

Remembering the Source

The traditional Vietnamese system of social and community organization, called *van chai*, can be the basis of a viable fisheries management system

In parts of Vietnam, the *van chai* is an old, established institution for managing local fisheries and fishing communities. Its principal objectives are: (i) religious functions; (ii) mutual assistance; (iii) specification of the behaviour, rights and obligations of fisheries stakeholders; (iv) catch disposal; (v) governance of fishing operations; (vi) conflict conciliation; and (vii) sanctions. Although locally varied, everywhere the veneration of deities and ancestors, plus the sacred obligations of mutual assistance, provide the *van chai* with its moral authority. The term ‘*van*’ has two meanings. In the central region of Vietnam, it approximates the English term ‘guild’, or an organization of

(*dinh van*) in *van chai* were established, mostly in the 18th–19th centuries, and shrines became the principal cultural and organizational centre of a village.

Although fishing communities in the south-central region are no longer linked with farming, as they are in both the north and south of Vietnam, the ancestors of most fishers in the south-central region were northern farmers who had migrated and then became fishers along the coast. Present-day fishers in this region pay great reverence to their ancestors, with village founders worshipped as tutelary deities. The moral basis of Vietnamese society is anchored in the tradition of “remembering the source from which one drinks water”, an expression of the deep sense of gratitude to the ancestors for their labours and struggles to survive and build a prosperous community. In earlier times, the appeasement of a mysterious, and often hostile, natural environment was also important, and led to a strong belief in the power and salvation of numerous deities. The *van chai* reflected the traditional folk and professional beliefs of home regions, and resulted in the intensification of mutual respect and assistance within the fishing community.

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people following the same profession. But for riverine fishers, *van* means a ‘village’, that is, an administrative unit.

In this article, I focus on the guild meaning in the south-central region of Vietnam, where fishing villages were established during the southwards expansion of the ethnic Vietnamese, which began in 1693. The three-level social organization used in the north—province, district and village—was applied in the south-central region. When the economic basis of a new settlement had been established, villagers constructed a shrine for the village’s tutelary genie, ancestral sages and wise elders. Dozens of temples

Whale temples

From the late 18th century, marine fishing villages enlarged their shrines for the worship of the deity of the South Sea. This deity is a ‘whale’ (a local concept that embraces all cetaceans). The ‘whale shrine’ became the locus of moral authority of a fishing community’s life, and the foundation on which fisheries management was, and remains, based. Whale temples are traditional institutions where fishers

worship their marine gods, together with their ancestors who developed and managed the community's fisheries. Most temples in the south-central provinces are dedicated to the whale, and ceremonies are conducted to venerate it, since fishers believe that the whale is the deity who protects men at sea, and so should be venerated to demonstrate gratitude.

Although the details vary considerably by locality, the underlying principles of the veneration of deities and ancestors, combined with the sacred obligations of mutual assistance, remain all-pervasive. The information provided here is based on the case of Van Thuy Tu, Phan Thiet City, Binh Thuan Province.

An elderly man of high prestige and profound understanding of local society and fishing usually heads a *van chai*. At Van Thuy Tu, the administrative committee is composed of seven to 15 members, elected to a three-year term of office. All boatowners and fishers 18 years of age or older elect them, and all over 21 years old can run for election. The elected administrators themselves elect the three heads of the subsections of administration that manage routine affairs. These are the Head of Worship, Head of the *van*, and Secretary of the *van*.

A major function of *van* administrators is the maintenance of the shrine and conduct of festivals and routine ritual performances. The linkage between annual festivals and mutual assistance in the codification document of Van Thuy Tu implies that mutual assistance is a sacred duty of *van* members, and thereby demonstrates the traditional moral authority of the *van*. It is reiterated that the sea gods must be solemnly and sincerely worshipped by owners of fishing boats and fishers. The rituals performed at these festivals emphasize the importance of harmonious relationships among the various stakeholders in the fishery, and the vital importance of mutual assistance, both of which ensure the continued prosperity of the community and thereby venerate the ancestors. Mutual assistance obligations are specified in detail.



Women hauling in a beach seine at Van Binh An *van chai*. Resource use in the *van chais* is governed by use rights protected by customary law and practice

The 'design principles' that characterize the *van chai* comprise use rights, various sets of detailed rules that govern how those rights are exercised legitimately and by whom, monitoring and accountability regarding the rules, conflict resolution that governs settlement of disputes if rules are broken, and punishment that is applied to those who break the rules. In the case of the *van chai*, the predominant design principles are those reflecting and governing human relationships among

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the various stakeholders in the fishing community, in the context of mutual assistance and respect as governed by the precepts of the whale shrine.

Primary rights

Under pre-existing community-based systems, such as the *van chai*, resource use is governed by use rights protected by customary law and practice. The main ones are primary rights (or birthrights), residential proximity rights, the right to sell, lease or bequeath the right, and that to share rights. The commonest primary right is a birthright. A fundamental, but not nationwide right, governing coastal

fisheries management is the right to operate small-scale fixed gear in waters proximate to one's residence. In the Dong Hoi area of Quang Binh Province, for example, fishing spots for fixed gear (such as those suitable for employing a lift net to catch small pelagics) near one's residence can be claimed exclusively by the householder.

Rules govern how rights may be exercised. They are generally complex and locally varied as social and ecological conditions require. The main

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rules applied in areas under *van chai* control are shown in the table.

In Vietnam most problems like gear conflict or infringement of first-comer's rights and rights of residential proximity are resolved in the fishing community by the village elders. If not resolved, they are taken before the People's Committee, whereas once they would have been dealt with by the village magistrate. Interpersonal disputes within an individual fishing unit are handled differently. As is clearly set forth in the codification document of Van Thuy Tu, violators are punished according to the national penal code.

As throughout the Asia-Pacific region, sanctions are widely invoked in Vietnam for the infringement of fisheries rights and the breaking or ignoring of locally formulated rules governing fishing and marine resource use. These days, either social or economic sanctions are applied. Implicit for those fishers whose belief in the moral authority underlying traditional shrine-based management remains strong is that failure to abide by locally made rules, particularly those pertaining to mutual assistance, would invite supernatural sanction in the form of hazards at sea.

Despite years of turmoil, the core of the *van chai* system has proven remarkably resilient, undoubtedly

because its salient characteristic is regulation of inter-relationships among fisheries stakeholders, within the framework of the strong moral authority of the community shrine, rather than regulation of fishing and the fishery *per se*.

Following the colonial era, the successor governments of the independent Vietnam paid no attention to the pre-existing management systems, and in the provinces that comprised the former Democratic Republic of Vietnam, as well as at various locations in the central and southern regions, the traditional religious characteristics have lapsed, and only the secular administrative functions remain. During the French colonial era, religious functions were still performed in the northern provinces, but nowadays nothing remains.

In contrast, at Van Lach Thang Tan, near Vung Tau City, Ba Ria Vung Tau Province, for example, the *van chai* now retains only its religious functions, and has been developed as a tourist attraction. However, fisheries regulations lapsed in the late 1940s, when the provincial government established an open-access system for provincial vessels. Since they were never documented, knowledge about them was gradually forgotten as the *van chai* management system fell into disuse.

Then, following national reunification, fishing vessels were put under public ownership, during the Collectivization Period (1975 - 1988). Fishery co-operatives were developed by the State, so the role and operations of *van chai* were overshadowed, and many *van* temples were neglected.

Cultural identity

Investment in the sector was renewed during the Market-oriented Economy Period (1988 to the present), with the implementation of policies to revive fisheries. However, after a long period of idleness during the preceding Collectivization Period, many *van chai* had become derelict. In recent years, the government has made many attempts to preserve or revive national cultural identity, based on

Table: Summary of the Main Rules in a *Van Chai*

Type of Rule	Comments
First-comer	A first-comer always has the exclusive use of a fishing spot, regardless of the gear type being employed.
Exclusive sea territories	Formerly widespread. A village's sea territory was usually defined by proximity or adjacency to its settlement, and by lateral and seawards boundaries. The depth or other limits at which gear could be operated defined seaward boundaries.
Access for outsiders	Commonly, rules specified that some form of fee, compensation or royalty be paid once permission has been granted.
Gear-related	These are widespread, and were made usually to overcome gear externality problems. At Van Thuy Tu, detailed rules were applied to the 11 main gear types used. Rules pertained mostly to eligibility, seasonality and profit-sharing among boatowners, captains and crew. Further detailed rules are applied to some gear, and particularly to the fixed sardine net.
Temporal allocation	Enforced to promote both orderly and equitable fishing.
Remuneration of labour	Extremely complex and varies greatly by fishing port and gear type.
Relationships among boatowner, captain and crew	Mutual respect for the rights and dignity of all persons involved in a fishing unit must be respected. Boatowners are forbidden to beat or humiliate captains and crewmembers, and vice versa.
Operational rules	These govern fishing behaviour, gear externalities, assignment issues, and temporal allocation of space, seasonality of fishing, conservation practices, and distribution of the catch, and other matters within the community.

van chai. This has included support for rebuilding or repairing whale temples, and re-organization of fishing community festivals. As a result, many large and key temples have been reconstructed, and gradually the role of *van chai* has revived. The fishing communities welcomed such positive changes. However, so far, the activities of *van chai* have focused mainly on cultural and religious traditions, rather than on their important direct roles in community cohesion and in the organization, management and development of fisheries production and resource protection.

It goes without saying that every social entity emerged in accordance with its own innate production capacity in terms of prevailing cultural and social standards. The centuries-old *van chai* and fishing community system of Vietnam, established in locations with a small and local demand for fish, was shaped by small population groups under conditions of little pressure on aquatic resources, and based on small-scale and simple but sophisticated means of production. Such fishing communities usually existed independently, and were little affected by forces outside their immediate, local social system. In

social terms, the *van chai* was based on the principle of mutual assistance or 'neighbourly affection', and rooted in ethical and behavioral standards based on the Confucianism all-pervasive in Vietnamese culture. Satisfaction of the spiritual needs of the fishers and their community was of fundamental importance, and was among the main functions of a *van chai*.

However, all this has changed in fundamental ways over the years. This implies that if the *van chai* is to play a role in the administration of modern fisheries and fishing communities, its underlying principles must be adapted and applied within an entirely different framework than the one under which it initially arose. In particular, it must become both integrated within a larger administrative framework and locally, within the general coastal zone, embrace more than just fisheries. 3

For more

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