorate of Fisheries, established pursuant to Prime Ministerial Decision No. 05/2010/QĐ-TTg, under MARD.

<sup>40</sup> These include, among others, peat swamps, *Melaleuca* forests, and mangroves, all of which often harbour a diversity of aquatic resources on which many rural people depend for their livelihoods.

<sup>41</sup> Special-use forests are a category of forest introduced in 1986 to distinguish these forests from protection forests and production forests (see Nguyen Kim Dung, Bush, & Mol, 2013).

mentality' among government staff, arguing that it stood in the way of a more widespread and enlightened adoption of co-management. We were discussing an upcoming national workshop in 2010 on the concept and practice of co-management. Because this workshop was to be hosted by a mangrove co-management project managed by the forestry agency Kiêm Lâm, it was widely perceived as being:

... a 'forestry thing'. They (the government staff) try very much to keep that concept level of co-management. But as soon as it's mentioned, I heard already, some people, former colleagues from MARD (working in fisheries-related departments) said, 'But it's forestry, so we should not go. We don't need to go.' And that's interesting.

Nevertheless, it would be erroneous to blame the limited sharing of co-management experiences between sectors solely upon the bureaucratic nature of the Vietnamese government. The distinction between co-management of different resource types also occurs on a conceptual level, even among scholars. In general, much of the literature on co-management, for example tends to treat forest co-management as conceptually and practically distinct from fisheries co-management.

Not surprisingly then, the extent and nature of the co-management experiment in Vietnam has been diffuse, erratic, and largely uncoordinated across the different resource sectors. The resultant replication of efforts and seemingly constant reinventing of the wheel had doubtless frustrated some, but nevertheless created a ready demand for foreign expertise to facilitate the local-level implementation of co-management in pilot sites. Various donor-funded pilot initiatives emerged as a result, each assembling its own team of technical experts with their own idiosyncratic approach towards co-management, much of which drew upon experience gained from

attempts to implement co-management elsewhere. While this diversity of ideas and experiences might have been considered a valuable resource, it was largely left untapped due to the relative lack of interaction between projects and especially between different resource sectors. Swan (2011) neatly captured the disarray and consequent lost opportunity of the early 2000s when he described co-management as having been implemented “through piecemeal pilot project-level initiatives, implemented by international or national NGOs, and financed through small to medium-scale donor grant aid ... with limited interaction between practitioners [working in the management of aquatic resources and that of forest resources]” (p. 31).

### **GTZ and the beginning of consolidation in co-management across sectors**

Amidst this patchwork of uncoordinated attempts at instituting co-management, one organization—the German technical cooperation agency GTZ—came to play a small yet significant role in initiating what might be seen as a consolidation of experience between the different resource sectors and projects.<sup>42</sup> Through its experimentation with co-management in a coastal wetland site, it ended up engaging with and consequently

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<sup>42</sup> In 2011, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ, or the German Society for Technical Cooperation) merged with two other German development organizations—Deutscher Entwicklungsdienst (DED, or German Development Service), and Internationale Weiterbildung und Entwicklung (InWEnt—Capacity Building International)—to form Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ, or the German Society for International Cooperation) GmbH. In this dissertation I refer to the organization as GTZ to reflect the name by which it was known during my field work in 2009-2010.

promoting interaction between government agencies and practitioners representing different resource sectors. Although much of this interaction occurred at the local level (commune, district, and province), later this experience was parlayed to promote unprecedented dialogue between co-management practitioners at a national level. This milestone arguably marked the confluence of the various discourses of co-management in Vietnam and would likely herald many more such sharing of experiences.

GTZ, however, was not merely acting as a disinterested facilitator of dialogue, but used the unique position it was in to advance certain ideas and values of its own. By doing so, I argue, it has left an indelible mark on the shape of the discourse of co-management in Vietnam. In this section I trace some of the notions underpinning how GTZ conceptualizes co-management, and then describe how GTZ, as an implementer of bilateral development aid projects, has helped to define how co-management is understood and practiced in Vietnam. Before I do so, however, I provide here a brief excursus of the state of the co-management discourse in forestry and conservation in the hope that it will enable the reader to more fully appreciate the magnitude of GTZ's role in catalyzing the meeting of this discourse with that of the fisheries sector.

### ***The evolving co-management discourse in the forestry and conservation sectors***

Despite a gradual discursive shift towards devolving forest management from state actors to non-state actors—what Dang et al. (2012) have called the emergence of the ‘forestry socialization’ discourse—there has until recently been a reluctance in the forestry and protected area management

discourse towards actually using the term co-management.<sup>43</sup> There have indeed been references to a variety of terms that suggest participation of non-state actors such as ‘collaborative management’ (Scott, 2001), ‘engaging local stakeholders’ (Boissière, Sheil, Basuki, Wan, & Le, 2009), ‘joint management’, ‘community-based forestry’, and ‘partnership’, yet instances of the word *co-management* itself has tended to be few and far between in the forestry literature in Vietnam. Although often used interchangeably, there are in fact important distinctions between these terms with regards to the nature of power sharing, representation, and institutional process that merit attention (Plummer & FitzGibbon, 2004).

Even in the relatively few cases which do mention the word co-management, it has been used with considerable ambiguity and an apparent lack of awareness of how the word is used elsewhere. As Swan (2011) notes, in contrast to co-management pilot projects in the coastal zone which

have a sound grasp of the concept and emerging international good practices of implementation, others (often in the biodiversity conservation sector) have used the term ‘co-management’ more loosely and synonymously with other community-based conservation interventions, and are not fully acquainted with international ‘standards’, or other pilot interventions in the region, or even within Viet Nam (pp. 28-29).

Rather than reflecting ignorance or careless usage of the term, this semantic imprecision may in fact be a way of resisting the adoption of the approach as it is understood and practiced elsewhere. It may well be

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<sup>43</sup> One of the earliest manifestations of this ‘forestry socialization’ discourse was the 1972 Government Ordinance of Forest Protection that stated that: “forest protection must be carried out by both the state and people” (The Council of Ministers of Vietnam, 1972, cited in Dang Thi Kim Phung et al., 2012).

indicative of the discursive struggle in the forestry socialization discourse described by Dang et al. (2012) where, despite attempts to broaden the participation of non-state stakeholders particularly through the allocation of land-use rights, there has been a countervailing (and largely prevailing) discourse coalition that has sought to maintain the dominant role of the state and to limit the authority of non-state actors in natural resource management. Seen against the backdrop of the top-down, command-and-control approach to resource management and the strict hierarchical governance structure that typified post-reunification Vietnam, co-management may therefore have been perceived as a threat to state power because it was (erroneously) thought to promote a *transferral* rather than a sharing of authority from the state to non-state actors (Swan, 2008b).

This reluctance to use the term co-management also reflects what several scholars have characterized as a general unwillingness in the forestry sector to formally recognize or support collective action. The word ‘community’, for instance,—the concept of which is central to co-management—rarely occurred in official forestry documents prior to 2004; forest protection contracts were instead awarded to individual households, or even ‘groups of households’ rather than to *communities* under the pre-2004 contractual forest management schemes (Hoang Huu Cai & Phan Trieu Giang, 2011).<sup>44</sup> One explanation proffered is that co-management may have held “connotations of ‘collectivised’ forest management, a post-war policy experiment that contributed to rapid deforestation rates as a result of a dispersal of responsibility, rather than a sharing of it” (Swan,

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<sup>44</sup> See *Changing notions of property rights* under Chapter 3 for a more detailed discussion on the shift in forms of ownership of land use rights.

2008b, p. 2). No matter the reasons behind the state’s real or apparent aversion to using the term co-management, the upshot of all this was that in the case of special-use forests, co-management in its most widely understood sense—i.e., the formally institutionalized sharing of responsibility and authority over the management of a resource between the state and a community of resource users—lay beyond the ambit of what was permissible under existing regulatory, legal, and policy frameworks.

Such has been the apprehension about the state’s perceived resistance towards co-management in the forestry sector that certain practitioners have found it unfeasible at this point to implement co-management in its fullest sense and have suggested even avoiding using the term altogether. For example, in a report to a project aimed at instituting co-management of forests and wildlife in a national park in the Central Highlands of Vietnam,<sup>45</sup> a consultant deemed the original project aim that sought to conserve threatened biodiversity through introducing collaborative management “based on negotiated tenure and access rights” (Swan, 2008a, p. 9) to be unrealistic given the existing institutional and cultural context. The consultant went on to recommend that:

... challenging and potentially threatening (to local government) terms of ‘collaborative’ and co-management’ should be avoided, and replaced with a practical focus on responding to the question: ‘How can local communities be engaged more in park planning, functioning and ‘management’ (in its widest sense) [sic]? The object of such an approach would *not be to transfer tenure, rights, responsibilities, authority or power from state to local communities*, but simple [sic] to achieve a more effective

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<sup>45</sup> This was the project *Co-management of Forests and Wildlife in the Bi Doup-Nui Ba (BD-NB) Nature Reserve, Vietnam* that ran from 2007-2010. It was funded through a grant from the UK government’s Darwin Initiative and undertaken by the International Institute for Environment and Development (IIED) for the WWF Greater Mekong Programme – Vietnam Country Office.

partnership between the potentially conflict[ing] agendas of forest protection and poverty alleviation (Swan, 2008a, p. 9, emphasis mine).

Concurring with these recommendations, the project's final report to its funder acknowledged that "the project in aiming to introduce co-management inside a national park in Vietnam was ahead of its time and the enabling environment was not conducive" (Sandbrook, Nhan Pham Trong, Lee, & Grieg-Gran, 2010, p. 6). For an internationally funded project to concede failure to achieve its goals in such frank terms must not have been easy, yet this was the plain truth.

Furthermore, this was not an isolated view. Many others bemoaned the impracticality of even attempting to institute co-management given the government's general aversion towards bestowing any form of rights of tenure to local people. Despite much rhetoric in its favor, the prospects for genuine local participation in forest resource management and conservation—where not just responsibilities but also rights are transferred<sup>46</sup>—were not encouraging. As Dang et al. (2012) contended, "participation of local people in forest conservation ... remains largely symbolic and serves mainly to increase the legitimacy of management plans of protected areas" (p. 39). Lending support to this claim, Nguyen et al. (2013) argued that co-management of special-use forests in Vietnam is best characterized as 'administrative' co-management in which the government (especially Provincial People's Committees) retains much control, management responsibilities are only partially devolved to lower

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<sup>46</sup> In a review of lessons learned in protected areas in the Greater Mekong Sub-region, Corbett (2008) provides a compelling argument as to why successful power sharing requires both the transfer of management responsibilities to local people *and* state protected rights and benefits that are tangible to local resource users.

levels, and local people are perceived to be threats to the conservation of forest resources rather than as legitimate resource users.

Yet, despite this rather discouraging state of affairs, there have been promising signs of change. The same report cited above that acknowledged the lack of an enabling environment also noted "... considerable momentum gathering in Vietnam behind the idea of collaborative management, including policy/legislative changes in the pipeline" (Sandbrook et al., 2010, p. 6).<sup>47</sup> Some of the clearest indications yet of this growing momentum are the achievements made by a certain GTZ project that entailed instituting co-management in a coastal village in Sóc Trăng province. I describe this project and its impact on the co-management discourse in the following sections.

### ***The Coastal Zone Management Project in Sóc Trăng Province***

I came to learn about the work of GTZ in co-management through a project that had just gotten underway at the time I began my fieldwork in mid-2009. As I was surveying the various fisheries co-management initiatives in the Mekong Delta, the project entitled "The Management of Natural Resources in the Coastal Zone of Soc Trang Province" kept being mentioned in more than a few conversations I had with people involved in resource management. Even at that early stage, the project had begun to gain a reputation for being something of a potential game-changer in the perennial dilemma over how to conserve dwindling resources without depriving the rural poor of their livelihoods. I was struck by how the

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<sup>47</sup> These changes to the policy and legislative framework are summarized by Swan (2011).

project came to be defined by the fact that it was experimenting with co-management; many referred to it simply as “the Sóc Trăng co-management project.”

This was remarkable for two reasons: First, as suggested by the project title, this was not primarily a co-management project to begin with. Although one key component of the project involved implementing co-management in a village bordering a strip of mangrove forest, the project as a whole encompassed much more than this village-level experiment, and a much larger area than the strip of mangroves that was to be co-managed. The project was aimed primarily at instituting an integrated way of managing the coastal zone of three districts in Sóc Trăng province in the face of resource degradation brought about by overexploitation, economic development (primarily shrimp farming) and climate change (Schmitt, 2009). As such, the project included activities as diverse as developing an erosion control model, promoting awareness of climate change and the importance of mangroves through roadshows and through integrating environmental education into the school curriculum, working with shrimp farmers to promote sustainable aquaculture practices, reviewing and improving on existing mangrove management practices, and instituting and piloting a benefit sharing scheme that entailed payment by clam cooperatives operating in the mudflats to those (co-)managing the mangroves behind them. In this case, therefore, co-management was evidently but one—albeit important—piece in what was a rather comprehensive strategy of managing the coastal zone.

Second, this was not a fisheries co-management project per se, but rather that of a mangrove forest. Unlike many of the fisheries and

aquaculture co-management projects that I had encountered, it was administered by the Provincial Kiểm Lâm (Forest Protection Sub-department) and not by fisheries-related agencies such as DECAFIREP, although several of these other government agencies did play an active role in the project.<sup>48</sup> Although the project encompassed the management of both aquatic and terrestrial resources, this was—administratively, at least—a ‘forestry’ and not a ‘fisheries’ project. Given the general antipathy described above of the forestry and conservation sectors towards co-management, and even towards the use of the word ‘co-management’, it was especially noteworthy that many, including several Kiểm Lâm officials I met, were referring to this project as a ‘co-management project’; if anything, this suggested a certain openness among the Sóc Trăng forestry authorities and the Provincial People’s Committee towards the concept and approach. At least they didn’t appear to be antagonized by it.

Of course, the mere labeling of the project as such would count for little if this was yet another case of mere “administrative co-management” (Nguyen Kim Dung et al., 2013), or as Corbett (2008, pp. 9-10) put it, a “paper partnership.” In other words, for this to be regarded as a genuine case of power sharing, there needed to be evidence of the transferring of not only responsibilities but also of secure rights to the local resource users. On this measure, the project did indeed achieve some rather impressive outcomes, three of which are worth highlighting: First, a

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<sup>48</sup> Although officially the project was jointly implemented by GTZ and the Provincial Department of Agriculture and Rural Development (DARD), the main agency responsible for administering the project was the Provincial Kiểm Lâm, reflecting the fact that the mangrove forest falls under their jurisdiction. The project office was also hosted by the Provincial Kiểm Lâm headquarters in the provincial capital.

resource user group was established comprising some of the poorest and therefore most resource-dependent households in the village. This was a critical preliminary step, as this was to be the legal entity to which *communal* use rights were to be given. Yet precisely for this reason, setting up and obtaining formal legal recognition of a such a body was not without its challenges.<sup>49</sup> Nevertheless, the project managed to leverage a recently gazetted piece of legislation, namely Decree No. 151/2007/NĐ-CP of 10 October 2007 on the *Organization and operation of cooperative groups* (Government of Vietnam, 2007) that provided the legal basis on which to establish the resource user group (Lloyd, 2010; Schmitt, 2009).<sup>50</sup>

Second, the project succeeded in winning the approval of the Sóc Trăng provincial government for the members of the resource user group to access the resources in the mangrove forest adjoining their village subject to agreed upon regulations. The Provincial People's Committee, represented in the project's steering committee, consented to the joint delineation of management zones by the resource user group and local

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<sup>49</sup> See Fforde (2011) for a discussion on the emergence of informal farmers' groups in Vietnam. He points out that donors and international organizations largely tended to ignore these community-based organizations from the mid-1990s till the mid-2000s in ways that supported the state's general opposition to such organizations but that seemed to contradict the donors' own stated commitments to participatory and community-based approaches (Fforde, 2011). See also the section *Changing notions of property rights* in Chapter 3 for a discussion of the tensions inherent in permitting communally held rights to land.

<sup>50</sup> Under this decree a cooperative group is defined as a voluntary association of three or more individuals "formed on the basis of cooperation contracts authenticated by [commune-level People's Committees] ... who jointly contribute assets and labor to carrying out certain works for mutual benefit and responsibility" (Government of Vietnam, 2007, p. 1). It is worth noting that the decree was formulated by a working group of government agencies led by MARD and supported by IFAD, CARE and OXFAM International. This signaled the change of tack suggested by Fforde (2011) by the donor and INGO community around the mid-2000s towards supporting such community-based organizations (See preceding footnote).

authorities within the ‘full protection’ zone of a designated protection forest where normally no such resource access or use would have been sanctioned.<sup>51</sup> Furthermore, the provincial government permitted on a pilot basis the use of resources not covered under existing legislation—the collection of snakes and rats, for example (K. Schmitt, pers. comm., September 18, 2009, cited in Oh, 2011). By permitting the piloting of such approaches the Provincial People’s Committee effectively established a legislative ‘enclave’ where policy experimentation, excepted from existing national law, could take place.

Third, the access and use of resources permitted by the provincial government were given secure legal backing through the endowment of use rights to the members of the resource user group. These rights were enshrined in a set of regulations that were negotiated over a six-month period and agreed upon by a team of representatives from both relevant government agencies and the resource user group. It is particularly significant that the very title of the regulations—*Regulations on the rights in forest protection and natural resource use by the Co-management Group in the coastal area of Âu Thọ B Village, Vĩnh Hải Commune*—explicitly mentions the word ‘rights’. This, however, did not come about without considerable initial resistance from the government representatives—a point that I expand upon in greater detail in Chapter 5.<sup>52</sup> Nevertheless the regulations were eventually adopted and formalized amidst considerable

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<sup>51</sup> The co-management area was divided into four zones the boundaries of which were mapped and demarcated on site: A protection zone, a rehabilitation zone inside the forest, a rehabilitation zone outside the forest, and a sustainable use zone (Lloyd, 2010).

<sup>52</sup> See the section *Vignette 1: Power, knowledge, and the negotiation of meaning between scales*.

fanfare at a public signing ceremony attended by members of the resource user group and representatives of the local authorities.<sup>53</sup> The public nature of the ceremony in the presence of key persons of authority was critical in ensuring that the co-management arrangement gained recognition and legitimacy among the wider local community as well as the government agencies with whom they would be working.

These are by no means the only outcomes of the project, nor would they necessarily be considered the most important when seen in retrospect long after the end of the project, yet they clearly show that the co-management engendered through this project was much more than a ‘paper partnership’. For a forestry sector-led project, it was breaking new ground in terms of the extent to which the state was willing to experiment with sharing power. It also signaled a new readiness within the forestry and conservation sectors to adopt the terminology of co-management—something that until recently they had resisted, as described above.

Clearly, then, the “Sóc Trăng co-management project” was adding to the momentum behind the idea of collaborative management and was significantly advancing the forestry socialization discourse in favor of greater participation of non-state actors in resource management. Crucially, however, because of its unique position as a wetland co-management project, it necessarily entailed an unusually high degree of engagement between government agencies from various resource sectors, and consequently straddled the boundary that had hitherto prevented the terrestrial and aquatic resource sectors from exchanging ideas and

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<sup>53</sup> The regulations were jointly signed by the Chairman of the Vĩnh Hai Commune People’s Committee and the head of the resource user group.

experiences. In this way, GTZ was able to foster dialogue on co-management between these various government agencies, starting first with the local government agencies (at the district and provincial levels), and then later at the national level. It is through this initial exchanges of viewpoints and experiences that GTZ, I argue, may have sparked the beginning of a national conversation on co-management. In what follows, I describe two events organized by GTZ through the Sóc Trăng project that lends weight to this argument.

### ***The Sóc Trăng communication training workshop***

Co-management not only entails interaction between the government and resource users, but also often necessitates greater interaction between the different government agencies that have a stake in the resource that is being co-management. This is especially true of wetland ecosystems where the resource in question actually comprises of a variety of different types of resources, the management of which falls under the responsibility and jurisdiction of different government agencies. As mentioned above, the GTZ project in Sóc Trăng was uniquely placed to bring together the relevant agencies, especially those at the district and provincial levels, to jointly participate in the management of the mangrove forest together with the members of the resource user group.

Still, it is one thing to provide a platform or a reason for interaction between government officials from different agencies, but it is another thing altogether to actually foster meaningful and productive interaction. Because of the long history of a lack of communication due to bureaucratic specialization, implementing co-management in a wetland like a mangrove

forest requires extra sensitivity to the challenges inherent when stakeholders begin to communicate across administrative silos. On this count, too, the GTZ project made significant strides in addressing these challenges.

Two training workshops I had the opportunity to participate in as an observer gave me some of the clearest indications that the GTZ project was giving serious importance to the communicative aspect of co-management. Jointly entitled “Training Workshop on Communication and Natural Resource Co-management,” these were actually two separate workshops—one for local government officials, and the other for selected members of the resource user group.<sup>54</sup> While both workshops illustrate my point in different ways, I focus here on the first workshop for government officials, as it demonstrates the lengths to which the project went to institute what might be regarded as a rather audacious cultural shift in how government agencies think and relate to each other across bureaucratic boundaries.

The workshop was held over five days at the headquarters of the provincial Kiểm Lâm at Sóc Trăng City, the provincial capital.<sup>55</sup> Facilitated by a team of four presenters comprising two faculty members and two research staff from the Faculty of Forestry, Nông Lâm University (University of Agriculture and Forestry) in Ho Chi Minh City, the

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<sup>54</sup> The project management had initially planned to hold only the one five-day workshop for government officials in the provincial capital, but upon the recommendation of the workshop facilitators—a team of two faculty and two staff from a university in Ho Chi Minh City—the project later agreed to extend the facilitators’ terms of reference to include a two-day workshop at the village for members of the resource user group.

<sup>55</sup> My account of the workshop draws on both my own field notes and the final report of the workshop by Phan et al. (2009).

workshop was aimed at providing local government officials a better understanding of co-management and equip them with the skills necessary to participate effectively in it.<sup>56</sup> The stated objectives of the workshop included enabling participants to “change [their] attitude[s]” about the roles of different stakeholders, gain communication and conflict management skills, and understand collaborative and participatory approaches to natural resource management (Phan Trieu Giang et al., 2009, p. 2). Clearly, the workshop was designed at the outset to address certain barriers to effective communication and collaboration that had been known to plague earlier attempts at co-management elsewhere.

The majority of the workshop’s participants were provincial- and district-level representatives from line agencies such as Kiểm Lâm, DARD, DECAFIREP, Department of Aquaculture, and the Department of Natural Resources and Environment (DONRE).<sup>57</sup> Many of these officials were relatively young, i.e., in their twenties, although there were a few more senior ones among them. A few of these participants were already familiar to me, as they had participated in an earlier co-management negotiation meeting that I had attended. Although some of the participants knew each other (most of them were based in the provincial capital, anyway), it was apparent from the ice-breaking session, from their body language, and

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<sup>56</sup> Prior to the workshop, two of the facilitators were given the opportunity to familiarize themselves with the project and the co-management negotiations that were on-going at that time. Both they and I were observers at the same negotiation meeting that I describe in greater detail in Chapter 5.

<sup>57</sup> All of the agencies listed here come under the aegis of MARD at the national level, except DONRE that is a constituent department of MONRE (the Ministry of Natural Resources and Environment).

from a few conversations I had that many were really interacting with each other for the first time.

Also in attendance were several chairpersons of Commune People's Committees from the communes in the three coastal districts covered under the project—including the one from Vĩnh Hai commune in which the co-management experiment was being conducted. Unlike the line agency officials who tended to be technocrats, these commune chairpersons were local government leaders, and thus wielded considerable political authority in determining how fiscal resources were allocated in their respective communes. Their exalted position of authority did not go unnoticed; in fact, their conspicuous manner of dress (their choice and color of clothes, watches, and jewellery, which tended to border on the flamboyant), the way they carried themselves, and the fact that they tended to seat themselves at the back or at the edges of the room in which the workshop was held, all gave the impression that they considered themselves—and wanted to be considered—in a different social stratum from the line agency officials. Although a few of these commune chairpersons appeared to participate more enthusiastically in the discussions and breakout sessions as the workshop progressed, most of them remained rather aloof during the workshop itself—some even missing entire sessions altogether. Notably, however, these same individuals did not miss the celebratory dinner at the end of the workshop, during which they took on an almost completely different persona and were among the most boisterous and 'friendly'.

The workshop sessions, all of which took place in one large multi-purpose room, were overall very engaging both in terms of content and presentation. This was not only my own assessment, but was also the

conclusion of the participants' evaluation (Phan Trieu Giang et al., 2009). The experience of the facilitators in conducting such training workshops was evident, and they soon commanded the attention and respect of the participants. Many of the sessions were highly interactive and engaged participants' creativity and teamwork while challenging them to reexamine their assumptions and to 'think out of the box'. Through numerous breakout sessions and other collaborative group activities I could observe the group dynamics gradually change over the course of the five days from that of a room full of relative strangers speaking cautiously and sparingly to that of a group with a shared sense of purpose open to each others' sometimes different perspectives. The transformation was fascinating to witness, and although not everyone participated to the same extent (notably the commune chairpersons), the impression I had was that the facilitators did an admirable job at meeting their objectives.

### ***The national workshop on co-management concept and practice in Vietnam***

In March 2010, I participated in the National Workshop on Co-management Concept and Practice in Viet Nam, a three-day workshop that brought together for the first time co-management practitioners and government decision-makers across Vietnam and across resource systems as varied as protected-area forests, water resources for rice-shrimp farming, mangroves, freshwater and marine capture fisheries, and coral reefs. The co-management projects represented were also remarkably diverse in terms of the scales at which they operated. No less than a Vice Minister of the Ministry of Agriculture and Rural Development (MARD)

and the Vice Chair of the Sóc Trăng Provincial People's Committee were among the participants, lending significant gravitas to the occasion. Also in attendance was a renowned international expert on co-management who was invited to give the keynote address. All in all, this made for a high profile event in which there was considerable learning and exchange of knowledge, not to mention networking and relationship-building across different scales and sectors. I describe the workshop in more detail in Vignette 2 in Chapter 5, in which I focus on what transpired during a field trip to the Sóc Trăng co-management project site held as part of the workshop.

What I would like to highlight here is the workshop's concluding statement that was presented to the Vice Minister from MARD mentioned above at the closing ceremony. This was a simple one-page document that was drafted by a subset of the participants. The English version is quoted here in its entirety:

***National Workshop on Co-management Concept &  
Practice in Vietnam***

Soc Trang, 17–19 March 2010

**Concluding Statement**

This workshop provided a first occasion for government officials, practitioners, scientists, NGOs, community representatives, national and international experts to exchange knowledge, experiences and lessons learnt about co-management (CM) as applied to various settings and natural resources (forests, fisheries, water, protected areas) in Vietnam.

Crucial CM characteristics were identified and will be illustrated and discussed in the proceedings of the conference. It was discussed, in particular, that CM is a flexible approach

to NR management that needs to be tailored to every context of application.

What stands out of great importance for Vietnam is that CM is an approach that maintains the power of the state while facilitating its communities, especially the poor and ethnic minorities, to actively participate in managing and using NR in a responsible manner.

### ***Benefits of co-management***

The extensive application of CM in Vietnam would entail a variety of benefits for the country and its people:

- it would facilitate the implementation of existing national legislation and policies, including the Law of Forest Protection and Development, the Law of Fishery, the Law of Biodiversity, and the Policy of “Socialization of Forestry”—among others—as well as the Comprehensive Poverty Reduction and Growth Strategy in addition to responding to international obligations, such as the Program of Work on Protected Areas of the Convention on Biological Diversity and the Millennium Development Goals
- it would foster the conservation of biodiversity and the maintenance of ecosystem functions, benefits and resources as the basis of sustainable socio-economic and human development.
- it would facilitate local adaptation to global changes, including climate
- it would promote sustainable use of natural resources and sustainable livelihoods
- it would foster the conservation of cultural diversity and related unique local capacities for natural resource management
- it would help communities to realize their full potential and take action for their future, inspiring local youth to remain in rural areas
- it would promote good governance at different levels, in particular fostering local democracy, empowering the marginalized sectors of society and promoting transparency and accountability in the management of natural resources and protected areas

- It would promote the livelihoods of local communities based on the responsible use and management of natural resource.
- It would provide some form of compensation for the local communities that were displaced and lost customary rights at the time of creating protected areas, contributing to solve some related conflicts.

### ***Recommendations***

In light of the above agreed conclusions and benefits, the workshop participants would like to offer to the attention of national and provincial decision makers the following recommendations:

- develop, beyond existing opportunities, legislation/policy/regulations at the appropriate level to enable the CM option for various natural resources and settings in the country
- promote empowerment of ethnic minorities and local communities to conserve their traditional knowledge, skills and customary institutions that proved positive and effective in managing natural resources.
- foster the capacity of all actors, focusing on both government agencies and local communities, to effectively take part in CM processes, develop and implement CM agreements and contribute to CM institutions.
- expand CM application in further pilot experiences across ecosystems, regions, socio-economic contexts and protected areas of all categories
- create a government-hosted national learning network among pilot CM sites to capture lessons learnt, inform decision makers and foster policy dialogue throughout the country.
- seeks the support of international and national non-governmental organizations, donors and investors for continuing their cooperation with Viet Nam in providing CM training and capacity building and in pursuing CM pilot initiatives.

Several points of note stand out from the preamble: First, the diversity of resource systems and organizations being represented was clearly emphasized in the first paragraph, as was the fact that such a gathering was unprecedented in scope. This was clearly intended to underline the collective credentials of those assembled and lend substantial authoritativeness to the document.

Second, the third paragraph of the preamble is especially interesting as it reveals what the workshop participants felt was the essence of the co-management relationship. It was also perhaps the closest they came to a definition of co-management. Tellingly, the wording also reveals a certain concern, anxiety even, among the participants about how the state might perceive and react towards efforts to upscale and mainstream co-management. The drafters of the statement were careful to portray co-management not as some transplanted foreign concept, but one that was tried, tested, and found to be compatible with the (political) realities of Vietnam. The mention of the words “that maintains the power of the state” appear as an attempt to reassure the state that its authority and sovereignty would not in the least bit be compromised, lest it should express any concern to that effect. Interestingly also, that is the only instance in the entire document in which the word “power” occurs.<sup>58</sup>

The first bullet point in the benefits section makes a rather interesting claim: namely that co-management “would facilitate the implementation of existing national legislation and policies.” Several

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<sup>58</sup> Note that there is no mention either of the word “authority”. Nevertheless, the word “empower” in various forms appears once in the benefits section and once in the recommendations section where it refers to the empowerment of “the marginalized sectors of society”, “ethnic minorities and local communities.”

specific laws and policies were then listed, demonstrating not only knowledge and familiarity with such laws and policies but also empathy with government policy-makers who tend to be more concerned with adhering to the letter of the law. Once again, this could be interpreted as a deft maneuver to appease the state and reassure it that its sovereignty would always be upheld.

These points notwithstanding, the statement was received by the Vice Minister, whom I later learnt was enthused about co-management and promised to advocate it at the national level. In many respects, therefore, the workshop was indeed a resounding success.

### ***Co-management and the promotion of political involvement***

As the convener of the above events, GTZ not only played an important role in fostering a dialogue on co-management at the provincial and national levels, but arguably was also able to insert its own ideas into the conversation, thereby having a unique influence on the shape of the co-management discourse. What, then, were the notions that GTZ was advancing, and to what ends were they doing so? In this section I first examine some of the main ideas espoused by the GTZ project of what constitutes co-management based on an analysis of project documents and from interviews and conversations I held with key project personnel. I then examine the underlying rationale of GTZ's work in Vietnam and how the Sóc Trăng project exemplifies its efforts to promote development by engendering a certain normative relationship between the state and society.

The Sóc Trăng project's conception of co-management, as revealed by some of the key project documents (GTZ, 2009a, 2009b; Schmitt, 2009), highlights the endowment in a group of resource users of both the *rights* to use natural resources and the *responsibility* to manage it in a sustainable way. As Schmitt (2009), GTZ's expatriate Chief Technical Advisor to the project, defines it,

Co-management in the context of natural resource management is a partnership arrangement in which a resource user group gets the right to use natural resources on a defined area of state owned land along with the responsibility to sustainably manage the resources (including protection) (p. 6).<sup>59</sup>

The specific mention of “state owned land” suggests that this definition was likely carefully tailored to the context of terrestrial resources in Vietnam. Given Swan's (2008a) recommendation mentioned above, made barely a year earlier, against specifying the transfer of rights from the state to communities in another ostensible ‘co-management’ project elsewhere in Vietnam for fear of invoking opposition by the state, GTZ's definition is bold to say the least. And as pointed out above, the fact that project did succeed in giving a group of resource users the right to use resources in a protected forest is a significant achievement in its own right. Yet by emphasizing the fact that the land in question is owned by the state, the GTZ project was making a subtle but politically correct point in order to allay any fears of erosion of sovereignty, and at once making the co-management arrangement more acceptable to the authorities.

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<sup>59</sup> This definition is set apart from the rest of the text in a yellow box. This is significant, as it suggests that the definition should be able to stand on its own without further qualification.

Interestingly, while the definition does highlight the partnership aspect of the co-management arrangement, it fails to specify explicitly which parties constitute the partnership. It is clearly implied that the partnership is between the resource user group (which “gets” the use right and the management responsibility) and the state (which owns the land on which lie the resources), yet by not mentioning specifically where the resource user group “gets” its rights from, the definition implicitly absolves the state from keeping its end of the bargain, namely to securely protect and enforce those rights by rule of law—an undertaking that only it has the authority to execute (see Pomeroy & Berkes, 1997).

Furthermore, by stating that the resource user group, along with their use rights, also “gets” the responsibility to sustainably manage the resources, the definition yet again skews the arrangement in favor of the state. In other words, if taken at face value, the responsibility for managing the resource sustainably in a co-management arrangement appears to lie primarily with the resource users rather than being shared between both the state and the resource users. Moreover, the addition of the words “including protection” in parentheses may seem redundant and merely incidental but it can also be construed almost as a normative directive that sustainable management of resources (in this case, mangroves and associated aquatic resources) must include some aspect or degree of protection. In this case, this would mean the establishment of no-take zones—a ‘burden’ to be endured by the resource users in the short term although it would theoretically yield long term benefits.

To be sure, Schmitt (2009, p. 6) does go on to state that in a co-management arrangement,

The resource users and the government (and other stakeholders) share the responsibility and authority for the management of a given area or set of natural resources. Resource users and local authorities jointly negotiate a formal agreement on their respective roles, responsibilities and rights in management.

Still, this leaves open the question of the extent to which responsibility and authority is to be shared. While Schmitt (2009) does acknowledge the joint—and therefore participatory—negotiation on how such responsibility and authority is to be distributed, he is silent on the notion of power. In such negotiations, who wields power and in whose interest it is to continue wielding power matters a great deal as it will ultimately determine the contours of how responsibility and decision-making authority is shared.<sup>60</sup>

Indeed, some of these contours appeared to have been already predetermined even before the negotiations were completed. For example, in a fact sheet on co-management dated three months before the resource use agreement was signed, it was stated that in a co-management arrangement,

Resource users and local authorities jointly negotiate an agreement on who can do what where, when, how and how much in a particular area of resources *which is then implemented and monitored primarily by the resource users themselves* (GTZ, 2009a, p. 1, emphasis mine).<sup>61</sup>

While the burden of implementing and monitoring the patterns of resource use stipulated by the negotiated agreement appears to lie primarily with the resource users, no mention is made of whose responsibility it is to enforce the agreement. Again, as Pomeroy and Berkes

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<sup>60</sup> I explore the significance of these power differentials in greater detail in Chapter 5.

<sup>61</sup> This was one of a series of one-page fact sheets published to provide accessible information on the project to the media and to interested parties.

(1997) have pointed out, such a role can only be carried out by the government, yet the government's role and responsibilities in the co-management arrangement have been—perhaps intentionally—downplayed in much of the project literature.

Given the rather tepid and cautious reception of forestry authorities to co-management at the time, it is not altogether inconceivable that GTZ was displaying a keen sense of awareness of the political constraints and sensitivities surrounding co-management and was thus making a strategic and pragmatic decision to bring about the necessary reform for more enlightened resource governance in an incremental way. In other words, GTZ was careful, at least during the early stage of the project, to engender and nurture political acceptance of the approach by the state authorities, even if the terms involved were not necessarily the most equitable by international standards. As such, the project documentation and approach was carefully tailored to make co-management as attractive and palatable as possible to the state authorities while also dangling the enticing fruit of state-sanctioned resource use rights to the resource users.

Such tactful incentivizing of both parties to participate in the co-management arrangement can also be seen in the way the purported benefits of co-management were described. The key benefits of co-management, according to another project fact sheet that focuses specifically on co-management benefits, include:

More effective protection of the environment; livelihood improvement through secure sustainable resource use; resource users [are] involved in resource management decision making; [and a] reduced workload for authorities” (GTZ, 2009b, p. 1).

The authorities would find the latter benefit particularly attractive as they will allegedly have to devote fewer human and financial resources towards policing the resources. The project claims that resource users will now be empowered and incentivized to monitor resource use themselves thus relieving the authorities of what has hitherto been ostensibly a heavy and costly burden. The reality, however, gleaned from conversations I had with several practitioners and resource managers familiar with the situation in Vietnam, is not so much the shifting of the cost of monitoring the resource as the shifting of the blame when resource use violations occur. Enforcement of regulations is typically lacking due to chronic underfunding in local government agencies and a lack of capacity to adequately police large areas of natural resources. In such a context, it is unlikely that co-management will significantly reduce the actual workload of the authorities; if anything, highlighting a reduced workload as a benefit obscures the additional time, effort, and training that the authorities will need to invest to engage meaningfully with the resource users, especially in the initial years of the new co-management arrangement. Given what is stated in the project documents, therefore, it is more likely that the authorities will experience a reduction in accountability rather than workload.

Why, then, did GTZ espouse such a seemingly one-sided conception of co-management? As suggested above, GTZ may have done so to gain as much political buy-in from the authorities in this early stage of introducing co-management. After all, it was breaking new ground within a political and legislative context that was relatively unreceptive towards co-management. As such, the conceptualization of co-management had to be

stage managed in such a way as to make a strong case for the powers that be to adopt the approach. Co-management thus had to be portrayed as constituting a clear break from the status quo; from this perspective, then, the benefits listed above can be regarded as an indictment of the status quo, thus demonstrating a clear need for change. Business-as-usual, in other words, would result in the environment being further despoiled, livelihoods being further threatened, resource users continuing to be disenfranchised from managing the resources they depend on, and authorities continuing to be burdened by the cost of ensuring compliance with regulations.

It is also no accident that the stated benefits contain highly normative notions of what proper environmental governance *should* be. Listing the involvement of resource users in management and decision making together with the relatively more universally desirable goals of a better protected environment, more secure livelihoods, and a lighter workload elevates it to a similar level of importance, urgency, and appeal. Not everyone, especially in a context like Vietnam's, necessarily shares the belief that local people should have a direct say in how natural resources should be managed.<sup>62</sup> Yet by explicitly including this as a key *benefit* of co-management GTZ is in fact revealing a glimpse of the kind of development it is working to engender in Vietnam. Co-management, therefore,—and indeed even the broader goal of integrated coastal area management that co-management is intended to be a component of in this particular

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<sup>62</sup> For example, in Chapter 5, in the section *Vignette 1: Power, knowledge, and the negotiation of meaning between scales* I describe how certain government officials felt that resource management should best be left to those with the necessary scientific and technical training.

instance—may be a means through which GTZ is seeking to institute further-reaching development goals. To examine what these broader goals may be, I turn here to a brief discussion of the underlying rationale behind GTZ’s mission as a development-oriented organization.

As a German government-owned corporation that implements development projects on behalf of the state it represents, GTZ is devoted to pursuing a development policy aimed at “influenc[ing] globalisation by changing structures in order to enhance the political, social, economic and ecological framework in partner countries” (FAO/RAP, 2003, p. 48). These development policy goals are prescribed by the German Federal Ministry for Economic Cooperation and Development (BMZ), the main source of finance for GTZ, and on whose commission GTZ implements most of its development projects (FAO/RAP, 2003).<sup>63</sup> BMZ is also the primary funder of the Sóc Trăng coastal zone management project.

GTZ carries out its mandate through what it calls ‘technical cooperation,’ which entails the transfer of knowledge and skills aimed at building the capacity of individuals and organizations to “improve their living conditions on their own responsibility and through their own efforts” (Mildeberger, 1999, p. 2). GTZ is careful to point out, however, that through technical cooperation it “does not merely transfer know-how, [but] also acts as a facilitator between the government and civil society and as a mediator where there are conflicts of interest within society” (FAO/RAP, 2003, p. 49).

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<sup>63</sup> Apart from BMZ, GTZ has also implemented projects commissioned by the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB). Other funders it has cooperated with in Vietnam include the Australian Agency for International Development (AusAID), the European Union (EU) and the Entwicklungsbank KfW, Germany (Tran Dac Dinh & Nhien, 2013).

This is a critical to note when considering GTZ's role in shaping Vietnam's co-management discourse, as it hints at the broader socio-political changes GTZ intends to effect beyond merely implementing an enlightened method of managing natural resources.

In fact, a closer examination of the policies and thinking underlying German development cooperation reveals an explicit aim of promoting “a constructive relationship between state and society” in the countries in which it is active (BMZ, 2009, p. 3). Germany, through its bilateral and multilateral programs, strives to achieve this through promoting *political involvement*, which according to BMZ (2009) is “about enabling as many different interest groups and social groups as possible (particularly the disadvantaged or marginalised) to participate in political processes on an equal footing and have proper representation” (p. 6). BMZ's strategy to achieve such political involvement rests on three “interdependent and mutually reinforcing” dimensions, namely “building and consolidating the legal and institutional framework,” “strengthening civil society,” and “improving the capacity of the state” (BMZ, 2009, pp. 7-9).

Seen in the light of this strategy, then, GTZ's efforts to promote co-management in Sóc Trăng, carried out on behalf of BMZ, can be understood as advancing each of the three dimensions described above. The process of instituting co-management gives voice to a hitherto marginalized people, strengthens the capacity of government officials to engage with the local people and manage conflict (witness the training workshop described above), and is innovating in terms of bringing about legislative and policy change that enable the rural poor to be given secure rights to use resources. The broader motivation for GTZ to implement co-

management is the ‘political involvement’ that will occur as a result, as that, from BMZ’s perspective, would be one of the most important measures of how far Vietnam has developed as a nation. Although co-management is about improving natural resource governance, the broader changes it promises to engender lie at the very core of how society and the state relate to each other.<sup>64</sup> Given the stakes involved and the Vietnamese state’s known guardedness against attempts to subvert its political and social systems, it begins to make sense why GTZ has chosen to couch this pioneering experiment in terms that are non-threatening, palatable, and even appealing to the state.

### **Conclusion: A depoliticized discourse**

The evolution of the co-management discourse from the earliest pilot experiments to where it is today is clearly complex and has been shaped by a great number of actors. In this chapter I have highlighted three organizations that have played a significant role in advancing the discourse and have examined the historical context in which their respective interventions have occurred. Each of the three organizations have come at co-management from a different direction and have thus added their own unique flavor to the discourse. Their respective experiences with co-management elsewhere have certainly shaped the way they have attempted to implement the approach in Vietnam. But more importantly, the way in which each of these organizations conceptualize and

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<sup>64</sup> See Chapter 6 for an elaboration of this argument.

operationalize co-management is intimately determined by their own institutional reimits.

Despite these differences in motivation and approach, one important feature that all three organizations' portrayal of co-management have in common is that there is a conspicuous absence of any serious attention to the issue of power and how existing power relations will be altered, rearranged, and perhaps even subverted as a result of the changes wrought by co-management. As I have argued in this chapter, this depoliticization of co-management is likely a deliberate and pragmatic strategy by its advocates to ensure acceptance by the authorities, especially given its relative novelty. Such a strategy makes sense given the historical antipathy of the Vietnamese state towards any attempt to question or challenge its political or ideological beliefs and practices, more so something as sacrosanct as its constitutional vesting of sovereignty over all natural resources in its people, as represented by the state. The depoliticization of co-management may therefore be yet another example of how development interventions are given normative impetus through an emphasis on their technical aspects and a deliberate downplaying of their political ramifications (see Ferguson, 1994). There is reason to believe that as co-management becomes more accepted and is gradually adopted into the mainstream of resource governance policy, these very political ramifications will have a deep-seated impact on state-society relations in Vietnam.

In the next chapter, I tease out the ways in which co-management reconfigures power relations, especially as it pertains to relations between different scales of governance.

## CHAPTER 5

### CO-MANAGEMENT AND THE POLITICS OF SCALE

#### **Introduction: How the state made a “folk hero” of a shrimp farmer**

On January 5, 2012, more than 100 police and army personnel were mobilized by the District People’s Committee of Tiên Lãng, a district near the northern port city of Hải Phòng, to evict a fish and shrimp farmer from the 19-hectare plot of coastal land in the village of Vinh Quang to which he had been granted use rights since 1993.<sup>65</sup> The local authorities wanted to repossess the land as the 14-year lease had expired, but no compensation had been offered to the farmer despite extensive improvements he had made to what was low-value coastal swampland that had suffered significant damage from a typhoon.

Having earlier contested the land repossession order in court, and determinedly refusing to be evicted, the farmer—a 49-year old trained engineer and war veteran named Doan Van Vuon—resisted the authorities using improvised firearms and homemade land mines. Four policemen and two soldiers were seriously injured in the incident, and Vuon and two brothers and a nephew were later arrested on charges of “attempted murder and opposition of those on duty.” Vuon’s home was demolished after the land was seized.

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<sup>65</sup> Nine hectares had originally been leased, but after reclaiming a further 11 hectares from the sea, the total landholding came up to almost 20 hectares (Brown, 2012).

Up to this point, apart from the farmer's brazen yet futile confrontation against the coercive power of the state, this incident would not have been all that unusual; because all land in Vietnam is owned by the State on behalf of its people, and citizens are only granted fixed term leases that permit them to use the land for certain prescribed purposes, local authorities are legally authorized to reacquire land after their leases expire. Unsurprisingly, leaseholders are often unwilling to relinquish their claim to the land and leave quietly, especially if they are not adequately compensated for improvements made to the land.<sup>66</sup> For many rural Vietnamese, both the threat and the actual occurrence of land reappropriation by the state has become a reality they have had to live with, and as the first leases granted after the 1993 Land Law have begun to expire, that reality has been occurring with increasing regularity. Dissent is often swiftly and harshly dealt with by the authorities with as little fuss and fanfare as possible.

This, however, is where the case of Doan Van Vuon departs from the typical pattern of silenced dissent. Although the official state-run press initially portrayed Vuon as a dangerous criminal who used illegal firearms, the situation soon changed after two newspapers revealed that the district officials had reneged on an earlier agreement reached in court, and had misrepresented witnesses' statements (Sharbaugh, Robert, & Brown, 2012).<sup>67</sup> From then on, what could well have been yet another "hushed

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<sup>66</sup> Those who had originally settled on 'frontier' or poor quality land and who then invested much time and money in improving the land expect to be fairly compensated.

<sup>67</sup> The two newspapers were *Nông Thôn Ngày Nay* (Countryside Today), and *Pháp Luật Thành Phố Hồ Chí Minh* (Ho Chi Minh City Law) (Sharbaugh et al., 2012).

skirmish” quickly took on the proportions of a “national imbroglio” (Sharbaugh et al., 2012, p. 127). Public outrage found expression in increasingly strident commentary, both in the print and online media, as well as in street protests. As mounting public anger began to threaten the legitimacy of the government, Prime Minister Nguyen Tan Dung intervened. Declaring Vuon’s eviction unlawful, he ordered the Hải Phòng City authorities to investigate and account for the incident.

Several local officials were consequently made to fall very publicly on their swords. Chief among these was Le Van Hien, Chairman of the District People’s Committee and Deputy Secretary of the district’s Party Committee and Nguyen Van Khanh, Vice Chairman of the District People’s Committee, who personally ordered the eviction. Both men were relieved of their posts. Other officials who received sanctions of varying degrees included the chief of the district Natural Resources and Environment Office; the Chairman of the Commune People’s Committee; the Secretary of the commune Party Committee; and the district police chief.

More than a year after the incident, both the farmers and the officials were tried in two separate court cases that were given extensive coverage by the local and the international media. Charged with assault and attempted murder of officers on duty, Vuon and a brother were sentenced to five years in prison (see Figure 5.1), while another brother and nephew were given two-year and three-and-a-half year prison sentences respectively—punishments noted as relatively lenient for an offence of such audacity against the state.<sup>68</sup> Vuon’s wife and sister-in-law

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<sup>68</sup> An appeals court upheld the five-year sentences of Vuon and his brother in July 2013.

received suspended sentences for “opposing officers on duty.” Notably, only one of the five local officials tried in court—Khanh, the former Vice Chairman of the Tiên Lãng District People’s Committee—was sentenced to prison. He received a 30-month sentence on charges of damaging a citizen’s property. The other four officials—including Khanh’s former superior, Hien—were given between 15- and 24-month suspended prison terms. All five defendants were also instructed to compensate Vuon for damages to his property, estimated to be more than VND 295 million (about US\$ 14,000).



Figure 5.1: Doan Van Vuon (second from left) and his brother Doan Van Sinh (fourth from left) stand with policemen in front of the dock at a court in Hải Phòng, April 5, 2013. (Source: Vietnam News Agency).

How then does Vuon's case relate to co-management? Four reasons compel me to highlight this case by way of introducing this chapter: First, the case is particularly topical and reflects the fluid and volatile situation with respect to resource governance in Vietnam.<sup>69</sup> The fact that it occurred just as the first 20-year agricultural land use leases assigned under the 1993 Land Law were about to expire suggests it may be a harbinger of even greater disputes over land and natural resources to come.

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<sup>69</sup> The incident occurred about eighteen months after I concluded my field research, and the court cases took place just as I was writing this chapter.

Second, the manner in which the incident played itself out highlights the crisis of legitimacy in which the Vietnamese state finds itself, and the seriousness with which the national government views the need to address it. The Prime Minister's swift intervention, the national media's sudden volte-face in its depiction of Vuon from dangerous villain to folk hero, the careful orchestration of the two trials, and the sentences meted out all illustrate the importance attached by the state towards managing the fallout from symbolic incidents such as this to influence public opinion and bolster legitimacy. As unique as it is in terms of its visibility and particulars, however, Vuon's case is hardly an isolated event. No less than a former deputy prime minister stated that, "Though it seemed just a local matter, the incident typifies and reflects things that are going on all over the country" (cited in Brown, 2012).<sup>70</sup>

Third, the incident starkly indicates the degree to which the interplay, on one hand, between the rural peasantry and the state, and on the other hand, between different levels of government, form a complex web of scalar power relations with which any resource governance arrangement must contend. The complexity of this web, I will argue in this chapter, is especially pronounced in Vietnam, given its peculiar history of state-society relations and the decentralized way in which decisions are made over land possession in Vietnam. Such decentralization of authority allows "a lot of

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<sup>70</sup> The acuteness of the growing tensions is underscored by the fact that both of the two articles on Vietnam in the 2013 volume of the annual periodical *Southeast Asian Affairs* have highlighted the brewing crisis of political legitimacy. Vuving's (2013) assessment of Vietnam is entitled, "A Rent-Seeking State on the Verge of a Crisis," while Le Hong Hiep (2013) views the fight against corruption amidst the gloomy economic conditions since the 2008 global economic crisis as a "crisis within a crisis."

space for local authorities to mediate and do things, and a lot of times these rights are abused” (Koh, cited in Thin, 2012).

Fourth, the incident also demonstrates how instances of environmental conflict serve as sites of contestation around the meaning of scale. As Goodman et al. (2008) point out, environmental conflicts derive from “the constructed and shifting meanings of various environments and their constituent parts,” in particular through the construction and manipulation of scale (p. 4). Rangan and Kull (2009, p. 36) even go as far as to claim that, “scale is the means by which ecology is made ‘political’” (p. 36). It is precisely through this contestation of meaning that scale—and the power associated with it—is both invoked and produced. The production of scale, in other words, is a key means through which power relations are often challenged, transformed, or consolidated.

Evidently, each of these contextual considerations of legitimacy, power and scale are germane to any discussion of institutional change in Vietnam, especially that of a novel mode of governance that ostensibly runs counter to the established and state-sanctioned way of doing things. Yet, as I will show in this chapter, attention to such considerations is conspicuously absent in much of the policy literature on fisheries co-management in Vietnam. This is because the prevailing discourse depicts co-management primarily as a development intervention aimed at tackling a technical problem, namely the poor design and enforcement of rules governing resource use. In effect, this ‘developmentalist’ discourse depoliticizes co-management by obscuring the ways in which co-management arrangements embed themselves in—and invariably reconfigure—existing webs of power relations. The pragmatism and

political appeal of this highly technical interpretation of co-management, I suggest, lies in its ability to confine the sharing of power within the relatively 'safe' realm of resource management (and no further), while legitimizing and entrenching relations of power.

Building on the arguments raised in Chapter 3, I argue in this chapter that co-management articulates power by intervening in and rearranging the socio-spatial relations that govern the use of natural resources. This effect, however, is obscured by the depoliticized way in which co-management is treated in the development discourse. While ignoring or disregarding how power and scale is embodied in co-management arrangements may be a pragmatic strategy to ensure its adoption in the near term, failure to appreciate its political ramifications may not bode well for its longer term objectives of ensuring sustainable and equitable resource use.

In the sections that follow, I first explore the notion of governance as depoliticized development, showing how the discourse of co-management serves to advance such a view, and what the consequences of adopting such a view might be. I then discuss how scale embodies and articulates power and explain the relevance of this insight to co-management. Finally, to illustrate my argument I examine the tensions inherent in three different moments experienced in the field where attempts to institutionalize co-management entailed the meeting of different scales.

## **Scale and environmental governance**

The concept of scale has been gaining increasing attention in the literature on environmental governance (see, e.g., Gupta, 2008; Lebel & Garden, 2008; Lebel et al., 2005). As places have become more interconnected as a result of globalization, their vulnerability and resilience have also become more tied to larger-scale processes of change (Adger, Eakin, & Winkels, 2009). There is now greater appreciation of the fact that most environmental problems are multi-scalar in nature, that is, they concern the interests of those situated at different spatial and temporal scales, and therefore call for solutions that are similarly multi-scalar in scope (Cash & Moser, 2000). Consequently, the interactions and linkages between institutions at different scales and levels of governance have become increasingly a matter of policy interest; the challenge therein is to improve the interactions between these institutions in ways that increase local-level resilience (Berkes, 2009; Reid, Berkes, Wilbanks, & Capistrano, 2006; Young, King, & Schroeder, 2008).

Co-management is arguably one of the most effective ways of meeting this challenge. One of the defining features of co-management is that it brings together institutions operating at different levels of decision-making to jointly dialogue, deliberate, and make decisions on how to govern a particular resource in a locally delimited area. Not only does co-management bring together governments and local communities—i.e., institutions that operate at very different scales—but it often also demands the intensification of interaction between different levels of government: in the case of Vietnam, from national to provincial, district, and commune levels.

## **Scale as a social construct**

Scale is a particularly problematic concept to unpack and understand in the context of environmental governance largely because different disciplines use it in different ways to mean different things (Gupta, 2008). Natural scientists, for example, use scale to describe “the temporal and/or spatial range and magnitude of a process or observation,” while social scientists tend to use scale to describe “social organization and the interactions between those levels of organization” (Silver, 2008, p. 922). Even for Richard Howitt, a geographer who has had a long and respectable record of theorizing scale, scale “remains a troubling and even chaotic concept” (Howitt, 2003, p. 138).

In much of the environmental governance literature, scale is often taken to mean hierarchies or continua of nested levels. According to one widely cited definition, scale is “the spatial, temporal, quantitative, or analytical dimensions used to measure and study any phenomenon,” while levels are “the units of analysis that are located at the same position on a scale” (Gibson, Ostrom, & Ahn, 2000, p. 218). Scale is therefore used to refer to different dimensions of observable physical or social phenomena, although spatial scale remains the type that is most studied and that most readily comes to mind.<sup>71</sup>

Despite the acknowledgment of the multi-faceted nature of scale, however, many environmental governance scholars still regard scale as an ontologically given concept in the sense that it can be observed and proven

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<sup>71</sup> See Cash et al. (2006) for a discussion of the different types of scales used to understand and respond to human-environment interactions—including spatial, temporal, jurisdictional, institutional scales, and scales of management, knowledge, and networks—and the different levels associated with each.

to exist. An emerging body of literature at the intersection of human geography and political ecology, however, problematizes this notion of scale. Rather than seeing scale simply as an absolute hierarchy of 'spatial containers,' this perspective understands scale as historically situated social and political constructs (Brown & Purcell, 2005; Engel-Di Mauro, 2009; Marston, 2000; Rangan & Kull, 2009; Swyngedouw, 2004; Zulu, 2009). Scale, at least among scholars within this sub-discipline, is increasingly understood as a product of the interactions between social and environmental processes and agents, and one that often serves to maintain existing relations of power (Engel-Di Mauro, 2009). The relationship between processes occurring at different scales, according to Silver (2008), is one that is "continuously being defined, contested, and reconstructed based on power relations between actors across many political and economic levels" (p. 925). In what ways exactly, then, is scale being constructed?

Recent theorizing by human geographers provides some useful insights into understanding how scale gets constructed. Some scholars blame flawed thinking in the very attempts to understand scale for the continual reproduction of the (false) notion of scale as an ontological reality. Moore (2008), for example, argues that by treating scale as a category of analysis rather than the category of practice that it is, scale becomes reified as an ontological entity and is elevated to the level of a *theoretical* tool whereas it should more accurately be deemed a *methodological* one. He decries the fact that despite the constructivist turn in scholarship on scale, scholars continue to use scale as an analytical category to understand the scalar processes that shape social and natural

phenomena, thereby missing the crucial point that their very efforts to theorize these phenomena endows them with a reality that they do not inherently possess.

Other scholars take a different approach, choosing to accept both ontological and epistemological aspects of scale as valid. Sayre (2005) distinguishes between scale as a methodological issue that deals with choosing the most appropriate level with which to measure observed phenomena, which he calls observational scale or its epistemological moment, and scale as “an objective characteristic of complex interactions within and among social and natural processes” independent of how they are observed, which he calls operational scale or its ontological moment (p. 276). These two moments, he argues, are dialectically related and are ‘produced’ both through biophysical as well as social processes (see also Sayre, 2009; Sayre & Di Vittorio, 2009).

Building on both Sayre and the pioneering work of Lefebvre (1991) on the social production of space, Rangan and Kull (2009) suggest that scale is produced not only through operation and observation (i.e., respectively, Sayre’s ontological and epistemological moments of scale), but importantly through the act of interpretation, or what they call the “moment of translation” (p. 35). The translational moment, they argue, plays a crucial role in the production of scale by linking the ontological and epistemological moments in a way that makes sense to people, particularly through the use of narratives that “imbue significance and symbolic meaning to the relationships and differences between [the epistemological and ontological moments]” (ibid., p. 35). In this way, they contend,

scale is *produced* to explain, or argue for or against, the processes and outcomes of ecological change in different realms of politics and policy discourse. Scale is the means by which ecology is *made* 'political' (Rangan & Kull, 2009, p. 36, emphasis in original).

This perspective highlights the discursive aspect of scale. It can be argued, therefore, that the production of scale entails the production of meaning in ways that justify and enable changes in the ways resources are used, produced, and distributed. Processes that involve scale, therefore, both derive from, as well as constitute, relations of power. In the context of environmental governance, therefore, it makes particular sense to speak of a politics of scale.

### **Why scale matters to co-management**

I have thus far discussed some ways in which scale is related to the exercise of power. What, then, does co-management have to do with scale? Or, to put it another way, how might a perspective that includes a critical understanding of scale inform our understanding of co-management and how it articulates power?

At one level, it could be argued that co-management is an inherently scalar process because it involves bringing together institutions operating at different scales to jointly deliberate and make management decisions. Seen this way, co-management can be seen as a way to address and resolve conflicts arising from different scales of governance having different interests. Reconciling such inter-scale differences requires engendering cross-level interaction between institutions in ways that can bring about certain desirable outcomes. This challenge refers to what the environmental governance literature has termed the problem of

institutional interplay, or how to deal with the ways certain institutional arrangements affect the outcomes of others (Gehring & Oberthür, 2008; Young et al., 2008). Indeed, co-management has been described as one particular instance of cross-level, scale-dependent interplay, or as Young (2006) puts it:

[a] sort of [negotiated] hybrid regime that provides recognized roles for players at more than one level of social organization, and that stresses the need to devise mutually agreeable rules and procedures in contrast to the imposition of regimes located at one level on those operating at other levels (p. 27).

Co-management, in this regard, is seen as a means to bridge the gap between stakeholders operating at different scales, and the knowledge systems they embody (Reid et al., 2006). A burgeoning literature exploring the role of bridging organizations and institutional cross-scale linkages in co-management attests to the importance with which scholars of governance regard cross-scale institutional interplay (see, e.g., Adger, Brown, & Tompkins, 2005; Berkes, 2009; Wilson, Ahmed, Siar, & Kanagaratnam, 2006). Such a perspective does provide useful insights into how co-management and other multi-level governance arrangements can be made to be more effective. This has indeed been, and still is, the subject of much productive scholarship, particularly in the disciplines of environmental economics, environmental and natural resource management, and political science. Arguably, the intellectual goal guiding such scholarship is to determine more efficient, effective, and accountable ways in which institutions at different levels can operate and interact with each other so that resources can be better governed. What this perspective lacks, however (among other things), is on one hand, sufficient engagement with the insights on the politics of scale from human geography and

political ecology, and on the other hand, a critical appreciation of the ways in which the practice of co-management often runs up against the challenges of empowerment and engendering genuine participation—areas that have been the topic of much research in the sociology and anthropology of environment and development.

Viewed from this latter perspective, therefore, the focus then becomes less about how co-management arrangements can be made to work, and more about the ways in which co-management, as is currently practiced, articulates power through scale. Co-management can then be seen as a highly scalar process not only because of the way it intensifies scalar relations but also because by doing so it becomes instrumental in the production and reproduction of scale. I argue further that discursively, co-management derives its very appeal as a policy option from existing notions of scale. In the following sections I sketch out some ways in which co-management both draws on as well as produces scale.

### ***Co-management draws on existing notions of scale***

Co-management arrangements are typically initiated as a policy reform intended to challenge existing centralized resource governance regimes. They often occur in the context of a broader policy of decentralization or devolution of management authority, often from central government institutions located in the national capital towards subsidiary levels of governance, extending towards the community level.<sup>72</sup> This has been well-

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<sup>72</sup> See (Berkes, 2010a, p. 495) for an elucidation of the difference between devolution, deconcentration, delegation, and decentralization in the context of natural resource management.

documented in the case of fisheries (see, e.g., Béné et al., 2009; Njaya, 2007) and forestry (see, e.g., Cronkleton, Pulhin, & Saigal, 2012; Resosudarmo, 2004).

In the case of Vietnam, co-management could not have proceeded the way it has if not for a range of policy, legislative, and regulatory reforms that have created the conditions necessary for co-management to be instituted. Key among such reforms are the 2004 Land Law that recognized the right of communities to hold long-term land leases, Decree 151 that permitted the formation of local agricultural cooperatives, and Decision 380 on a pilot policy for the institution of Payment for Forest Environmental Services (Swan, 2010).

### ***Co-management (re)produces scale***

Miller (2009) describes three distinct yet related processes or “technologies of power” through which scale is produced: the construction of borders, the establishment of territorial extent, and the reassignment of responsibilities and capacities of various levels of territorially nested institutions (pp. 52, 56). These insights are encapsulated in his definition of scale as “a set of territorially nested, malleable relationships among territorially embedded or constituted agents and institutions, shaping their responsibilities, capacities, opportunities, and constraints through territory-specific rule regimes, resources, and identities” (Miller, 2009, p. 62). Importantly, while this definition explicitly recognizes and employs the notions of ‘scale as size’ (borders and territorial extent) and ‘scale as level’ (responsibilities and capacities of nested institutions) (see Howitt, 2003; Sayre & Di Vittorio, 2009), it ultimately treats scale as a relation where

various aspects of scale as size and level—each imbued with varying degrees of power—are constantly being negotiated, contested, and constructed.

Miller's conception of scale is particularly instructive and pertinent to our consideration of co-management as it emphasizes the ways in which the production of scale shapes the possibilities for human agency to affect change (Miller, 2009). By inserting itself as a new institutional arrangement within existing scalar relations of power, co-management reconfigures and rearranges these relations, thus redefining the capacities of certain actors and institutions to assert control over resources.

### ***Co-management as a bordering practice***

One of the ways co-management produces scale is through the delineation of boundaries. Boundaries are used to define and control space—both material as well as symbolic—often through the invocation of law (Blandy & Sibley, 2010). Co-management arrangements perform this function as they require the delineation of a territorial space within which negotiated resource use rules apply (Osseweijer, 2003). Sometimes these spaces map onto existing jurisdictional boundaries, but often co-management entails demarcating new boundaries, or at least reaffirming or re-legitimizing old ones that have fallen into disregard due to poor enforcement. Importantly, and in contrast to many community-based management initiatives, the boundaries of co-managed spaces often have the legal backing of specific legislation created explicitly for the management of the resource. Furthermore, relative to other areas, these boundaries also tend to benefit from the enforcement capacity of government authorities, or at least a

renewed commitment to support the enforcement of rules, due in no small measure to the political attention garnered by co-management projects, as well as substantial funding from donors. Boundary-making, therefore, is an integral part of co-management.

Boundaries, however, delimit more than just territorial space. As Miller (2009) points out, one key feature of boundaries is that they express relationships of inclusion and exclusion. In defining a group of resource users that is entitled to access common-pool resources in a particular area, co-management arrangements inevitably include certain users and exclude others. Often, but not necessarily always, proximity of residence to the co-managed resource is a key criterion for determining who becomes a member of the resource user group, although other factors like relative poverty and ownership of productive assets also feature into the equation (see, e.g., Lloyd, 2010). Co-management, therefore, explicitly privileges local resource users who presumably have more of a stake in conserving the resource, over non-local, often mobile resource users.<sup>73</sup>

### **Moments of tension**

To illustrate the interplay of power and knowledge across scales, I draw on two episodes I witnessed in my field work in which actors operating at different scales of decision-making in Vietnam came together to deliberate and discuss co-management. Occasioned by various co-management initiatives, these meetings of scales sought to advance an understanding of

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<sup>73</sup> These mobile non-local resource users, often referred to as ‘roving bandits,’ have been blamed for sequential resource depletion, particularly in fisheries. Multi-level governance is considered one way to solve this problem (see Berkes, 2010b; Berkes et al., 2006; Cudney-Bueno & Basurto, 2009; Steneck & Wilson, 2010).

what co-management means and how it could be made to work. Their ultimate, if not explicit, goal was to garner acceptance and legitimacy for its implementation. My role in each of these meetings was that of a participant and (mostly passive) observer.

In both of these episodes, I witnessed an unexpected moment characterized by a palpable sense of tension between the participants. These “moments of tension,” as I call them, constituted a rather abrupt and unscripted break from the proceedings which, until then, appeared to be going smoothly and according to plan. In other words, the events seemed at those points to be generating significant buy-in among the participants for the way co-management was being, or was going to be, implemented. This is not to suggest, however, that there was absolute consensus or a total absence of disagreement. On the contrary, there often was significant and animated debate and seeking of clarification among participants, which is only to be expected given the novel and far-reaching nature of co-management.

Unlike typical disagreements and debates, however, these particular moments managed to puncture, if only for a brief instant, the veneer of optimism and reveal the messy underbelly of co-management. In fact, by revealing the political tensions inherent when the interests, worldviews, and political realities of different scales meet, these moments called into question the very feasibility of co-management in Vietnam. Contrary to the apolitical portrayal of co-management by the prevailing development discourse, these moments betray the highly political nature of co-management by demonstrating the unevenness of the playing field with which co-management has to contend. Power pervades the governance of

natural resources, and co-management, almost by definition, involves redefining or reconfiguring these power relations to some degree. What these moments of tension succeed in doing is to bring into sharp focus the practical challenges that occur when power is shifted or redistributed across scales.

These moments of tension can be seen as occurring at what Long (2001) calls “social interfaces,” or as he defines them, “critical point[s] of intersection between different lifeworlds, social fields or levels of social organization, where social discontinuities based upon discrepancies in values, interests, knowledges and power, are most likely to be located” (p. 243). The concept of social interfaces is central to Long’s actor-oriented approach to understanding processes of development, one that is rooted in an understanding of development intervention not as a discrete linear process that proceeds from policy to implementation to outcomes, but rather as a ‘multiple reality’ comprised of diverse interests, worldviews, and knowledges, and constituted by the ongoing political and social struggles of the various actors involved (Long & van der Ploeg, 1989).

Seen from this perspective, then, co-management—being the development intervention that it is so often made out to be—is a process fraught with contestation that entails struggles over meaning. So integral is this element of conflict to the nature of intervention that Long and Long (1992) have called these arenas of contestation ‘battlefields of knowledge.’ Indeed, by bringing together groups of actors who may not necessarily share the same value systems or historical experiences, co-management can in fact increase the potential for conflict (Natcher et al., 2005). Nevertheless, it is one of the key premises underlying co-management that

some sense of common purpose, consensus, and greater mutual understanding may emerge from this difficult process of negotiation and deliberation. This has led some to regard co-management as a democratizing process that not only permits but also seeks to draw on this plurality of rationalities in order to find a just balance between different interests and needs (Hoefnagel, Burnett, & Wilson, 2006).

As explained above, the moments of tension described here are revelatory because they unexpectedly and rather abruptly go against the ‘normal’ flow of events, thus shattering the façade of efficiency and equitability that co-management is often portrayed with. However, this also suggests that they are exceptions to the way co-management typically unfolds—outliers, as it were, rather than the norm.

One possible criticism of such an approach to inquiry would be to question the significance or representativeness of these outliers. My aim in this instance, however, is less to detect the occurrence of what is “normal” in order to, for example, make comparisons at a macro-structural level across different management regime types, than to uncover and understand the discourses that have been typically been silenced in the co-management literature and practice. Rather than examining social phenomena in terms of measures of central tendency, therefore, it makes more sense in cases like these to adopt what Long and Liu (2009) call a “close-up view of specific arenas of change,” that reveal discontinuities in values, knowledge, and power, and allow “a more nuanced and vibrant appreciation of how development policies and local constituencies are defined and reshaped in the process of intervention itself” (p. 81).

There are two levels at which we might appreciate why this analysis foregrounds outliers rather than ignore and exclude them as extreme deviations from the norm (see Freudenburg, 2005, 2006). On one hand, these outlying ‘moments of tension’ are interesting in and of themselves, and merit scrutiny for the considerable light they may shed on the co-management process. On the other hand, such an approach also focuses attention on why these ‘moments of tension’ are outliers in the first place. By seeking to make problematic anew that which is typically considered non-problematic, I interrogate the forms of power behind what Freudenburg (2006) calls the “social construction of ‘non-problematicity’” (p. 19). Freudenburg (2005, 2006) argues that the powerful can and often do divert attention from privileged access to natural resources, thereby allowing it to go largely unquestioned and contributing to what Gaventa (1980) calls “quiescence” among the subaltern masses.

The two episodes I examine are particularly instructive as they involve actors ranging from the village to the global scale (and a host of various other scales in between). In doing so they reveal how multi-scalar co-management really is. The first episode was a negotiation meeting between government authorities and representatives of local resource users that was held to draft the co-management regulations prior to the establishment of a mangrove resource co-management arrangement. The primary scales involved were the province, district, commune, and hamlet (or village).

The next episode was a field visit to a co-management site by participants of a national workshop on co-management involving different

sectors and resource systems.<sup>74</sup> One of the objectives of this visit was to showcase that particular project as an example of best practices that might be replicated in other localities and resource systems in Vietnam. Notably, the workshop also prominently featured an international expert on co-management who, as it turned out, played a key role in inciting the moment of tension during the field visit, albeit inadvertently.

### **Vignette 1: Power, knowledge, and the negotiation of meaning between scales**

I begin by examining in detail a meeting between government officials and resource users at a pilot site for a co-management project. This “negotiation meeting” was the tenth in a series of twelve meetings held over a six-month period to formulate and negotiate a set of regulations to govern resource use in a mangrove forest area bordering *Âu Thọ B*, a coastal hamlet in *Sóc Trăng* province in the Mekong Delta.

Because the way in which the meeting was planned, structured, and conducted is not uncharacteristic of the negotiation stage of the co-management process as prescribed in the co-management literature (see, e.g., Borrini-Feyerabend, Pimbert, Farvar, Kothari, & Renard, 2007; Pomeroy & Rivera-Guieb, 2006), it serves as a microcosm through which we can begin to understand how co-management works. As the sections that follow illustrate, however, which participants were represented, how they interacted with each other, the setting in which the meeting took place, and crucially, how a particular “moment of tension” arose and was

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<sup>74</sup> Incidentally, this was the same hamlet featured in the first episode.

resolved, all demonstrate subtle ways in which power operates that can, among other things, determine how certain kinds of knowledge and meaning are privileged over others.

While co-management purports to level the playing field so that a more enlightened way of managing a resource may emerge from the interchange of ideas and knowledge between actors from different scales, it often fails to recognize that power differentials are less easily dispensed with than is commonly assumed. By failing to account for and attend to the ways in which power manifests itself across scales, co-management initiatives may indeed entrench existing power relations and lead to a perfunctory, illusory, and ultimately short-lived sharing of power.

Before examining what happened at the meeting itself, I describe in more detail below the context in which the meeting took place.

### ***Mangrove co-management in Âu Thọ B***

Part of a larger coastal zone management project involving three districts in the province, this village-scale experiment in co-management was an attempt to address the failure of the previous “household contract” forest management system to both protect the mangrove forest and provide for the livelihoods of the local resource-dependent poor (Schmitt, 2009). Under the household contract system, plots of forest land were allocated to individual farmer households under contract, with payments of between VND 50,000 and 100,000 per hectare per year made to each household in return for the maintenance of adequate tree cover (see also Nguyen Quang Tan, Nguyen Van Chinh, & Vu Thu Hanh, 2008; Schmitt, 2009; Vu Thu Hanh, Moore, & Emerton, 2010). While such allocation of forest rights and

land to farmers may have been successful elsewhere in Vietnam (especially in the Northern uplands), it has been implemented much more slowly in the Mekong Delta, largely due to concerns that the mangroves, their resources, and their ecosystem services (and the contract payments) would be sacrificed for the much more lucrative short-term gains from shrimp farming (Tran Thi Thu Ha, van Dijk, & Bush, 2012). As it turns out, not only was this system found to be unsuccessful in protecting the narrow mangrove forest belt in Sóc Trăng province, but it also proved to be financially unsustainable (Joffre & Luu Hong Truong, 2007).

In contrast to the household contract system, the GTZ project envisaged co-management as a new and presumably enlightened form of mangrove management “based on contracts made with groups of people rather than individual households” (Schmitt, 2009, p. 6). In other words, this would entail the state having to deal contractually with new legal entities (for Vietnam), that is, organized groups of resource users. Ironically, this would run counter to the Vietnamese Communist Party’s longstanding policy of discouraging the rural peasantry from organizing themselves into autonomous groups.

Furthermore, the Mekong Delta is known for its deep-seated suspicion of, and resistance against, any form of externally imposed collectivization. Even after the failed experiment with agricultural collectivization in the 1970s, the state has continued to strongly regulate the growth of civil society, especially among the rural poor. Its attempts to impose so-called ‘new-style cooperatives’ to counter the growth of informal farmers’ groups, however, have met with neither much enthusiasm nor success (Fforde, 2008).

If, therefore, the co-management experiment in Âu Thọ B results in better stewardship of the mangroves, it would have potentially far-reaching effects on forest policy. For the villagers whose lives and livelihoods depend on their access to the mangrove resources and their many ecological functions, the success of this experiment might spell the difference between going hungry and having a secure and stable supply of protein, fuel, and income. The stakes were evidently high. Painstaking and time-consuming as they were, these negotiations were critical; they would determine the shape of a set of resource management regulations that would have a very real bearing on the lives and livelihoods of the villagers who depended on the mangrove resources.

### ***Participants from across a variety of scales***

The project management went to significant lengths to ensure that representation at the twelve negotiation meetings encompassed all relevant parties from every scale from the hamlet up to the province. In this section I introduce and describe the different participants who attended the meeting, the organizations and interests they represented, and the roles they played at the meeting. Rather than simply list them, however, I introduce the participants as I encountered them on the journey I took from the provincial capital to the commune where the meeting was held. The journey itself provides a evocative metaphor for the way in which the traversing and meeting of scales involves the articulation of power and knowledge.

The negotiation meeting was to take place at the local commune office of the Forest Protection Sub-Department (Kiếm Lâm) of Vĩnh Hai

commune, within which the hamlet lay. To get there, I travelled with a team of project staff, other provincial government officials, and two other observers from the provincial Kiểm Lâm headquarters in Sóc Trăng City, the provincial capital. We travelled by mini-van—a ride which took about 90 minutes.

The project team comprised a province-level Kiểm Lâm officer in his green uniform who would chair the meeting, an ‘independent facilitator’ of British nationality who had been engaged as a consultant to oversee the consultation and negotiation phases of the project, and a Vietnamese project officer who served as interpreter. Notably, the consultant had worked and lived for many years in Cambodia, and was fluent in Khmer. This was significant, as the majority of the resource users in the project were ethnic Khmers<sup>75</sup> for whom their language was one of the ways they still maintained their cultural identity as a minority population (Taylor, 2008, p. 18).<sup>76</sup>

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<sup>75</sup> Known as the “Khmer Krom,” this is an ethnic population indigenous to southern Vietnam consisting of an estimated 7–12 million people (Minahan, 2002), although government statistics put the figure at only about one million (Taylor, 2004). Despite a constitutional prohibition of discrimination against ethnic minorities (McElwee, 2004), the Khmer Krom have long struggled against state-directed policies of cultural assimilation (Wook, 2003) and economic marginalization (Besemer, 2010).

<sup>76</sup> Despite the ostensibly low level of educational participation and attainment of many rural people in Vĩnh Châu, Taylor (2007) points out that many Khmer people in the district are in fact fluent in “contextually relevant” languages; not only do they speak Khmer at home within their community, but many are also fluent in Vietnamese, Pali—the language of the Buddhist sutras learnt in the monastic schools, and Tèo Châu—the language of the main ethnic Chinese population in Sóc Trăng and the predominant commercial language spoken in the district marketplace. Contrary to typical characterizations of the rural Khmers as “insular, backward, and dysfunctional,” Taylor argues that they indeed lead a way of life that is “engaged, contemporary, and viable,” drawing on a moral logic that enables them to engage strategically with the market economy (Taylor, 2007, p. 25).

Apart from the Kiêm Lâm staff attached to the project, the other government officials who accompanied us from Sóc Trăng City included senior-ranking representatives from three key provincial departments with direct relevance to the management of the mangroves in Âu Thọ B: the Department of Capture Fisheries and Resource Protection (DECAFIREP), the Department of Aquaculture, and the Department of Natural Resources and the Environment.<sup>77</sup> Although hailing from different government agencies, these men (they were all men) were evidently no strangers to each other. Given that the project was already well underway when I first came to observe it, I could not ascertain whether the obvious rapport these government officials enjoyed with each other had been built as a result of their participation in the co-management project per se, or whether their work already entailed significant interaction with each other outside the project.

The last two people to form the party departing from Sóc Trăng City were, like me, also first-time observers of the project. Coincidentally, one of them was a professor at the Faculty of Forestry at a university in Ho Chi Minh City with whom I had collaborated on a research project several years earlier while I was working with the WorldFish Center.

Accompanying him was his junior colleague who had recently joined the faculty after having completed his PhD in the U.S. Both of them had been

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<sup>77</sup> Although the Department of Capture Fisheries and Resource Protection (DECAFIREP), the Department of Aquaculture, the Department of Agriculture and Rural Development (DARD), and Kiêm Lâm were constituent “line agencies” of the Ministry of Agriculture and Rural Development (MARD), they nevertheless fell under the direct authority of the powerful Provincial People’s Committee (PPC). Likewise, the Department of Natural Resources and the Environment also reported to the PPC, but were under a different ministry, that is the Ministry of Natural Resources and the Environment (MONRE).

contracted to conduct a co-management communication training course for project participants and were therefore attending the negotiation meeting to orient themselves with the project and to get a sense of the dynamics between the various actors involved.

Along the way, our mini-van stopped briefly at Vĩnh Châu, the district capital, and picked up another member of the project team—an official attached to the district Department of Agriculture and Rural Development (DARD). This person would later play the role of the scribe at the meeting, recording changes to the draft co-management regulations on his laptop computer, which was then projected onto a screen.

A small group of people were already gathered when our minivan finally pulled into the entrance of the small, two-storey Kiêm Lâm office building. As with all government buildings, the authority and omnipresence of both the state and its rulers was made abundantly clear by the two bright red flags flying on either side of the building signboard—one being the Vietnamese flag with its yellow star, and the other the flag of the Communist Party of Vietnam with its yellow hammer and sickle.

Among the participants at the building were seven representatives of the resource users from Âu Thọ B who had been chosen to participate in the project. These included the head of the project's resource user group, and leaders of six sub-groups. Notably, all the resource user group leaders were Khmer. They were also all men.

Next, there were representatives of the commune-level Farmers' and Women's Unions—party-sponsored “mass organizations” that ostensibly represent civil society interests at the grassroots level. The Women's Union representative was notably the sole woman present at the meeting. Local

authorities present included the Âu Thọ B village chief, the commune Kiểm Lâm station director, and the Chairperson of the Commune People's Committee. I could not help noticing that this latter individual appeared to be the best dressed of all the participants, wearing a rather flamboyant red long-sleeved shirt and sporting a conspicuous gold wristwatch. I later learnt that this position carries significant influence and authority, and represents an important rank in the party hierarchy.

After a brief period of casual introductions and chatting, we proceeded upstairs to the meeting room.

### ***Seating and group dynamics***

The meeting room was utilitarian and sparsely furnished with wooden desks arranged in a 'U' formation. A projector stood on a table in the middle facing a portable screen at one end of the room. Large windows on three sides of the room provided ample natural lighting and ventilation.

As the participants took their seats, I noticed that the resource user group leaders were seated on one side of the room, a few seats away from the Kiểm Lâm officer who chaired the meeting and the DARD official who took notes on his laptop computer. The provincial government officials were seated on the side of the room opposite the screen together with the commune chairperson and the local mass organization representatives. The seating arrangement suggested an implicit boundary separating the resource users on one hand, and the "state" on the other.<sup>78</sup>

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<sup>78</sup> Interestingly, the representatives of the 'state' consisted of both government officials (provincial and commune) and mass organization leaders (commune). In other words, these were individuals representing not only different scales of governance but also purportedly different interests. In most other contexts, such groups would not normally be expected to be allied on the same side in debates;

This boundary was not only reflected in the seating arrangement, but also in the way the participants interacted with each other outside the meeting. During the brief period before the meeting began, and during a short break in the meeting when the participants gathered in the corridor outside the meeting room to chat and to smoke, I could observe little interaction between the resource users, the mass organization representatives, and the government officials.<sup>79</sup> Even after having participated in nine negotiation meetings together, the two groups tended less to intermingle than to congregate among their respective peers.

The consultant, in contrast, seemed quite at ease in the company of the resource users, often chatting and joking with them (in Khmer) during the breaks. He appeared to be playing a key role as an intermediary by bridging the still-apparent divide between the project (which, after all, was being led by Kiêm Lâm—a government agency) and the resource users in an attempt to win their trust and cooperation.

Finally, I was seated on the third side of the meeting table, next to the two professors. To their right were the consultant co-management facilitator and the project officer-cum-interpreter. In other words, the four project staff—the Kiêm Lâm officer, the DARD official, the consultant and the project officer—were seated closest to the screen.

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often they would even hold adversarial positions against each other. Yet the meeting—and indeed, the project itself (see Lloyd, 2010)—was conceived and structured in such a way as to maintain a binary distinction between the resource users and the state. In so doing, it was affiliating, and thus conflating—whether wittingly or not—what would typically be considered civil society organizations with the administrative apparatus of the state.

<sup>79</sup> One behavior I did notice, however, was the deference and delight that the Kiêm Lâm official who led the meeting displayed in the company of the university professors, especially the more senior one. Apparently, the official had studied with the professor while a student at the Faculty of Forestry.

### ***Negotiating meaning at the co-management meeting***

The meeting began with a recapitulation of the points agreed upon at the last meeting. Handouts of the latest version of the draft co-management regulations were distributed. The Kiếm Lâm officer then walked everyone through the various articles of the draft regulations, standing as he spoke. Attention then shifted to expanding the text in detail. For this particular meeting, the focus was on drafting the specific restrictions on resource use activities, or as the project put it, the rules specifying “who can do what, where, when, how, and how much” in each of the four zones in the co-management site.<sup>80</sup> Proposed changes or additions to the document were then typed in by the DARD official, and participants could see the changes being made “live” as they were projected onto the screen.

After some initial discussion, the participants (excluding the project staff and the observers) were asked to break out into two groups—the resource users on one hand, and the local authorities on the other—to discuss some of the proposed changes to the text in more detail. Up till that point, most of the resource user group representatives had kept very silent. If at all any of them spoke, it was usually the head of the resource user group, and even then, only if the resource users were called upon to provide bits of local knowledge such as which time of the year certain resources were seasonally abundant. His responses characteristically demonstrated a profound familiarity with the ecology of the area. The “state” representatives, on the other hand, spoke up much more frequently, and much more assertively, usually to seek clarification on certain points. The

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<sup>80</sup> The four zones were: a protection zone, a rehabilitation zone inside the forest, a rehabilitation zone outside the forest, and a sustainable use zone (see Lloyd, 2010).

most vocal among them were the provincial officials. Rarely, in contrast, did the resource users ever ask a question. The power differential between the two groups was already apparent at this point.

After several minutes of the breakout discussion, the participants reassembled and proceeded to report on issues arising from their discussion. It was at this point that an extraordinary thing occurred. One of the provincial officials, presumably representing the collective voice of the state representatives, took issue with the use of the word “rights” (*quyền*) in the text of the draft regulations. The word, in fact, featured in the title of the draft regulations itself: “On the rights in forest protection and natural resource use by the co-management group in the coastal area of Âu Thọ B village, Vĩnh Hai commune.”

The use of the word, in their opinion, ran counter to the spirit, if not the letter, of the socialist ideals of the country enshrined in the Constitution and Land Law where all land belongs to the “entire people” of Vietnam and is managed and held on its behalf by the state. In other words, such an arrangement would be plainly illegal. The tone of the official raising this point seemed less argumentative than instructive, as if taking on, almost with an air of resignation, the responsibility to inform the project team (more so than the resource users) of their error on a point of law.

At that point I could sense a distinct cooling in the tenor of the discussion. The discussion had hitherto been rather informative (and felt almost a little routine), seemingly aimed at obtaining the necessary input to refine the text of the document (most of which had already been drafted by then), and ensuring all parties were clear about what the text meant.

All of a sudden, however, the discussion became much more serious, with concerned looks being exchanged between the project team members. The resource users remained silent and betrayed little emotion.

After what seemed like an awkward pause, the facilitator, who till then had largely left it to the Kiểm Lâm officer to do the talking, decided to intervene. He tried to explain (through his interpreter) that the rights in question did not at all refer to rights of ownership (*quyền sở hữu*), and that the project management was aware of the legal requirements with respect to property rights in Vietnam. All the land under the project, therefore, would continue to remain the property of the state on behalf of “the people”. The rights referred to in the co-management regulations, he continued, meant the right to use or access the resources in the land, or what is known as usufruct rights (*quyền sử dụng*).<sup>81</sup> The provincial official and the rest of the state representatives appeared to accept the explanation, though rather reluctantly.

Not long after that, however, the same provincial official raised another, more profound objection to the wording of the draft text: The state representatives were uncomfortable with assigning responsibility for managing the resources to the resource users.<sup>82</sup> They reasoned that management (*quản lý*) is an activity requiring specialized technical knowledge obtained only through proper training, that is, something that

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<sup>81</sup> Interestingly, the facilitator did indeed use the rather technical word “usufruct” in his explanation.

<sup>82</sup> In particular, they were referring to Article 8 of the then draft regulations which stated that, “All members of the Co-management Group shall have the duty to be involved in managing the natural resources of the Au Tho B coastal zone, monitoring and reporting all illegal activities inside the map area to local authorities” (emphasis mine).

only sufficiently trained staff of the relevant government agencies were qualified to undertake. They did not, however, have any problems with the resource users monitoring and reporting illegal resource use. The implication was that those were activities that were commensurate with the local resource users' level of knowledge and skill.

My own initial reaction to this was, firstly, one of disbelief. Surely, I thought, after months of painstaking consultation, capacity building and awareness raising on the part of the project team, and participation in no less than nine previous negotiation meetings, the government officials would have understood what co-management entails and what they were getting themselves into by agreeing to participate in this pioneering venture. Yet here was a comment that quite plainly suggested that the “state” was unwilling to relinquish, let alone share, any of the authority it had over the management of the resource.

My second reaction was one of concern at how the resource users might respond to this objection, which seemed to me to be an affront, if not an insult, to the clearly demonstrated deep-seated knowledge of the resource base and the ecological system. I wondered if these remarks would erode what trust had already been built by the project between the resource users and the government.

This time there was an even more uncomfortable and awkward silence. The facilitator, it seemed to me, deliberately resisted responding immediately to the comment. Instead, he turned to the resource users and invited a response from them, if they had any to offer. Curiously, despite this being a matter that could potentially disempower them and call into question their very participation in the project, none of them—not even the

user group head—said a word. Rather they kept looking down and appeared to be uncomfortable and even embarrassed to be put in this situation.

Finally, the facilitator intervened yet again, this time going back to basics and patiently explaining that the entire rationale for co-management rested upon a willingness for both the state and the resource users to share responsibility and authority over the management of the resource. It would not and could not logically be called co-management otherwise.<sup>83</sup> He then encouraged a broader understanding of the term “management” to include not merely scientific, technical management, but also the adaptive behavior of local resource users to conserve and protect the resources they depend on, based on cumulative experiential knowledge. The government officials took quite some time to be convinced—there was considerable debate over the issue—but eventually they conceded and agreed to the wording of the text as it stood.

Several observations are worth pointing out: First, unlike the earlier objection to the use of the word “rights,” this was not a misunderstanding over terminology. As alluded to in my initial reaction, the government official’s comments betrayed what appeared to be a fundamental disagreement over the meaning and motivation behind co-management. It seemed as if the state was all too eager to share—or to put it more cynically, outsource—responsibility, yet was unwilling to give up control or authority over the resource. It was especially telling that the state based its claim to this authority in the specific knowledge—general, technical,

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<sup>83</sup> The Vietnamese term for co-management is *đồng quản lý*, or literally, “to manage together,” which implies even more vividly the sense of a joint or shared undertaking.

and explicit—that it held in contrast to the local, experiential, and tacit knowledge of the resource users.

Second, it is also telling that the debate over whether to leave or change the word “manage” in the draft occurred virtually between the representatives of the “state” on one hand, and the project team on the other. The resource users, though ostensibly full participants in the meeting and in the co-management process, were relegated to being mere spectators in this particular instance. Even though their opinion was sought, the power dynamics were such that they could not bring themselves to express it. One could argue that their silence may have simply been a result of ignorance or lack of sufficient understanding of the issue at hand. However, the few times the resource users spoke led me to believe that they did in fact have a solid grasp of what was at stake.

### **Vignette 2: When local meets global: Appealing to power across scales**

In this second vignette, I describe an incident that also took place within the context of the Âu Thọ B co-management project. Eight months after the negotiation meeting described in the previous section, and six months after the resource management agreement had been signed and had gone into effect, I participated in a national-level workshop on co-management hosted by the GTZ project in Sóc Trăng which featured a field trip to the village of Âu Thọ B. It was during this field trip, the participants of which included actors ranging from the village to the global scale, that another “moment of tension” occurred. Although it seemed innocuous enough, it was nevertheless a moment that revealed the tensions underlying co-

management and ironically brought to bear by the meeting of scales occasioned by co-management itself.

### ***The national workshop on co-management***

Several months after I first began working with the GTZ project in Sóc Trăng, I learned that it was to host a national-level workshop on co-management, at which I was invited to share some findings from my research.<sup>84</sup> While I did present some preliminary insights from my field work at the workshop (Oh, 2011), I also participated in the workshop with an eye to observing the proceedings and the dynamics between the participants.

The three-day workshop was pioneering in several ways. Despite co-management having been experimented with in Vietnam for more than two decades, this was in fact the first time a forum had been convened that brought together decision-makers and practitioners of co-management from across the nation—and more significantly, from different resource management sectors. As a result, the participants included representatives of projects ranging from co-management of national parks, co-management of water resources for rice-shrimp farming, co-management of coral reef resources, and mangrove co-management.

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<sup>84</sup> Held in Sóc Trăng City from 17-19 March, 2010, the National Workshop on Co-management Concept and Practice in Viet Nam was jointly organized by two GTZ projects in Vietnam that had been experimenting with co-management, namely the aforementioned coastal zone management project in Sóc Trăng province and the “Nature Conservation and Sustainable Management of Natural Resources in the Phong Nha Kẻ Bàng National Park Region” project in Quảng Bình province in north-central Vietnam. The workshop proceedings were published in Spelchan et al. (2011).

The projects represented, however, were remarkable not only in terms of their diversity of geographical location and resource type, but also in terms of the different scales at which they were operating. For example, the scales of the projects represented ranged from that of a national park, to a district, to a lagoon administered by a province, to a national-level project that involved eight provinces. The presentations and discussions themselves ranged from national policy and legislation, to province-wide initiatives, to local case studies, and thus served to highlight the ways in which actions at different scales are needed to bring co-management to bear. Apart from representatives of co-management projects per se, the participants also included several independent consultants working in the region and representatives of international NGOs like IUCN and CARE for whom the implementation of co-management was a matter of significant interest.

Three workshop participants in particular deserve special mention, not only because of the scales at which they operated, but also because of the power and influence they wielded. The first was a Vice Minister of the Ministry of Agriculture and Rural Development who oversaw the Forest Protection Department at the central level. His very presence at the workshop conveyed significant gravitas as it signaled the central government's openness to experimenting with and learning about co-management. Notably, he received on behalf of the central government the concluding statement issued collectively by the workshop participants. The second key participant was the Vice Chair of the Sóc Trăng Provincial People's Committee, who—crucially—also chaired the steering committee of the GTZ project in Sóc Trăng. Representing the host province, he was

given the honor of delivering the closing address, as well as officially opening and closing the workshop.

The third participant of note was Grazia Borrini-Feyerabend, an expert on co-management of international repute, author of a number of influential and widely-cited publications on natural resource co-management, and one of the earliest and most well-known advocates of the concept.<sup>85</sup> Given that the GTZ project drew significantly from her work in conceptualizing the co-management process, it was not altogether surprising that she was invited to give the keynote presentation at the workshop (see Borrini-Feyerabend, 2010).<sup>86</sup> Throughout the workshop, Borrini-Feyerabend was an active participant in the discussions, and also played a lead role in drafting the concluding statement. As we shall see in the following section, she unwittingly played a key role in the moment of tension that transpired during the field visit.

### ***The field trip to Âu Thọ B***

Held on the second day of the three-day workshop, the field trip provided a useful way to ground the largely conceptual and technical discussions in a real-life case study of a site where co-management had recently been implemented. More importantly for GTZ, though,—in particular the Sóc Trăng project that was hosting the workshop—the field trip provided a way to showcase their efforts at instituting what were, in their view, best

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<sup>85</sup> See, e.g., Borrini-Feyerabend et al. (2007; 2004). For an early discussion on the then nascent and still-evolving definition of co-management from a conservation perspective, in which Borrini-Feyerabend played an important part, see Bayon et al. (1996).

<sup>86</sup> See GTZ's lineage of the co-management discourse in Chapter 4.

practices in co-management. Naturally, therefore, the Sóc Trăng project team sought to portray the Âu Thọ B case in the best possible light, notwithstanding the fact that the project was still relatively newly implemented and that there were understandably many challenges that remained to be tackled. Conceivably, much was riding on the success of this very field visit: given its high profile, it could attract significant donor interest, it could strengthen the commitment and buy-in of the provincial and central authorities, and it could inspire other co-management initiatives elsewhere in Vietnam to adopt better and more enlightened approaches.

I arrived at the village with the workshop participants after traveling by minibus and walked about a kilometer along a dirt path from the main road to the village amid fields of rice paddies and onions. A host of shy but smiling villagers were waiting for us under a large canopy structure that had been erected in front of what I later learnt was the home of Thạch Soal, the head of the project's resource user group (referred to from here as Soal). Plastic chairs were arranged facing a table complete with tablecloth on which was placed a vase of plastic flowers, a few bottles of water, and two cordless microphones. Two loudspeakers were connected to an amplifier that appeared to get its power supply from Soal's house. A canvas sheet served as a backdrop upon which a large satellite image of the village was mounted, together with a smaller color-coded map denoting the various resource use zones that had been agreed upon in the co-management regulations. A large cloth banner hung from the top of the canopy displaying the title and date of the workshop and the logos of GTZ and Kiêm Lâm. Many of the villagers were wearing lime-green polo t-shirts

prominently bearing the GTZ logo and the name of the project.<sup>87</sup> Clearly a great deal of preparation had gone into making as positive an impression as possible on the visitors.

The speeches began soon after the participants were seated. Given the presence of many non-Vietnamese participants, two interpreters were on hand—as they were throughout the workshop—to translate the Vietnamese speeches into English and vice-versa.<sup>88</sup> The chair of the Commune People’s Committee, representing the local government, spoke first, followed by the Director of the Provincial Kiêm Lâm Department, representing the co-management project. Then came the turn of Soal, the resource user group head. Each of these speakers extolled in their own ways the virtues of the project, drawing a contrast between the insecurity and conflict surrounding the use of the village’s mangrove resources and the increased sense of livelihood security and collective stewardship since the co-management regulations went into effect.

Soal, in particular, presented a brief history of resource use in the village, painting a bleak picture of village life following a 1992 typhoon that caused significant damage to the dike and to the productivity of the land, and how much their livelihoods have come to depend on the many resources afforded by the mangrove forest.<sup>89</sup> Their continued access to

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<sup>87</sup> Interestingly, although the crowd consisted of men, women, and children, those wearing the t-shirts were mostly men.

<sup>88</sup> Having worked with interpreters at various workshops and meetings in Vietnam, I could not help being struck by the exceptional competency and professionalism of these particular interpreters; one had experience conducting simultaneous interpretation at international meetings with the Ministry of Foreign Affairs, while another was a senior faculty member at a local university. The ability to secure the services of these professionals seemed to me another indication of the importance the organizers attached to the workshop.

<sup>89</sup> Snails, crabs, fish, shellfish, and snakes, for example, provide important sources of protein; fish fingerlings and shrimp larvae sold to aquaculture farms provide

these precious resources, he stressed, was being threatened mainly by illegal poaching by “outsiders” who were not from their village, and which often entailed unsustainable harvesting methods. He then went on to describe the management measures in place since the co-management regulations went into effect, including spatial and temporal restrictions on resource harvesting, identification badges worn by all group members entering the sustainable use zone, designated footpaths, and community monitoring of resource use.

The next person to speak was Grazia Borrini-Feyerabend, the international expert on co-management. Visibly impressed by what had been achieved by the project, she commended the project team, the authorities and the resource users on their willingness to work together. Notably, however, she also reiterated several messages expressed in her earlier keynote presentation, stressing the importance of keeping channels of communication open between stakeholders, and that resource users should continue to have a genuine say in deliberations over how the resource is to be managed.

Up to this point, everything that had been said by the various speakers appeared to achieve what the field trip was ostensibly supposed to do, namely to provide the visitors with an overview of the project, including the historical context, the institutional set-up, and measures currently in effect. The key point, however, is that the speakers portrayed a generally favorable picture of the project, despite it being a work-in-progress, thus burnishing the credentials of all involved, especially GTZ. It was hard to

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income; while mangrove trees provide fuelwood. Although several villagers farm rice, onions, and other crops, many still depend significantly on these aquatic resources to supplement their meagre income and diet.

find anything wrong with the way co-management had been implemented in this case, and if anything, it provided further evidence of the benefits of co-management, and its practicability in the Vietnamese context.

Given her stature and reputation, Borrini-Feyerabend's very presence at the site gave the project considerable prominence, and her approving remarks made it all the more impressive and worthy of attention, if not emulation. Hers was an especially unique position, one that allowed her to speak with authority derived from expertise and experience to those present—including many in positions of power—and to say things that for reasons of protocol and tact others may not have been able to say in public.

What happened immediately after Borrini-Feyerabend ended her remarks, however, came as a surprise to me and to many others present there that day. Soal, the resource user group head who had been seated at the table beside Borrini-Feyerabend as she spoke, arose and took the microphone although he had already spoken. His tone and body language now seemed rather more serious than before, although he maintained the quiet and dignified demeanour that commanded respect even as it was respectful of those present. Speaking in response to Borrini-Feyerabend, he appeared to be directing his remarks as much towards Borrini-Feyerabend herself as towards the audience, as if making a plea, the desperation of which was palpable.

Reminding everyone present of the extent to which the activities of “outsiders” affect their access to the mangrove resources, he then lamented the fact that even after the adoption of the co-management regulations, these poachers continue to plunder the forest bordering their village.

Despite attempts at community monitoring and surveillance, and the mandatory use of identification badges for all who enter the designated resource use zone, the resource users remain mostly powerless to apprehend poachers when they encounter them. Not only do they lack the legal authority to do so, but any such attempt would risk their safety and even their lives. His was a plea, then, for greater effort by the authorities who did have the power and means to enforce the regulations to keep their end of the bargain and protect the mangroves from poachers.

This was indeed a question of his own legitimacy as a community leader. He and the other sub-group leaders had staked their reputation to a significant degree by convincing the resource users in the village to agree to abide by a new set of rules, which entailed quite a bit of sacrifice on their part. In return, the resource users were promised more secure livelihoods in the belief that their resources would be protected and that they would continue to have access to these resources in the long term. However, for them to forgo short-term gain and yet continue to witness blatant poaching by outsiders would be testing their trust in the co-management arrangement and, ultimately, their confidence in Soal's word.

Although perhaps not immediately apparent, Soal was not only making a plea, but essentially articulating a rather serious charge, one that under normal circumstances would rarely be so openly made: namely, that the government was not doing enough to ensure equitable and sustainable access to natural resources. Implicit in his remarks was a warning that the resource users' compliance with the regulations, and hence the very co-management arrangement itself, would not continue for long if this state of affairs were to remain unaddressed. For a Khmer

peasant to make such a loaded and accusatory statement in front of so many high profile people from all over the country was hardly an insignificant act. Interestingly, his willingness to speak his mind in this instance was in marked contrast to his relative silence and acquiescence during the negotiation meeting described in the previous vignette. Why, then, did Soal so brazenly express what he felt were his fellow villagers' longstanding frustration and sense of injustice?

Soal likely had enough of an idea of who the field trip participants were and where they were coming from to know that at least some among them might have the authority to address the issue of poachers. Yet it may not have been clear initially whether this would be a 'safe' arena for him to voice his grievances. It may well have been that Borrini-Feyerabend's comments, assertive as they were and sympathetic to the plight of the typically powerless resource-dependent poor, provided Soal the courage and impetus to 'speak truth to power' as it were. In contrast, the condescension of the government authorities at the earlier negotiation meeting suggests that it may not have been politically feasible then for him to make such a demand.

Although both the negotiation meeting and the workshop field trip were occasions that afforded both the resource users and the government to communicate, exchange knowledge, and share perspectives on a level playing on ostensibly equal terms, in reality the relations between them extend beyond—and would likely outlive—the co-management project itself. These are unavoidably relations of power. The assignment of land leases; the ability and will to enforce compliance—or not—with resource use regulations; the provision of basic infrastructure like water, sanitation,

electricity; and more critically in a coastal village such as this, the construction and maintenance of coastal defense structures like dikes and groins, are all processes affecting the livelihoods of the rural poor that different levels of government have the power to either execute, delay, or withhold. In a political system with limited downward accountability, however, political leaders bear little obligation towards meeting the needs of their constituents (see Fritzen, 2006). For marginalized communities like the Khmer peasants in *Âu Thọ B*, this imbalance in power is all the more acute. These are the power dynamics within which co-management is being implemented in Vietnam, and with which it has to contend. Yet despite co-management's laudable attempts at encouraging dialogue between the state and the rural poor, much of the policy discourse surrounding co-management is remarkably silent on the issue of these broader power relations and how that may impact the ability of co-management to foster genuine participation and sharing of power.

Whatever motivated Soal to make those remarks, it is important to note the fact that what he said had real consequences. Later, back at the hotel where the workshop participants reconvened to discuss the field trip, among other things, the issue arose of the crucial role of the state in providing adequate enforcement of co-management regulations and became the topic of considerable discussion. If anything at all, the workshop participants were reminded that co-management does not merely entail engaging the participation of the local community, but just as important, involves recommitting the state to the resource management

responsibilities that it is uniquely positioned to undertake.<sup>90</sup> It is hardly inconsequential that this discussion was sparked to some degree by the encounter between two actors from very different scales.

## **Conclusion**

In both of the two moments of tension I describe above, the interplay between actors representing different scales of governance reveal not only deep-seated discontinuities between their respective perspectives and worldviews, but also hint at broader and more abiding networks of power relations within which their interactions were enmeshed. The central contention of this chapter is that co-management initiatives need a more nuanced sensitivity towards these scalar relations of power; such a sensitivity would entail understanding the history of these power relations, the means through which they are expressed and maintained, and the potential for and consequences of their transformation. In particular, practitioners of co-management would do well to appreciate the disruptive effect of the co-management arrangement on existing power relations, if only to understand that the resultant new configurations of power will naturally entail resistance to some degree.

This resistance to change in the status quo in the way power is distributed is apparent at various inter-scalar interfaces. In the

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<sup>90</sup> Despite the indispensable role of government being highlighted by Pomeroy and Berkes (1997) in their 1997 article fittingly entitled, “Two to tango: The role of government in fisheries co-management,” co-management continues to be a means by which certain governments ‘outsource’ key management responsibilities to local communities without an attendant increase in capacity. Co-management, in such cases, runs the risk of amounting to a shirking, rather than the sharing, of responsibility.

negotiation meeting (Vignette 1), for example, we saw how the provincial and local government officials were reluctant to entrust the local resource users with “managing” the resource, given the way in which “management” was understood to be a responsibility that could only be earned through the acquisition and application of techno-scientific knowledge. At the workshop field trip to *Âu Thọ B* (Vignette 2), we learnt that despite having entered into a co-management agreement that required the local resource users to curb and control their resource harvesting behavior, the local authorities were either unable or unwilling to commit the promised resources to keep “outsiders” at bay, thus threatening the legitimacy of the resource user group head, and the viability of the co-management arrangement itself. In each of these cases, co-management represented a threat to the status quo, and those actors in positions of greater power reacted in ways that sought to maintain the power asymmetries or at least to minimize or delay whatever change was being instituted.

At the same time, however, the moments of tension also reveal the ways in which co-management may create opportunities for existing power relations to be challenged or possibly even begin to be subverted. By providing a platform and rationale for actors at different scales to interact and exchange perspectives, co-management effectively collapses scale, if only momentarily, but in a way that challenges existing notions of how scales ought to relate to each other. This was particularly evident during the workshop field trip (Vignette 2) when *Soal*, in the presence of co-management practitioners and decision-makers from a range of scales and locales beyond even that of his own village’s co-management project, used the occasion to voice his fellow villagers’ longstanding frustration at the

lack of government enforcement. As mentioned above, the earlier speech by the international expert Borrini-Feyerabend during which she shared positive experiences with co-management elsewhere may have provided the audience—workshop participants and villagers alike—a vision of an alternative, more equitable way of governing resources, one that few would have hitherto considered possible in Vietnam’s centralized, command-and-control system of governance.

Furthermore, the intensity of cross-scale interaction that co-management affords, especially in its present emergent and experimental phase, gives rise to new ways of seeing one’s own positionality and power vis-à-vis other scales, as well as enables the forging of solidarities between actors at similar scales who share common motivations and interests.

By opening such avenues for rethinking scalar relations, co-management can be regarded as redefining and thus *producing* scale. In this way co-management might be understood as a “translational moment” (Rangan & Kull, 2009) linking both Sayre’s (2005) ontological and epistemological moments of scale. It may yet be too early to tell if the new configurations of power will be able to persist beyond the lifespan of the handful of donor-funded co-management pilot projects in Vietnam. Doubtless, it would be naïve to think that a few workshops or field trips might undo decades of state propaganda designed to assert the all-encompassing political authority of the state. Yet the narrative of power-sharing that co-management articulates has been simultaneously tapping into, as well as fueling, a discursive vein that has seen the pre-eminence of state power being increasingly questioned. These debates, their relevance to co-management, and the ways in which they are reshaping state-society

relations and the very nature of the Vietnamese state itself, are the topic of the following chapter.

## CHAPTER 6

### CONCLUSION: CO-MANAGEMENT AND THE RE(-IN)NOVATING OF THE VIETNAMESE STATE

#### **Co-management: More than meets the eye**

As I have shown in Chapter 4, the discourse of fisheries co-management in Vietnam has come quite a long way since the 1990s. Discussions used to be focused on explaining the concept and convincing decision-makers of its merits, but they now revolve around the question of *how* co-management can be better and more widely adopted. Two decades after co-management first entered the lexicon of policy circles, not only are most government officials who deal with fisheries and coastal zone management in Hanoi and in many provinces aware of the concept, many are even openly advocating it.<sup>91</sup> There already appears to be a broad consensus, at least on paper, that co-management offers one of the most promising hopes yet for resolving the perennial and vexing issue of resource conflict that is threatening to unravel the legitimacy of the ruling Vietnamese Communist Party in its rural heartland.

Significantly, many of the earlier pilot projects have since yielded encouraging outcomes. Case studies of “successful” local experiences with co-management have been well documented, often explicitly aimed at

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<sup>91</sup> In a still-sensitive political environment where publicly speaking in favor of policy reforms that are deemed to go against the Republic’s socialist ideals may have significant negative repercussions on one’s career, the fact that certain government officials are actively supporting the adoption of co-management speaks volumes of just how far the idea has come.

advocating for an “upscaling” of the approach (Pomeroy, 2013; see also World Bank, 2010, p. 101). These pioneering experiments have provided considerable evidence to assuage concerns over whether certain institutional reforms required by co-management can indeed work in the Vietnamese context. In particular, they have made a compelling case that:

- locally-adapted use rights regimes that strike the right balance between individual and collective rights can enjoy high levels of legitimacy and enforceability (Armitage, Marschke, & Truong van Tuyen, 2011; Marschke, Armitage, Le Van An, Truong Van Tuyen, & Mallee, 2012);
- in this regard, the establishment of organizations of resource users that have the legal (and legally protected) capacity to hold resource use rights is especially critical (Marschke et al., 2012; Takahashi & van Duijn, 2012; Truong Van Tuyen, Armitage, & Marschke, 2010);
- empowering local communities to participate in management decision-making and endowing them with secure use rights fosters a sense of ownership which in turn increases compliance with rules (Schmitt, Albers, Pham, & Dinh, 2013);
- for a co-management arrangement to sustain itself in the long term, it must yield tangible material benefits to resource users in terms of improving their livelihoods in the short term. Innovative approaches such as instituting a payment for ecosystem services scheme may contribute to this effect (Schmitt, 2012).

Thanks in part to such results, as well as to the growing evidence of co-management's "success" in many other countries, many in the higher echelons of both provincial and central levels of government have expressed enthusiasm for the approach, and even early skeptics are being won over (see Pomeroy et al., 2009; Truong Van Tuyen et al., 2010). Arguably, sufficient change has been set in motion to suggest that co-management is well on its way to becoming institutionalized within fisheries policy in Vietnam. Progress has been steady, if slow, and indications abound that co-management will likely be part of mainstream policy in the not-too-distant future.

Already, Armitage et al. (2011) have hailed certain initial policy and legislative reforms as signs of an "early-stage' governance transformation," albeit at the local level (p. 703). The consequent question that bears asking, they contend, is "if and how these early stage changes are coalescing to produce desirable social and ecological outcomes..." (Armitage et al., 2011, p. 705). This question may sound so obvious as to appear banal. Yet it is one worth asking for the following two reasons: On one hand, it impels a reconsideration of what ends co-management is intended to achieve. In a discursive environment that valorizes the institutionalization of co-management per se almost as an end unto itself, and is focused on seeking ways to achieve this end, it is refreshingly rare to hear a call to reexamine whether the means in question will indeed lead to its purported ends. On the other hand—although it may not have been the authors' intent—the question raises the tantalizing possibility that the changes wrought by the onset of co-management to the governance landscape in Vietnam may have ramifications that go beyond the domain of

natural resource management. Indeed, when we consider just how radical such a power- and responsibility-sharing arrangement is in the context of a largely authoritarian state where power is still very much centralized and decisions made in a top-down fashion, it would not be unreasonable to imagine that co-management may have the potential to impact to some extent the relationship between society and the state.

This chapter gives serious consideration to this very possibility. It considers how the introduction of a concept as radical as co-management—especially if it works—might play a part in influencing the course of Vietnam’s social, economic and political transition by spurring a rethinking of several issues that lie at the heart of governance and statehood. These include, for example, the role of the state and the extent to which it should be involved in natural resource governance; what devolving and sharing power implies for sovereignty; who stands to gain and to lose from the new power-sharing arrangements; how those with authority can be made more accountable for their decisions and actions; and ultimately what effects increased participation in decision-making may have on the legitimacy of the government and the Party, the identity of the people (as a community and as a nation), and what it means to be a citizen of the Vietnamese state. As this list suggests, the ramifications of co-management may well reach beyond the boundaries of environmental governance per se (i.e., a concern for the state of nature), to the very nature of the state itself.

To begin exploring such questions, I situate the emergence of co-management within the broader transitions that Vietnam has undergone in recent history and the inherent tensions between the desire for reform and fidelity to its socialist values. I then consider Vietnam’s peculiar

approach to policy innovation, taking into account parallels and contrasts with modes of policy innovation in China. Following this, I show how the rise of co-management epitomizes such policy innovation, using a case study of one particular province where co-management reforms have been especially advanced. I argue that given the nature and history of policy innovation in Vietnam, the frequently lamented time lag between the urgency at the local level to implement co-management and the slow, cautious approach at the central level to instituting the necessary legislation and policy guidance to enable such reforms may in fact provide a space for certain entrepreneurial local leaders to experiment and innovate.

### **Vietnam: A state in transition**

One of the most fervently debated questions with regards to understanding contemporary Vietnam is how—or indeed whether—the state is being transformed as a consequence of its greater integration into the world polity and economy. Scholars have been fascinated by how the economic reforms and the concomitant socio-political transformations set in motion by the “economic renovation” policies of *đổi mới* in the mid-1980s may have signaled a changing role for the state. On one hand, the yielding of control over ever larger portions of the economy to the market, and an emergent and growing role for civil society, have prompted some to suggest that we may be witnessing a “retreat of the state” (see Strange, 1996). On the other hand, other authors have argued that rather than reducing the extent of control per se, the state is in fact changing the forms of control it wields in

ways that consolidate its power and role in the face of globalization. On the decline in the number of State Owned Enterprises (SOEs) in Vietnam, for example, Dixon (2008) argues that “behind the apparent retreat of the state in terms of its established forms of regulation and direct control over production lies a reformatting which renews and even extends the role of the state” (pp. 101-102). Hobson and Ramesh (2002) make a similar point when they argue that “globalization makes of states what states make of it” (p. 5; see also Jandl, 2009).

Such questions are not merely of parochial interest to scholars of Vietnam; rather, they may have significant lessons for those seeking to make sense of the varied ways in which erstwhile socialist nations are navigating the currents of globalization in their transition towards a post-socialist future. However, despite being in many ways a nation and society in flux, Vietnam can hardly be called an ‘erstwhile socialist nation’. In fact, what makes Vietnam such an interesting yet enigmatic place to study is the fact that it still proudly retains much of its socialist ideals while advancing reforms that appear to be ideologically opposed to socialism. These inherent contradictions were brought to the surface recently at the Communist Party’s Eleventh Congress in 2011 during which there was significant debate over the definition of Vietnam’s “socialist orientation” (Nguyen Manh Hung, 2011).<sup>92</sup>

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<sup>92</sup> Reformist and conservative voices reportedly disagreed during the 2011 Party Congress on what it meant for Vietnam to have “an economy based on ‘public ownership of the essential means of production’” (Nguyen Manh Hung, 2011, p. 2). Eventually, the Minister of Planning and Investment declared that, “Many people maintain that public ownership is the fundamental of socialism. But I think that the fundamental of socialism is social equity and income distribution” (Nguyen Manh Hung, 2011, p. 2).

While its transition from a command economy to a “market-oriented socialist economy under state guidance” has entailed significant transformations in the social, political, and economic spheres—key among which are the evolution of property rights (Kerkvliet, 2006; Truong Thien Thu & Perera, 2011), the decentralization of power (Dupar & Badenoch, 2002; Fontenelle, 2003; Fontenelle, Molle, & Turrall, 2007; Wescott, 2006), and the emergence of civil society (Fabres, 2011; Hannah, 2005, 2009; Wells-Dang, 2010)—Vietnam’s stated commitment to building a Marxist-Leninist state has tended to temper its reformist zeal, leading some to lament the slow pace of reform (Beresford, 2008, p. 221; Van Arkadie & Mallon, 2004).

As counter-intuitive as it may seem, however, I argue that this Janus-faced nature of Vietnam’s transition indicates a certain creative tension that in fact allows innovation of a certain kind to occur by opening up space for debate and deliberation. My analysis of the ways in which co-management has emerged as a viable policy option suggests that it may indeed be an example of such innovation. Before I argue my case, however, I turn to a brief discussion of the peculiar way in which innovation occurs in Vietnam.

### **Innovating at the margins of the law**

One cannot speak of how decisions regarding policy are made in Vietnam without considering the distribution and exercise of power between the state and society, including the different levels of government from the central to the local. Of the various administrative levels to which power

was gradually decentralized following *đổi mới* in 1986, the district (*huyện*) is particularly noteworthy as this is where much innovation occurs (Hicks, 2004; Werner, 1988). Lying below the province (*tỉnh*) and above the commune (*xã*), the district is a unit of special importance to the central government as it “represents the primary interface between the grassroots and higher authority” (Hicks, 2004, p. 279). In the case of agricultural development in the Mekong Delta, Natalie Hicks (2004) notes that although decentralization entailed “a retreat of the state in terms of personnel and central planning of agriculture,” there has also emerged “more dynamic district administrations, with a clearer sense of their own destiny” (p. 281). In other words, the reform era has seen two possibly mutually reinforcing processes that encourage innovation: First, a greater willingness of the central government to allow local experimentation; and second, the emergence of more assertive district administrations with the capacity, creativity, and willingness to experiment.

Such experimentation, while never completely free of the constraints and oversight imposed by the central government, is characteristic of the idiosyncratic way in which policy innovation occurs in Vietnam. There are certain parallels here with the Janus-faced tension between conservatism and reform; on one hand, there still is a highly autocratic hierarchy of power where the central government retains the final say as to how a particular policy should look like. It is also responsible for formulating policy and legislation that set the boundaries of what is and is not permissible. On the other hand, these boundaries are constantly being tested at the local level in ways that are deemed locally appropriate through the aforementioned strategy of experimentation. This pushing of

boundaries, while occasionally sanctioned by the central government, is more often simply tolerated with the view of either: (a) more strongly prohibiting the policy being experimented with should it fail to produce the desired outcomes, or (b) co-opting it into mainstream policy to be then applied elsewhere across the nation should it succeed.

So institutionalized is this boundary-pushing in Vietnam that some scholars have used the term *fence-breaking* to describe it. Originally used to describe “the violation of central government rules and regulations by state-owned enterprises (SOEs) during the central planning era,” (see Fforde & de Vylder, 1996), the term has since been extended to include “provincial government activity that violated central government regulations during the post-planning period, and provincial government experimentation or innovation in situations where regulations do not exist” (Malesky, 2004).<sup>93</sup> Because such experimentation often occurs either in spite of, or in the absence of, official regulations, the innovating provinces or districts are said to be operating under *de facto autonomy* or *decentralization* (Malesky, 2004). Jandl’s (2013) description of fence-breaking illustrates this point even more clearly:

“The provinces engaged in ‘fence breaking,’ a term that denotes pushing the limits of central laws and on occasions clearly stepping beyond the boundaries the center had intended when it decreed reforms. Autonomy was not granted—it was *taken* by daring provinces who weighed the risks against the benefits of being first movers” (p. 40, emphasis in original).

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<sup>93</sup> It is worth noting that apart from districts, provinces also constitute important sites of innovation. In fact, most of the literature on local innovation focuses on the province; apart from a few exceptions such as Werner (1988) and Hicks (2004), the district’s role as a site of innovation has been relatively poorly studied.

There is already a relatively large literature attesting to the fact that many of the policy innovations to have occurred in Vietnam—including some of the most significant ones—occurred through this process of fence-breaking. These include, among many other reforms, the rise and spread of condominium homeowner associations in Ho Chi Minh City (Huong & Sajor, 2010), the growth of informal farmers' groups (Fforde, 2008), the recognition of forms of corporate ownership other than the official three (state, non-state, and collective) (Malesky, 2004), and most famously, the decollectivization of agriculture (Kerkvliet, 2001; Pingali & Vo-Tong Xuan, 1992; White, 1986).

### ***Experimentation under hierarchy***

In many ways, this mode of policy innovation through the 'breaking of fences' echoes the way in which policy reform is undertaken in China. Sebastian Heilmann (2008a) describes and traces the origins of what he calls China's "sophisticated indigenous policy-making methodology of 'proceeding from point to surface' (*youdian daomian* 由点到面) (p. 2). This methodology, he explains,

“entails a policy process that is initiated from individual ‘experimental points’ (*shidian* 试点) and driven by local initiative with the formal or informal backing of higher-level policy-makers. If judged to be conducive to current priorities by Party and government leaders, ‘model experiences’ (*dianxing jingyan* 典型经验) extracted from the initial experiments are disseminated through extensive media coverage, high-profile conferences, inter visitation programs and appeals for emulation to more and more regions” (p. 2).

In fact, Heilmann (2008a) goes on to claim that China exported this methodology to Vietnam as “a method of revolutionary transformation” (p.

12). Citing the 1953-1956 land reform in North Vietnam, he describes how the reform was

“designed by a team of experienced Chinese cadres and initiated by small-scale ‘experimental waves’, including the initial establishment of ‘experimental points’ (*thí điếm*, that is *shidian*) and ‘typical models’ (*điển hình*, that is *dianxing*) before scaling up the reforms in a phased manner, depending on the success of the experimental units and local circumstances” (p. 12).

In contemporary China, this unique relationship between the central and local levels of government, combining both local experimentation and strong, if *ad hoc*, central interference into the policy process has been termed “*experimentation under hierarchy*” (Heilmann, 2005, 2008a; see also Heilmann, 2008b, 2009, 2011). This, however, is where the similarities with Vietnam end. The crucial distinction between the two is the degree to which the experimentation is initiated, managed, and led by the central government. Jandl (2013) distinguishes between the Chinese and Vietnamese experience thus:

“While [Chairman] Deng [Xiaoping] gave special status to a handful of coastal regions and *allowed them to become successful*, in Vietnam, provincial leaders were *promoted to the central government thanks to their successes* and brought their policies with them. Since many of these early success policies had not been authorized, Vietnam’s success model is based largely on the entrepreneurialism and risk-taking of provincial leaders acting at the margins—or plainly outside of—the law” (p. 58, emphasis in original).

One important corollary of Vietnam’s reliance on this mode of policy innovation is that not all provinces (or indeed districts) in Vietnam are equal, not only in terms of wealth, but also in terms of the capacity or readiness of their leadership to innovate. In the following section, I examine how the rise of co-management can be regarded as an example of policy innovation.

## **Co-management as a policy innovation**

The more I witnessed the various challenges and advances in the way co-management was being experimented with in fisheries and aquatic resource management, and the more I came to understand the peculiar nature of policy innovation in Vietnam, the more it occurred to me that the rise of co-management could indeed be regarded as an example of such policy innovation. Though rarely referred to specifically as a ‘policy innovation’, the slow but sure advent of co-management does indeed exhibit many characteristics typical of the messy and improbable way in which new ideas incrementally make their way from the fringes of acceptability into mainstream policy.

One such tell-tale sign is the way co-management initiatives are often referred to as ‘models’ (*mô hình*). This terminology hearkens back to the *điển hình* or ‘typical models’ described by Heilmann (2008a) that in turn corresponds to China’s *dianxing*. The very use of this term to describe co-management experiments alludes to the unspoken promise of them being exemplars for other localities to emulate if deemed to be successful. Also implied in the term is an expectation that the lessons gained from these experiments will be disseminated not only outward but also upward, that is, towards higher scales of governance. The ultimate goal would be for these experiments to make their way into policy at the national level. The resemblance here to China’s policy-making methodology of ‘proceeding from point to surface’ is apparent (see Heilmann, 2008a).

Another innovation-like characteristic of co-management is the fact that successful examples of co-management are often brought about through the efforts of individual ‘policy entrepreneurs’ who champion the

concept. These local-level leaders display the courage, tenacity, and political will needed to risk pushing reform through despite a hostile and uncertain policy environment at higher levels, that is, to ‘break fences’ as it were. As I show in the case study below, this kind of political derring-do is often what sets the progressive co-management initiatives from those that stagnate or fail.

A third feature is the opportunistic way in which such innovators take advantage of ‘policy windows’ or the “emergence of junctures or openings for concerted action” (Armitage et al., 2011, p. 703; see also Kingdon, 1995) to enact reform. As has been argued earlier, co-management’s rise in Vietnam has been occasioned by numerous factors that have made it an especially opportune time for it to occur. These factors include the growing threat of climate change, increasing resource conflict owing to acute population densities, a shift away from central planning marked first by *đổi mới*, and more recently by the reforms to the Land Law.

The final characteristic is the policy and legislative environment that is largely inimical to the introduction of co-management, despite which the concept has persisted and gradually gained acceptance. To appreciate how far the concept and practice of co-management has come in Vietnam, it helps to examine some of the policy obstacles its proponents have had to struggle against.

### ***Policy barriers to co-management***

It is easy to suppose that the most fundamental barrier to co-management—mentioned several times earlier in this dissertation—is the constitutional principle that all resources, terrestrial or aquatic belonged

to the state. After all, the egalitarian spirit underlying state ownership of natural resources on behalf of all its people does not appear to support, let alone allow, the transfer of exclusive rights of resource use to individual communities—a key prerequisite of co-management. While the sanctity of this principle may well explain why certain Party cadres of a conservative leaning tend to oppose co-management, this is by no means the only reason why co-management has not gained more acceptance than it already has. Other explanations have been proffered, many of which are somewhat more mundane but no less important.

One of the most frank accounts of the institutional and legal barriers to co-management can be found in Tuong Phi Lai (2008).<sup>94</sup> First of all, efforts to introduce co-management have had to contend with a pervasive lack of awareness and understanding among government officials of concepts as seemingly basic as participatory decision-making, community empowerment, and fishing rights. This institutional inertia due to a long history of an ostensibly state-managed but *de facto* open access fisheries management regime has made it difficult for such officials to accept change (Tuong Phi Lai, 2008). Unfortunately, co-management projects have suffered from a relative lack of attention to education and awareness raising compared to more ‘technical’ aspects as group formation, drawing up of management plans and regulations, zoning, monitoring, etc. (Tuong Phi Lai, 2008).

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<sup>94</sup> A leading proponent of fisheries co-management, Lai has an particularly intimate knowledge of the inner workings of policy and legal circles gained from experience working on fisheries co-management in both government agencies and NGOs. I came to know Lai during the course of my fieldwork and we managed to speak on several occasions. The points presented here are based both on his conference paper (Tuong Phi Lai, 2008) and on several interviews I had with him.

Second, despite legislative reforms that appear to make for an enabling environment that is more conducive to co-management, the effectiveness of these reforms have been muted by either bureaucracy, a lack of political will, or even cultural opposition. For example, despite the government's initiative through Decree 29/1998-NĐ-CP<sup>95</sup> to promote grassroots democracy by empowering citizens to participate in deliberative decision-making, typically little public feedback actually makes its way to the relevant authorities who are in any position to act; even when it does, the authorities are still largely unwilling or reluctant to take such grassroots feedback seriously (Tuong Phi Lai, 2008).

As another example, the enactment of Decree 123/2006/NĐ-CP that decentralizes authority for inland and coastal fisheries management to the provincial, district, and commune levels, and specifically calls for “models of community-based management of aquatic resources in coastal routes” to be developed has met limited success in actually awarding fishing rights to local communities (Tuong Phi Lai, 2008).<sup>96</sup> The lack of clear, specific guidelines as to how such rights are to be formulated and awarded has hamstrung many an attempt to institute co-management, as has the incomplete zoning of nearshore provincial waters.

In Chapter 3, under the section *Changing state-society relations*, I briefly alluded to the fact that some of the most progressive examples of co-management can be found in provinces where the local government pushed

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<sup>95</sup> This was the decree that famously immortalized the slogan “the people know, the people discuss, the people implement, and the people review” (*dân biết, dân bàn, dân làm, dân kiểm tra*), also mentioned in the introduction to Chapter 4.

<sup>96</sup> This is the Decree on Management of Aquatic Resource Exploitation by Vietnamese Organizations and Individuals in Sea Areas.

ahead with legislative reform in creative ways, often despite a lack of guidance and clarity from the central level over whether such reform is indeed permissible. In the following section I briefly describe the innovations of one such province and explore some of the reasons why it has managed to innovate in the midst of uncertainty.

### ***Fisheries co-management reforms in Bến Tre province***

Bến Tre has been described as the most progressive of the nine provinces selected to pilot co-management under the SCAFI project (WorldFish Center, 2009). A coastal province in the Mekong Delta, Bến Tre has five SCAFI co-management sites as of 2013 (Pomeroy, 2013). Much of Bến Tre's success with co-management stems from its experience with managing a clam fishery. The Bến Tre clam fishery achieved international renown when it was awarded Marine Stewardship Council (MSC) certification, making it the first fishery in Southeast Asia to meet the organization's standards of sustainable management (Pomeroy, 2013). Apart from ensuring a sustainable harvest, the MSC certification goes a long way in increasing the market penetration of the clams—an important export item—as well as enabling them to fetch a higher price.

But the unique feature of the clam fisheries is the fact that they are managed by local cooperatives that provide round-the-clock surveillance from security posts of the juvenile and harvestable clams in the mudflats within their area (Starr, 2008). The surveillance ensures the clams are harvested only by cooperative members, and according to strict regulations at that. The success of such community-based management has gained the 'Bến Tre model' quite a reputation; it is not unusual for busloads of visitors

to stop by the Rạng Đông Fisheries Cooperative—the biggest in Bến Tre—to learn about its unique management model.

These clam cooperatives were established by the Provincial People's Committee, and support and advice is provided by the Bến Tre DARD (Department of Agriculture and Rural Development). In fact, the establishment of some of the older cooperatives pre-date the SCAFI project; the Rạng Đông cooperative, for example, was established in 1997 (Starr, 2008). As such, the co-management initiatives supported by SCAFI aim to build upon the experience and success of the clam cooperatives. Some of the new co-management sites established under the SCAFI project entail the management of mixed species, including both capture fisheries and aquaculture of fish, crustaceans, and bivalves. As of 2009, for example, plans were underway to develop a fishing rights regime within a six square kilometer zone from the shore with rights to be allocated to two clam cooperatives and to nearshore fishers (WorldFish Center, 2009). These new co-management arrangements can thus be seen to be encompassing scales larger than that of the individual clam cooperatives.

Much of the success of the co-management initiatives can be attributed to the efforts of the then Vice Director of the Bến Tre DARD, Ms Trần Thị Thu Nga. She has been described as someone who is “innovative and wants to work with co-management and fishing rights” (WorldFish Center, 2009). I had the opportunity to interview Ms Nga, and also attended her presentation to the SCAFI Regional Conference on Small Scale Fishery Co-management. What struck me was her long term vision for fisheries in the province, in which co-management was to play a pivotal role. As the deputy head of a large and powerful provincial agency, Ms Nga

was not merely content to implement and oversee the co-management pilot sites in her province that were supported by the SCAFI project, but was actively seeking ways to leverage on the SCAFI sites, the older clam cooperatives, and the MSC certification to obtain further funding in order to establish an ambitious network of co-management sites within Bến Tre. Apart from the fisheries in the coastal districts, she was also planning to establish co-management sites further upriver in the Ham Luong estuary to sustainably manage the culture and harvest of freshwater snails—a delicacy in this region (WorldFish Center, 2009).

But one of Ms Nga's most significant and innovative plans yet was to establish an organizational structure to streamline the management of both capture fisheries and aquaculture in the province. This would entail establishing a Provincial Co-management Steering Committee and one for each district where co-management was to be implemented (Tran Thi Thu Nga, 2009). Comprising representatives from various line agencies and the respective People's Committees, these steering committees would form the cross-sector and cross-scale nexus of a system of accountability, representation, and oversight over the various co-management initiatives in Bến Tre. This was clearly taking 'experimentation' to another level. Ms Nga seemed to be successfully making adept use of her position of authority, and by taking advantage of the policy window that emerged through the co-occurrence of various factors—to list a few: the funding and national platform afforded by the SCAFI project; the success of the clam cooperatives, especially in receiving the MSC certification; and the clear and present threat of climate change—she was instituting a policy innovation at the level of provincial structures of authority. Notably, all

this was being attempted largely independent of guidance or policy from the ministry level in Hanoi either permitting or prohibiting such action. Ms Nga's policy entrepreneurship clearly contrasted with the relative inertia of many other provincial leaders—including some within the SCAFI project—who felt paralyzed by the lack of policy guidance and clarity.

### **Uncertainty as a space for innovation**

At first glance, the paralysis of local decision-makers due to unclear policy at the central level is understandable, given the ostensibly authoritarian hierarchy of rule in Vietnam. For decades, local cadres have been trained to heed in the execution of their duty the panoply of legislation governing all aspects of life, and they disobey the decrees issued from Hanoi at their peril. It thus makes sense if they were to display caution at implementing a particular governance reform that appears to contradict some of the most fundamental tenets of the constitution. Even where—as is the case with co-management—there appears to be tacit approval at the highest levels, many local leaders are still hesitant to enact reform without clear guidelines that spell out how such reforms are to be carried out.<sup>97</sup>

Yet, local authorities are often the ones who are most attuned to people's needs and realities at the local level, relative to the policy makers at the center. Since these needs are often pressing, the local authorities are motivated to implement reform as speedily as possible, in order to be as responsive as possible to their constituents. On the other hand, those who

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<sup>97</sup> SCAFI, after all, is based at the MARD headquarters in Hanoi and is staffed by senior MARD officials. Furthermore, co-management has received the support of at least two Vice Ministers of MARD.

formulate policy and write and fine-tune legislation at the central level are bound by a duty to ensure long term viability and nationwide applicability of the statutes they enact, while still allowing for some degree of flexibility to allow for local variations. There often are, moreover, careful political deliberations to be made as to the effect such reforms might have on, say, the distribution of authority and the legitimacy on which such authority rests. It is only natural, therefore, that the central level exercises much caution before changing the status quo.

The upshot of these twin opposing forces that operate whenever any policy reform is on the cards—one that seeks urgency of action versus one that exercises caution and restraint—is a time lag between the need for a particular reform to be enacted at the local level and the issuance of the legislation and policy guidance at the central level necessary for that reform to be carried out. What this ‘policy lag’ does is create a state of uncertainty for the local authorities; they are neither given the green light to go ahead with their local-level reforms, nor are they explicitly prohibited from doing so. In fact, in certain cases—as described above in the case of co-management—they are enjoined in vague terms to proceed with the reform, except that the legislation and explicit guidance on how to enact it is yet forthcoming. This only adds to the confusion, thus frustrating the best efforts of local officials to respond to the needs of their citizens.

How are we to make sense of these state of affairs? One way of looking at it is to regard the uncertainty generated as an instrument of rule. Gainsborough (2010), though making the argument in a rather different context in Vietnam, raises an important point when he argues that, “Keeping people in a state of uncertainty about what they can and

cannot do is a sure way of exercising power over them” (p. 181).<sup>98</sup> In the perpetual tug-of-war over authority between the central and local levels of government (see Jandl, 2011; Jandl, 2013), it seems plausible that the policy lag is a useful way for Hanoi to keep the provinces in line.

While this may well be so, I propose another way of understanding the policy lag. For those local leaders who have the temerity to perceive it as such, the uncertainty generated by the policy lag can be seen as affording a space for creativity, inventiveness, and innovation to occur. Rather than very clear—and consequently strict—specifications of what can or cannot be done, or how it should be done, the vagueness of policy frameworks lying within the policy lag provides the grey zone within which local leaders like Ms Nga can proceed with experimenting with solutions as innovative as instituting a province-wide Steering Committee on Co-management or assigning fishing rights over a demarcated area that encompasses multiple fisheries cooperatives.

Based on my conversations and interviews with people in the fisheries sector, such ‘entrepreneurial’ individuals constitute a minority among local leaders; apart from Bến Tre, other provinces in which such individuals have contributed towards significant policy innovations include Thừa Thiên Huế (Armitage et al., 2011) and Bình Định (Pomeroy, 2013), both coastal provinces in Central Vietnam. In these two latter cases, the innovations concern the passing of provincial level legislation that have formalized the formation of fishers’ organizations and the allocation of collective property rights, both of which are highly significant

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<sup>98</sup> Gainsborough (2010) considers the uncertainty generated by the equitization (or partial privatization) of state enterprises in Vietnam.

developments. The establishment of the resource user group and the allocation of use rights in the GTZ project in Sóc Trăng are also examples of local-led innovation amidst uncertainty.<sup>99</sup>

In each of these cases, the province rather than the center has been at the leading edge of change. Some of the lessons learned from these attempts at reform have already begun to feed back into and consequently shape the character of the evolving policy guidance at the central level.<sup>100</sup> In this case, then—as in numerous other cases in Vietnam—the fence breakers have ended up as the trailblazers, innovating in their wake; where successful, the knowledge gained from their experimentation has been co-opted by center and adopted as a ‘model’ (*mô hình*) for other local governments to emulate. The uncertainty afforded by the initial policy lag has been exploited by the more entrepreneurial of the local leaders to devise and experiment with creative solutions. In the rise of co-management, then, we are witnessing policy innovation resembling in some ways Heilmann’s (2008a) ‘experimentation under hierarchy’ and in other ways Kerkvliet’s (2006) messy, incremental, zigzagging process of policy change.

### **Conclusion: Whither the state?**

We have seen in this chapter how co-management’s gradual emergence in Vietnam can be understood as an example of policy innovation. First

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<sup>99</sup> See Chapters 4 and 5.

<sup>100</sup> Many of the experiences with forming Fishers’ Associations in Thừa Thiên Huế, for example, has helped influence the shape of the Fisheries Co-Management Guidelines for Vietnam that were released in June 2010 after gestation period of more than a decade (see Brown, 2013).

appearing as a foreign concept within a policy and legal context that did not seem conducive to its acceptance, it has defied expectations and has managed to surmount various obstacles to become one of the most talked about concepts in natural resource governance. We have also seen how its rise has featured what I have termed a ‘policy lag’ between the urgent need for local level reform and the slow pace of policy revision at the central level. While some may see the uncertainty caused by this policy lag as an instrument of control wielded by the central level over local levels of government, certain provinces with particularly courageous and creative leaders have turned this uncertainty to their advantage, choosing to innovate despite the uncertainty rather than be paralyzed by it. Like other processes of policy innovation, the rise of co-management has revealed what is essentially a messy, incremental, iterative process of policy change where policy ideas tested at the ‘points’ or margins of acceptability are then brought to the ‘surface’ to be co-opted, disseminated and emulated if deemed to be a successful way forward.

What does this peculiar method of innovating tell us about the Vietnamese nation state and where it is headed? And what does it mean that the innovation in question is co-management? Or indeed does it mean anything of significance at all? If all I have done is to use co-management’s rise to demonstrate Vietnam’s idiosyncratic method of policy change, then I would have merely corroborated others’ findings and contributed little that is original to the debate. Rather, my aim was to establish that innovation is occurring and has been instrumental in the gradual rise of co-management in Vietnam. Given the historical trajectory of change in the discourse and practice of co-management, there is good reason to believe that co-

management will continue to become more widely accepted and may likely one day be adopted as a mainstream approach to resource governance. The question, then, which I first posed in the introduction to this chapter, is whether the new governance landscape evidenced by co-management's remarkable—yet still early-stage—rise may have ramifications that go beyond the mere governance of natural resources to the very fabric of state-society relations itself.

By way of concluding both this chapter and this dissertation, I put forward here a number of prognoses on the nature of the relationship between the state and its rural resource-dependent population given the inexorable rise of co-management as a resource governance approach. Despite growing urbanization and rural-urban migration, the rural poor remain a hugely important part of Vietnamese society, such that their relationship with the state will likely have a profound effect on the nature of the state itself. While these prognoses are simply that—predictions of what will occur in the future—they are less speculative than informed through the analyses in this and the preceding chapters. In much of the preceding analyses, I have sought to re-historicize and re-politicize the otherwise historically and politically sterile discourse of co-management in Vietnam. Based on the insights gained from those analyses, I am now projecting into the future what I consider to be a plausible scenario of what state-society relations will be in the hope that you, the reader, may appreciate the social and political import of what a seemingly ordinary resource governance approach like co-management can inspire.

First, co-management will bring about a qualitative change in the power relations between the state and resource users. As co-management

gradually becomes accepted and institutionalized—perhaps stealthily, as evidenced by what I have argued is the strategic depoliticization of the co-management discourse so as to increase the chances of state buy-in—local communities of resource users will find themselves in the new and strange position of actually having a voice in the management of their resource base. It will take some time for all involved to accustom themselves to the new configurations of power—i.e., where the government no longer holds all the strings and privileges its knowledge over that of the people—but it will eventually happen.

With the shift in power will come a shift in accountability. Government officials will find themselves becoming more ‘downwardly’ accountable to the local people with which they now share decision-making authority as opposed to being merely ‘upwardly’ accountable to their superiors up the scalar hierarchy of governance. Local resource users, too, will find themselves becoming accountable to each other: in the degree to which they participate in deliberation and decision-making, in their adherence to agreed upon regulations, and in the representation by community leaders of their community’s needs and interests. They will also have to learn to be accountable in new ways to their government partners in the co-management arrangement—no longer merely as compliant followers of rules set and enforced by a higher power, but as joint decision makers.

These shifts in accountability, in turn, will have powerful implications on where the state—and by extension, or even by definition, the Communist Party—derives its legitimacy to rule. In the absence of democratic elections, and especially after *đổi mới*, economic performance

has been the main source of the legitimacy of the Vietnamese state. In the rural districts, such legitimacy often rested on the state's ability to protect the local people's way of life and to maintain a certain level of livelihood even among the very poor. As discussed in Chapter 4, the relative inability of the state to arrest growing resource scarcity and the effects of climate change has threatened to erode the legitimacy of the state, which is one of the key reasons why co-management appears to be such an appealing option at this historical juncture.

As more resource use rights are allocated as a result of co-management arrangements, the burden of accountability will be more evenly distributed between the state and the local people. The role of the state will change, and one of its most important roles would be to secure the rights of the local people to access and use a resource. This it can only do by enacting and enforcing the necessary legislation to enable such rights to be endowed. The sustainability of the resource will no longer merely be the sole responsibility of the state, but the resource users will now have an important stake in it as well. The legitimacy of the state will thus rest on its ability to protect the community's right to use a resource rather than its ability to protect the resource per se, as was the case prior to co-management.

The acceptance of the right of local resource users to have a say in the management of their resource will imply a subtle shift in common understandings of two concepts central to the nature of the state. First, the sovereignty of the state over all its resources will no longer necessarily mean exclusive authority of the state to manage all its resources, or indeed to decide how its resources are to be managed. The state will not

necessarily be ceding authority over the management of a particular area; rather, what it will be giving up is *exclusive* authority. Through the gradual building of mutual trust, government officials accustomed to calling the shots will gradually come around to listening to and respecting the perspectives of local people. Likewise, local people will be more willing to share their local ecological knowledge with the government in the shared interest of sustainably managing the resource.

Finally, for the resource users who participate in co-management arrangements, there will likely be a shift in what it means for them to be citizens of the Vietnamese state. As alluded to above, their constellation of rights and responsibilities will undergo a radical shift. No longer simply passive and compliant ‘subjects’ of the state, they will now be involved to a greater degree in determining their own fate and that of the nature on which they depend for their livelihoods.

Where, then, does this leave the state? Will its gradual adoption of co-management be yet another indication of what many have claimed to be the retreat of the state? On the contrary, I contend that for many of the reasons mentioned above, the state will in fact emerge playing an ever greater role in the life of its citizens. Likewise, through the heightened engagement with its citizenry in resource management, the state will have the opportunity to constantly recreate itself to remain relevant to society.

In a rather scathing commentary on the state of Vietnam in 2012, Vuving (2013) contends that Vietnam is today administered by the “rent-seeking state” (see also Aramberri, 2014). In contrast to the classical communist state that existed prior to the reform era that sought to “transform society into one that is imbued with socialist values,” the rent-

seeking state seeks to “create barriers and extract rents from society” (Vuving, 2013, p. 325). “Rent-seeking,” he continues, “finds fertile ground in Vietnam, where the state owns all the land, controls all the press, and is accountable to none but itself” (Vuving, 2013, p. 325). The consequent loss of legitimacy, productivity, and international opportunity has brought Vietnam to the verge of a crisis (Vuving, 2013). Against Vuving’s bleak assessment, the gradual if improbable rise of co-management offers what might be considered as a yet distant promise of an antidote to almost everything that is wrong with the Vietnamese state.

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