

# UC Berkeley

## UC Berkeley Electronic Theses and Dissertations

### Title

Law and Literature in the Socialist Republic of Vietnam

### Permalink

<https://escholarship.org/uc/item/3gk0j0bm>

### Author

Luu, Trinh My

### Publication Date

2019

Peer reviewed|Thesis/dissertation

Law and Literature in the Socialist Republic of Vietnam

By

Trinh M. Luu

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor in Philosophy

in

Comparative Literature

in the

Graduate Division

of the

University of California, Berkeley

Committee in charge:

Professor Karl A. Britto, Co-chair

Professor Peter Zinoman, Co-chair

Professor Colleen Lye

Professor Miryam Sas

Spring 2019

Abstract

Law and Literature in the Socialist Republic of Vietnam

By

Trinh M. Luu

Doctor of Philosophy in Comparative Literature

University of California, Berkeley

Professors Karl A. Britto and Peter Zinoman, Co-chairs

This dissertation studies what socialist law and literature owe to each other, and how both can shore up or strain the party-state. It focuses on the 1970s–1990s, when the Socialist Republic of Vietnam set up a complex legal system to ease its transition to a market economy. This period also saw the appearance of a body of literary works, known as *Đổi Mới* [Renovation] fiction. In four chapters, this dissertation uncovers just how the government built up socialist law, testing Soviet and Chinese legal principles, adapting them by fits and starts to strengthen its own legal order. Each chapter examines the ways Vietnamese writers created characters who must confront the force of law. These characters represent the socialist legal subject long overlooked by the scholarship on Asian postsocialism, and the interdisciplinary field of law and literature.

*for my mother and father*

## TABLE OF CONTENTS

Introduction	1
Chapter 1 <i>Paradise of the Blind: State Socialism and the Legal Subject</i>	11
Chapter 2 <i>The Sorrow of War: Socialist Economic Crime and Spectral Realism</i>	46
Chapter 3 <i>The Crystal Messenger: Socialist Sexual Morality and Unfaithful Aesthetics</i>	76
Chapter 4 <i>Vietism: Carl Jung and the New Vietnamese</i>	100
Archival Sources and Bibliography	139

## Acknowledgements

This dissertation could not have been completed without the support of my advisors. I would like to thank Karl Britto for having faith in me and for seeing me through this journey. I could not ask for a more patient and encouraging advisor. From the start, Peter Zinoman has been my critical guide. It is a privilege to be his student, and to learn from him the meaning of work and life. I will always be grateful to Miryam Sas for grounding me intellectually, and for helping bring clarity to this project. Above all, I thank her for always cheering me on. I could never fully capture the influence Colleen Lye has had on me. Her dedication, wisdom, and rigor inspire me, and I can only hope to always have her guidance.

At Berkeley, I had great teachers. Trần Hoài Bắc and Trần Hạnh brought me closer to Vietnamese prose. I am grateful to Nguyễn Nguyệt Cầm for being a source of learning and great counsel. I thank her for her generosity. I also owe an enormous debt to Steven Lee for his advice and encouragement.

A number of institutions made it possible for me to complete this dissertation. I received funding for language study from the Foreign Language and Area Studies Fellowship, the University of California Graduate Division, the Institute of East Asian Studies, and the Department of Comparative Literature. The Boren Fellowship and the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship allowed me to spend two years conducting research in Vietnam and France. I am grateful to the John L. Simpson Memorial Research Fellowship in International and Comparative Studies, which funded the early stages of my research. The University of California Dissertation-Year Fellowship and a grant from the University of California Humanities Research Institute provided time to write.

I am grateful to have had the opportunities to present portions of this dissertation. I would like to thank Hue Tam Ho-Tai, Haydon Leslie Cherry, and Claire Edington for inviting me to the State in Vietnam Workshop, held at Harvard University. Kerstin Schiele brought me to the University of Bonn for a conference on contemporary Vietnam. I thank her and everyone involved for their valuable comments. George Dutton, Mariam Lam, Sarah Maxim, Nancy Lee Peluso, David Szanton, and others at the UCLA Graduate Writing Workshop all helped me refine my arguments. I was fortunate to meet Quang Phu Van, who introduced me to his circle of friends at Yale University. There, Erik Harms gave me an opportunity to test my ideas for a chapter at the Council for Southeast Asian Studies. I feel so privileged to have their support.

I am indebted to friends and colleagues who read and commented on draft chapters. At Berkeley, Christopher Fan, Paul Nadal, Ragini Tharoor Srinivasan, Cheng Chai Chang, Jee Huyn Choi, Johaina Crisostomo, Jane Hu, and Lawrence Yang provided many useful suggestions. Mukul Kumar carefully read a chapter, and I am grateful for his candor and wit. Sunny Xiang, one of the best readers of this dissertation, is always been there to help me however she can. I am in her debt.

In France, I would like to thank Nguyễn Văn Trần for giving me access to his personal archive. His wisdom and dedication resonated in what he wrote, and I am so fortunate to have come across the journals he helped found. Dr. Nguyễn Hoài Vân and his wife, Béatrice, kindly invited me into their beautiful home. Without Joëlle Ghirlanda, it surely would have taken me much

longer to find footing in Paris. I thank the archivists at the Bibliothèque Nationale de France, especially Cô Sơn, who helped me find my way through the collections.

My friend Hà Thục Chi made my stint in Vietnam more meaningful. I am grateful to Ngọc Hạnh Hà for giving me a place to stay. Nguyễn Cẩm Tú at the Center for International Studies at the University of Social Sciences and Humanities, and Nguyễn Văn Huệ, Dean of the Faculty in Vietnamese Studies, sponsored my research. I thank them and the staff at the General Sciences Library, Social Sciences Library, and National Library of Vietnam for their help.

From near and far, Bao Kham Chau, Chenxing Han, Joshua Herr, Kimloan Hill, Alec Holcombe, Đỗ Văn Hỷ, Na-Rae Kim, Mandy Li, James Lin, Jason Picard, Brett Reilly, Shannon Reilly, Ivan Small, Simon Toner, Nu-Anh Tran, Quan T. Tran, Calvin Vu, Trent Walker, Alec Worsnop, and Catherine Z. Worsnop all encouraged me along the way. I thank them for their friendship. Samuel Plapinger, his sense of humor never in short supply, made research and writing enjoyable.

Yanhong Shi, Minfang Li, and Liang Li—my extended family—has given me many places to call home. They have always been there, at every turn, to help bring out my best. My sister, Linh Luu, may never know how much her generosity and thoughtfulness have guided me. I am grateful to her and my brother-in-law, Nguyen Minh Hoang, for their every kindness. Dinh Luu, Hang Pham, Phap Luu, and Breannnda Luu are shining examples of the human spirit. I thank them for their support. Kevin Li is my greatest fortune. The world is better when he is near.

I dedicate this dissertation to my parents, who will always be my guiding light.

## Introduction

This dissertation studies law and literature together, examining the relation between them under state socialism. In modern Vietnam, these two domains, always held in tension but never quite touching, intersected for the first time in 1986. That year, to revive a failing economy, the party-state launched a set of reforms known as *Đổi Mới* [Renovation]. To kickstart the program, a series of new codes were issued—in criminal law, civil law, foreign investment law, and press law, among others—bookended by two new constitutions, written in 1980 and 1992. This period also saw the appearance of a body of literary works, some later given a place in the national canon. At a moment when law and literature developed in tandem, writers broke boundaries to bring legal insights to their readers, creating, in the process, characters who must confront the force of socialist law. This dissertation examines what socialist law and literature owe to each other, and how both can shore up or strain the party-state.

For Vietnam, Renovation is a short but momentous chapter in her long history. The era may have had its start before 1986. In the period leading up to it, the country seemed at times on the brink of collapse. A sense of foreboding already pervaded it in 1978, less than three years after the “guerilla republic” pushed south to unseat the Sài Gòn government.<sup>1</sup> By then, galloping inflation, famine, plus “thievery and waste” big and small had exposed the shortcomings of collectivism.<sup>2</sup> Subsidy—a system of rationing and price control set up during the war, when foreign reserves poured into North Vietnam—could now hardly cover basic needs. Aid had slowed to a trickle.<sup>3</sup> With war on the frontiers against China and Cambodia, the Vietnamese everyman had good reason to believe that his people had no more to give. All manner of rumors circulated, forecasting how the socialist state may have been “folding in upon itself.”<sup>4</sup>

And yet, the party-state not only stood firm, but grew steadily in the 1980s, becoming absolute, as Alexander Woodside would say, by being “more subtle.”<sup>5</sup> Not about to cede all power to market economics, the regime turned its territory into something of a “laboratory” to “redesign Vietnamese behavior.”<sup>6</sup> This would come to mean a great many things. Economically, the people—their enterprising spirit blunted by long campaigns rolled out in the 1970s to teach the socialist way of life—now needed to break out of idleness and take daring steps. The country was opening its doors to foreign investors. To spur them on, the party-state turned to “the science and mystique of management,” retraining its managerial

---

<sup>1</sup> Alexander Woodside, “The Struggle to Rethink the Vietnamese State in the Era of Market Economics,” in *Culture and Economy: The Shaping of Capitalism in Eastern Asia*, eds. Timothy Brook and Hy V. Luong (Ann Arbor, Mich: University of Michigan Press, 1999), 64.

<sup>2</sup> See, among others, Kim Ninh, “Renovating in Transition?” *Southeast Asian Affairs* (1990), 383-395; David Elliot, *Changing Worlds: Vietnam’s Transition from Cold War to Globalization* (New York: Oxford University Press, 2012); Kimura Tetsusaburo, *The Vietnamese Economy, 1979-86* (Tokyo: Institute of Development Economics, 1989); Tuong Vu, *Vietnam’s Communist Revolution: The Power and Limits of Ideology* (Cambridge: Cambridge University Press, 2017).

<sup>3</sup> See David G. Marr, *Postwar Vietnam: Dilemmas in Socialist Development* (Ithaca, NY: Cornell Univ., Southeast Asia Program, 1988).

<sup>4</sup> Woodside, 65.

<sup>5</sup> *Ibid.*, 64; 73.

<sup>6</sup> *Ibid.*, 74.



class by putting into place a set of legal and financial incentives.<sup>7</sup> Wealth-creators, beaten down for decades, were given another go. Their riches showed just what one needed to succeed in the 1980s, though the fear of a quick fall—having everything taken from them—never quite lifted.<sup>8</sup>

As though it could see how the still-anxious people could recoil at any moment, the government also set about inculcating a “habit of trust.”<sup>9</sup> Through mass legal education, state officials sought to remake the Vietnamese into good socialist citizens, living and working by the letter of the law. No sooner was a new code passed than teams of legal advisors moved from town to town, handing out leaflets and unspooling propaganda films. The hope was that the average man would bring home with him a sense of the law, which he would put to use in everyday life. Much like China, which in the 1980s held its own “legal learning” drives to “transform consciousness,” the Vietnamese government would recast its laws to again tie the people to the state, and to give commerce a moral and political value.<sup>10</sup>

At no other point, before Renovation or since, was so much wagered on the success of mass legal education. As Woodside explains, the open-door policy needed a native business class for it to take off. Ethnic Chinese merchants, who long dominated Vietnamese trade, had mostly been driven from the country. Persecution and the change in currency in 1975, 1978, and yet again in 1985 sapped them of much wealth and resolve. With little else to lose, they left.<sup>11</sup> Soon, it became clear that few among the Vietnamese had the know-how to implement economic reforms, predisposed as they were “to think of economics in terms of either a national planned economy or a family business but as little in between.”<sup>12</sup> Large, private enterprises thus fell into the hands of state officials and cadres. This class, given a glimpse of changes still to come, was keen on keeping the “quasi-millenarian political consciousness that Ho Chi Minh and other revolutionaries created fifty years ago.”<sup>13</sup> To reinvent statecraft without losing its ideological core, the party-state looked to its mighty neighbor, China.

It found a guiding light no further than Shanghai, whose residents, since 1949, have had to “learn socialism” through one set of laws or another.<sup>14</sup> The Chinese Communist Party (CCP),

---

<sup>7</sup> Ibid., 67.

<sup>8</sup> See, for example, the lawsuit that Trịnh Vĩnh Bình, a Dutch national, brought against the Socialist Republic of Vietnam, which in the early 1990s had seized all of his assets in Vietnam, and sent him to prison for thirteen years. After escaping the country, this man returned to the Netherlands, where he filed a lawsuit in 2003 against the Vietnamese government. In April 2019, the Permanent Court of Arbitrage, a council founded under United Nations Commission on International Trade and Law's (UNCITRAL) arbitration rules, awarded him nearly \$40 million in compensation. See, among others, “Vụ kiện 2 thế kỷ: Trịnh Vĩnh Bình vs. Chính Phủ Việt Nam,” *Voice of America* (unknown publication date), <https://projects.voanews.com/vu-kien-trinh-vinh-binh-vs-chinh-phu-vn/> (accessed April 15, 2019); Joshua Lipes, “Vietnam Dismisses ‘Inaccurate’ Reports of Huge Payout in Arbitration Over Dutchman’s Seized Assets,” *Radio Free Asia* (April 12, 2019).

<sup>9</sup> Woodside, 63.

<sup>10</sup> Jennifer Altehenger, *Legal Lessons: Popularizing Laws in the People’s Republic of China, 1949–1989* (Cambridge: Harvard University Press, 2018), 7; 22.

<sup>11</sup> See King C. Chen, *China’s War with Vietnam, 1979: Issues, Decisions, and Implications* (Stanford: Hoover Institution Press, 1987).

<sup>12</sup> Woodside, 66.

<sup>13</sup> Ibid., 66.

<sup>14</sup> Altehenger, 2.

for reasons of state, placed law at the center of life. Whether under Mao in the 1950s, or Deng Xiaoping in the 1970s-1980s, when “a new narrative for one-party rule” had to be forged, the CCP in each instance sought to present laws as “weapons” of the people.<sup>15</sup> Through stories crafted to convey this message, the central government taught that knowing the law was “a matter of class consciousness.” To follow the law, to allow it to regulate the workaday world, meant above all to be in keeping with the popular will, and to support the party-state which guides it.<sup>16</sup> The economic, the political, and the moral extended over one another in this way, helping the CCP draw the people ever closer to it.

Vietnam’s own mass legal education—the hallmark of Renovation management science—copied much of what took place in China in the 1980s.<sup>17</sup> Market economics, as Woodside writes, “while requiring great trust in the state, does not show how to create it.”<sup>18</sup> So at some risk to itself, the government set about promoting socialist democracy as a way to broker “authoritarianism in a postcollectivist era.”<sup>19</sup> As I lay out more fully in chapter 1, this concept grants every man the right to ply his trade at the marketplace, so long as he respects the law, which, as was the case in China, makes the communist party the people’s only representative. Long spells of nonproductivity had to end, and socialist democracy gave the people what they needed: “faith in the rightness of rational action.”<sup>20</sup> The corpus of laws issued in the 1980s, beginning with the criminal code, set the parameters.<sup>21</sup> This corpus had several names. Some framers called it socialist law, explicitly carrying forward the revolution’s moral and political meaning, while others settled on transitional law. “Transition” here has an extra resonance, bringing to mind the Soviet view that “law in the transitional period to true Communism” would be used to crush “enemies of the socialist order.”<sup>22</sup> Where the search for new ideas of statecraft found some Vietnamese reading the administrative theories that mandarins hammered out at the royal court in Huế,<sup>23</sup> a good many legal philosophers turned to concepts from 1920s Soviet Russia.

This dissertation uncovers, chapter by chapter, just how the government built up socialist law, testing Soviet and Chinese legal principles, adapting them by fits and starts to strengthen its own legal order. Socialist law had appeared in Vietnam long before 1986. Mark Sidel and John Gillespie, two scholars of Vietnamese jurisprudence, pinpoint 1959 as the moment

---

<sup>15</sup> Ibid., 18; 3.

<sup>16</sup> Ibid., 7.

<sup>17</sup> See, among others, John Gillespie and Pip Nicholson, *Asian Socialism & Legal Change: The Dynamics of Vietnamese and Chinese Reform* (Canberra: Australian National University E Press, 2005); Mark Sidel, *Law and Society in Vietnam: The Transition from Socialism in Comparative Perspective* (Cambridge: Cambridge University Press, 2010); Jonathan Unger and Anita Chan, *Transforming Asian Socialism: China and Vietnam Compared* (St Leonards: Allen & Unwin, 1999); Ulrich Alemann, Detlef Briesen, and Lai Q. Khanh, *The State of Law: Comparative Perspectives on the Rule of Law in Germany and Vietnam* (Düsseldorf: Düsseldorf University Press, 2017).

<sup>18</sup> Woodside, 68.

<sup>19</sup> Ibid., 71.

<sup>20</sup> Peter Drucker, *The End of Economic Man: The Origins of Totalitarianism* (Ann Arbor: Routledge, 2017), xxvii.

<sup>21</sup> On the development of socialist democracy in China, see Lin Li, *Building the Rule of Law in China* (Cambridge: Chandos, 2017).

<sup>22</sup> Alice Era-Soon Tay and Eugene Kamenka, “Marxism, Socialism, and the Theory of Law,” *Columbia Journal of Transnational Law*, Vol. 23 (1984-1985): 217-249; 238.

<sup>23</sup> Woodside, 68.

leaders in North Vietnam adopted Soviet legal ideology.<sup>24</sup> The constitution of that year, the second of five since 1945, took as its source the Soviet Union’s moral and legal rhetoric at the time.<sup>25</sup> This study looks beyond the constitutions to a larger body of documents—decrees, statutes, circulars, and resolutions, issued by bureaus at different levels of government—for a broader view of the law. It will show how concepts such as socialist economic crime were adapted to Vietnam, what forms they took, and how they shaped the thinking of bureaucrats and commoners.

What will come through most strongly is that Vietnam, since the 1950s, has seen itself as part of the “socialist legal world.”<sup>26</sup> To raise the battle-cry of class struggle, for example, Hồ Chí Minh was not far behind the leaders of Poland, Hungary, or the German Democratic Republic in pressing his people to learn the laws, and to wield them as they would any other weapon.<sup>27</sup> The militant use of socialist law came to pass during the 1950s land reform, when young revolutionaries were enlisted to name and try landowners. Many died. From time to time, when news of the campaign leaked, onlookers may have shuddered to think that here, in a new guise, was Mao’s “jurisprudence of terror.”<sup>28</sup> In the 1960s-1970s, when the Soviet Union claimed that socialist morality, in the form of law, stood above every other ethical system, North Vietnam followed suit. Sure-footed, Hà Nội courts applied the “principle of analogy,” borrowed from the Soviet Union, to lay down what men could, or could not, do during revolution. Judges meted out punishment for crimes even as they looked forward to the day when all forms of law would have dissolved.<sup>29</sup> By the 1980s, every socialist state appeared to have built up a complex legal regime to shore up its legitimacy. This is because near the end of the Cold War, the language of law became a “dominant principle structuring national

---

<sup>24</sup> See: Mark Sidel, *The Constitution of Vietnam: A Contextual Analysis* (Oxford: Hart Pub., 2009); Mark Sidel, “The Re-Emergence of Legal Discourse in Vietnam,” *International and Comparative Law Quarterly* 431 (1994): 163-174; John Gillespie, *Transplanting Commercial Law Reform: Developing a ‘Rule of Law’ in Vietnam* (Aldershot, England: Ashgate Pub. Co., 2006); John Gillespie. “Changing Concepts of Socialist Law in Vietnam” in *Asian Socialism & Legal Change: The Dynamics of Vietnamese and Chinese Reform* (Canberra: Australian National University E Press, 2005): 45-75.

<sup>25</sup> Bernard Fall, “North Viet-Nam’s New Draft Constitution” *Pacific Affairs* 32, no. 2 (1959).

<sup>26</sup> Altehenger, 18.

<sup>27</sup> Hồ Chí Minh, perhaps earlier and more than anyone else in North Vietnam, promoted the use of laws as weapons to take down enemies of the revolution [*Pháp luật . . . đặt ra là để đàn áp kẻ thù của cách mạng*]. Hồ Chí Minh, *Nhà nước và Pháp Luật* (Hà Nội: Pháp Lý, 1985), 185. Also see: Hồ Chí Minh, *Toàn Tập* (Chính trị quốc gia, 2000); Trịnh Đức Thảo, ed., *Tư tưởng Hồ Chí Minh về pháp luật, pháp chế và sự vận dụng trong xây dựng nhà nước pháp quyền xã hội chủ nghĩa* (Hà Nội: Chính trị-Hành chính, 2009). On the development of legal philosophy in Poland and Hungary, see: Tomasz Gizbert-Studnicki, Krzysztof Pleszka, Jan Woleński, “20th-Century Legal Theory and Philosophy in Poland,” in *A Treatise of Legal Philosophy and General Jurisprudence: Volume 12: Legal Philosophy in the Twentieth Century: The Civil Law World, Tome 1: Language Areas, Tome 2: Main Orientations and Topics*, eds. Enrico Pattero and Corrado Roversi (Netherlands: Springer, 2016): 547-586; Csaba Varga, “20th-Century Legal Philosophy in Hungary,” in *ibid.*, 635-651.

<sup>28</sup> Yonghong Lu, *The Legal System and Criminal Responsibility of Intellectuals in the People's Republic of China, 1949-82* (Baltimore: School of Law, University of Maryland, 1985). For an account of early legal developments in North Vietnam, see Bernard Fall, “North Viet-Nam’s New Draft Constitution.”

<sup>29</sup> An explanation of the principle of analogy [*nguyên tắc tương tự*] can be found in Rudolf Schlesinger, *Soviet Legal Theory: Its Social Background and Development* (London: Routledge, 1998).

and transnational politics.”<sup>30</sup> Jason McGrath has noted that Asian “postsocialist modernity” took shape as commodity culture was increasingly filling in for a fractured ideology.<sup>31</sup> Law propaganda, which Jennifer Altehenger believes was key to socialism’s “legal turn,” may have in the end renewed older socialist ideals.<sup>32</sup> In this light, Renovation, while seeming to usher in a “government of laws, not of men,”<sup>33</sup> may be the high noon of socialist legalism.

More research is needed to grasp how Soviet and Chinese legal theories shaped the ways the Vietnamese understand socialist law and its place in today’s society. That history will have implications for many years to come. By analyzing the role of fiction and the press in mass legal education, this study looks closely at the more specific question of how a small cultural elite interpreted the laws of Renovation, and what they thought the layman needed to know. As chapter 1 details, Renovation set in motion a campaign to teach the Vietnamese their rights and duties as many began to stake their fortunes in commerce. Legal education would help to make their “behavior more legible.”<sup>34</sup> So, as a matter of strategy, the government enlisted the press to translate “the plain text of any law into stories and images.”<sup>35</sup> Publishers, writers, artists, and others besides, each acting as middlemen, were left to sort out how to convey the law of the land to its citizens. Between 1986 and 1989, the campaign slipped from government control, spawning far deeper questions about the country’s legal history. Reportage and fiction took readers back to the period of land reform, or the dark 1970s, when the party-state used socialist property legislation to attack those thought to stand in the way of revolution.

By the late 1980s, the rhetoric of socialist democracy seemed inescapable. A story that the Vietnamese Writers’ Union published brought home something of that spirit. Nguyễn Bảo, author and subject of the story, is an average man with a rich sense of drama. He owns a plastic container that has been in his family for some time, passed down from father to son, for all he knows. Whatever the case, the container, which can take in 10 liters of liquid, has held its shape. Outside, the lines marking the volume level are still visible. Turn it upside down and the container would say what company had made it, and in which country. A “leading capitalist nation, with big industries,” the owner stresses. When Nguyễn Bảo one day goes off to buy kerosene, he finds himself locked in a squabble with the vendor. Seeing how the level does not quite reach the highest mark—he is due 10 liters—the buyer faults the seller for cheating. They begin to spar. Nguyễn Bảo points out that his container came from abroad, so it can be trusted to accurately measure. “The more foreign, the more flawed,” the young woman answers. Finding no good reason to continue, Nguyễn Bảo goes home, feeling roundly defeated and fuming all the way. “The beastly country that made this shoddy product,” he curses, “should be taken to the International Court of Justice.”<sup>36</sup>

---

<sup>30</sup> Altehenger, 18.

<sup>31</sup> On postsocialist modernity in China, see, for example: Haomin Gong, *Uneven Modernity: Literature, Film, and the Intellectual Discourse in Postsocialist China (Critical Interventions)* (Honolulu: University of Hawaii Press, 2012); Jason McGrath, *Postsocialist Modernity: Chinese Cinema, Literature, and Criticism in the Market Age* (Stanford: Stanford University Press, 2010).

<sup>32</sup> Altehenger, 18-19.

<sup>33</sup> John K. Fairbank, “From the Ming to Deng Xiaoping: The Search for Modern China,” *The New York Review of Books* (May 31, 1990).

<sup>34</sup> Altehenger, 13.

<sup>35</sup> *Ibid.*, 15.

<sup>36</sup> Nguyễn Bảo, “Tôi muốn kiện tới Liên hợp quốc,” *Văn Nghệ* (July 25, 1987).

Those who read the July 1987 issue of *Văn Nghệ* would have known about this man. By then, law and literature had moved closer together, the more so after writers were tasked with showing their readers how to use the law in their daily lives. Nguyễn Bảo's story brings to the foreground the language of law as it surfaces in everyday transactions. Woodside remarks that the party-state, by setting out still to build socialist men during Renovation, fused "market economics' assumption about the selfishness of human nature with the older revolutionary desire for the perfectibility of humankind."<sup>37</sup> This would mean nothing less than remaking the Vietnamese into socialist economic men. If market economics define commerce as a creative space in which differences soften, allowing the Vietnamese to redefine themselves by exercising, through trade, their rights as citizens, socialist ideology still mediates that arena. Nguyễn Bảo's story conveys this when it describes the woman dismissing her customer in an ideologically-inflected way. It may be that the text aligns itself with the faith—Vietnam's "new evangelism"<sup>38</sup>—that transitional law could create the social order for each person to test his luck in buying and selling. Nevertheless, Nguyễn Bảo's appeal to the International Court of Justice—the message of the piece—strikes a blow at Vietnam's own law of transition, which, flexible by design, allows the party-state to intervene whenever it needs to rebalance economic with political aims.

By itself, this story does not give a full sense of how wide Renovation's legal propaganda campaign came to be. It nonetheless illustrates a conundrum which bedeviled bureaucrats at the time: how to manage each person's interpretation of the law, and the moral concepts on which it is based, once it becomes a part of ordinary life. In Nguyễn Bảo's piece, there is no clear sense of what the law means to the characters, apart from "looking truth in the eye" [*nhìn thẳng vào sự thật*], as the slogan of that era goes.<sup>39</sup> How socialist democracy sets itself apart from a more general idea of justice is still more opaque. The one seems only a step from the other.

This dissertation argues that such conditions gave rise to a specific *nomos*, "a normative universe [held] together by the force of interpretative commitments—some small and private, others immense and public."<sup>40</sup> Robert M. Cover, writing in 1983 on law's place within culture, describes the *nomos* as comprising more than a corpus juris, more than the institutions which put that corpus into use, more, even, than "those who seek to predict, control, or profit" from lawmaking.<sup>41</sup> A *nomos*, "as a world of law," runs deeper with "a language and a mythos—narratives in which the corpus is located." It is kept by a "tension between reality and vision"—the state of things being at odds with the "other than the case," the "alternative futures."<sup>42</sup> In this world, law is one way this tension plays out. Literature is another. Law and literature, placed on equal footing, would provide a "thickly described legal space," in which rules and institutions interact with the narratives they help frame, and which give them their meaning.<sup>43</sup>

---

<sup>37</sup> Woodside, 67.

<sup>38</sup> *Ibid.*, 67.

<sup>39</sup> Nguyễn Bảo.

<sup>40</sup> Robert M. Cover, *Narrative, Violence, and the Law: The Essays of Robert Cover* (Ann Arbor: University of Michigan Press, 2010), 99.

<sup>41</sup> *Ibid.*, 98.

<sup>42</sup> *Ibid.*, 101.

<sup>43</sup> Barry S. Wimpfheimer, *Narrating the Law: A Poetics of Talmudic Legal Stories* (Philadelphia: University of Pennsylvania Press, 2011), 17; Cover, 96.

This project sees Renovation as one instance when law and literature came together “to ground meaning.”<sup>44</sup> Renovation, as *nomos*, is not the same as the “socialist legal world” of which Vietnam, I suggest, has been a part. The difference lies in what Cover describes as a “radical dichotomy” between “law as power” and “law as meaning”—between, on the one hand, the practice of law, and on the other, “the ways that legal subjects meaningfully interact with the law.”<sup>45</sup> Cover is keen to stress that, even in the most authoritarian society, the “uncontrolled character of meaning exercises a destabilizing influence upon power.”<sup>46</sup> With mass legal education, when cultural brokers were given some leeway to repackage laws into stories for easy comprehension, the tension between “law as power” and “law as meaning” reached a high point, creating the energy for “all members of society [to act as] agents of legal meaning.”<sup>47</sup> In this sense, Renovation may be seen as an era of socialist legal and literary modernity—when Vietnamese law and literature developed alongside each other, shaping a postwar legal consciousness.

To study Renovation as *nomos*, then, is to study socialist law not as statute but as story.<sup>48</sup> One idea which underlies this project is that “radical innovation in literature happens at a time of radical innovation in law.”<sup>49</sup> Ravit Reichman, drawing on Cover’s thesis to understand a modernist “literary jurisprudence,” makes an important point. “Normative” in the legal sense, she says, means something quite different from how literary critics have tended to use it. In one, the term refers to “a belief in what *ought* to be”; in the other, it is “the imposition of culturally and arbitrarily shaped norms—sexual, racial, national.”<sup>50</sup> Twentieth-century writers such as Virginia Woolf did not shy away from the legal meaning of normative, Reichman contends. “Rather than just a sensitive observer of modern life,” each, in his or her own way, grappled with “what was wrong with the world,” and with how experience “could be harnessed to do something right.”<sup>51</sup> Framing modernism this way, Reichman claims for the writers an ethical vision, and their works a “juridical imaginary,” even while few among them depict a trial.<sup>52</sup>

The works I examine also have little to do with law, at least not in a way that is “obvious at once and to all.”<sup>53</sup> In spite of this, the small but significant corpus known as Renovation fiction richly captures what we might call a socialist legal sensibility. Jeffrey C. Kinkley, surveying Chinese fiction about crime and the law, suggests that literature may be “a bellwether for the modern Chinese legal system.”<sup>54</sup> In the 1970s-1980s, Chinese “legal system literature” enjoyed a sterling reputation among the authorities because it depicts judges and the police as heroes. Though this genre was meant to “use literary forms to propagandize the

---

<sup>44</sup> Cover, 113.

<sup>45</sup> Wimpfheimer, 17.

<sup>46</sup> Cover, 112.

<sup>47</sup> Wimpfheimer, 17.

<sup>48</sup> *Ibid.*, 19.

<sup>49</sup> Ravit P.-L. Reichman, *The Affective Life of Law: Legal Modernism and the Literary Imagination* (Stanford: Stanford Law Books, 2009), 7. For a history of the law and literature subfield, see Elizabeth S. Anker and Bernadette Meyler, eds., *New Directions in Law and Literature* (New York: Oxford University Press, 2017).

<sup>50</sup> Reichman, 6.

<sup>51</sup> *Ibid.*, 6-7.

<sup>52</sup> Reichman, 8.

<sup>53</sup> Cover, 107.

<sup>54</sup> Jeffrey C. Kinkley, *Chinese Justice, the Fiction: Law and Literature in Modern China* (Stanford: Stanford University Press, 2000), 16.

legal system,”<sup>55</sup> over time, it would turn into something more. According to Kinkley, these works “often pleaded for the institution of adversary law, not for obedience or revolution.” In that way, they broadened the Chinese conception of “just what ‘law’ might be.”<sup>56</sup>

Similarly, by bringing Renovation fiction into dialogue with the law, this study casts each work as a legal narrative in its own right. Barry Wimpfheimer, when explaining Talmudic legal discourse, recognizes in narrative characters who “intuitively grasp when it is acceptable, socially if not legally, to defy” the rules that structure their lives.<sup>57</sup> Were we to accept that narrative, as Wimpfheimer notes, “must be about how an implicit canonical script has been breached, violated, or deviated,” then legal narratives have the potential to flout the expectations built into the law.<sup>58</sup> Renovation fiction, in this light, does more than just channel the party-state’s legal message. Throughout this study, I move fluidly between literary and legal texts, tracing how the one leaves its mark on the other, to identify where and how a story aligns, or breaks with the letter of the law.

This study does not claim that Dương Thu Hương, Bảo Ninh, Phạm Thị Hoài, and Nguyễn Mộng Giác—the authors I examine—each set out to write legal stories. Not one among them is a legal practitioner of any sort. Nevertheless, the minutiae of their narratives can help us understand not only the authors’ style, but also the elements that manifest without their knowing. Peter Brooks, quoting Carlo Ginzburg, believes that “the very idea of narrative . . . was born in a hunting society.”<sup>59</sup> Like a huntsman, who “alone was able to read, in the silent, nearly imperceptible tracks left by his prey, a coherent sequence of events,” the legal storyteller uses clues, in all their forms, to grasp what may have happened.<sup>60</sup> Often, Ginzburg notes in a different context, trifles give away the artist because they “constituted the instances when the control of the artist, who was tied to a cultural tradition, relaxed and yielded to purely individual touches, which escaped without his being aware of it.”<sup>61</sup> To read Renovation literature in “the huntsman’s paradigm” would mean that each story is purposefully constructed, that its significance resides “in the way the happening [is] told.”<sup>62</sup> But seeing Renovation literature as a literary canvas also lets us find clues here and there that end up on the pages without the author’s awareness, and which can lead us down another path, to some other happening.

Both modes of analysis inform my close readings. In each chapter, I pair a literary work with an aspect of socialist law to elucidate what each owes to the other. Though the works were all published in the 1980s, the legal issues they attend to may date to earlier times. I therefore bring in a variety of primary documents, written in Vietnamese, English, and French, where context is needed, or when such sources can illuminate some element of the literary texts. In Chapter 1, I provide greater detail on Vietnam’s mass legal education, showing how the party-state, in an effort to revive the people’s creative drive, promoted socialist democracy and

---

<sup>55</sup> Ibid., 3.

<sup>56</sup> Ibid., 15; 19.

<sup>57</sup> Wimpfheimer, 18.

<sup>58</sup> Ibid., 19.

<sup>59</sup> Peter Brooks, “Retrospective Prophecies: Legal Narrative Constructions,” in *New Directions in Law and Literature*.

<sup>60</sup> Carlo Ginzburg, “Clues: Roots of Evidential Paradigm,” in *Clues, Myths, and the Historical Method*, trans. John and Anne C. Tedeschi (Baltimore: Johns Hopkins University Press, 1986): 96-125; 103.

<sup>61</sup> Ibid., 101.

<sup>62</sup> Brooks.

built up its legal system. To that end, it enlisted the press to teach each citizen to live by the law. Legal and literary discourses converged in this way, and notably in Dương Thu Hương's novel *Những Thiên Đường Mù* [*Paradise of the Blind*] (1988), the first of its kind to fold socialist legal discourse into fiction. The history of land reform drives much of the narrative. This was a program of forced land redistribution, carried out by the North Vietnamese state in the 1950s, and which resulted in death on a massive scale. In the novel, a character who witnessed the undue punishment meted out to her family goes on to amass great wealth, then uses her economic power to influence legal reform decades later. Analyzing the novel alongside land reform legislation and Renovation reportage, I bring into view the subject of socialist law not as an artifact of party-state engineering, but as a product of the extrajudicial violence of land reform.

Chapter 2 focuses on socialist economic crime, a pliant legal concept used especially after 1975 to target thieves, prostitutes, tradesmen, counterrevolutionaries, and others seen as threats to socialism. Bảo Ninh's *Nỗi Buồn Chiến Tranh* [*The Sorrow of War*] (1990), this chapter argues, brings into relief a complex genealogy of socialist economic crime, showing it to have evolved from a moral conception of socialist property already in use in 1960s North Vietnam. Tracing the concept to this period, when the Soviet Union's Moral Code of the Builders of Communism was widely promoted in Vietnam, I explain why party leaders saw economic crime as a violation of socialist property, morality and law all at once. Later in the chapter, I analyze two types of economic crime in the novel—bicycle theft and looting—to argue that economic crime legislation, while seeming to strengthen state technologies to police trade, in fact gave rise to an underworld that tested the reach of socialist law.

Chapter 3 turns to another strand of legal history—the regulation of marriage and sex. When the first code of family law came into force in January 1960, touting a free and progressive marriage system, North and South Vietnam were in the midst of a civil war. Throughout the conflict and after, the promise of emancipation and equality of the sexes quickly caught on as more and more women assumed the “three responsibilities,” serving as producers, household caregivers, and national defenders. This chapter follows the discourse on matrimony from 1960 to 1986, when the code of family law was at last brought up to date. I bring Phạm Thị Hoài's *Thiên Sứ* [*The Crystal Messenger*] (1988) into conversation with Renovation medical discourses to examine “bourgeois love” and “revolutionary love” as two distinct legal concepts.

Chapter 4 studies the vast archive of Vietnamese-language publications in the diaspora to show why, in the 1970s, Vietnamese refugees drew on Social Darwinism, Jungian psychology, and Vietnamese folk traditions to contest the socialist state's definition of human rights. As I suggested earlier, the circumstances for Renovation unfolded in the 1970s. During this time, Vietnamese refugees in Japan, Australia, Canada, the United States, and continental Europe indicted the Vietnamese government for human rights abuse. Then as now, the slipstream of human rights activism pulled along their cause, helping to mount pressure on the government to reform. While some refugees appealed to the United Nations, others drew up a unique philosophy. Vietism, as this doctrine came to be known, grappled with what Vietnamese humanism was, and what it ought to be. To that end, its founders turned to Vietnamese antiquity for a model of human rights, based on a notion of the collective unconscious and the divinity of the mother. This final chapter first explores the historical and philosophical basis of Vietism. It explains how Vietnamese refugees responded to Jimmy Carter's “moral sense”—a US foreign policy based on human rights—as well as the Soviet Union's claim that only under socialism could every man be all he wished to be. I then analyze Nguyễn Mộng Giác's short story collection, *Ngựa Nản Chân Bon* [*Surrender*] (1984), as the literary instantiation of Vietism.



By broadening the scope of this study, I seek to demonstrate how the Vietnamese diaspora's cultural identity came into being, above all, as a response to socialism's legal turn.

## Chapter 1

### *Paradise of the Blind: State Socialism and the Legal Subject*

There is a moment in Dương Thu Hương's *Những Thiên Đường Mù* [*Paradise of the Blind*] when Tâm, a rural entrepreneur, proclaims that “according to the law, all arrests require a warrant.” She is speaking to the deputy chairman, a man who is brought into disrepute by greed and wrongdoing yet remains steadfast under the sly notion that he is enforcing “rules and regulations of the state.”<sup>1</sup> By his order, the militia has restrained a man, taking him out of sight for insulting a local official. Though the novel does not carry forward this exchange between Tâm and the deputy chairman, the very mention of due process has a peculiar resonance that would not be lost on Vietnamese readers. By this point in the novel, details of land reform—a program enacted in the 1950s to sharpen class conflict and hasten revolution in North Vietnam—have brought home the realization that, for over three decades, keepers of the party-state had flouted the very “rules and regulations” they enforced.

*Paradise of the Blind's* explicit evocation of the law suggests that socialist law and literature—two previously unrelated discourses, one held apart from the other—had merged during Đổi Mới [Renovation]. This period derived its name from a set of policies enacted in 1986 to stimulate a floundering economy. It is said that economic liberalization brought about “a brief period of openness” for writers, before the collapse of communism in Eastern Europe forced the government to “revert to type.”<sup>2</sup> This chapter argues that, contrary to conventional views, Renovation cultural production was quickened less by economic reform than by the comprehensive exercise of socialist law.<sup>3</sup> It will show how the party-state, in an effort to spur productivity, built up “socialist democracy” and law to revive the people’s creative drive. To that end, it enlisted the press to promote legal compliance in order to shape economically productive citizens. Writers and journalists for a short while took license to debate the meaning of socialist democracy and, to a greater extent, condemn functionaries for the latitude they took in interpreting laws.<sup>4</sup>

<sup>1</sup> Dương Thu Hương's *Những Thiên Đường Mù* [*Paradise of the Blind*] (N.p.: Việt Nam, 1990), 188.

<sup>2</sup> “Breaking the Surface,” *The Australian* (December 10, 1997).

<sup>3</sup> See: Greg Lockhart, “Nguyễn Huy Thiệp and the Faces of Vietnamese Literature,” introduction to *Nguyễn Huy Thiệp, The General Retires and Other Stories*, trans. Greg Lockhart (Singapore: Oxford University Press, 1992): 1-38; Greg Lockhart, “Nguyễn Huy Thiệp’s Writing: Post-Confucian, Post-Modern?” in *Vietnamese Studies in a Multicultural World*, ed. Nguyễn Xuân Thu (Melbourne: Vietnamese Language and Culture Publications, 1994): 158-181; Peter Zinoman, “Nguyễn Huy Thiệp’s ‘Vàng Lửa’ and the Nature of Intellectual Dissent in Contemporary Vietnam,” *Viet Nam Generation* 14 (Spring 1992); and Peter B. Zinoman, “Declassifying Nguyễn Huy Thiệp,” *Positions* 2 (Fall 1994): 294-317; Rebekah Linh Collins, “Vietnamese Literature after War and Renovation: The Extraordinary Everyday,” *Journal of Vietnamese Studies* 10, no.4 (Winter 2015): 82-124; Nguyễn Ngọc, “An Exciting Period for Prose,” trans. Cao Thị Như-Quỳnh and John C. Schafer, *Journal of Vietnamese Studies* 3.1 (Winter, 2008): 193-219.

<sup>4</sup> “Nâng cao ý thức tôn trọng pháp luật của nhân dân. . . Thực hiện nguyên tắc: ‘Mỗi người sống và làm việc theo pháp luật.’” “Báo cáo chính trị, ban chấp hành trung ương Đảng cộng sản Việt Nam tại Đại hội đại biểu toàn quốc lần thứ VI của Đảng” [Political Report, the Central Executive Committee of the Communist Party of Vietnam at the Sixth National

Legal and literary discourses enjoyed freer play in that brief span, meeting especially in reportage and such literary works as *Paradise of the Blind*. Though well-received when it was published in 1988, the novel's portrayal of land reform excesses may have contributed to its short shelf life in Vietnam. The first print run of forty thousand copies reportedly sold out, as did its second print run of twenty thousand.<sup>5</sup> By 1989, however, General Secretary Nguyễn Văn Linh ordered the novel to be withdrawn from circulation, effectively denying further publishing privileges to its author.<sup>6</sup> *Paradise of the Blind* was Dương Thu Hương's last of three novels sanctioned for domestic release. Some two years later, the government accused the author of "illegally" passing national security documents to a "reactionary overseas Vietnamese."<sup>7</sup> Mai Chí Thọ, Minister of Home Affairs, claimed that the novelist's "subversive work" was part of a surge in western campaigns to undermine Vietnam's development.<sup>8</sup> The Counterintelligence Bureau found her "profiting from Renovation's democratic advances to realize actions against the government," in contravention of the law.<sup>9</sup> In a similar fashion, a representative of the Writer's Union held that "existing laws have the punitive capacity to discipline. . . persons who exploit literature to carry out political intrigues damaging to the revolution."<sup>10</sup>

Though she was never formally charged in court, the fate of Dương Thu Hương and her novel are hardly separate. Both came under fire—she for calling into question the scope of Renovation legal reform, and her work for creating a fictive space in which characters practice something of a "shared and local understanding of the law."<sup>11</sup> As this chapter will demonstrate, *Paradise of the*

---

Congress], *Văn Kiện Đại Hội Đảng Thời Kỳ Đổi Mới* [Đổi Mới Party Documents] (VKDHDTKDM) (Hà Nội: Chính trị quốc gia, 2005), 45.

<sup>5</sup> Henry Kamm, *Dragon Ascending: Vietnam and the Vietnamese* (New York: Arcade Publishing, 1996), 14.

<sup>6</sup> *Ibid.*, 14-15.

<sup>7</sup> Bui Duy Tan, a Vietnamese with US citizenship suspected of transporting files "detrimental to national security," was arrested on April 12, 1991 after customs officials discovered sensitive documents in his possession. "Writer Expelled From Party Before Arrest," *Hong Kong AFP in English* (Hong Kong), May 03, 1991; "Vietnam Security Police Confirm Arrest of Writer Over Documents," *Reuter Library Report* (Hà Nội), April 30, 1991; "Vietnam: Human Rights Development," <http://www.hrw.org/reports/1992/WR92/ASW-15.htm>.

<sup>8</sup> "Vietnam Security Police Confirm Arrest of Writer Over Documents"; Kathleen Callo, "Vietnam Frees Woman Writer From Seven-Month Detention," *Reuter Library Report* (Bangkok), Nov. 20, 1991.

<sup>9</sup> "Dissident 'Exempted' From Criminal Responsibility" *Hanoi VNA* (Hà Nội), Nov. 20, 1991.

<sup>10</sup> "Có pháp luật trừng trị kẻ xấu . . . Những kẻ tài ít, tật nhiều lợi dụng công cuộc đổi mới . . . lợi dụng văn học để hoạt động mưu đồ đen tối chống phá cách mạng." Nguyễn Thị Ngọc Tú, "Đại biểu đảng bộ khối cơ quan trung ương về công tác tư tưởng," [Deputies from the Central Authorities on Ideological Activities], *Nhân Dân* [People's Daily] (ND) (July 2, 1991). Also see extracts from Dương Thu Hương's letters recounting her arrest in, Kiến Văn, "Đằng sau 'vụ' Dương Thu Hương" [Behind the Dương Thu Hương Affair] *Diễn Đàn* [Forum], <http://www.diendan.org/tai-lieu/bao-cu/so-012/dang-sau-vu-dt-huong> (accessed Sept. 1, 2014).

<sup>11</sup> Susan Sage Heinzelman, *Riding the Black Ram: Law, Literature, and Gender* (Stanford: Stanford University Press, 2010), x.

*Blind* may be the first of its kind in Vietnam to fold socialist legal discourse into fiction, pushing generic boundaries to call for change to the status of the socialist subject before the law. It stands as the quintessential novel of Renovation for imagining the socialist legal subject not as an artifact of party-state engineering, but as emerging out of the extrajudicial violence of land reform.

### **National Sovereignty and Legal Governance**

*Paradise of the Blind* follows its protagonist's journey through a "crepuscular Moscow of expatriate Vietnamese."<sup>12</sup> As the novel opens, Hằng is working in a Soviet textile factory; she is a part of the labor that Vietnam exports.<sup>13</sup> Her uncle Chính, using his membership in the Vietnamese Communist Party (VCP), also resettles in Moscow and, under the pretense of diplomacy, partakes in contraband trade managed by Vietnamese exchange students. A telegram from her uncle prompts Hằng to journey by train to Moscow, during which she recalls her family history.<sup>14</sup> A key episode in this history is the 1950s land reform in North Vietnam, a program designed to do away with the "feudal" property regime by "liquidating" the landlord class. In practice, however, land reform extended the front of attack to target "enemies of the people" and intensify violence so as to break any resistance to the revolution.<sup>15</sup> In one of the novel's many flashbacks, Chính supervises a Land Reform Brigade that oversees the trial of "village despots." He applies the law overzealously, claiming his sister, Quế, as collateral damage. Quế's husband, Tồn, flees town as agitation campaigns and denunciations intensify. After his escape, the brigade confiscates his ancestral home, displacing his sister, Tâm. Whereas Tồn's flight from the law's jurisdiction ends tragically, terror and dispossession trigger Tâm's entrepreneurial spirit, which she unleashes over the next several decades to gain wealth and power.

*Paradise of the Blind* appeared at a moment when the communist nation-state, under the specter of foreign sabotage, reassessed the function of law. Reports on national security often underscored the unsystematic application of law as a major grievance of the people. A series of articles in *Tạp Chí Cộng Sản* [Journal of Communism] (*TCCS*), for example, suggested that widespread corruption had eroded popular faith in the party-state, spawning social disorder favorable to

<sup>12</sup> Alan Farrell, "Novel Without a Name—A Review," *Book Talk* (Sept. 1995): 42.

<sup>13</sup> As a partial solution to poverty and unemployment, the Vietnamese government signed a bilateral agreement with the Soviet Union in 1981 to facilitate the export of Vietnamese workers. "Vietnam: Economy in Difficulties, Labour Exported," October 1982, Folder 04, Box 23, Douglas Pike Collection: Unit 06 - Democratic Republic of Vietnam, The Vietnam Center and Archive, Texas Tech University. Accessed 24 Jan. 2016, <<http://www.vietnam.ttu.edu/virtualarchive/items.php?item=2322304025>>; Graeme Hugo and Charles Stahl, "Labor Export Strategies in Asia," in *International Migration: Prospects and Policies in a Global Market* (Oxford: Oxford University Press, 2004).

<sup>14</sup> Hue-Tam Ho Tai, branding Dương Thu Hương's writings as "literature of disenchantment," notes several features of the novel, including its cinematic quality. She defines it as "intersperse[ing] descriptions of the journey with flashbacks and dream-like sequences of the past." Hue-Tam Ho Tai, "Duong Thu Huong and the Literature of Disenchantment," *Vietnam Forum*, no.14 (November 1994): 82-91, 88.

<sup>15</sup> Alex-Thai D. Vo, "Nguyễn Thị Năm and the Land Reform in North Vietnam, 1953," *Journal of Vietnamese Studies* 10, no. 1 (March 2015): 1-62; M.C. Chang, "Mao's Strategem of Land Reform," *Foreign Affairs* 29, no.4 (July 1951), 550-563.

obstructionists.<sup>16</sup> In the absence of standardized laws to coordinate state policies and guide behavior, abuses by state officials remained frequent.<sup>17</sup> Moreover, routine patronage and siphoning of resources had given rise to what Katherine Verdery calls an “oppositional cult of nonwork,”<sup>18</sup> where, sensing their creativity blunted, “the greater part of the populace give over to idleness.”<sup>19</sup>

In a move to mobilize popular initiative and establish norms for political behavior, the party-state sought to develop a concept it called socialist democracy.<sup>20</sup> Trường Chinh’s address at the 1986 National Congress outlined the concept in broad strokes.<sup>21</sup> He saw it as an affirmation of the

<sup>16</sup> Hoang Cong, “The Unity of the Socialist System of Law,” 28.

<sup>17</sup> Thomas Sikor suggests that the campaigns against corruption “may simultaneously help the party-state to divorce the state, understood as a politico-legal institution, from the actions of state officials considered undesirable or improper by the wider population. The talk may operate to separate the concrete practices of state agents from the very idea of the state, thereby defending, sustaining, and embellishing the authority people attribute to the state as an institution. In other words, the property discourse and anti-corruption campaign may allow the party-state to construct the image of a ‘good state’—and claim its own—against the template of dispossession and power abuse.” Thomas Sikor, “Property and State in Vietnam and Beyond,” in *State, Society and the Market in Contemporary Vietnam*, eds. Mark Sidel and Hue-Tam Ho Tai (New York: Routledge, 2012): 201-211, 210.

<sup>18</sup> Katherine Verdery, *What was Socialism, and What Comes Next?* (Princeton, N.J.: Princeton University Press, 1996), 23. Also see Nguyễn Văn Sáu, “Phát huy nhân tố con người trong đổi mới quản lý kinh tế” [Promoting Human Agency in Renovating Economic Management] (PhD dissertation, Học Viện Nguyễn Ái Quốc, 1992); Jonathan London, “Viet Nam and the Making of Market-Leninism,” *The Pacific Review* 22, no. 3 (July 2009): 375-399.

<sup>19</sup> Nguyễn Niên, “Đổi mới pháp luật trong công cuộc đổi mới” [Renovating Law in Contemporary Renovations], *NCPL* 3 (1988): 34-43, 36; Lê Quý An, “Xây dựng và sử dụng tốt hơn nữa đội ngũ trí thức xã hội chủ nghĩa” [Developing and Making Better Use of Socialist Intellectuals], *TCCS*, no. 4 (April 1987): 30-34, 32. Also see Phùng Văn Tửu, “Pháp luật xô viết và công cuộc cải tổ hiện nay ở Liên xô” [Soviet Law and Current Reforms in the USSR], *TCCS*, no. 9 (Sept. 1987): 53-56. In a letter of self-criticism dated May 30, 1990, four months before her expulsion from the party, Dương Thu Hương noted how socialism had “stunted the creativity of intellectuals,” and diminished the people’s “labor productivity.” “Writer Duong Thu Huong’s Letter of ‘Self-Criticism,’” *JPRS Report, South East Asia* (March 14, 1991), 37-45.

<sup>20</sup> “Báo cáo chính trị của ban chấp hành trung ương đảng cộng sản Việt Nam tại đại hội đại biểu toàn quốc lần thứ VI của đảng (Do đồng chí Trường Chinh, Tổng Bí thư Ban Chấp hành Trung ương Đảng khóa V, Chủ tịch Hội đồng Nhà nước, trình bày ngày 15 tháng 12 năm 1986)” [Political Report, the Central Executive Committee of the Communist Party of Vietnam at the Sixth National Congress (Comrade Trường Chinh, General Secretary of the Party Central Committee, Session V, Chairman of the Board State, presented December 15, 1986)], *VKDHTKDM*, 45.

<sup>21</sup> Vietnam faced severe economic setbacks in the lead-up to the Sixth National Congress. An annual inflation margin of 700 percent prevailed as high military expenditures and abortive state enterprises deepened fiscal burdens. International isolation following the invasion of Cambodia greatly diminished Vietnam’s access to foreign aid. To overcome the crisis, the National Congress voted to abolish the system of bureaucratic centralized management in favor

people's right to be masters of their own affairs. Socialist democracy would provide a platform for popular supervision of state policy, and guarantee fundamental freedoms to the working people. Of these, Trường Chinh highlighted speech and associational rights to promote the exchange of ideas for economic and social modernization.<sup>22</sup> At the same time, socialist democracy requires that "every citizen engage in the preservation of peace and order, . . . oppose enemy saboteurs and protect the fatherland."<sup>23</sup> The content of socialist democracy remained otherwise ill-defined, apart from the stipulation that democratic practice must be regulated by law. It would seem that the promotion of socialist democracy signaled a decline of party morality as a governing instrument, allowing a particular type of law to spring back to life to regulate new forms of economic transactions and maintain social order.<sup>24</sup> Trường Chinh defined socialist law as an

---

of a market-oriented economy. Reassessing the conditions for Vietnam's stunted growth, General Secretary Trường Chinh's report to the Central Committee in 1986 highlighted how legal laxity had sustained defective economic models and official graft. Chinh saw legal standardization as a possible remedy. As a corrective measure to reorient policies, the National Assembly in 1987 passed the Foreign Investment Law to promulgate "a favorable legal framework for the attraction and protection of foreign direct investment." The law functioned as legislative expression of the leadership's commitment to revive the economy through decentralization. To successfully implement Congress resolutions, Trường Chinh stressed the development of socialist democracy and popular respect for law. See, among others, Carlyle Thayer, "Vietnam's Sixth Party Congress: An Overview," *Contemporary Southeast Asia* (Institute of Southeast Asian Studies) 9, no. 1 (June 1987): 12–22. Articles that discuss law as a central concern for the Congress include: Cu Dinh Lo, "Tăng cường pháp chế XHCN theo Nghị quyết Đại hội VI của Đảng" [Strengthen the Socialist Legality under the Sixth Party Congress's Resolution], *Nhà Nước Pháp Luật* [Law and the State] (*NNPL*), no.4 (1987): 13; Nguyễn Niền, "Đổi mới pháp luật trong công cuộc đổi mới hiện nay" [Renovating Law in Current Reforms], *NNPL*, no.3 (1988): 34; Lê Minh Thông, "Một số vấn đề lý luận chung về pháp luật trong thời kỳ quá độ ở Việt Nam" [Some Issues with the General Theory of Law in the Transitional Period in Vietnam], *NNPL*, no.3 (1988): 41; "Báo cáo chính trị của ban chấp hành trung ương Đảng cộng sản Việt Nam tại đại hội đại biểu toàn quốc lần thứ VI của Đảng." For a discussion of the Foreign Investment Law, see William A.W. Neilson, "Vietnam's Doi Moi Foreign Investment Policy Framework: The 'Third Way'" (draft version) (Victoria: University of Victoria, 1996).

<sup>22</sup> "Báo cáo chính trị của ban chấp hành trung ương Đảng cộng sản Việt Nam tại đại hội đại biểu toàn quốc lần thứ VI của Đảng (Do đồng chí Trường Chinh)," 93.

<sup>23</sup> *Ibid.*, 117. Much of the VCP's conception of socialist democracy resonates with that of the People's Republic of China. According to David Goodman, the initial impetus for the promotion of democracy in China was economic growth, but debates following the 1978 CCP plenum highlighted its political ends as well. The concept's expansiveness posed a danger to the authorities. By 1979, the leadership altered the concept to socialist democracy, "predicated upon the principle of democratic-centralism and exercised under the leadership of the CCP." David Goodman, "The Chinese Political Order after Mao: 'Socialist Democracy' and the Exercise of State Power," *Political Studies* 33 (1985): 218-235, 223. Robert Sharlet also observes that socialist formalization of law aimed to ensure predictability of behavior to regulate social change. Robert Sharlet, "Soviet Legal Reform in Historical Context," *Columbia Journal of Transnational Law* 5 (1990): 5-17; Robert Sharlet, "Reinventing the Russian State: Problems of Constitutional Implementation," *The John Marshall Law Review* 28 (1994): 775-786.

<sup>24</sup> John Gillespie, "Changing Concepts of Socialist Law in Vietnam," in *Asian Socialism & Legal*

aggregate of rules of conduct that specify the rights and obligations of a citizen. He called on the leadership to strengthen socialist law in order to cultivate vigilant citizens and bring potential social conflicts into the channels of party-state legal control.

To that end, Trường Chinh advanced a comprehensive program to build popular legal consciousness and propagate legal compliance in all spheres of activity.<sup>25</sup> He strove to produce a pool of qualified legal professionals to administer law and provide legal counsel to the public. He exhorted all cadres to set an example of lawful behavior by “living and working according to the law.” Other pragmatic measures included legal education in secondary schools and discussions at public forums.<sup>26</sup> Directive 315, issued in 1988, codified the terms of this program and featured the media as a vital force for effective implementation.<sup>27</sup> Its content came verbatim from a 1982 directive, a product of the Fifth National Congress, that bears the signs of an earlier shift to legal governance.<sup>28</sup>

Beginning in 1976, the party-state passed a series of legislations to build up a unified legal doctrine that could help it absorb Vietnam. Resolution 76, issued in 1977, drove forward the effort to develop socialist law under the party’s supervision.<sup>29</sup> According to Phạm Văn Bạch, then the presiding judge on the Supreme People’s Court [Tòa án nhân dân tối cao], a surviving “libertine spirit” [*tính phóng túng*] among the people was spurring them to act lawlessly.<sup>30</sup> He attributed this attitude to the class of men whose unruly nature had thwarted the party’s attempt

---

*Change: The Dynamics of Vietnamese and Chinese Reform* (Canberra: Australian National University Press, 2005): 45-75.

<sup>25</sup> *Ibid.*, 45.

<sup>26</sup> *Ibid.*, 128.

<sup>27</sup> Chủ tịch hội đồng bộ trưởng, “Chỉ thị về việc đẩy mạnh công tác tuyên truyền, giáo dục pháp luật” [Directive on Strengthening Legal Propagation and Education], *Sở khoa học và công nghệ đồng nai* [Department of Science and Technology, Đồng Nai], 2012, <https://motcua.dostdongnai.gov.vn/Pages/LegalDocumentFullText.aspx?DocID=16949> (accessed April 20, 2014).

<sup>28</sup> “Chỉ thị của chủ tịch hội đồng bộ trưởng số 315/ct ngày 7 tháng 12 năm 1982 về việc đẩy mạnh công tác tuyên truyền, giáo dục pháp luật” [Directive of the Council of Ministers’ Chairman number 315/ct December 7, 1982 on Strengthening Legal Propagation and Education], *Cổng thông tin điện tử Bộ tư pháp* [Ministry of Justice web portal], March 25, 2005, [http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View\\_Detail.aspx?ItemID=3731](http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View_Detail.aspx?ItemID=3731) (accessed February 10, 2014).

<sup>29</sup> “Nghị quyết số 76-CP ngày 25-3-1977 của hội đồng chính phủ nước cộng hòa xã hội chủ nghĩa Việt Nam về vấn đề hướng dẫn thi hành và xây dựng pháp luật thống nhất cho cả nước” [Resolution No. 76-CP dated March 25, 1977 of the Socialist Republic of Vietnam on the Development and Implementation of Laws for National Unity], *Luật Học* [Legal Studies] (February 1977), 3-6; “Nghiêm chỉnh thi hành và xây dựng pháp luật thống nhất cho cả nước” [Strictly Enforce the Law and Build Unity for the Country], Tòa án Nhân dân [The People’s Court] (*TAND*) (July 1977); Nguyễn Huy Thúc, “Suy nghĩ về vấn đề tăng cường pháp chế xã hội chủ nghĩa” [On Strengthening Socialist Jurisprudence], *TAND* (August 1977), 8-9, 10-14.

<sup>30</sup> Phạm Văn Bạch, “Vấn đề tăng cường pháp chế xã hội chủ nghĩa và công tác tòa án trong giai đoạn mới” [Strengthening Socialist Jurisprudence and the Court’s Tasks], *TAND* (February 1977), 1-6.

to exercise control. They were the petits bourgeois, “remnants of the exploitative regime,” who still possessed a “spontaneous drive” [*thể lực tự phát*] to corrupt and exploit and make strife.<sup>31</sup> Phạm Văn Bạch argued that such spontaneity is rooted in “an ethic of private ownership” [*đạo đức tư hữu*], and could in time “bore through the foundation of socialism.” The Central Committee of the VCP thus resolved in 1977 to “combat petit-bourgeois spontaneity,” which it understood as “the habits and psychology” of the south Vietnamese.<sup>32</sup> Before low productivity forced the authorities to rebalance the agenda, socialist law was vastly strengthened in the late 1970s to stamp out such enterprising spirit.

The 1986 National Congress broke somewhat with this early conception of law. In its wake, the Ministry of Justice released a range of jurisprudential journals that critically explored how the party-state could adapt socialist democracy and law to increase productivity.<sup>33</sup> Scholars such as

---

<sup>31</sup> Ibid., 2. For an explanation of Lenin’s concept of “spontaneity,” which Phạm Văn Bạch engages, see: Lars T. Lih, *Lenin Rediscovered: What Is to Be Done? in Context* (Boston: Brill, 2006).

<sup>32</sup> Ibid., 3

<sup>33</sup> “Dân chủ xã hội chủ nghĩa” and “pháp chế xã hội chủ nghĩa,” respectively. According to Tay and Kamenka, socialist law came out of the Stalinist 1930s, when “the withering away [of law] was made contingent on the establishment of communism throughout the world, and this was put off into a more remote future. As communism gained more successes, the Stalinist line ran, the capitalist world became more, not less, hostile. Surrounded by this capitalist world, therefore, Soviet society needed the protection of a strong state and such a state inevitably needed law” (Tay and Kamenka, 241). Both concepts derived their meaning from the political-legal canon comprising democratic centralism, collective mastery and socialist legality. A subset of democratic centralism, socialist democracy emphasizes the supervision of state power through popularly elected legislatures. Proletarian dictatorship is an aspect of socialist democracy that figures the Party as proxy for popular supervision of the state, thereby validating Party leadership. Collective mastery promotes Party, state, and public unity by subordinating the individual to the collective. Party leadership—state management—popular ownership [*Đảng lãnh đạo, nhà nước quản lý, nhân dân làm chủ*] captures the essence of collective mastery, which is theoretically hostile to private legal rights. Set apart, socialist legality concerns the protection of collective democratic rights and the development of the economy. First appearing in Vietnamese discourse in 1960, after the Third National Congress adopted as state ideology the management of society through legal means, socialist law was broadly conceived as a tool to achieve proletarian dictatorship. The strength of socialist legality “continues to be reaffirmed at every Party Congress, but the term . . . has fallen out of use since the doctrine of the socialist law-based state was formally endorsed by the Seventh National Congress Resolution of the CPV in 1991 and was subsequently incorporated into the 1992 Constitution” (Thiem Bui, 84). Alice Tay and Eugene Kamenka, “Marxism, Socialism, and the Theory of Law,” *Columbia Journal of Transnational Law* 23 (1985): 217-249. John Gillespie, *Transplanting Commercial Law Reform*; Kim Chin, “Recent developments in the Constitutions of Asian Marxist Socialist States,” *Case Western Reserve Journal of International Law* 13 (1981): 483-499; Carol Rose, “The ‘New’ Law and Development Movement in the Post-Cold War Era: a Vietnam Case Study,” *Peace Research Abstracts* 36, no. 4 (1999); Thiem Bui, “Deconstructing the ‘Socialist’ Rule of Law in Vietnam.”



Phạm Ngọc Quang<sup>34</sup> and Hoàng Văn Hảo<sup>35</sup> saw in the market a structure of incentives that Vietnam needed in order to break out of its inertia.<sup>36</sup> They argued that competitiveness in economic activities drives not only productivity, but also the “curiosity, creativity, and inventiveness” vital to it. The market was to them a site of knowledge production because it cultivates “people with skills, expertise, creativity, and a spirit of enlightenment. Only they can become the infinite source of potential and strength for socialism.”<sup>37</sup> According to Phạm Ngọc Quang, the right to free expression, to the unconstrained exchange of ideas, was especially important to fair and meaningful participation in the market.<sup>38</sup> The function of socialist law, he argued, is to put into effect mechanisms that can push individual initiative to new heights.<sup>39</sup>

---

<sup>34</sup> In 1989, when this article was published, the author was a doctoral candidate [*phó tiến sĩ*] at the Nguyễn Ái Quốc Academy [Học viện Nguyễn Ái Quốc], now Hồ Chí Minh Academy of Politics [Học viện Chính trị–Hành chính quốc gia Hồ Chí Minh]. He later assumed the deputy directorship of the Institute of Political Science [Viện Chính trị học].

<sup>35</sup> The author was then completing a doctoral degree in jurisprudence at the Nguyễn Ái Quốc Academy, and later became a director of the Human Rights Research Institute [Viện nghiên cứu quyền con người].

<sup>36</sup> Phạm Ngọc Quang, “Để bảo đảm quyền con người—cần đổi mới nhận thức về nhân tố con người trong chủ nghĩa xã hội” [Change our Conception of Human Agency in Socialism to Ensure Human Rights], *NPL* (1989): 20-28, 26; Hoàng Văn Hảo, “Tìm hiểu về dân chủ xã hội chủ nghĩa” [Examining Socialist Democracy], *NPL*, no. 4 (1988): 19-25.

<sup>37</sup> Phạm Ngọc Quang, “Để bảo đảm quyền con người,” 26.

<sup>38</sup> *Ibid.*, 27. The authors’ conception of the market as a creative process bears a strain of Hayekian economic theory. Friedrich Hayek’s works are unified by a central concern: “How to understand the limited and socially constituted nature of human knowledge and to trace the implications of this radical epistemology for the theory of human action and social evolution” (Burczak, 2). His skepticism about objective knowledge challenged classical socialism based on central planning. He argued that “the centralization of knowledge is an absurd idea” given the dispersed, subjective, and sometimes inarticulate nature of human knowledge, which “consists in a technique of thought which enables the individual engineer to find new solutions rapidly as soon as he is confronted with new constellations of circumstances” (Friedrich Hayek, 155). Against central planning, Hayek maintained that competitive markets provide the structures most conducive to exploiting subjective knowledge. This is because “competition is essentially a process of the formation of opinion” facilitating the creation and use of new knowledge (Hayek, 106). Neither Phạm Ngọc Quang nor Hoàng Văn Hảo mentioned Hayek in their writings. However, their criticism of socialism’s failure to foster creativity and their conception of the market as a domain of discovery and subject constitution bear striking resemblance to Hayek’s theory, and may suggest its influence. See, Friedrich Hayek, *Individualism and Economic Order* (Chicago: University of Chicago Press, 1948) and Theodore Burczak, *Socialism after Hayek* (Ann Arbor: University of Michigan Press, 2006).

<sup>39</sup> Phạm Ngọc Quang, “Để bảo đảm quyền con người,” 28. Also see Phạm Ngọc Quang, “Phát triển tự do và toàn diện con người – mục tiêu cao nhất của CNXH” [Free and Full Human Development—The Highest Objective of Socialism], *Tạp chí Nghiên cứu lý luận* [Journal of Theoretical Research], no. 6 (1989) and Phạm Ngọc Quang, “Một số khía cạnh về vấn đề bảo đảm quyền con người trong giai đoạn hiện nay” [Some Aspects of Human Rights Guarantees in the Current Period], *Tạp chí Triết học* [Journal of Philosophy], no. 1 (1990).

Other theorists advocated reinterpreting law to ensure the integrity of socialism when it confronts market forces.<sup>40</sup> Among them, Nguyễn Niên<sup>41</sup> suggested redesigning the legal framework to accommodate different forms of ownership that could “emancipate all productive forces.”<sup>42</sup> Insofar as Renovation aims to deliver Vietnam from a “crisis of nonproductivity,”<sup>43</sup> he reasoned, it must prioritize the interest of the people to unleash human and intellectual potential. National productivity depends on the mobilization of every citizen’s potential, which unfolds most abundantly in a democratic society. To that extent, he reasoned, “Renovation is democratization.”<sup>44</sup> Socialist law must ensure to the highest degree possible that all individuals posing no threat to the state have the means to strive for productive lives. At one point, Nguyễn Niên evokes the doctrine of socialist humanism [*Chủ nghĩa nhân đạo xã hội chủ nghĩa*] to argue for a society that “guarantees equality to all citizens to protect their dignity and harness their inventiveness.”<sup>45</sup> Socialist law, he stressed, must create opportunities for the coming into being of what Herbert Marcuse imagined as a well-rounded “personality [that] fulfills itself into the realm of freedom.”<sup>46</sup>

To reconcile productivity goals with socialist democracy, socialist law was later reframed as “transitional law” [*pháp luật mang tính quá độ*].<sup>47</sup> In a 1988 article, Lê Minh Thông<sup>48</sup> proposed a

---

<sup>40</sup> Nguyễn Ngọc Minh, “Một vài ý kiến về đổi mới tư duy pháp lý,” *NNPL* no.3 (1987): 60; Nguyễn Niên, “Một vài suy nghĩ về đổi mới tư duy pháp lý” [Some Ideas on Renovating Legal Thinking], *NNPL*, no.3 (1987): 44; Nguyễn Ngọc Hiền, “Một vài suy nghĩ về việc đổi mới công tác xây dựng pháp luật dưới ánh sáng Nghị quyết Đại hội lần thứ VI của Đảng” [Some Thoughts on Renovating Legal Development Activities, in light of the Sixth Party Congress’ Resolutions], *NNPL*, no.3 (1987): 50.

<sup>41</sup> The author was then an Associate Professor [*phó giáo sư*] of Legal Science at the Institute of State and Law [Viện Nhà Nước và Pháp Luật] in Hà Nội. He also served as the subeditor for the journal *Luật Học* [Legal Studies] from 1976-1980.

<sup>42</sup> Nguyễn Niên’s explanation of the relationship between socialist economic and legal development resonates with the “phasing theory” that Chinese Marxist scholars deployed to explain China’s reforms. They argued that “socialism should and must go forward in stages . . . . At the beginning of the primary stage, the proletariat has overthrown the feudal regime, but the productive force of this newly built socialist society remains at a pre-capitalist stage” (Shih, 640). Socialism with Chinese characteristics therefore is the continuing effort “to emancipate the productive force from the capitalist mode of class exploitation.” Socialist legality “should also be comprised of stages and conducive to the historical mission of promoting the emancipation of the productive force. Indeed, this is why Chinese reform scholars suggest designing the current legal system to encourage the acceptance of a variety of types of property ownership, market economy, and the flow of commodity in order to stimulate individual initiative.” Chih-Yu Shih, “China’s Socialist Law under Reform: the Class Nature Reconsidered,” *The American Journal of Comparative Law* 44, no. 4 (1996): 627-646, 640.

<sup>43</sup> Nguyễn Niên, 34.

<sup>44</sup> *Ibid.*, 34-35.

<sup>45</sup> *Ibid.*, 38.

<sup>46</sup> Herbert Marcuse, “Socialist Humanism?” in *Socialist Humanism: An International Symposium*, ed., Erich Fromm (Garden City, NY: Doubleday, 1965): 107-117.

<sup>47</sup> Lê Minh Thông, “Một vài vấn đề lý luận chung,” *NNPL* 4 (1988): 31-36, 34.

definition of transitional law that emphasized stability and flexibility as its core principles. The primary objective of transitional law was to establish an environment of social and political order.<sup>49</sup> The aim was to “emancipate the human” [*giải phóng con người*]<sup>50</sup> to “cultivate his native genius” [*phát huy tính sáng tạo*].<sup>51</sup> According to the author, the prevailing view in Vietnam that “law’s primary function is to standardize [*môdel hóa*] behavior,” had, over time, “cut down the people’s creativity,” blunting their will to be productive. To stem the rise in “laziness, dependency, and freeloading” [*lười biếng, dựa dẫm, ăn bám*], transitional law must create conditions for the people to emancipate themselves through creative work. Lê Minh Thông however maintained that, in the process of unleashing creativity, a flexible legal system must be in place to “resolve contradictions” [*điều hòa các mâu thuẫn*].<sup>52</sup> Transitional law’s second function—“coercive deterrence and suppression of potential enemies”—effectively carried forward the originary conception of socialist law as the reification of class antagonism.<sup>53</sup> Though it allegedly “recognizes and protects the interest of economic actors,” transitional law, by being flexible, appears ever open to revision when economic and political goals need to be rebalanced.

The 1990s upsurge in political persecution, which included Dương Thu Hương’s case, seem to be within the flexible bounds of transitional law. Where international observers perceived the arrest as a tightening of power after a temporary ease, documents from the government offer a different viewpoint. They reasoned that it was a timely use of transitional law to restore a measure of stability needed for socialist democracy to flourish.<sup>54</sup> “Legal repression of the people’s

---

<sup>48</sup> Lê Minh Thông was then affiliated with the Institute of State and Law, later becoming the Deputy Chairman of the Law Committee of the National Assembly [Phó chủ nhiệm Ủy ban Pháp luật của Quốc hội].

<sup>49</sup> Lê Minh Thông, 34.

<sup>50</sup> *Ibid.*, 35.

<sup>51</sup> *Ibid.*, 35-36.

<sup>52</sup> *Ibid.*, 34.

<sup>53</sup> Tay and Kamenka write that after the Bolshevik Revolution, “law, or at least civil law, was and could plausibly be regarded, in these circumstances as strictly transitional and was already, in many respects, deprived of its foundations. The primary continuing function of law in the transitional period to true Communism thus was seen as that of repressing enemies of the socialist order.” Tay, 238.

<sup>54</sup> “Không thể coi việc ngăn ngừa và uốn nắn là hạn chế dân chủ mà chính là để bảo đảm cho việc mở rộng dân chủ và công khai.” Nguyễn Văn Linh, “Kết luận của bộ chính trị số 20-NQ/TW ngày 26 tháng 11 năm 1988: Về một số vấn đề trước mắt trong công tác tư tưởng” [Conclusion of the Politburo Number 20-NQ/ TW November 26, 1988: On a number of Issues on Ideological Activities], *Văn Kiện Đảng Toàn Tập, Tập 49: 1988-1989* [Complete Volume of Party Documents, Volume 49: 1988-1989] (Hà Nội: Chính Trị Quốc Gia, 2006): 795-805. This conception of socialist law was reaffirmed by such scholars as Trần Đình Nghiệm who advocated “reshaping expressions of deviation, extremist tendencies, [forms of] democracy that are excessive, that are antithetical to centralized democracy, to legalized democracy, to democracy with management [Uốn nắn những biểu hiện lệch lạc, những khuynh hướng cực đoan, dân chủ quá trớn, đối lập dân chủ với tập trung, dân chủ với pháp luật, dân chủ với lãnh đạo].” Trần Đình Nghiệm, “Vấn đề dân chủ ở nước ta hiện nay” [The Problem of Democracy in our Country Today], *TCCS* 2 (1989): 44-49.

foes is itself humanistic” when a remote threat becomes reality—such was the rationale.<sup>55</sup> In essence, it is necessary to “resolve contradictions” to ensure the viability of socialist democracy, just as the right to utopian communism has primacy over the immediate enjoyment of democratic rights.<sup>56</sup> Transitional law thus defined the free socialist subject “as a figure that can only come into being once absolute security has been established.”<sup>57</sup>

### Engineering the Socialist Legal Subject

Transitional law features “man” [*con người*] as a unit of productivity whose economic-moral value grows in relation to socialist democratization.<sup>58</sup> Although the effort to develop the Vietnamese into the highest form of perfection predates the 1980s, Renovation discourses brought it to the forefront with new urgency. In 1987, *TCCS* published many articles that explored the character of the socialist man [*con người xã hội chủ nghĩa*].<sup>59</sup> Lê Quang Thành’s article, for example, attributed the soaring crime rate to the decline of socialist morality.<sup>60</sup> To check the rise in crime, the author proposed using legal education to transform the potential criminal into a creature

<sup>55</sup> “Pháp luật trong lĩnh vực trấn áp kẻ thù dân tộc và bọn tội phạm cũng mang tính nhân đạo sâu sắc.” Nguyễn Niên, 38.

<sup>56</sup> Useful studies of socialist promotion of human flourishing include Susan Greenhalgh and Edwin Winckler, eds., *Governing China’s Population: From Leninism to Neoliberal Biopolitics* (Stanford: Stanford University Press, 2005), 322; Susan Buck-Morss, *Dreamworld and Catastrophe: the Passing of Mass Utopia in East and West* (Cambridge, Mass: MIT Press, 2000).

<sup>57</sup> Jaya Nandita Kasibhatla, *Constituting the Exception: Law, Literature and the State of Emergency in Postcolonial India* (PhD dissertation: Duke University, 2005).

<sup>58</sup> “Trung tâm của giải phóng pháp lý ấy tất yếu phải là ‘con người’.” Lê Minh Thông, 34. By “the human,” the author is not alluding to an early articulation of neoliberal personhood or the enterprising self that existing anthropology literature stresses to argue for growing receptivity of universal humanism and neoliberal modes of governance during Renovation. See Alfred Montoya, “From ‘the People’ to ‘the Human,’: HIV/AIDS, Neoliberalism, and the Economy of Virtue in Contemporary Vietnam,” *Positions* 20, no. 2 (Spring 2012): 561-91, and Christina Schwenkel and Anne Marie Leschkovich, “How is Neoliberalism Good to Think Vietnam? How is Vietnam Good to Think Neoliberalism,” *Positions* 20, no. 2 (Spring 2012): 379-401.

<sup>59</sup> See, among others, Đào Duy Cận, “Vai trò của Đảng trong việc phát huy nhân tố con người” [The Party’s Role in Promoting Human Agency], *TCCS* (March 1987): 13-16; Diệu Hương, “Vì lợi ích trăm năm phải trồng người” [Cultivating the Human for the Future], *TCCS* (March 1987): 17-20; Lê Anh Trà, “Lẽ sống, lối sống ngày nay,” [Raison d’Être and Lifestyles Today], *TCCS* (April 1987): 69-71; Lê Thi, “Xây dựng con người mới xã hội chủ nghĩa và phương pháp tư duy khoa học” [Building the New Socialist Man and Scientific Thought], *TCCS* (April 1987): 26-30; Lê Quang Vinh, “Học tập bác Hồ, xây dựng phong cách làm việc dân chủ, gắn bó với quần chúng” [Learning from Uncle Hồ, Constructing Democratic Working Practices that Identify with the Masses], *TCCS* (May 1987): 31-35; Đặng Thu, “Về nhân tố con người trong phát triển kinh tế của đất nước” [Humans as a Factor in National Economic Development], *TCCS* 2 (1987): 29-34; Tạ Văn Thanh, “Con người—chủ thể và sản phẩm của lịch sử, mục tiêu và động lực của cách mạng” [The Human—A Subject and Product of History, the Objective and Driving Force of Revolution], *TCCS* 2 (1987): 24-28.

<sup>60</sup> Lê Quang Thành, “Xây dựng con người mới với vấn đề phòng ngừa sự phạm tội” [Building the New Man and the Problem of Crime Prevention], *TCCS* 5 (1987): 74-76.

remade to act with responsibility and prudence.<sup>61</sup> Where Nguyễn Niên, Lê Minh Thông, Phạm Ngọc Quang and Hoàng Văn Hảo saw law as an equalizing condition under which human energy can be harnessed, Lê Quang Thành used it for behavioral management, without which destructive tendencies would overtake society.

This prognosis resonated with Nguyễn Văn Linh's call to "administer the nation by law."<sup>62</sup> His speech on this topic, delivered in 1987, suggests that "law [had] emerged as an instrument by which the central party state seeks to strengthen its hold over citizens and the other parts of the state alike, in an effort to avoid the 'parcellization of sovereignty' observed in other postsocialist settings."<sup>63</sup> For the secretariat, bureaucratic misconduct had compromised the growth of socialist democracy, generating an increasing number of complaints.<sup>64</sup> Yet, because legal education was neglected, citizens "committed legal transgressions without awareness and lacked the opportunities to exercise their rights."<sup>65</sup> Hampered by legal illiteracy, the Vietnamese of early Renovation was incapable of defending socialism. Thus, at the heart of Renovation was a program to mold socialist subjects into model practitioners and defenders of socialist democracy.<sup>66</sup> Law became the basis for reforming the socialist man.

Efforts to promote lawfulness were well underway by 1987.<sup>67</sup> A 1979 article in *Hà Nội Mới* [New Hà Nội], for instance, called on local authorities to foster lawful behavior among the people to safeguard their "collective mastery."<sup>68</sup> By the early 1980s, law enforcement efforts had swept the

---

<sup>61</sup> "Xây dựng con người xã hội chủ nghĩa không thể tách rời việc giáo dục phòng ngừa sự phạm tội . . . phòng ngừa vi phạm pháp luật. . . Phải thường xuyên làm tốt việc giáo dục pháp luật nhằm làm cho mọi người hiểu rõ những hành vi nào trong xã hội cho phép, những hành vi nào bị pháp luật ngăn cấm, thật sự có ý thức pháp chế xã hội chủ nghĩa, tuân thủ pháp luật trong mọi lĩnh vực của đời sống." Ibid., 76.

<sup>62</sup> "Diễn văn của Đồng chí tổng bí thư Nguyễn Văn Linh," 176. The speech was republished in *TCCS* as "Thực hiện rộng rãi và đầy đủ nền dân chủ xã hội chủ nghĩa là điểm mấu chốt trong đổi mới duy chính và tư duy chính trị và tư duy kinh tế" [Full and Broad Implementation of Socialist Democracy is Key to Renovating Political and Economic Thought], *TCCS* (July 1987): 1-7.

<sup>63</sup> Sikor, 209.

<sup>64</sup> "Diễn văn của Đồng chí tổng bí thư Nguyễn Văn Linh," 171.

<sup>65</sup> Ibid., 175.

<sup>66</sup> "Diễn văn của Đồng chí tổng bí thư Nguyễn Văn Linh," 175.

<sup>67</sup> Legal propagation under the Democratic Republic of Vietnam was arguably strongest in the early 1960s, when a series of decrees were issued following the promulgation of a new constitution. See, for example, "Chỉ thị về công tác tuyên truyền giáo dục pháp luật của tòa án nhân dân tối cao" [Directive on the Propagation of Legal Education, Issued by the Supreme People's Court], in *Luật lệ về tư pháp năm 1963* [Judicial Rules, 1963] (Hà Nội: Phòng tuyên truyền-tạp san tòa án nhân dân tối cao, 1964): 118-119.

<sup>68</sup> "Đẩy mạnh công tác kiểm sát và thực hiện luật pháp bảo đảm quyền làm chủ tập thể của nhân dân lao động, xây dựng nhiều điểm tiên tiến tuân theo pháp luật" [Promoting Control and Implementation of Laws Guaranteeing the Right to Collective Ownership of The Working People, Advancing Legal Compliance], *Hà Nội Mới* [New Hà Nội] (Feb. 10, 1979). Also see "Giáo dục làm chủ tập thể xã hội chủ nghĩa" [Educating Socialist Collective Ownership], *Lao Động* [Labor] (June 7, 1979).

country. Reports from Hải Phòng, Thái Bình, Sông Bè, Long An, Sơn Tây, Thanh Hóa, Hà Tuyên, Bến Tre, Sơn La, An Giang, Nghệ Tĩnh, Cửu Long, and Hồ Chí Minh City all claimed success in raising legal awareness.<sup>69</sup> Publicity about the issue rose to new heights after the release of Directive 315. The year was 1982, when a wave of elusive “economic crimes” posed a challenge to effective governance.<sup>70</sup> Attributing the increase in illicit trade to a general ignorance of the law, politburo member Tố Hữu exhorted the state to mobilize cultural resources to foster lawful conduct. The directive he signed encouraged the creative use of the press to cultivate a compliant citizenry.<sup>71</sup> Newspaper, television and radio programs became the main channels through which law would enter individual lives, shaping behavior so that they fell in step with prescribed norms. Whereas the classical vision of socialism assumed that the psychological revolution of life “had its material roots in superior productivity,” by the early 1980s, the psychological revolution appeared more as “the precondition for the institution of socialism than just the ‘natural’ accompaniment” of the economy.<sup>72</sup>

---

<sup>69</sup> A selected list of articles include: “Thanh Hóa—tích cực triển khai công tác pháp chế” [Thanh Hóa—Actively Implementing Legal Activities], *PCXHCN* 1 (1981): 42; “Hà Tuyên—công tác tuyên truyền, giáo dục pháp luật phục vụ công tác trọng tâm” [Hà Tuyên—Legal Propagation and Education Serves the Primary Objective], *PCXHCN* 1 (1981): 42; “Sơn La tích cực triển khai công tác pháp chế” [Sơn La—Actively Implementing Legal Activities], *PCXHCN* 3 (1981): 47; “An Giang xây dựng và thực hiện quy chế quản lý phục vụ cuộc vận động chống tiêu cực” [An Giang Builds and Implements Management Regulations, Contributing to the Campaign Against Negative Influences], *PCXHCN* 3 (1981): 48; “Công tác pháp chế ở Hải Phòng, Thái Bình, Sông Bè, Long An, Sơn Tây” [Legal Activities in Hải Phòng, Thái Bình, Sông Bè, Long An, Sơn Tây], *PCXHCN* (1981); “Hãy chuyển mạnh sang cách quản lý bằng pháp luật” [A Forceful Shift to Legal Management], *PCXHCN* (1981); “Tăng cường công tác pháp chế ở thành phố” [Increasing Legal Activities in Municipalities], *PCXHCN* (1981); “Bến Tre đưa giáo dục pháp luật vào các trường bồi dưỡng lý luận và nghiệp vụ” [Bến Tre Introduces Legal Education to Schools for Theoretical and Professional Development], *PCXHCN* (1982); Huỳnh Ngọc Chi, “Công tác phối hợp tuyên truyền giáo dục pháp luật ở thành phố Hồ Chí Minh” [Activities that Combine Legal Propagation and Education in Hồ Chí Minh City], *PCXHCN* 3 (1983): 30-31; Phan Đăng Thanh, “Thành phố Hồ Chí Minh phối hợp báo, đài để tuyên truyền pháp luật” [Hồ Chí Minh City Coordinates Mass Media for Legal Propagation], *PCXHCN* 2 (1982): 39; “Tuyên truyền và giáo dục luật thông qua xét xử của tòa án tỉnh Nghệ Tĩnh” [Legal Propagation and Education through Court Trials in Nghệ Tĩnh], *PCXHCN* (1983); Hồ Thành, “Tuyên truyền giáo dục pháp luật ở các tỉnh phía Nam” [Propagating Legal Education in the South], *PCXHCN* 3 (1983): 20-21; “Cửu Long thành lập Hội đồng phối hợp tuyên truyền, giáo dục pháp luật” [Cửu Long Established A Council to Coordinate Legal Propagation and Education], *PCXHCN* 3 (1983): 47.

<sup>70</sup> See, for example, Văn Thuận, “Một số điều cần biết để ngăn ngừa tội phạm kinh tế” [Some Important Aspects of Economic Crime Prevention], *Sài Gòn Giải Phóng* [Liberated Saigon] *SGGP* (January 11, 1979).

<sup>71</sup> “Chỉ thị của chủ tịch hội đồng bộ trưởng số 315/CT.”

<sup>72</sup> Achin Vanaik, “Leninism, Socialist Democracy, Contemporary Problems,” *Economic and Political Weekly* 30, no. 48 (Dec. 2, 1995), 3075-3084, 3081. Vietnamese articles that link socialist law to the making of the socialist man include: Bà Ngô Bá Thành, “Tác dụng của pháp chế XHCN đối với cuộc cách mạng văn hóa, tư tưởng, xây dựng nếp sống mới, con người mới

Various Renovation documents called for a normative code of legal behavior in order to “stave off crimes,”<sup>73</sup> and strengthen, in the process, socialist law’s disciplinary power.<sup>74</sup> Directive 300, for example, cites widespread violation of the people’s democratic rights as reason to police everyday acts.<sup>75</sup> If the performance of lawfulness affirms the collective sovereignty embodied in socialist democracy, any conduct unsanctioned by law could be construed as an enemy act. The vocabulary of democratic rights, in this sense, reinforced the legal definition of the enemy. The political formulation in which socialist democracy is protected by socialist law was supported by the discursive production and management of crimes. Shored up as they were by a rhetoric of danger, the campaigns to promote observance of the law were designed less to eliminate crime than to achieve compliance.<sup>76</sup>

---

XHCN” [Effects of Socialist Law on Cultural, Ideological Revolution, on Building a New Lifestyle and the New Socialist Man], *NPL*, no. 1 (1985): 16-38; Bùi Xuân Đình, “Người nông dân và pháp luật” [The Peasant and Law], *NPL*, no. 4 (1984): 30; Nguyễn Đình Lộc, “Hiến pháp và nhiệm vụ thể chế hóa đường lối và chính sách của Đảng” [The Constitution and the Task of Institutionalizing Party Lines and Policies], *NPL*, no. 4 (1985): 24.

<sup>73</sup> A joint resolution issued in 1985, for example, linked the propagation of legally sanctioned conduct with the making of a “new youth.” “Đẩy mạnh hoạt động của các đội thanh niên . . . gương mẫu trong việc thực hiện pháp luật . . . xây dựng nếp sống văn hóa mới, xây dựng người thanh niên mới. [Đấu tranh phòng và chống tội phạm.” Bộ tư pháp-trung ương đoàn thanh niên cộng sản Hồ chí minh [Hồ Chí Minh Communist Youth Central Justice Department], “Nghị quyết liên tịch: Giữa Ban Bí thư Trung Đoàn TNCS Hồ Chí Minh và Bộ Tư pháp về việc tăng cường giáo dục pháp luật trong đoàn thanh niên và thanh niên” [Joint Resolution: Between the Secretariat of the Hồ Chí Minh Communist Youth and the Ministry of Justice on Strengthening Legal Education in the Youth Union and Young Adults], *Sở khoa học và công nghệ Đồng nai*,

<https://motcua.dostdongnai.gov.vn/Pages/LegalDocumentFullText.aspx?DocID=16944>

(accessed November 20, 2014). Adopting this rhetoric, Lê Quang Thành argued that “the construction of the new socialist man cannot be carried out without educational efforts aimed at preventing crime. The prevention of crime and of all legal violations is vital to the construction of the new man and the establishment of a new socialist way of life.” He also stated that legal education “gives citizens a clear understanding of which types of behaviors are permitted . . . to build awareness of the socialist legal system and the attitude of obeying the law.” Lê Quang Thành, “Xây dựng con người mới với vấn đề phòng ngừa sự phạm tội.”

<sup>74</sup> Chủ tịch Hội đồng Bộ trưởng, “Chỉ thị của chủ tịch hội đồng bộ trưởng số 300-ct ngày 22-10-1987 về một số công tác trước mắt nhằm tăng cường quản lý nhà nước bằng pháp luật” [Directive of the Council of Ministers’ Chairman number 300-ct October 22, 1987, on Activities to Strengthen Legal Management of the State], *Luật Việt Nam* [Vietnamese Law], <http://luatvietnam.vn/default.aspx?tabid=651&id=A58313AF-C9A1-4872-B23E-27B00B0058AA&rurl=%2fVL%2ff662%2fChi-thi-ve-mot-so-cong-tac-truoc-mat-nham-tang-cuong-quan-ly-Nha-nuoc-bang-phap-luat%2fA58313AF-C9A1-4872-B23E-27B00B0058AA%2fdefault.aspx> (accessed December 12, 2014).

<sup>75</sup> “Phải làm cho khẩu hiệu ‘sống và làm việc theo pháp luật’ biến thành hành động, thành nếp sống hàng ngày của mọi người, mọi cơ quan, tổ chức.” “Nghị quyết liên tịch.”

<sup>76</sup> A series of directives were released from 1988 to the present to promote legal education. See, for example, Ủy ban nhân dân thành phố Hồ Chí Minh [Hồ Chí Minh City’s People

Insofar as Renovation is defined by the use of socialist law to maximize productivity, it must be seen as a process that makes an economic subject into a subject of law. The effort to instill compliance prior to Renovation was meant to produce subjects that yield to disciplinary power. Pushed by a crisis of nonproductivity, Renovation saw the casting of the worker as what Etienne Balibar calls “the bearer of a capacity.”<sup>77</sup> In this context, “labor is no longer limited to the specific sites of the factory or the workplace, but is any activity that works towards desired ends.”<sup>78</sup> Optimal productivity was the goal, and socialist democracy its condition.<sup>79</sup> As the legal

---

Committee], “Chỉ thị hướng dẫn thi hành chỉ thị 300 ngày 22-10-1987 của chủ tịch hội đồng bộ trưởng về một số công tác trước mắt nhằm tăng cường quản lý nhà nước bằng pháp luật” [Directive of the Council of Ministers’ Chairman number 300 October 22, 1987, on Activities to Strengthen Legal Management of the State], *Thư Viện Pháp Luật* [Law Library] (*TVPL*), March 3, 1988, <http://thuvienphapluat.vn/archive/Chi-thi-07-CT-UB-nam-1988-huong-dan-Chi-thi-300-cong-tac-truoc-mat-nham-tang-cuong-quan-ly-nha-nuoc-bang-phap-luat-vb99005.aspx> (accessed March 8, 2015); Ủy ban nhân dân thành phố Hồ Chí Minh, “Chỉ thị V/v chấn chỉnh công tác tuyên truyền, giáo dục pháp luật trên Đài truyền hình và Đài phát thanh” [Directive V/v to Regulate Legal Propagation and Education on Television and Radio], *Văn Bản Pháp Luật* [Legal Texts] (*VBPL*), August 21, 1989, [http://vbpl.hochiminhcity.gov.vn/ViewDocument.aspx?DMS\\_view=view&DMS\\_type=2&DMS\\_key=1358](http://vbpl.hochiminhcity.gov.vn/ViewDocument.aspx?DMS_view=view&DMS_type=2&DMS_key=1358) (accessed January 10, 2015); Bộ Văn hóa thông tin, “Chỉ thị của bộ trưởng bộ văn hóa thông tin về việc thực hiện tuyên truyền pháp luật khiêu nại, tố cáo của công dân,” *VBPL*, October 5, 1995, <http://vbpl.vn/tw/Pages/vbpc-toanvan.aspx?ItemID=9831&Keyword=tuy%C3%AAn%20truy%E1%BB%81n%20ph%C3%A1p%20lu%E1%BA%ADt> (accessed November 26, 2014); Ban Bí Thư, “Chỉ Thị 32-CT/TW: Về tăng cường sự lãnh đạo của Đảng trong công tác phổ biến, giáo dục pháp luật, nâng cao ý thức chấp hành pháp luật của cán bộ, nhân dân” [Directive 32-CT/TW: On Strengthening the Party’s Leadership in Propagating, Educating, and Increasing Legal Awareness of Officials and the People], *TVPL*, December 9, 2003, <http://thuvienphapluat.vn/archive/Chi-thi-32-CT-TW-tang-cuong-su-lanh-dao-dang-cong-tac-pho-bien-giao-duc-phap-luat-nang-cao-y-thuc-chap-hanh-phap-luat-can-bo-nhan-dan-vb69735.aspx> (accessed May 20, 2015); Bộ giáo dục và đào tạo [Ministry of Education and Training], “Chỉ Thị 45/CT-BGDDT: Về việc tăng cường công tác phổ biến, giáo dục pháp luật trong ngành giáo dục, ngày 17 tháng 8 năm 2007” [Directive 45/CT-BGDDT: On Strengthening Legal Propagation and Education in the Educational Sector, August 17, 2007], in *Đổi mới, nâng cao công tác phổ biến giáo dục pháp luật trong ngành giáo dục* [Renovating and Enhancing Legal Education in the Educational Sector], (Hà Nội: Văn hoá thông tin, 2007); “Decision No. 1928/QĐ-TTg: Plan to increase legal education for teachers, students,” *Vietnam Law and Legal Forum*, December 25, 2009, <http://vietnamlawmagazine.vn/news/decision-no-/qd-ttg-plan-to-inc...n-for-teachers-students/374d7222-45f5-47e1-bf10-5014bf959d2c.html> (accessed January 10, 2015).

<sup>77</sup> Etienne Balibar, *Masses, Classes, Ideas: Studies on Politics and Philosophy Before and After Marx*, trans. James Swenson (New York: Routledge, 1994), 53.

<sup>78</sup> Jason Read, “A Genealogy of Homo-Economicus: Neoliberalism and the Production of Subjectivity,” *Foucault Studies*, no. 6 (February 2009): 25-36, 31.

<sup>79</sup> Võ Văn Kiệt, “Phải khơi dậy động lực năng động, sáng tạo nơi mỗi con người” [Awakening the Dynamism and Creative Potential in Every Being], *SGGP* (January 21, 1989) and Huỳnh



theorists and others explained, the subject of Renovation was foremost an economic actor pushed to “freely” live up to his productive potential. Democracy was key to unlocking it. However, the possibility of an enemy threatened his right to strive in a productive environment. As such, Nguyễn Văn Linh exhorted him to live according to the law in order to use it “as an instrument to defend socialist democracy.”<sup>80</sup> To the degree that lawfulness was ingrained in his habits, socialist law functioned as a kind of neoliberal exception—it “reconfigure[d] the economic-moral conduct” of the Renovation subject while reaffirming the unity of collective mastery.<sup>81</sup>

### **Socialist Democracy, Socialist Law, and the Press**

The promotion of socialist democracy generated a series of shifts in terminology that opened cultural discourse to the language of law. These shifts owed much to Nguyễn Văn Linh’s 1987 declaration that “all citizens are equal before the law,” iterations of which filled the pages of period newspapers.<sup>82</sup> A particularly striking example is Nguyễn Khắc Viện’s assertion that “every person has the right of citizenship, the right to the formation and expression of his thoughts without anyone encroaching on his basic freedoms guaranteed by law and the constitution.”<sup>83</sup> The article appeared in *Văn Nghệ* as a response to the secretariat’s instruction to the press to actively promote socialist democracy. The significance of this commentary lies in its broad conception of democracy and its appeal to universalist values. Where legal theorists argued that socialist law manages the conditions for freedom, cultural critics thought that it protects the right to reimagine those conditions. This belief partly explains the popular conception of the press “as a means for the people to exercise their right to demand the reestablishment of order and social justice.”<sup>84</sup> The promotion of socialist democracy renewed a sense of purpose for the press as an arena for popular participation in holding the state to new standards of accountability.<sup>85</sup> Through subtle reinterpretations of the meaning of democracy, the press created a platform for the Renovation subject to perform “practices of liberty” as rights-claimants.<sup>86</sup>

---

Bình, “Khơi dậy những tiềm năng còn bị lãng quên” [Awakening Neglected Potential], *SGGP* (February 25, 1989).

<sup>80</sup> Nguyễn Văn Linh, 175

<sup>81</sup> Aiwah Ong, *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty* (Durham: Duke University Press, 2006), 6. Letters submitted to and printed in *SGGP* show the extent to which issues of legal compliance preoccupied the public. See, for example, “Bức thư của người khác ra xem có vi phạm pháp luật không?” [Is Examining Other People’s Letters a Legal Violation?], *SGGP* (Sept. 10, 1988).

<sup>82</sup> “Báo cáo chính trị của ban chấp hành trung ương,” 45. This proclamation captures the essence of the program “Things which must be done immediately,” which, according to Carlyle Thayer, “signaled the onset of a period of press liberalization, an increase in citizen self-expression and accountability for government officials.”

<sup>83</sup> Nguyễn Khắc Viện, “Câu chuyện cũ mới” [Stories Old and New], *VN* (July 25, 1987).

<sup>84</sup> Nguyễn Văn Linh, “Những việc cần làm ngay” [Things that Must be Done Immediately], *ND* (June 24, 1987).

<sup>85</sup> See, for example, Hồ Ngọc Minh, “Cần pháp chế hóa trách nhiệm cá nhân” [The Need to Legalize Personal Responsibility], *SGGP* (February 01, 1989); Đào Quang Huy, “Đạo đức và pháp luật” [Morality and Law], *SGGP* (February 21, 1989).

<sup>86</sup> Greenhalgh, 326.

The revaluation of intellectual labor as a form of productivity may explain the flourishing of print media during Renovation. While the campaign to make legality a part of everyday practice had been seen before, it was largely during Renovation that the media was enlisted to cultivate an informed and unified citizenry. Under Nguyễn Văn Linh, the state passed the Decree on Authors' Rights that defined for the first time the domains of intellectual property protection. Intended to promote economic efficiency and competitiveness, the decree provided the legal recognition of authorship and literature for which there was no precedent in socialist Vietnam.<sup>87</sup> The “extension of proprietary right to cultural forms” stimulated a series of inquiries into press rights, authorial sovereignty, even the regime of royalty.<sup>88</sup> Substantive deficiencies

<sup>87</sup> Bộ văn hóa, “Thông tư của Bộ văn hoá số 04-vh/tt ngày 7 tháng 1 năm 1987 hướng dẫn, giải thích nghị định số 142-HĐBT ngày 14 tháng 11 năm 1986 của hội đồng bộ trưởng quy định quyền tác giả” [Circular of the Ministry of Culture 04-kh/tt January 7, 1987 guiding and explaining Decree No. 142-HĐBT of November 14, 1986 issued by the Council of Ministers regulating copyright], *TVPL*, November 14, 1986, <http://thuvienphapluat.vn/archive/Thong-tu/Thong-tu-04-VH-TT-quyen-tac-gia-huong-danNgh-i-dinh-142-HĐBT-vb42445t23.aspx> (accessed August 2, 2014); Bộ văn hóa, “thông tư số 63/VH-TT ngày 16-7-1988 hướng dẫn việc sử dụng và phân phối nhuận bút đối với các tác phẩm văn học, nghệ thuật, khoa học hết thời hạn hưởng quyền tác giả” [Circular No. 63/VH-TT July 16, 1988 guiding the use and distribution of royalties for works of literature, art, science and copyright expiry], *VBPL*, September 1, 1989, <http://vbpl.vn/tw/Pages/vbpq-toanvan.aspx?ItemID=2434&Keyword=tác%20giả> (accessed August 2, 2014); Viet Phan, “Vietnam,” in *Intellectual Property in Asia Law, Economics, History and Politics*, eds. Goldstein, Paul, Joseph Straus, Peter Ganea, Tanuja V. Garde, and Ashley Isaacson Woolley (Berlin: Springer, 2008).

<sup>88</sup> Rosemary Coombe, *The Cultural Life of Intellectual Properties: Authorship, Appropriation, and the Law* (Durham: Duke University Press, 1998); See, especially, Ngọc Nhật, “Một vụ án văn hóa” [A Cultural Crime], *VN* (March 23, 1986), which explores the violation of copyright laws. Nguyễn Đăng, “Qua báo chí nước ngoài: Những nhà xuất bản kiể mới” [Through the Foreign Press: A Novel Publishing House], *VN* (June, 1987); Trần Thị Miên, “Chưa in lần thứ nhất mà đã tái bản!” [Not Yet Published, but Already Republished!], *VN* (September 5, 1987); Thanh Vân, “Đâu là nguyên bản” [What is an Original Text], *VN* (September 5, 1987); Nguyễn Trọng Tạo, “Cái giá của văn học” [The Price of Literature], *VN* (January 23, 1988); “Đổi mới tư duy trong công tác phát hành sách” [Renovating Book Distribution], *VN* (March 12, 1988); Trần Độ, “Về mối quan hệ giữa quản lý và tự do sáng tác trong văn học nghệ thuật” [The Relationship between Management and Creative Freedom in Literature and the Arts], *VN* (April 9, 1988); Nguyễn Khải, “Nghề văn, nhà văn, và hội nhà văn” [A Writing Career, the Writer, and the Writer’s Association], *VN* (April 30, 1988); Mai Văn Tạo, “Tự do sáng tác điều kiện sống còn của người cầm bút” [Creative Freedom is Vital to Writers], *VN* (June 11, 1988); Thượng Thuận, “Bảo hộ quyền tác giả” [Copyright Protection], *VN* (October 15, 1988); Trương Văn Khuê, “Hoạt động xuất bản cần được quản lý bằng luật pháp” [Publishing Activities should be Managed by Law], *SGGP* (March 30, 1989); Hữu Anh, “Hội thảo khoa học về dự thảo luật báo chí” [Conference on the Drafting of Press Laws], *NPL*, no. 4 (1989): 33-37; Hoàng Công, “Quyền tự do báo chí ở nước ta” [Press Rights in our Country], *TCCS*, no. 6 (1990): 51-54; Nguyễn Phương Minh, “Cần có biện pháp bảo vệ quyền tác giả” [Copyright Protection Measures Needed], *VN* (February 16, 1992); Hoàng Vũ Thuật, “Nên có luật cho văn nghệ” [There should be Laws for Literature and the Arts], *VN* (February 8, 1992).

notwithstanding, the decree represented a serious effort to create the condition for “harnessing intellectual potential.”<sup>89</sup> As Nguyễn Văn Linh stated in 1988, “issuing laws for the press, for publishing, for all cultural activities is vital to ensuring the expansion of democracy and political transparency.”<sup>90</sup>

While seeming to clarify the rights of intellectual production, the legal treatment of culture in fact strengthened a regime of scrutiny.<sup>91</sup> The content of Resolution 5 illustrates this point. Issued in 1987 to outline the rights and responsibilities of culture producers, this document is often cited as the impetus for “press liberalization.” It stipulates that “all those literary and artistic works that are not considered as unlawful or reactionary, as against the nation and socialism, as detrimental to peace, as decadent or as spreading crimes and depravity undermining human dignity, are authorized for circulation and are open to the appreciation and judgment of the public.”<sup>92</sup> While constituting the license for cultural production, the Resolution’s prohibition against violating the laws of the state simultaneously narrows the range of sanctioned activities. Besides promoting creative freedom, it also reinforces the point that socialist democracy “does not exist outside or above the law.”<sup>93</sup> As the secretariat stressed in 1988, “democracy is a function of party leadership, the expansion of which is meant to enhance discipline and obedience to the law.”<sup>94</sup> Works that “exploit democracy, deny revolutionary achievements, or attack party leadership and state management” would need to be “rectified.”<sup>95</sup> The rhetorical deployment of democracy in the press was, in this sense, a continuation of the campaign to build compliance. As a medium for the transmission of state laws, the press was explicitly subjected to legal regulation, holding the enterprise accountable to the party-state.

In spite of legal constraints, the forceful yet haphazard propagation of socialist democracy made it possible to flexibly interpret the concept. In *Văn Nghệ*, the term spawned many seeming analogs that drove Renovation public discourse. Justice [*công lý*], transparency [*công khai*], fairness [*công bằng*], truth [*chân lý*], freedom [*tự do*], and human rights [*quyền con người*] partly made up that list.<sup>96</sup> Common to them is the conviction that law must guarantee equality of legal standing. The

<sup>89</sup> Lê Quý An; Võ Văn Kiệt; Bùi Công Hùng, “Tích cực bồi dưỡng những người có năng lực sáng tạo” [Actively Compensate Those with Creative Energy], *VN* (January 10, 1987); Đào Vũ, “Vấn đề máu chót là người sáng tác chưa sống hết mình và chưa được sống hết mình trên trang giấy” [Creative Producers have not Fully Lived and have not been able to Live Fully on Paper], *VN* (January 17, 1987).

<sup>90</sup> Nguyễn Văn Linh, “Kết luận của bộ chính trị số 20 NQ/TW.”

<sup>91</sup> Carla Hesse, “Enlightenment Epistemology and the Laws of Authorship in Revolutionary France, 1777-1793,” *Representations*, no. 30 (Spring 1990), 109-137.

<sup>92</sup> “Đổi mới sự lãnh đạo của Đảng về văn học, nghệ thuật, văn hóa” [Renovating the Party’s Leadership in Literature, the Arts, and Culture], *TCCS* (January 1987), 19-24; Zachary Abuza, *Renovating Politics in Contemporary Vietnam* (Boulder: L. Rienner Publishers, 2001), 134-137.

<sup>93</sup> V. Cudriavsev, “From the Book and Newspapers of the Fraternal Countries: Democracy and Human Rights in the West,” *Foreign Broadcast Information Service* (December 1, 1987), 86-88.

<sup>94</sup> Nguyễn Văn Linh, “Kết luận của bộ chính trị số 20 NQ/TW,” 799.

<sup>95</sup> *Ibid.*; Trương Ba, “Làm văn hóa phải nghiêm pháp luật” [Cultural Production must Strictly Comply with Laws], *SGGP* (January 1989).

<sup>96</sup> See, for example, Trần Huy Quang, “Lời khai của bị can” [The Internee’s Testimony], *VN* (September 12, 1987); Hà Vinh, “Công lý của hoàng đế”; Lâm Thị Thanh Hà, “Công lý đừng

essayist Hoàng Phủ Ngọc Tường defined democracy's durability as a function of law subordinating authority.<sup>97</sup> Nguyễn Tuân, following, explained that for democracy to have impact, “the boundaries between transparency and secrecy must be clarified by law”<sup>98</sup> to moderate the misuse of administrative power. Reflecting this opinion, *SGGP* published in February 1989 a series of commentaries calling for legislation to regulate the conduct of cadres.<sup>99</sup>

Consciousness of the force of law found expression especially in reportage. This was an immensely influential genre during Renovation, formidable in indicting the abuse of power by local authorities.<sup>100</sup> Its popularity in the latter half of that decade may indicate the exemplary value it held as a medium for social critique.<sup>101</sup> Trần Khắc's “Người đàn bà quỳ” [A Woman's Plea] (1987) can demonstrate the narrative impact of the genre on the one hand, and the extent to which a juridical vocabulary entered popular discourse on the other. The narrative focuses on Bà Khang, the widow of a revolutionary, recounting how local officials expropriated her ancestral home. Joining force with two other women, Bà Khang mobilizes villagers to lodge complaints with provincial and central authorities. Details of her legal appeals lends the story some moral suasion as it dwells on the tactics of intimidation that local and provincial officials

---

quên ai” [Justice Must not Forget Anyone], *VN* (March 5, 1988); Hồ Quốc Vỹ, “Chân lý hay là không chân lý?” [Justice or Injustice], *VN* (January 9, 1988); Hoàng Phủ Ngọc Tường, “Lẽ công bằng” [Equality], *VN* (January 9, 1988); “Hãy để cho tính công khai nhiều hơn, dân chủ nhiều hơn, chủ nghĩa xã hội nhiều hơn” [Let There be Greater Transparency, Greater Democracy, Greater Socialism], *VN* (June 4, 1988); “Khác vọng tự do” [Longing for Freedom], *VN* (May 15, 1988); Trần Quang Huy, “Tính công khai và dân chủ” [Transparency and Democracy], *VN* (October 29, 1988); Nguyễn Lạc, “Về ý kiến ‘Dân là gốc’ và ‘lấy dân làm gốc’” [The People as Foundation or Making the People as Foundation], *VN* (December 10, 1988); Nguyễn Đình Thi, “Tự do và tất yếu” [Freedom and Fundamentals], *VN* (December 15, 1990).

<sup>97</sup> Hoàng Phủ Ngọc Tường. Dương Thu Hương likewise urged the party-state to administer openly, “in accordance with the law.” See “Writer Duong Thu Huong's Letter of ‘Self-Criticism.’”

<sup>98</sup> Tuệ, “Câu chuyện bỏ dở với Nguyễn Tuân” [An Unfinished Story with Nguyễn Tuân], *VN* (March 26, 1988).

<sup>99</sup> See, for example, Hồ Ngọc Minh, “Cần pháp chế hóa trách nhiệm cá nhân”; Nguyễn Văn Kiên, “Ý chí xây dựng xã hội mới phải thành luật” [The Will to Build a New Society Must Become a Law], *SGGP* (February 11, 1989); “Muốn dân chủ phải công khai” [Transparency before Democracy], *SGGP* (February 18, 1989); Nguyễn Đạm Sơn, “Pháp luật phải nghiêm minh để đem lại niềm tin cho nhân dân” [Laws must be Strict to Inspire the People's Confidence], *SGGP* (February 21, 1989).

<sup>100</sup> Trịnh Thị Bích Liên, “Phóng sự Việt Nam trong môi trường sinh thái văn hóa thời kỳ Đổi Mới” [Vietnamese Reportage Đổi Mới's Cultural Ecology] (PhD diss. Trường Đại Học Sư Phạm Hà Nội, 2006); Charles Laughlin, *Chinese Reportage: the Aesthetics of Historical Experience* (Durham: Duke University Press, 2002).

<sup>101</sup> Examples of Renovation reportage that focuses on legal abuses include Trần Huy Quang, “Lời khai của bị can”; Lâm Thị Thanh Hà, “Công lý đừng quên ai”; Trần Khắc, “Người đàn bà quỳ” [The Woman on her Knees], *VN* (December 7, 1987); Hoàng Hữu Các, “Đêm trắng” [Sleepless Night], *VN* (March 26, 1988) and Phùng Gia Lộc, “Cái đêm ấy . . . đêm gì?” [That Night . . . What was it?] *VN* (January 23, 1988).

deployed to silence her. Although the land requisition was not reversed, the call for “absolute respect of human rights” with which the story ends reflected and inspired an extra-textual rights discourse.<sup>102</sup> Bà Khang, “the woman who sues” [*người đàn bà đi kiện*], may have come nearest to being the legal subject who turns to “litigiousness as a way of political life.”<sup>103</sup>

But, as Trần Huy Quang’s “Ông vua lốp” [The King of Tires] and “Lời khai của bị can” [The Internee’s Testimony] (1987) show, the development of a certain litigious spirit traces back to at least the revolutionary culture of the 1960s. The two pieces bring into view the legal struggles of a man whose entrepreneurial ingenuity was before his time. Nguyễn Văn Chấn’s encounter with the law started in 1958, when he produced and sold pens made out of industrial waste. Though licensed by the authorities to manufacture the product, his business was quickly dismantled. A Hà Nội court found him guilty of hoarding, speculation, and illegally producing goods—for which he received a thirty-month sentence. After serving the full term, Nguyễn Văn Chấn made repeated appeals against the conviction until the Supreme People’s Court retroactively changed the punishment for his crimes to a fine. He was again imprisoned in 1974 for suspected fraud in manufacturing and selling a synthetic resin. Again, he filed a complaint with the People’s Supreme Procuracy [Viện kiểm sát nhân dân tối cao] to secure a release, after serving three months. Less than a decade later in Hà Nội, he was arrested. The seemingly improbable success of another invention exposed him to scrutiny. This time, the police forced him to reveal “trade secrets” [*bí quyết nghề nghiệp*] for a product that had earned him the nickname “King of Tires” [Vua lốp]. Although the People’s Supreme Procuracy released him from liability and ordered the restitution of all confiscated properties, Hà Nội authorities declared in 1986 there had been no wrongful expropriation. It also refused to pursue Nguyễn Văn Chấn’s case further.<sup>104</sup>

In a commentary at the Fourth Writers’ Congress, Dương Thu Hương cited “Lời khai của bị can” to call for a new vision of modernity that could bring wealth and prosperity to the Vietnamese.<sup>105</sup> She pushed for the removal of laws that prevent men like Nguyễn Văn Chấn from pursuing more productive lives. As an economic actor quashed by the force of socialist law and exposed to capricious rule,<sup>106</sup> Nguyễn Văn Chấn’s ordeals, and the final impact of his story,

<sup>102</sup> Trần Khắc, “Người đàn bà quỳ”; Ý Nhi, “Không thể lạm dụng danh hiệu đảng viên để chống pháp luật bảo vệ người làm bậy” [Cannot Abuse Party Membership to Violate Laws Protecting the People], *SGGP* (December 29, 1988); Thanh Trúc, “Mong đợi hồi âm” [Awaiting a Response], *SGGP* (January 25, 1989); Thiên Tham, “Tham ô tiền đóng góp của nhân dân vẫn chưa bị trừng phạt” [Embezzlement of Money Contributed by the People Remains Unpunished], *SGGP* (March 4, 1989).

<sup>103</sup> Brown, xii.

<sup>104</sup> Trần Huy Quang, “Lời khai của bị can.”

<sup>105</sup> “Report on Duong Thu Huong—A Writer Fighting for Freedom,” 1991, Folder 11, Box 02, Douglas Pike Collection: Unit 08 - Biography, The Vietnam Center and Archive, Texas Tech University, <http://www.vietnam.ttu.edu/virtualarchive/items.php?item=2360211065> (accessed November 12, 2014).

<sup>106</sup> Nguyễn Văn Chấn’s case sparked interest in the history of Vietnamese entrepreneurship and the role of the party-state in regulating it. “Đời vỉa hè của Vua Lốp một thời” [The Pedestrian Life of a Onetime King of Tire], *Vietnamnet*, May 9, 2014, <http://vietnamnet.vn/vn/kinh-te/174524/doi-via-he-cua-vua-lop-mot-thoi.html> (accessed March 2, 2015); Thành Văn, “Những ngày sống trong ám ảnh công-tội” [A Life Haunted by Justice and Crime], *Người Đưa*

highlight a fundamental paradox. They show that the suppression of intellectual and economic initiative had prevented the coming into being of the productive subject that Renovation promoted. As a prototype for the Renovation subject in public discourse, Nguyễn Văn Chấn turned to “worshipping Justice and the Law” next to his ancestors,<sup>107</sup> just as Bà Khang, in the same way, placed her written appeals on an altar before submitting them.

### ***Paradise of the Blind, Land Reform, and the Đổi Mới Legal Subject***

*Paradise of the Blind* extends the discourse on law, bringing it into a literary universe where legal injuries are equally felt. In the novel, nameless characters appear distressed under the rule of Deputy Chairman Đường, who is by reputation a despot. Through extralegal measures, he

---

*Tin* [Messenger], December 27, 2012, <http://www.nguoiduatin.vn/nhung-ngay-song-trong-am-anh-cong-toi-a57166.html> (accessed March 2, 2015); Lê Bảo Trung, “Kỳ 2: Vào tù vì tội... làm giàu” [Imprisoned for Wealth Creation], *Dân Trí*, September 25, 2009, <http://dantri.com.vn/phong-suky-su/ky-2-vao-tu-vi-toi-lam-giau-143188.htm> (accessed March 2, 2015); Hồng Lê, “Nước mắt doanh nhân: Số phận ‘vua lớp’ bây giờ ra sao?” [Hardships of an Entrepreneur: The Fate of the King of Tires], *Báo Mới*, July 6, 2010, <http://www.baomoi.com/Nuoc-mat-doanh-nhan-So-phan-vua-lop-bay-gio-ra-sao/104/4510074.epi> (accessed March 2, 2015); Kim Chi, “‘Vua lớp’ bây giờ ra sao?” [The King of Tires Today], *Người Lao Động* [Laborer], November 2, 2002, <http://nld.com.vn/thoi-su-trong-nuoc/vua-lop-bay-gio-ra-sao-77678.htm> (accessed March 2, 2015); Nguyễn Năng Lực, “Cuộc đời chìm nổi của ‘vua lớp’ Hà thành” [A Life of Trials and Tribulations for the King of Tire], *Hà Nội Mới*, May 24, 2013, <http://hanoimoi.com.vn/Tin-tuc/Phong-su-Ky-su/591430/cuoc-doi-chim-noi-cua-vua-lop-ha-thanh> (accessed March 2, 2015); “Thanh tra Nhà nước bắt nhất trong vụ ‘vua lớp’ Nguyễn Văn Chấn” [Inconsistencies in the State Inspector’s Case against Nguyễn Văn Chấn] *VNExpress*, May 10, 2001, <http://vnexpress.net/tin-tuc/phap-luat/thanh-tra-nha-nuoc-bat-nhat-trong-vu-vua-lop-nguyen-van-chan-1960390.html> (accessed March 2, 2015); “Vua lớp & Chi thị Z30,” *Chengdec*, November 1, 2011, <http://chengdec.blogspot.com/2011/01/vua-lop-chi-thi-z30.html> (accessed March 2, 2015); Hồ Cúc Phương, “‘Vua lớp’ ngày ấy, bây giờ” [The King of Tires—Then and Now], *Sức Khỏe Đời Sống*, June 28, 2009, <http://suckhoedoisong.vn/phong-su/vua-lop-ngay-ay-bay-gio-20090625042228890.htm> (accessed March 2, 2015); “Gặp lại Vua Lớp,” *Việt Báo*, February 16, 2005, <http://vietbao.vn/Kinh-te/Gap-lai-Vua-Lop/40066959/87/> (accessed March 2, 2015); Chu Mai-Trần Tâm, “Vị ‘luật sư’ đặc biệt trong vụ án thế kỷ” [The Exceptional ‘Lawyer’ in the Case of the Century], *Người Lao Động*, December 27, 2012, <http://www.nguoiduatin.vn/vi-luat-su-dac-biet-trong-vu-an-the-ky-a57027.html> (accessed March 2, 2015); S.T., “Nhìn lại quãng đời bị ‘vùi dập’ của ‘Vua Lớp’ Nguyễn Văn Chấn” [Reflecting on a Lifetime of Mistreatment—The King of Tires Nguyễn Văn Chấn], *Reds.vn*, August 08, 2012, <http://reds.vn/index.php/tri-thuc/khoa-giao/2642-quang-doi-vui-dap-cua-vua-lop-nguyen-van-chan> (accessed March 2, 2015); “Vui buồn chuyện ‘Vua lớp’ một thời” [Facets of the King of Tires], *Câu nói online*, December 28, 2013, <http://caunoionline.com/vui-buon-chuyen-vua-lop-mot-thoi-3-45.html> (accessed March 2, 2015). Huy Đức and Trần Đình mentioned the case in their writings: Huy Đức, *Bên Thắng Cuộc: Quyền Bình* [The Winners: Power] (US: OsinBook, 2012); Trần Đình, *Đèn Cù Tập 2* [Lantern, Volume 2], <http://www.vinadia.org/den-cu-tran-dinh-tap-2/>.

<sup>107</sup> Trần Huy Quang, “Lời khai của bị can.”

seizes land from a widow with impunity. The widow may well be a literary image of Bà Khang, sharing her indignation and the belief that law could offer correctives to bureaucratic overreach. Like Bà Khang, she submits legal appeals [*đơn kiện*] to the township authorities in vain.<sup>108</sup> The villagers pity the widow. They scorn authority, so they bet on the appeals' success with food and wine. That the novel draws on the repertoire of documented grievances is clearest when Đường orders the arrest of a villager who “defied party resolutions.” In a pivotal moment, Tâm reminds the deputy chairman: “According to the law, all arrests require a warrant.”<sup>109</sup>

This scene resonates strikingly with Trần Khắc's “Người đàn bà quỳ.” Apart from the theme of equitable justice that drives their plots, shared details suggest a literary-documentary continuum. As it happens in the reportage, the deputy chairman expropriates the widow's land to build a house for his daughter.<sup>110</sup> Bà Khang allies with a certain Bác Sâm whose husband is unjustly imprisoned. Readers are left to wonder the precise circumstance of his arrest. In *Paradise of the Blind*, a fictional Sâm commits a crime for which he is jailed without a verdict: “Sâm does not steal, engage in the illegal trade of drugs, or conceal malefactors. His only offense is insulting the commune secretary”<sup>111</sup> and the deputy chairman. But unlike the journalistic text, which pays close attention to the testimony of Bà Khang and Bác Sâm, the novel mentions the widow and Sâm only in passing. Neither makes an appearance. They are the topic of village gossip, which appears inconsequential to the novel's plot. The similarities seem too studied, however, to dismiss.

Key developments in the reportage may explain this apparent intertextuality. When pressured by local bureaucrats to withdraw her petition, Bà Khang produces “records from the land reform period” [*giấy tờ hồi cải cách ruộng đất*] as proof of granted rights. During her return from a meeting convened by officials to address her complaints, two hired ruffians attack Bà Khang in an attempt to steal the documents [*cướp tài liệu*].<sup>112</sup> They fail, leaving behind a widow brimming with outrage. The event marks a significant shift in the villagers' tactics as they direct all appeals to Prime Minister Đỗ Mười, bypassing provincial authorities altogether. The citation of evidence from the land reform period, in this way, suggests that the forms of economic-legal injury from the 1950s produced the Đổi Mới legal subject of which Bà Khang is an example.

Such evocation of land reform was uncommon, even at end of the 1980s. One of the first reflections on the topic appeared in *Văn Nghệ* in April 1988, when Nguyễn Khải<sup>113</sup> lamented that lack of creative freedom had dispirited an entire generation of intellectuals, none of whom dared to broach that history. Even those “with prodigious boldness would not write on the topic, and when they do, what publisher would dare set it to print?”<sup>114</sup> Two months later, *Văn Nghệ* met government reproof when it published Hoàng Hữu Các's “Tiếng đất” [Sound of the Soil], which recounts in testimonial fashion a family's dispossession during land reform. The father's

<sup>108</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 182.

<sup>109</sup> “Theo pháp luật, bắt người phải có lệnh.” Ibid., 188.

<sup>110</sup> Trần Khắc, “Người đàn bà quỳ.”

<sup>111</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 188.

<sup>112</sup> Trần Khắc, “Người đàn bà quỳ.”

<sup>113</sup> In 1988, Nguyễn Khải left the army as a Colonel to join the Writer's Association, serving as an Executive Board member and later a Deputy Secretary.

<sup>114</sup> Nguyễn Khải, “Nghề văn, nhà văn, và hội nhà văn.”

execution in 1954 initiated a pattern of abuse from which the family struggled to bounce back thereafter.<sup>115</sup> Sensitive details in “Tiếng Đất” prompted the Writer’s Union to condemn its “inflammatory motives” [*mục đích kích thích*].<sup>116</sup> In response, readers submitted to the journal a defense of Hoàng Hữu Các’s reportage, casting an implicit vote for greater documentation of an era lost to history.<sup>117</sup>

Perhaps *Paradise of the Blind* met its fate for expanding the discursive space that Renovation reportage had opened. Profiles of Bà Khang and Sâm, with their own pathos, suggest continuity between two modes of representation that differ in genre but give shape to the same history. Intertextual allusions show how the novel represents itself as intervening in Renovation’s “democratic” pursuit, functioning alongside reportage as “a supplement to the law, going where it cannot go.”<sup>118</sup> Moreover, it points to Dương Thu Hương’s appropriation of a narrative model that had come to dominate Renovation reportage. Among others, “Người đàn bà quỳ,” “Ông vua lớp,” “Lời khai của bị can,” and “Tiếng đất” all feature first-person testimonial narratives. To lend the technique high impact, the authors seldom intervene, allowing testimonies to unfold, in long quotes, to their moral conclusions. If reportage is a textual practice that claims fidelity to reality and generates its own “aesthetics of historical experience,”<sup>119</sup> the novel appears to adopt a similar mode of narration that artistically represents “a prior reality.”<sup>120</sup> Its main focus, in this case, is Hàng, the narrator-protagonist who has no subjective experience of land reform yet whose authorial presence is key to the narrative. She, in effect, occupies the position of a reporter through whom the story is structured as a series of flashbacks. The product is a narrative that straddles the 1950s and the 1980s to causally link the traumas of land reform to the emergence of the Renovation subject.

*Paradise of the Blind* brings into focus Tâm as the embodiment of that transformation. She first appears in the novel kneeling among the accused. A fantastical theatre of violence announces the arrival of the Land Reform Brigade. According to David Der-Wei Wang, public denunciation characteristic of agrarian reforms marked a “new dialectic of violence and justice” in which “the theater, the courtroom, and the site of punishment” fused to define communist legality.<sup>121</sup> The forms in which it manifests reflect the “Marxian ideals of simplicity, flexibility, and popularity” of the law to enable “popular participation in the administration of justice.”<sup>122</sup> In the novel, a

<sup>115</sup> Hoàng Hữu Các’s “Tiếng Đất” [Sound of the Soil], *VN* (June 11, 1988): 4-5, 15.

<sup>116</sup> “Hội nghị lần thứ VII ban chấp hành hội nhà văn Việt Nam khóa III” [Seventh Conference of the Executive Board of Vietnam Writers Association], *VN* (October 01, 1988).

<sup>117</sup> Nguyễn Tiến, “‘Tiếng Đất’ kích động?” [“Sound of the Soil” Inflammatory?], *VN* (October 29, 1988).

<sup>118</sup> Kieran Dolin, *Fiction and the Law: Legal Discourse in Victorian and Modernist Literature* (New York: Cambridge University Press, 1999), 2.

<sup>119</sup> Laughlin, *Chinese Reportage: the Aesthetics of Historical Experience*.

<sup>120</sup> Jan-Melissa Schramm, *Testimony and Advocacy in Victorian Law, Literature, and Theology* (Massachusetts: Cambridge University Press, 2000), 47.

<sup>121</sup> David Der-Wei Wang, “Crime or Punishment? On the Forensic Discourse of Modern Chinese Literature,” in *Becoming Chinese: Passages to Modernity and Beyond*, ed. Wen-Hsin Yeh (Berkeley: University of California Press, 2000), 290.

<sup>122</sup> Robert Sharlet, “Stalinism and Soviet Legal Culture,” in *Stalinism: Essays in Historical Interpretation*, ed. Robert C. Tucker (New York: Norton&Company Inc., 1977), 159.



certain ethos of peasant empowerment prevails as Tâm, her mother, and brother are tried as “criminal[s] of History.”<sup>123</sup> They kneel in a communal courtyard—heads bowed, arms crossed—facing the people of the village illuminated by a blaze of torches. Two social pariahs sit in judgment, having been selected by the brigade as “pillars of the peasantry.”<sup>124</sup> Just as the scene for terror is set, *Paradise of the Blind* turns away from re-enacting the prosecution, offering instead a fragmented commentary on the brother’s flight. The moment that solidly defines the characters’ identities is curiously passed over.

The absence of any legal forum in *Paradise of the Blind* may reflect the extrajudicial nature of the land reform campaign. Descriptions of the show trial are sparse in the novel. There is no “confrontational arena of the courtroom,”<sup>125</sup> just the sheer chaos of the Special People’s Court [Tòa án nhân dân đặc biệt].<sup>126</sup> According to the 1953 Agrarian Reform Law, every locality exercising mass mobilization would have a tribunal “to try traitors, reactionaries, village despots and all those who oppose or sabotage the agrarian reform.”<sup>127</sup> The National Assembly authorized their establishment, and stipulated that it was within the courts’ right to impose prison terms and the death sentence. Supplementing this law, Decree 151/SL outlined penalties for crimes such as fomenting opposition and colluding with the enemy, both of which were punishable by execution.<sup>128</sup> Significant powers given to the courts expanded the campaign beyond the scope of property redistribution. In fact, a series of decrees that bookended the 1953 law specified the elimination of the enemy as the basis of national sovereignty. Decree 133/SL was passed in January 1953 “with the explicit purpose of punishing all categories of conspiratorial, reactionary, or otherwise treasonous acts.”<sup>129</sup> If Decree 151/SL catalogued the specific crimes for which a landowner could be held liable, this document applied a strikingly expansive definition of subversion that included “beguiling and coercing the people.” Both made

---

<sup>123</sup> Wang, 289.

<sup>124</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 26.

<sup>125</sup> Alison Moulds, “The Female Witness and the Melodramatic Mode in Elizabeth Gaskell’s *Mary Barton*,” *Victorian Network* 5, no. 2 (Winter 2013): 67-88, 67.

<sup>126</sup> See Bernard Fall, “Crisis in North Vietnam,” *Far Eastern Survey* 26, no. 1 (Jan. 1957): 12-15, and Alex-Thai D. Vo.

<sup>127</sup> “Luật cải cách ruộng đất” [Land Reform Law], December 4, 1953, Hệ thống văn bản quy phạm pháp luật [Ministry of Justice’s Portal] (*HTVBQPPL*), [http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View\\_Detail.aspx?ItemID=1106](http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View_Detail.aspx?ItemID=1106) (accessed June 10, 2014); Office of the President, *Agrarian Reform Law* (Hà Nội: The Foreign Language Publishing House, 1955).

<sup>128</sup> “Sắc lệnh của chủ tịch nước Việt nam dân chủ cộng hoà số 151/SL ngày 12 tháng 4 năm 1953” [Decree of the President of the Democratic Republic of Vietnam no. 151/SL April 12, 1953], April 12, 1953, *HTVBQPPL*, [http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View\\_Detail.aspx?ItemID=1122](http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View_Detail.aspx?ItemID=1122) (accessed June 10, 2014).

<sup>129</sup> “Sắc lệnh của Chủ tịch nước Việt nam Dân chủ cộng hoà số 133/SL ngày 20 tháng 1 năm 1953” [Decree of the President of Democratic Republic of Vietnam no. 133/SL January 20, 1953], *HTVBQPPL*, [http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View\\_Detail.aspx?ItemID=1132](http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View_Detail.aspx?ItemID=1132) (accessed June 2, 2014).

it “a legal responsibility to denounce offenders.”<sup>130</sup> They functioned alongside the Agrarian Reform Law to shore up a punitive regime that, through the figure of the enemy, made economic redistribution part of the political project of creating a socialist state.

The novel brings out in greater detail how the Land Reform Brigade exercises its power in a district that Tâm’s brother first flees to. At the town’s entrance sits “a makeshift kangaroo court where landlords and village tyrants from surrounding communes are dragged before a jury of peasants for judgment.” Bonfires sent smoke skyward as drums and bugles deafen the sound of a roaring mob. “Guerillas patrol the streets with glinting bayonets, their rifles pointed, ready for battle. Their eyes gleam with hyper vigilance as they glower suspiciously at every passerby. *Let no landlord escape.*” The family in whose house Tón seeks refuge “is suspected of harboring members of the Nationalist Party and placed under surveillance.”<sup>131</sup> Tón’s presence could be an excuse for others to further accuse the family of “contacting landlords, colluding with fleeing nationalists, or showing intent of sabotaging the revolution.”<sup>132</sup> Terror is a motif of the scene, and it gives no respite.

Dương Thu Hương’s depiction of the new political order captures how land reform equated landlords with the enemy. In the novel, landowners are labeled without fail as comprising the “exploitative-reactionary class” [*giai cấp bóc lột phản động*].<sup>133</sup> Its specific pairing with “the Nationalist Party faction” [*bọn Quốc dân đảng*] as the people’s enemy [*kẻ thù nhân dân*]<sup>134</sup> calls up the friend-foe distinction in Carl Schmitt’s concept of the political. According to Schmitt, when “class becomes the basis of an organization of struggle and if it establishes a genuine grouping of friend and foe, then class is no more a purely economic concept.”<sup>135</sup> It instead constitutes a political community whose existence presupposes “the real possibility of physical killing” and whose meaning resides in a “mode of behavior determined by that possibility.”<sup>136</sup> By foregrounding the creation of the enemy during land reform, *Paradise of the Blind* calls attention to how violence was prefigured in this form of distributive justice, and not itself a spontaneous development. It portrays, moreover, the denunciation trials to show how land reform, as a

---

<sup>130</sup> Decree 151/SL states: “Đối với những kẻ đã phạm những tội kê trên, nhân dân có quyền và có nhiệm vụ tố cáo.” Decree 133/SL states similarly: “Đối với bọn Việt gian, phản động, nhân dân có nhiệm vụ tố cáo, hoặc mật báo với cơ quan có trách nhiệm và hết sức giúp đỡ việc điều tra, xét xử.”

<sup>131</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 66..

<sup>132</sup> *Ibid.*, 67.

<sup>133</sup> *Ibid.*, 20.

<sup>134</sup> *Ibid.*, 32.

<sup>135</sup> Carl Schmitt, *Constitutional Theory*, trans. Jeffrey Seitzer (Durham: Duke University Press, 2008), 264. Eckard Bolsinger explains that class antagonism is a “historical particular form” of the friend-enemy antithesis. He notes that “in Marxism the adversaries are not conceived as forming a symmetric constellation of struggle since all historical and political right is concentrated on one side, the proletariat.” In Schmitt’s definition of the enemy, however, “there is no substantive, predetermined characteristic of the enemy.” Eckard Bolsinger, *The Autonomy of the Political: Carl Schmitt’s and Lenin’s Political Realism* (Westport: Greenwood Press, 2001), 33-37.

<sup>136</sup> Carl Schmitt, *The Concept of the Political, Expanded Edition*, trans. George Schwab (Chicago: University of Chicago Press, 2007), 33.

technology, sought to shape a distinct political life to set in motion the dictatorship of the proletariat.

Tón represents a particular form of life that arises when enmity reaches its highest intensity. He is the elusive character through whom Dương Thu Hương illustrates the fate of the public enemy. When the novel opens, Tón has just returned to his native village to marry and become a headmaster [*hương sư*]. But by virtue of his French education and landowning background, he is classified as “an enemy of the peasantry” [*kẻ thù của nông dân*] and is targeted for denunciations [*đối tượng phải đem ra đấu tố*].<sup>137</sup> The brigade leader Chính declares before an assemblage of peasants that Tón “is presently a class enemy [*kẻ thù giai cấp*]. He no longer has the right to associate with his wife. If he comes near her, I will order the guerillas to arrest him.”<sup>138</sup> Disgraced, Tón flees the village, fading from view almost as soon as he appears. The novel depicts Tón’s departure not as a result of expulsion, but as a form of self-banishment: “He absolutely has to leave—the mountains, or the marshes, or the deepest jungles would be better than this hellish place.”<sup>139</sup> The treacherous flight eventually takes him to a minority settlement where he eventually marries the deputy chief’s daughter.

It is unclear whether Tón’s withdrawal from the jurisdiction of land reform is an escape from punishment or punishment in its own right. His flight is described ambiguously as an “escape” [*trốn khỏi làng*], a “voluntary retreat” [*bỏ quê đi*], and an “unequivocal departure” [*nhất thiết phải bước khỏi đây*].<sup>140</sup> The Land Reform Brigade does not pursue him. Whereas “another in his place would be hounded mercilessly” [*giá người khác như thế, ắt bị truy lùng khôn khéo*], Tón leaves without harm. The brigade leader, not in keeping with his reputation, prefers to relinquish authority over Tón as long as he remains out of sight [*đi khuất mắt*].<sup>141</sup> By this measure, Tón’s classification as an enemy does not seem to warrant punishment, but only the uncertain status of an outsider. The last advice he receives before leaving the city portends this estrangement: “Your life has reached the time for exile” [*mạng thầy đã tới ngày hy hương*].<sup>142</sup>

Tón bears some semblance to the figure of the exile about whom Steven DeCaroli asks: “Why, instead of conventional forms of punishment, do certain forms of political life warrant exile?”<sup>143</sup> DeCaroli traces the term back to ancient Roman texts to suggest that exile was “not the physical removal of the individual from the state, but the abandonment of the individual to the dire consequences of the law’s complete withdrawal.” Whereas incarceration or bondage entail the loss of liberty, with exile, “freedom is preserved precisely because the law ceases to apply.”<sup>144</sup> The life that is excluded from the law and “is abandoned to foreignness even within the heart of the

<sup>137</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 19.

<sup>138</sup> *Ibid.*, 28-29.

<sup>139</sup> *Ibid.*, 31.

<sup>140</sup> *Ibid.*, 29; 19; 31.

<sup>141</sup> *Ibid.*, 30.

<sup>142</sup> *Ibid.*, 68.

<sup>143</sup> Steven DeCaroli, “Boundary Stones: Giorgio Agamben and the Field of Sovereignty,” in *On Agamben: Sovereign and Life*, eds. Matthew Calarco and Steven DeCaroli (Stanford: Stanford University Press, 2007): 43-69, 46.

<sup>144</sup> *Ibid.*, 63. Italics in the original.

state” is “*indirectly* compelled to abandon citizenship by [its] own choosing.”<sup>145</sup> In the novel, Tốn’s exile does not fall within the “logic of crime and punishment” since it is not the result of a legal sanction.<sup>146</sup> But the very interdiction against associating with his wife constitutes a refusal of membership in a family, and by extension, of citizenship in the state.<sup>147</sup> Tốn’s exclusion from the family is the precondition for Chính to establish his authority and credibility [*uy tín*] in the building of socialism. He advises his sister Quế, Tốn’s wife, to choose “either a promising future guided by the revolution, or expulsion from the ranks to be among the people’s enemies.”<sup>148</sup> This definition of class enemy exposes Tốn to brutality without the possibility of redress. His decision to take flight is thus an act of his own volition on the one hand, and an indirect punishment on the other. As an image of exile, Tốn symbolizes the *unmaking* of the citizen that implicates his ultimate responsibility—“If he had not been treated so ruthlessly, he would not have left the village and suffered the life of a vagabond.”<sup>149</sup>

Tốn’s eventual death reveals the deeply punitive effects of exile. After becoming a part of the Mường tribe, he encounters an itinerant tradesman who recounts the ravages of his hometown. He learns through this merchant news of his wife and leaves at once to look for her. Hàng is the product of their rekindled affection, “borne of a love that was neither legal nor illegal” [*không ở trong cũng không ở ngoài pháp luật*].<sup>150</sup> It is at this point that Tốn’s story attains the highest quality of myth because the circumstances of his death remain a mystery. Quế believes that he succumbed to malaria [*ngã nước sốt rét*]. Tâm refutes this narrative, suggesting that a kind of domestic strife was the final cause: He “made arrangements with his Mường wife for a temporary absence to care for Quế and his child. But the woman gave no consent. They must have fought . . . He went into the woods one morning, and two days later, the tribal huntsmen found his body by a stream.”<sup>151</sup> Neither version can be verified. Unlike the “landlord” whose death had political significance during land reform and symbolic meaning with its rectification, Tốn’s radically expendable life made his death unconsecrated. Stripped of political and historical significance, he personifies the foundational exclusionary violence of sovereign power.<sup>152</sup> His story only emerges posthumously, in the shadows of a mysterious death that left no trace of its occurrence. Tốn’s flight and eventual disappearance is the novel’s metaphor for how the socialist regime was founded not only on the victims of land reform, but also on the elimination of a particular category of life whose killing is impossible to historicize.

Some years before Tốn’s death, land reform had given way to a campaign to undo its disastrous effects. A pattern of reprisals jolted the village as former victims resorted to barbarism in the name of corrective justice. Historically, Directive 1043/TTG initiated the Rectification of Errors in 1956 by specifying the release and restitution of property to those wrongly convicted or

---

<sup>145</sup> Ibid., 61. Italics in the original.

<sup>146</sup> Ibid., 68.

<sup>147</sup> Ibid., 60.

<sup>148</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 32.

<sup>149</sup> Ibid., 90.

<sup>150</sup> Ibid., 118.

<sup>151</sup> Ibid., 89.

<sup>152</sup> Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998).

imprisoned.<sup>153</sup> The Special People’s Courts were abolished.<sup>154</sup> While reprieves were retroactively applied to exonerate those unjustly executed,<sup>155</sup> a separate decree advised against exhuming the bodies to contain popular animosity. The same decree postponed burials for a case-by-case assessment [*xét từng trường hợp cụ thể*].<sup>156</sup> In the face of widespread indignation, the government promised “to overhaul the entire judiciary so as to ‘ensure the people’s democratic rights and to strengthen the basis of democratic legality.’”<sup>157</sup> It also issued a series of legislation “to alleviate flagrant injustices” and administrative incompetence.<sup>158</sup> The campaign petered out by 1957, but investigations of “informants and spies—those who knowingly exploited land reform to foment popular resentment—” continued.<sup>159</sup>

Land reform in part spurred the reformist movement of the 1950s that agitated for intellectual freedom and the preservation of democratic rights in North Vietnam. When admission of land

<sup>153</sup> “Thủ tướng chính phủ số 1043/TTG, ngày 9-9-1956: Chỉ thị về việc xét và giải quyết những trường hợp bị xử trí oan trong cải cách ruộng đất” [Prime Minister no. 1043/TTg, September 9, 1956: Directive on the consideration and resolution of cases of injustice in the management of land reform], *Vietlaw*, Sept. 9, 1956, [www.vietlaw.gov.vn/LAWNET/docView.do?docid=8051&type=html&searchType=fulltextsearch&searchText=](http://www.vietlaw.gov.vn/LAWNET/docView.do?docid=8051&type=html&searchType=fulltextsearch&searchText=) (accessed December 10, 2014).

<sup>154</sup> “Sắc lệnh của Chủ tịch phủ số 284-SL ngày 22 tháng 12 năm 1956” [Edict of the President no. 284-SL December 22, 1956], *Vietlaw*, [www.vietlaw.gov.vn/LAWNET/docView.do?docid=936&type=html&searchType=fulltextsearch&searchText= 1/1](http://www.vietlaw.gov.vn/LAWNET/docView.do?docid=936&type=html&searchType=fulltextsearch&searchText=1/1) (accessed Sept. 8, 2013).

<sup>155</sup> “Thông tư của thủ tướng chính phủ số 1086/ttg, ngày 18-10-1956 về biện pháp pháp lý áp dụng trong việc trả lại tự do cho những người bị oan về tội phản động và phá hoại trong giảm tô, cải cách ruộng đất, chỉnh đốn tổ chức” [Circular of the Prime Minister no. 1086/TTg, October 18, 1956 on lawful processing applied in the return of freedom to those falsely convicted of treason and of sabotaging rent reduction, land reform, and regulation of organizations], *Vietlaw*, [www.vietlaw.gov.vn/LAWNET/docView.do?docid=8052&type=html&searchType=fulltextsearch&searchText= 1/4](http://www.vietlaw.gov.vn/LAWNET/docView.do?docid=8052&type=html&searchType=fulltextsearch&searchText=1/4) (accessed Sept. 3, 2013).

<sup>156</sup> “Hài cốt của những người bị hy sinh lúc này chưa nên bốc đi nơi khác vì dễ gây căm thù cho quần chúng, đồng thời hại cho vệ sinh chung.” “Thông tư của Thủ tướng Chính phủ số 12/TTG, ngày 12-1-1957 về một số điểm trong chính sách cụ thể, cần nắm vững khi tiến hành sửa chữa sai lầm về cải cách ruộng đất” [Circular of the Prime Minister no. 12/TTg, January 12, 1957 on some specific policy points that need mastery when rectifying land reform errors], *HTVBPL*, [http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View\\_Detail.aspx?ItemID=984](http://moj.gov.vn/vbpq/Lists/Vn%20bn%20php%20lut/View_Detail.aspx?ItemID=984) (accessed Sept. 10, 2013).

<sup>157</sup> Fall, *Crisis in North Vietnam*, 13-14.

<sup>158</sup> Decree 282-SL, for instance, clarified speech rights but firmly prohibited the use of the press to propagate against the people. “Sắc lệnh của Chủ tịch phủ số 282-SL ngày 14 tháng 12 năm 1956” [Edict of the President no. 282-SL December 14, 1956], *Vietlaw*, [www.vietlaw.gov.vn/LAWNET/docView.do?docid=935&type=html&searchType=fulltextsearch&searchText=](http://www.vietlaw.gov.vn/LAWNET/docView.do?docid=935&type=html&searchType=fulltextsearch&searchText=) (accessed Jan 20, 2014); Bernald Fall, *Constitution-Writing in a Communist State: The New Constitution of North Vietnam* 162.

<sup>159</sup> “Thông tư của Thủ tướng Chính phủ số 12/TTG, ngày 12-1-1957.”

reform failures made news, a cohort of intellectuals used the journals *Nhân Văn* [Humanity] and *Giai Phẩm* [Masterworks] as a platform to call for greater civil liberties.<sup>160</sup> The extrajudicial prerogatives drove a leader of the movement, Nguyễn Hữu Đang, to demand the drafting of a new constitution to limit abuses of power.<sup>161</sup> The implications of land reform also pushed the French-trained lawyer Nguyễn Mạnh Tường to recount Sophocles' *Antigone* in a 1956 issue of *Giai Phẩm*, before the movement was brought to heel.<sup>162</sup> The central conflict of his story unfolds when the eponymous heroine defies Creon's edict against burying her brother. Creon is cast as "a symbol of dictatorship," [tiêu biểu cho chính quyền độc tài] while Antigone, owing to her appeal to natural law [pháp luật thiêng liêng của con người] as justification for her defiance, emerges as a challenge to tyranny. The king's belief that "there is no greater wrong than disobedience" [không gì tai hại hơn là bất tuân lệnh của cấp trên] drives him to intern Antigone. In keeping with the original plot, Tiresias counsels the king to abandon his intransigence and repair the evils he has caused [xóa bỏ các tai hại gây ra].<sup>163</sup> Nguyễn Mạnh Tường also retains the play's original ambiguity by advocating neither the "new public rationality" nor the "codes of sentiment" that the characters represent.<sup>164</sup> However, his interpretation of the conclusion strays from the original. Instead of heeding Tiresias's advice, Creon orders Antigone's execution. Nguyễn Mạnh Tường abruptly concludes that as a consequence of his obstinacy, Creon loses at once his wife and son.

Nguyễn Mạnh Tường appears to rework the tragedy, encoding with the discourse on law and democracy that *Nhân Văn-Giai Phẩm* partly inspired. Whereas Sophocles' Creon finds enlightenment in the final moment, Nguyễn Mạnh Tường denies the autocrat any fundamental reform [không chịu phục thiện], casting him as a compulsive ruler who rejects all advice against the unjust law. Creon, for example, dismisses his son's appeal for clemency as an enemy's influence [mắc mưu địch]. Moreover, unlike Sophocles' Antigone whose suffering inspires "reform of the flawed legal system," her death is futile in Nguyễn Mạnh Tường's version.<sup>165</sup> The inconsequence of Antigone's appeal to a higher moral authority seems to suggest natural law's irrelevance in the face of an unyielding tyrant. It is difficult to gauge the extent to which *Antigone* reflected mid-twentieth century politics in North Vietnam, as the author provides no explicit commentary. Nguyễn Mạnh Tường's story nevertheless resonates with his cohort's conviction that the

---

<sup>160</sup> See, among others, Georges Boudarel, *Cent fleurs écloses dans la nuit du Vietnam: Communisme et dissidence, 1954-1956* (Paris: J. Bertoin, 1991); Nguyen-Vo Thu-huong, *The Ironies of Freedom: Sex, Culture and Neoliberal Governance in Vietnam* (Seattle: University of Washington Press, 2008); and Peter Zinoman, "Nhân Văn-Giai Phẩm and 'Vietnamese Reform Communism' in the 1950s: A Revisionist Interpretation," *Journal of Cold War Studies* 13, no. 1 (Jan. 2011): 60-100.

<sup>161</sup> Nguyễn Hữu Đang, "Hiên pháp Việt Nam năm 1946 và hiên pháp Trung Hoa bảo đảm tự do dân chủ thế nào?" [How does Vietnam's 1946 Constitution and the Chinese Constitution guarantee Democratic Freedom?], *Báo văn hoá, xã hội* [Culture and Society] (Nov. 20, 1956).

<sup>162</sup> Nguyễn Mạnh Tường, "Hai câu chuyện Nguyễn Mạnh Tường kể" [Two Stories Told by Nguyễn Mạnh Tường], *Giai phẩm mùa đông 1956 - Tập I* [Masterworks, Winter 1956—Volume 1] (Nov. 28, 1956).

<sup>163</sup> Ibid.

<sup>164</sup> George Steiner, *Antigones* (New York: Oxford University Press, 1984), 182.

<sup>165</sup> Susan W. Tiefenbrun, "On Civil Disobedience, Jurisprudence, Feminism and the Law in the Antigones of Sophocles and Anouilh," *Cardozo Studies in Law and Literature* 11, no. 1 (Summer 1999), 35-55.

government's single-mindedness created "an absence of democracy," preventing timely criticism of land reform from reining in its excesses.<sup>166</sup>

Three decades later, land reform violence resurfaced in literary form as testimony to its impact on the Renovation subject. To some extent, *Paradise of the Blind* launched a backlash industry that brought into relief how the policy fundamentally constituted the identity of its survivors.<sup>167</sup> If Tồn represents the exiled life that "may be killed or kept alive without ceremony and without criminality,"<sup>168</sup> the enemy whose continual evocation produces and fortifies the state's political identity, Tâm embodies another type of subject that unwittingly sustains state socialism in the aftermath of land reform. She emerges from the denunciations as the figure of the survivor-witness. Tâm later recounts the assaults to Hàng in an extended monologue that carries the ethical weight of testimony. She recalls the eviction and the nomadic life she led before the rectification campaign. She describes how vengeance hardened her one obsession: "I have to get rich [*làm giàu*] . . . even if I have to work my body to pieces."<sup>169</sup>

Retribution is her main drive. After the Land Reform Brigade confiscated her ancestral home, Tâm resolved to survive because "death could liberate the body, but it would be too cowardly. Those who committed gratuitous harm would only guffaw on my grave. I had to persevere to see their ruin."<sup>170</sup> The singular commitment to amassing wealth pushes Tâm to work inexhaustibly as a farmer and entrepreneur, first selling her labor to earn money before entering commerce, producing and distributing noodles. Her enterprises multiplied after rectification to give her unseen economic strength [*sức mạnh kinh tế*].<sup>171</sup> There is always an element of waste on display in her habits. Her home, her gifts to Hàng, and the social functions she hosts earn her the reputation of being "extravagant" [*chơi nông*]. She arrays her possessions with ostentation to "forget the days of suffering."<sup>172</sup> As Verdery observes in the context of socialist Romania, consuming "goods and objects conferred an identity that set you off from socialism, enabling you to differentiate yourself as an individual in the face of relentless pressures to homogenize everyone's capacities and tastes into an undifferentiated collectivity. Acquiring objects became a

<sup>166</sup> Trần Duy, "Góp ý kiến về phân tự do dân chủ trong Nghị quyết lần thứ mười" [Democratic Freedoms in the Tenth Resolution], *Báo văn hoá, xã hội* (Nov. 20, 1956), and Trần Đức Thảo, "Nội dung xã hội và hình thức tự do" [Social Content and Free Form], *Giai phẩm mùa đông 1956 - Tập I* (Nov. 28, 1956).

<sup>167</sup> Since the publication of *Paradise of the Blind*, Vietnam has seen a growing number of autobiographical and fictional representations of land reform, reflecting increasing public interest in its history and legacy. See, for example: Tạ Duy Anh's "Bước qua lời nguyền" [The Broken Curse], Lê Minh Khuê's "Bi kịch nhỏ" [A Small Tragedy], Vũ Thư Hiên's *Đêm giữa ban ngày* [Darkness in the Daytime], Trần Dân's *Ghi* [Reflections], 1954-1960; Tô Hoài's *Ba người khác* [Three Others], Trần Thế Nhân's *Ngày long trời đêm lở đất* [Trembling Sky and Fracturing Earth], Huy Đức's *Bên Thắng Cuộc*, and Trần Đình's *Đền cù*. For a fuller list, see Thai-Vo, 11-12, and Matiro Rato, "Land Reform in Vietnamese Literature," *Asia Review* 17 (2004): 1-24.

<sup>168</sup> Thomas Karl Wall, "Au Hasard," in *Politics, Metaphysics, and Death: Essays on Giorgio Agamben's Homo Sacer*, ed. Andrew Norris (Durham: Duke University Press, 2005), 40.

<sup>169</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 87.

<sup>170</sup> *Ibid.*, 84.

<sup>171</sup> *Ibid.*, 119.

<sup>172</sup> *Ibid.*, 88.

way of constituting your selfhood against a deeply unpopular regime.”<sup>173</sup> Set against the “conformity of army life” that the other characters lead, Tâm’s style of consumption is deeply political when it is motivated by vengeance.<sup>174</sup> Her primary target is Chính, and the resolve to exact revenge drives her to pursue a vendetta against her family’s “mortal enemy” [*tử thù*].<sup>175</sup> Newly empowered by money, Tâm becomes “the lost replica” of her brother, “transforming herself into an engine for vengeance . . . crushing everything obstructing its path.”<sup>176</sup>

Tâm is the image of the “wealth-making individual” [*ngư ời làm giàu*] who represented Renovation’s acquisitive class. As James Millar notes in relation to the Leonid Brezhnev era, socialist regimes have made tacit arrangements with citizens to tolerate the expansion of private economic transactions in order to offset inefficiencies.<sup>177</sup> This implicit accommodation “required neither the major reform nor a significant reallocation of resources, only ideological retrenchment.”<sup>178</sup> Scholars of Vietnam have also argued that the “output contract,” an *ad hoc* measure secretly adopted during the civil war to raise agricultural production, functioned similarly as a temporary stabilization mechanism. In essence, the contract permitted families of a cooperative to sell on the open market any produce in excess of the government quota.<sup>179</sup> The “acquisitive impulse” which had proliferated became central to Renovation’s motto that “rich citizens make a strong nation” [*dân giàu thì nước mạnh*].<sup>180</sup> Economic activities, once seen as jeopardizing the aims of the state, were now authorized by the party’s promotion of an ethics of wealth-creation. As Võ Văn Kiệt stated in 1989, wealth-generating activities are expressions of human creativity [*động lực năng động sáng tạo*] and represent the fulfillment of socialist freedom as freedom to develop one’s potential.<sup>181</sup> Accounts of “the acquisitive persona” [*ngư ời biết làm giàu*]<sup>182</sup> thus enjoyed wide circulation during the second half of the 1980s as narratives designed to stimulate a revival of the people’s creative energy.

*Paradise of the Blind* portrays Tâm’s labor to reflect the virtue of productivity promoted during Renovation. It presents her sacrifice as a form of fulfillment, depicting the labor driven by vengeance as Tâm’s belated awakening to an innate capacity for work. She remembers how land reform transformed her erstwhile “indifference to money” [*không có máu tham tiền*] into insatiable

---

<sup>173</sup> Verdery, 29.

<sup>174</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 153.

<sup>175</sup> *Ibid.*, 233.

<sup>176</sup> *Ibid.*, 91.

<sup>177</sup> James Millar, “The Little Deal: Brezhnev’s Contribution to Acquisitive Socialism,” *Slavic Review* 40, no. 4 (Winter 1985): 694-706, 697.

<sup>178</sup> *Ibid.*, 705.

<sup>179</sup> David Wurfel, “*Doi Moi* in Comparative Perspective,” in *Reinventing Vietnamese Socialism: Doi Moi in Comparative Perspective*, eds. William S. Turley and Mark Selden (Boulder: Westview Press, 1993): 19-52; Kim Ninh, “Renovating in Transition?” *Southeast Asian Affairs* (1990), 383-395; Kimura Tetsusaburo, *The Vietnamese Economy, 1979-86* (Tokyo: Institute of Development Economies, 1989);

<sup>180</sup> Võ Văn Kiệt, “Phải khởi dậy động lực năng động sáng tạo nơi mỗi con người.”

<sup>181</sup> Barbara Goodwin, *Using Political Ideas* (Chichester: Wiley, 1987), 109.

<sup>182</sup> Trần Huy Quang, “Người Biết Làm Giàu” [The Acquisitive Persona], *VN* (April 16, 1988), 12-14.



avarice.<sup>183</sup> She cites the aphorism that “the rich love to work, the poor love to eat” [*nhà giàu ham mần, nhà bần ham ăn*] as an indictment of the very people who had dispossessed her, not least her former denouncers who have since reduced themselves to absolute wretchedness. Through these figures of indolence, the novel discloses more readily than government documents how the program of land redistribution failed to transform beneficiaries into productive subjects. In contrast to Tâm as the portrait of productivity, “those who can’t miss a meal to flood the paddies, or lose a night’s sleep to plough the field” lack an ethic of diligence to become economically viable.<sup>184</sup>

In the novel, jewelry is a recurrent motif that symbolizes not only Tâm’s material possessions, but also her investment in the future and “glory of the Trần family.”<sup>185</sup> Her early savings are spent on a pair of rings that she later gives to Hằng as commitment to support her financially. She tells her niece: “You are the last drop of blood of the Trần family. I’m saving the house, the ancestral temple, the paddies and the garden for you alone.”<sup>186</sup> The future she envisions for Hằng seems to “liberate Tâm from the suffering and humiliation, allowing her to imagine herself reaching the height of triumph” [*đài chiến thắng*].<sup>187</sup> She entrusts Quế with the rings’ safekeeping without knowing that her sister-in-law would one day pawn them to support her ailing brother. Upon discovering the deceit, Tâm declares: “Your brother is my family’s mortal enemy. . . I forbid anyone from using my money to feed . . . the army of murderers” [*quân sát nhân*].<sup>188</sup> The moment lends itself to allegorical signification. Chính, who embodied “supreme authority” [*Thượng đế*]<sup>189</sup> with absolute power to kill or to let live during land reform, becomes in its aftermath “the guardian of revolutionary purity,”<sup>190</sup> the abstracted state. His exalted position as a functionary does not alleviate his poverty, pushing him to rely on Quế for support. That Tâm’s jewelry transforms into material sustenance for Chính, signifies how the state inconspicuously reabsorbs wealth created in its anti-image. If money and the affected form of consumption that Tâm displays suggest potential resistance, it is quickly neutralized and appropriated.

Tâm’s economic position nonetheless places her in a particular relation to power. If Bà Khang signals the emergence during Renovation of a somewhat litigious society, Tâm represents the figure who consciously calls into question conceptions of evidence and legal procedure. This is clearest in that paradigmatic moment when she proclaims to the deputy chairman that “according to the law, all arrests require a warrant.” The scene unfolds at Tâm’s house, where villagers of all status gather to celebrate Hằng’s college admission. As a display of her moral and material largesse, Tâm entertains Deputy Chairman Đường with prior knowledge of his offenses, particularly his expropriation of land from a widow and Sâm’s arrest, which he justifies as rightful application of disciplinary rules [*phép tắc, kỷ cương*] to check political deviance. He reasons: “If I don’t handle that sort of stubbornness quickly, what is left of rules and regulations?” Tâm interrupts to remind the chairman that he “ordered the militia to jail Sâm without any

<sup>183</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 86.

<sup>184</sup> *Ibid.*, 88.

<sup>185</sup> *Ibid.*, 117.

<sup>186</sup> *Ibid.*, 99.

<sup>187</sup> *Ibid.*, 115.

<sup>188</sup> *Ibid.*, 233.

<sup>189</sup> *Ibid.*, 29.

<sup>190</sup> *Ibid.*, 151.

paperwork [*giấy má*].”<sup>191</sup> If the chairman’s comment reflects the growing reliance on law during Renovation to engineer conformity, then Tâm’s challenge suggests that popular legal knowledge is, in some small way, beginning to unfold in the village. The novel’s self-conscious evocation of the law points to the emergence of new imaginings of community and civic life. It shows Tâm using her specific material privilege to question the chairman on behalf of persecuted villagers, all the while setting an example for the kind of public political scrutiny that Renovation ostensibly encouraged.

The event culminates in a spectacular show of wit to “besmear” [*trát gio vào mặt*]<sup>192</sup> the chairman. Using her flair for storytelling, Tâm recounts anecdotes praising the imperial minister Thượng Chính’s righteousness. After Thượng Chính retired, an unscrupulous mandarin named Trần Bình devised innumerable deceits to enrich himself. His “most egregious offense was encouraging people to pursue litigations [*kiện tụng*] for his own profit while all other parties end up in ruin” [*khuyh gia bại sản*]. According to Tâm, a congenital blindness afflicted the mandarin’s lineage such that he, his grandfather, and his son—“three generations of blind men [*tam đại mù*]—had become the laughingstock of the people.” When Tâm finishes the story, the audience [*đám cử tọa*] breaks into lively discussions [*bình phẩm*].<sup>193</sup> They laugh profusely, spicing more laughter that, “whether piercing or stifled, conveys something unspoken [*ẩn ý*].”<sup>194</sup> Evidently mortified, the chairman hastily excuses himself, leaving the crowd to speculate how he would retaliate.

Law-related details in Tâm’s anecdotes, as well as her scrutiny of the chairman’s actions, show that the violence she witnessed during land reform shaped her legal consciousness. Tâm’s vision of justice as “the law” exerting a defining power over authority is informed by how the brigade had exercised absolute control over her family. She recalls more than once that “back then, the brigade was God [*Thượng đế*], was Heaven [*Trời*]” who stood outside of law.<sup>195</sup> But whereas government documents show that extreme violence was built into land reform, Tâm remembers it as an effect of the brigade leader’s zeal. She blames his brutish treatment [*đối xử . . . tàn tệ*] for her brother’s death.<sup>196</sup> Her pursuit of righteousness thus suggests the novel’s partial alignment with government efforts to use socialist law to indict breaches of discipline. However, and crucially, the novel grounds Renovation’s turn to law in a prehistory that it shows to have been ruled by extralegal despotism. As the festivities draw to a close, the guests remind each other that “the widow is petitioning [*theo kiện*] in the district office, but can there be transparency in this day and age?”<sup>197</sup>

The closing of this scene is fraught with ambiguities. As the descriptions and specific evocation of an audience indicate, Tâm is staging a performance the levity of which contrasts with the spectacle of land reform barbarism that had opened the novel. Wang points out, in relation to modern Chinese literature, that “[w]hen the function of the formal courtroom has been handicapped by wayward political and legal forces, a public space like the stage can be used as its

<sup>191</sup> Ibid. 188. Ellipsis in the original text.

<sup>192</sup> Ibid., 200.

<sup>193</sup> Ibid., 190.

<sup>194</sup> Ibid., 198.

<sup>195</sup> Ibid., 29.

<sup>196</sup> Ibid., 90.

<sup>197</sup> Ibid., 201.

phantom substitute.”<sup>198</sup> In the social setting of a village, Tâm’s performance can be read as a theatrical enactment of justice insofar as it presents the issue of unmediated corruption before the court of public opinion. Yet, as soon as Tâm’s anecdotes effect a kind of political recognition from her audience, the novel turns the spotlight on itself, sharpening the focus on its own ambivalence about the capacity of narratives to transform politics. An elder skeptically asks Tâm: “You believe that a few stories would clarify all matters? That type of person has no shame, especially when he has power and connections. Just wait and see, he won’t let the widow get away!”<sup>199</sup> Even as Tâm’s stories resonate with the faith in law’s capacity to check arbitrary power, and while showing that narratives can solidify communal identity, the text also undercuts itself, refusing to romanticize the possibility of culture reforming politics.

## Conclusion

As the events’ narrator, Hằng interprets and represents her family’s history as a form of testimony that, in Jam-Melissa Schramm’s words, “seeks literary recognition rather than judicial remedy.”<sup>200</sup> In many ways, *Paradise of the Blind* demonstrates how legal injuries place pressure on literary forms. As its intertextual engagement illustrates, the novel’s structural and thematic unity took partial inspiration from Renovation reportage. That it consciously projects this indebtedness suggests a collaborative effort on the part of cultural critics to influence Renovation politics and law. Both genres show that “at a time when the old political, judicial, and moral order had collapsed and the new orders were yet to be established, literature provides a textual space in which legal cases were presented for debate and deliberation.”<sup>201</sup> The scene of festivities captures the novel’s own desire to make stories transform readers into an adjudicative audience. It succeeded to an extent in this. But if narratives bear “a representational relationship to the world of action and moral choice,” they are also bound by the limitations that world imposes. Reforms during the 1980s clearly show that “if the elevation of law and legal ideology . . . comes to threaten Party control and the appearance of social unanimity, it will not flourish.”<sup>202</sup> The legal reprisals enacted against *Paradise of the Blind* and its author are the expected consequences of every effort to transform Vietnam’s political regime with evidence of its violent heritage.

Existing studies of Renovation culture tend to assume that political liberalization accompanied the start of economic reforms, and that overwhelming criticism triggered a contraction of party authority by the turn of the decade. In yet another sense, they point to marketization as the main push for social and cultural autonomy, for widening the era’s literary canvas. This chapter reexamines discourses of Renovation to reveal how economic, legal, and cultural issues intersected during the period of socialist construction. Government documents show that low productivity prompted the party-state to refocus its attention on maximizing the people’s productive potential. The development of socialist democracy, officials and legal specialists suggest, would be key because providing rights would encourage every citizen to test his potential, reviving his capacity to participate in the country’s growth. Socialist law came into the picture to, among other things, guarantee rights of participation.

---

<sup>198</sup> Wang, 274.

<sup>199</sup> Dương Thu Hương, *Những Thiên Đường Mù*, 200.

<sup>200</sup> Jan-Melissa Schramm, 11.

<sup>201</sup> Wang, 262.

<sup>202</sup> Tay, 580.

But, of course, the picture is not that simple. The official definition of socialist democracy has as its central tenet party leadership, and the legal guarantee of socialist democracy is, in the end, the legalization of party rule.<sup>203</sup> What the existing scholarship on Renovation takes as a temporary retreat of party control was in fact the placement of all economic, social, and cultural activities under party-state legal regulation. There was no recession of control, just as there was no concession made to culture producers. How socialist democracy and socialist law interlocked is a reminder that “every Marxist-socialist administration which survived in power has not only built up an increasingly complex and formal legal system, but has also finally abandoned all pretense that state and law would ultimately disappear.”<sup>204</sup> And Vietnam is by no means an exception. It is also a reminder that Renovation was extraordinarily consistent with the project of building socialism.

---

<sup>203</sup> Michael Dowdle, "Heretical Laments: China and the Fallacies of 'Rule of Law,'" *Cultural Dynamics* 11, no.3 (1999): 287-314.

<sup>204</sup> Tay, 232.

## Chapter 2

### *The Sorrow of War: Socialist Economic Crime and Spectral Realism*

Bảo Ninh's *Nỗi Buồn Chiến Tranh* [*The Sorrow of War*] has long won praise as a landmark text. First appearing in 1990 under the title *Thân phận của tình yêu* [The Ends of Love], the novel received a prize from the Vietnamese Writer's Union. It is said that the honor was given less in support of the book than for the autobiographical detail it contains. Like his anti-hero, Bảo Ninh took part in the Youth Brigade as a foot soldier fielded to conduct reconnaissance during the Vietnam War, and joined the Remains Recovery Team thereafter. He drafted his novel all the while, circulating it at first in mimeograph form. Then, in 1994, when a small publisher had the novel translated into English, the name Bảo Ninh caught on among readers in the West. He came to be known as the voice of the average North Vietnamese soldier, able to break past ideology, soaring above the fractious politics of the Vietnam War to come face to face with its dark legacy. Later that year, Bảo Ninh beat out Italo Calvino and Isabel Allende to take home the Independent Award for Foreign Fiction. His name would appear beside Milan Kundera's.<sup>1</sup> Thanks to its author's meteoric rise, the novel has since been translated into fourteen languages, reaching far more readers than any other piece of Đổi Mới fiction.<sup>2</sup>

*The Sorrow of War's* popularity is due in part to its unusual form, and in larger part to the way it boldly, and searchingly, reframes the Vietnam War. It takes the shape of a ruined manuscript, fragments of which have been preserved, sorted, then set to print. The disjunctive quality, the air of straying prose, and the spectral motifs all convey the sense that the work is built as a play of images, a montage reflecting the mind of a war veteran teetering on the edge of madness. Allusions swarm around descriptions of fighting men, showing how each one behaves during the war. The stark details are all there. These formal features, it has been said, "textually give shape to trauma," mirroring the author's own "struggle with war memories."<sup>3</sup> Others have argued that the storehouse of images and vignettes, taking on the force of fact, gets at the truth of the revolution at a time when Vietnam was not yet ready to examine its past.<sup>4</sup> There is something to this. But provocative as they may be, these studies rely so much on trauma as an interpretative lens that they overlook the ways the novel engages with socialist economic and legal history. Many of its dominant images—the prostitute, the ghost, the bicycle thief, all of which figured prominently in the discourse on socialist economic

---

<sup>1</sup> "Soldier's Tale Wins Foreign Fiction Award," *Independent*, May 30, 1994, <https://www.independent.co.uk/news/uk/soldiers-tale-wins-foreign-fiction-award-1439604.html> (accessed January 3, 2018).

<sup>2</sup> Mặc Lâm, "'Nỗi Buồn Chiến Tranh' của Bảo Ninh được dựng thành phim," *Radio Free Asia*, Sept. 15, 2008, [https://www.rfa.org/vietnamese/in\\_depth/The-Sorrow-of-War-is-modulation-to-film-MLam-09152008163638.html](https://www.rfa.org/vietnamese/in_depth/The-Sorrow-of-War-is-modulation-to-film-MLam-09152008163638.html) (accessed Jan. 3, 2018).

<sup>3</sup> Andrew Ng, "Visitations of the Dead: Trauma and Storytelling in Bao Ninh's *The Sorrow of War*," *Storyworlds: A Journal of Narrative Studies* 6, no. 1 (Summer 2014): 83–100, 84; 98. Also see: Robinett, Jane, "The Narrative Shape of Traumatic Experience," *Literature and Medicine* 26, no. 2 ((2007): 290–311; Heonik Kwon, "Rethinking Traumas of War," *South East Asia Research*, 20, no.2 (2012), 227–237.

<sup>4</sup> See Heonik Kwon, *Ghosts of War in Vietnam* (Cambridge: Cambridge University Press, 2008); Duy Lap Nguyen, "The Image of Death, Redemption and Play in Bảo Ninh's *Sorrow of War*," in "The Postcolonial Present: Redemption and Revolution in Twentieth-Century Vietnamese Culture and History" (PhD dissertation, University of California, Irvine, 2012), 211-215.

crimes—are passed over. It has thus been the fate of *The Sorrow of War* to have its biographical passages extracted for study, and the rest quietly dropped from view.

This two-part chapter builds on the prevailing analyses, arguing that Bảo Ninh’s novel can also be read meaningfully as presenting a history of socialist economic crimes [*tội phạm kinh tế*]. This concept came into use in the 1970s when the Democratic Republic of Vietnam (referred to as North Vietnam hereafter), having taken over the south, found itself grappling with a socio-economic system it could not control. The party leadership devised an *ad hoc* criminal code to secure property for the state, moving with great haste to shore up the socialist economy and put an end to all free enterprise. Economic crime legislations took hold and did more than just penalize a range of activities, including embezzlement, prostitution, and small-time theft. Soon, however, economic crime discourse would merge with a strain of “romantic anticapitalism”—a belief that the arts could redeem the prosaic, sinful world of capitalism. The two discourses, becoming more and more indistinct, would take Republican-era culture as its chief object of critique. Each in its own way prolonged the sentiment that commercialism had desacralized Vietnamese culture. Each spurred on the campaign to take South Vietnamese cultural artifacts out of circulation so as to break the capitalist-criminal mentality. Conflating the economic, the political, and the aesthetic, these discourses together fueled such a distaste for “cultural impurity” that, by 1978, possession of South Vietnamese cultural artifacts would be treated as an economic offense on a par with treason.

The twin discourses of economic crime and romantic anticapitalism, this chapter will further show, found their most nuanced expression in *The Sorrow of War*. Where legal documents present economic crime legislation as a product of postwar reconstruction, designed to protect the new state and thus bearing the signature of that era, *The Sorrow of War* locates its precursor in North Vietnam’s legal-property regime, which defined economic offense as above all a breach of socialist morality [*đạo đức xã hội chủ nghĩa*]. In two key episodes—each describing a specific form of theft, one taking place in 1960s North Vietnam and the other in a Sài Gòn that has just given way—the novel brings into relief a complex genealogy of socialist economic crime, showing it to have evolved from a moral and legal conception of socialist property that had held sway in North Vietnam. This chapter will look closely at each episode, analyzing it alongside contemporary news articles and decrees to show how Đổi Mới literature consciously intervened in the legal discourse of its time, using spectral motifs less to give form to personal trauma than to document the legal foundations of state socialism.

### **Socialist Morality and Romantic Anticapitalism**

*The Sorrow of War* presents itself as a novel not meant to be. It unfolds essentially as a monologue in which Kiên, the main character, searches for an answer to the bleakness closing in on him. The context is postwar Vietnam—postwar being represented by nightwalkers, veterans at loose ends, and men down on their luck, taking on the work of finding the dead. Kiên joins these men as part of the Remains Recovery Team. He begins to write fitfully at about this time, producing a diary-like account of his experience as an infantryman. Very soon though, his prose takes on a spectral quality. By Kiên’s account, devils, ghosts and wandering souls often take over his narrative, demanding more than he can give so that his writing often breaks into a stream-of-consciousness, moving backward and forward in time without warning. Kiên yields to the “sacred and mysterious forces,” he says, out of a sense of duty to the spirits that prowl his inner world. In rare moments of clarity, when the devils at last let go, his narrative always returns to Phương, his childhood sweetheart. Kiên carries on in this way until one wintry night, when he sets fire to the manuscript then disappears. Later, an attic dweller gathers the pages left in Kiên’s room and stashes them away in her corner of

the building. An unnamed publisher eventually gets hold of the loose papers, rearranges them with a touch of editorial leeway before setting them to print. In this very basic sense, the novel takes the form of an incomplete manuscript. Kiên's abrupt leave-taking, and the way his writing is rescued, pulls further out of order an already nonlinear narrative. In the version that now constitutes the novel, an anonymous voice, presumably the publisher's, often cuts in to add background details.

When *The Sorrow of War* saw print in 1990, legal and market reforms touched a high water mark. The Socialist Republic of Vietnam (SRV) had unveiled its code of criminal law, the first in any field of law since the 19<sup>th</sup> century to be enacted throughout the country, setting the pattern for a suite of legislations soon to follow.<sup>5</sup> According to John Quigley, a scholar of socialist jurisprudence, the 1985 code represented a type of "indigenous legislation." Though bearing a resemblance to French criminal law, this code kept more to the "socialist legal family" by preserving its most basic principles, including state ownership and the trademark ban on economic crimes.<sup>6</sup> Of twelve chapters, three outline in great depth the penalties for violating socialist property. One chapter on economic crimes, comprising twenty-one articles, sanctions acts that would threaten the state's role in the economy. Among them, storage of contraband, the trade in sham goods, and abuse of office for mercenary gain are treated together as a distinct type of activities that could subvert the economy. Punishment for these acts included death.<sup>7</sup> Not by any means unique, these provisions replicate other socialist codes "designed to consolidate the new system of property relations."<sup>8</sup>

Though codified in 1985, the unitary concept of economic crime had shown up in other instances, notably in a 1979 article in *Sài Gòn Giải Phóng*. This article traces the concept to its earliest forms—a body of decrees, no fewer than seven, which North Vietnam issued to combat speculation. So far as economic behaviors went, the decrees saw trade on the black market as harmful because it deprived the state of resources to create a "material-technical base." According to the author, "economic crimes" [*tội kinh tế*] only came into general use in 1976, when the Provisional Revolutionary Government of South Vietnam (PRG) introduced a new judicial system in the south.<sup>9</sup> Decree 03/SL-76, issued on March 15, 1976, just months

---

<sup>5</sup> John Quigley, "Viet Nam's First Modern Penal Code," *New York Law School Journal of International and Comparative Law* 9, no. 2-3 (1988): 143-193; John Quigley, "Vietnam at the Legal Crossroads Adopts a Penal Code," *American Journal of Comparative Law*, Vol. 36 (1988): 351-357.

<sup>6</sup> For debates over whether socialist law is a distinctive family of law, see: John N. Hazard, *Communists and their Laws: A Search for the Common Core of the Legal Systems of the Marxian Socialist States* (Chicago: Chicago University Press, 1969); John N. Hazard, "Development and 'New Law,'" *The University of Chicago Law Review*, Vol. 45 (1978): 637-652, and John Quigley, "Socialist Law and the Civil Law Tradition," *The American Journal of Comparative Law*, Vol. 37 (1989): 781-808. According to John Hazard, "The contrast between the Marxian socialist definition of crime and that of non-Marxist lands suggests that novelty appears primarily in the category of economic crime." John N. Hazard, *Communist and Their Law*, 478.

<sup>7</sup> "Criminal Code of the Socialist Republic of Vietnam," *Review of Socialist Law* 13, no. 2 (1987): 121-198.

<sup>8</sup> John Walter, "Law as an Instrument of Economic Regulation: Economic Crime in Czechoslovakia 1947-1987," *Review of Socialist Law* 14, no. 3 (1988): 209-239.

<sup>9</sup> Created in June 1969, this provisional government was the diplomatic tool of the Vietnamese Communist Party. It served as "a broadbased administration that could garner international support and recognition as the true voice of the South Vietnamese people."

before the PRG ceded control to North Vietnam, defined economic crime as activities that “cause economic or financial loss to the state, the cooperative, or the collective, hindering the restoration and development of the economy, the stabilization and improvement of the people’s livelihood.”<sup>10</sup> Tax evasion, hoarding, speculation, counterfeiting, unlicensed trade, and willful or negligent destruction of property would incur heavy penalties, even death.<sup>11</sup> On the difference between Decree 03/SL-76 and its precursors—those issued in North Vietnam—the article has little to say. All the same, it paints a picture of criminals overrunning the south, so much so that a standalone decree on economic crime had to be issued, and lay courts installed, to bring them to heel.<sup>12</sup>

Without clarifying much, the article focuses on a major concern of a revolutionary state coming into its own. The PRG, upon replacing the republican government, moved swiftly to claim ownership over all property. As the first item on its agenda, the Ministry of Foreign Affairs issued a statement on April 30, 1975 declaring an “inalienable right of property inheritance.” Under international law, the document goes on to say, “all property in South Vietnam as well as abroad including real estate and movable property, money, gold, transport means previously belonging to the Saigon administration from now on belong to the South Vietnamese people,” to be managed by the PRG.<sup>13</sup> The ministry further claimed for itself the right to recover “tens of warships, cargo ships and hundreds of cargo planes and jet fighters,” along with “tons of gold,” that émigrés brought with them in their flight.<sup>14</sup> Before long, units on the ground catalogued as best they could all public and private holdings, sometimes sending the Sài Gòn-Gia Định Military Management Commission to arrest those thought to be “conducting underhand sabotage activities politically and economically in collusion with counterrevolutionaries.”<sup>15</sup> The commission, still on the crest of revolutionary zeal, arrested in

---

After the war, it merged with North Vietnam on July 2, 1976 to form the Socialist Republic of Vietnam. See Lien-Hang T. Nguyen, *Hanoi’s War: An International History of the War for Peace in Vietnam* (Chapel Hill: The University of North Carolina Press, 2012), 140.

<sup>10</sup> “Tội kinh tế là tội gây thiệt hại về kinh tế, tài chính cho Nhà nước, cho hợp tác xã, hoặc cho tập thể nhân dân, gây trở ngại cho việc khôi phục và phát triển sản xuất, cho việc ổn định và cải thiện đời sống của nhân dân.” Cited in Văn Thuận, “Tìm hiểu pháp luật: 1 số điều cần biết để ngăn ngừa tội phạm kinh tế,” *SGGP* (January 11, 1979).

<sup>11</sup> “South Vietnam—Political and Economic Developments, December 1975–June 1976,” *Keesing’s Contemporary Archives* (August 20, 1976), 27895.

<sup>12</sup> “Thành lập Tòa án nhân dân đặc biệt ở miền Nam để xét xử tư sản mại bản phạm tội lũng đoạn, đầu cơ, tích trữ, phá rối thị trường.” See Decision 29-QĐ/76, issued on May 27, 1976, in Hội đồng Chính phủ, “Nghị Quyết 76-CP: Về Việc Hướng dẫn thi hành và xây dựng pháp luật thống nhất cho cả nước” (March 25, 1977).

<sup>13</sup> “Foreign Ministry Claims Right to Property in South Vietnam, Abroad,” Vietnam Center and Archive, 2223205006 01 May 1975. Box 32, Folder 05. Douglas Pike Collection: Unit 03 - Refugees and Civilian Casualties. The Vietnam Center and Archive, Texas Tech University (accessed 18 Aug. 2018).

<sup>14</sup> *Ibid.*; “Quyền thu hồi tài sản của nhân dân Miền Nam Việt Nam,” *Nhân Dân* (May 11, 1975); “PLAF Saigon Command Communique on Liberation of Saigon,” Vietnam Center and Archive. 2132609036 30 April 1975. Box 26, Folder 09. Douglas Pike Collection: Unit 02 - Military Operations. The Vietnam Center and Archive, Texas Tech University (accessed 18 Aug. 2018).

<sup>15</sup> “Struggle against Capitalists in S. Vietnam. Vietnam Center and Archive,” 2322102071 18 September 1975. Box 21, Folder 02. Douglas Pike Collection: Unit 06 - Democratic



August 1975 some twenty “profiteers who cornered sodium glutamate.”<sup>16</sup> It appears that economic crime quickly acquired a range of meanings, targeting middlemen and petty traders, “saboteurs” and local toughs in an effort to stop them from “rigging the market.”<sup>17</sup>

Meanwhile, a companion circular had initiated a campaign to destroy the “reactionary and depraved” [*phản động đồi trụy*] culture of the south.<sup>18</sup> The goal, it seems, was to stamp out traces of the *ancien régime* that still found way into “the conscious mind, psychology and daily life” of the Vietnamese.<sup>19</sup> The Minister of Culture and Information stated in 1976 that the south’s material culture had blunted the critical spirit of its people, exposing them at every turn to corrupting pleasures.<sup>20</sup> Under its spell, the Vietnamese had betrayed their better nature and gave in at once to greed and lust. Believing that South Vietnamese culture stood in the way of the “new Vietnamese,” the PRG issued a circular on March 8, 1976 that broke Republic of Vietnam (RVN) artifacts into two types. “Reactionary” media which “promoted the slavish ways of the imperialists, . . . stirring up discord among the people, among citizens of socialist

---

Republic of Vietnam. The Vietnam Center and Archive, Texas Tech University (accessed 18 Aug. 2018).

<sup>16</sup> Ibid.

<sup>17</sup> “Thành lập Tòa án nhân dân đặc biệt ở miền Nam để xét xử tư sản mại bản phạm tội lũng đoạn, đầu cơ, tích trữ, phá rối thị trường”; “Saigon Today Is Less Fun, Less Corrupt, And Cheaper - The Bloodbath Never Occured,” Vietnam Center and Archive. 2322105012 21 September 1975. Box 21, Folder 05. Douglas Pike Collection: Unit 06 - Democratic Republic of Vietnam. The Vietnam Center and Archive, Texas Tech University (accessed 20 Aug. 2018).

<sup>18</sup> Philip Taylor, *Fragments of the Present: Searching for Modernity in Vietnam's South* (Crows Nest, N.S.W: Allen & Unwin, 2001), 43. Also see: Barley Norton, “Vietnam: Popular Music and Censorship,” *Freemuse*, October 14, 2016, <http://freemuse.org/archives/12961> (accessed July 20, 2017); Ashley Carruthers, “National Identity, Diasporic Anxiety, and Music Video Culture in Vietnam,” in Yao Souchou, ed., *House of Glass: Culture, Modernity, and the State in Southeast Asia* (Singapore: Institute of Southeast Asian Studies, 2001), 119-149; Quỳnh Chi, “Yêu ‘nhạc vàng’, trả giá cả cuộc đời,” *RFA*, August 30, 2011, <http://www.rfa.org/vietnamese/news/programs/OneStoryaWeek/hanoi-music-lover-paid-a-price-08302011164521.html> (accessed July 30, 2017); Bộ Văn Hoá, “Thông Tư 35-VH/TT: Hướng Dẫn Thi Hành Điều Lệ Đăng Ký Kinh Doanh Các Nghề Do Ngành Văn Hoá Quản Lý” (May 18, 1975); Thủ Tướng Chính Phủ, “Chỉ thị 181-TTg: Về Việc Tăng Cường Kiểm Soát Sự Ra Vào Các Vùng Mới Giải Phóng (May 14, 1975); Đắc Nhẫn, “Về âm nhạc đồi trụy ở Sài Gòn trước đây,” *Văn Nghệ Giải Phóng (VNGP)* (July 10, 1976), 13; Hà Xuân Trường, “Tẩy trừ hậu quả văn hóa nô dịch thực dân mới,” *VNGP* (September 25, 1976), 2, 8; Nguyễn Văn Mười, “Những khuynh hướng nghệ thuật tạo hình tư sản phản động dưới thời Mỹ ngụy trước đây,” *VNGP* (October 30, 1976), 10, 11; Bùi Phúc, “Văn nghệ chống cộng của Mỹ, ngụy tại các đô thị Miền Nam Việt Nam trước ngày 30-4-1975,” *VNGP* (March 6, 1976), 11; Đỗ Huy, “Lao động, nguồn gốc và thước đo mọi giá trị con người,” *An ninh thủ đô* (July 4, 1981); Nguyễn Hải Trì, “Đánh giá và chôn vùi văn nghệ phẩm đồi trụy phản động,” *Văn Nghệ thành phố Hồ Chí Minh (VNtpHCM)* (July 17, 1981).

<sup>19</sup> Gilles Favarel-Garrigues, *Policing Economic Crime in Russia: From Soviet Planned Economy to Privatization*, trans. Roger Leverdier (New York: Columbia University Press, 2011), 15.

<sup>20</sup> See circular 15/TTVH-MCTH, issue on March 8, 1976, in: “Đồng chí giám đốc sở Văn Hóa-Thông Tin trả lời phóng viên báo Sài Gòn Giải Phóng về việc cấm lưu hành, tàng trữ những sách báo và văn hóa phẩm phản động, đồi trụy,” *SGGP* (April 26, 1976), 1, 4.

countries” were banned.<sup>21</sup> Much of what was left made up the second category—“those peddling licentiousness, knight-errantry, and fantasy.”<sup>22</sup> Materials which fell under these labels were seized, then banned. Only publications related to science, folk songs, and good housekeeping [*nữ công gia chánh*] were left alone. To make a clean break, the authorities sent out “shock brigades” [*quân xung kích*] to raid storefronts and private homes<sup>23</sup> in order to drive out “reactionaries hiding weapons and forbidden books.”<sup>24</sup> The brigades burned what they could hunt down and urged people to deliver up what they could not.<sup>25</sup>

These prejudices were not in fact new. Before the end of the war, South Vietnamese arts and letters were already dismissed in the north as poison which all must avoid. In January 1971, for instance, the Hà Nội People’s Court sentenced seven members of a band for “spreading music of the imperialists.”<sup>26</sup> In their search for the “free and depraved” lifestyle, these “dilettante musicians,” the court alleged, went around collecting records trafficked across the demilitarized zone. They tinkered with some instruments and, where possible, began performing this genre of music to gauge the crowd’s interest. Young and trusting amateurs followed them to soirées, where they were introduced to “the lecher’s way of life.”<sup>27</sup> From then on, these youths became habitual idlers. Truants from school, they marauded about the streets, “stealing, raping, prostituting, or spreading word against the revolution.”<sup>28</sup> The court stated that these students became underworld types after coming into contact with “poison.” What the argument comes to is that, by taking on a genre which promoted sexual license, leading young revolutionaries astray, the band was guilty of “opposing the policy and laws of

<sup>21</sup> “Tuyên truyền cho đường lối chách sách xâm lược, nô dịch . . . Gây chia rẽ dân tộc . . . gây thù hận giữa nhân dân các nước xã hội chủ nghĩa.” “Đồng chí giám đốc sở Văn Hóa-Thông Tin trả lời phóng viên báo Sài Gòn Giải Phóng về việc cấm lưu hành, tàng trữ những sách báo và văn hóa phẩm phản động, đòi truy,” 1.

<sup>22</sup> “Nội dung kích dâm, đòi truy, nhằm nhí, hoang đường . . . dâm dật, kiếm hiệp kỳ tình; hoang đường; cổ súy cho tư tưởng du đảng; cao bồi phóng túng. . . Không một tư nhân nào được giữ các loại sách báo và văn hóa phẩm thuộc diện đã cấm.” Ibid., 4.

<sup>23</sup> Nguyễn Duy Cương, “Những người xung kích trẻ trên đường phố Sài Gòn,” *Hà Nội Mới* (June 15, 1975); Ủy Ban Nhân Dân Thành Phố Hồ Chí Minh, “Chi Thị 22/CT-UB: Cấm Lưu Hành Và Thu Hồi Văn Hoá Phẩm Phản Động, Đòi Truy,” *Văn Bản Pháp Luật*, April 29, 1981, [http://vbpl.hochiminhcity.gov.vn/ViewDocument.aspx?DMS\\_view=view&DMS\\_type=2&DMS\\_key=4628](http://vbpl.hochiminhcity.gov.vn/ViewDocument.aspx?DMS_view=view&DMS_type=2&DMS_key=4628) (accessed July 29, 2017).

<sup>24</sup> “Do sự ngoan cố, xảo quyệt của một số tư sản gian thương cố tình tẩu tán hàng hóa . . . do bọn phản động còn lén lút tàng trữ vũ khí, tài liệu phản động, đòi truy . . . nên biện pháp kiểm tra hành chính một số điểm là rất cần thiết.” Ibid.

<sup>25</sup> An article published in June 1975, for example, reported that teams of students uncovered and destroyed about 700,000 books in one district in about ten days. See, among others, Nguyễn Duy Cương; M.C., “Một mũi nhọn trên mặt trận xóa bỏ nền văn hóa đòi truy,” *SGGP* (March 9, 1976), 1, 4; Anh Mai, “Quận 10: Thu hồi văn hóa phẩm phản động đòi truy,” *SGGP* (April 6, 1978).

<sup>26</sup> “tuyên bá văn hóa đòi truy của chủ nghĩa đế quốc, tuyên truyền phản cách mạng và chống lại các chính sách, pháp luật của Nhà nước.” “Tin Toà An: Phan Thăng Toán và đồng bọn đã bị xét xử,” *Hà Nội mới* (January 12, 1971), 2.

<sup>27</sup> “cuộc sống đòi bại các lối dâm ô trác táng điên loạn của giai cấp tư sản, chúng kích thích, dẫn dắt nam nữ thanh niên đi vào con đường dâm ô, truy lạc.” Ibid.

<sup>28</sup> “bỏ học để ăn chơi sa đọa du đảng, cuối cùng phạm tội lưu manh, trộm cắp, hiệp dâm, ‘làm tiền,’ hoặc tuyên truyền phản cách mạng.” Ibid.

the state.”<sup>29</sup> Phan Thăng Toán, lead member of the group, was sent to prison for fifteen years, then lived out his life as a noncitizen.

This case, and the crushing verdict it yielded, points to one fact—that North Vietnam around the 1960s had embraced a “new morality” [*đạo đức mới*]. Many books on communist ethics saw print around the turn of that decade. Among them, Hồ Chí Minh’s *Con người Xã hội chủ nghĩa* [The Socialist Man] and Đào Tùng’s *Thanh niên với đạo đức Cộng sản* [Youth and Communist Morality] may be the most authoritative primers.<sup>30</sup> Each extolled the civic and personal virtues of the new Vietnamese—the paragon of simplicity, restraint, and hard work. That these books appeared at about the same time owes more to Soviet politics than to the events unfolding at home. Nineteen-sixty-one, in the wake of Stalin’s reign, saw the Soviet Union issue the “Moral Code of the Builders of Communism.” Touted as the “most fair and noble morality,” outstripping all other ethical theories, this code, Soviet theorists thought, would eventually replace law in regulating social life.<sup>31</sup> They believed that, taught the elements of communist morality, every citizen could be remade to love work and country, to sacrifice himself for the collective. Khrushchev would then be closer to realizing his vision of communism. Something of a “Soviet moral space” quickly took shape as party organizations across the USSR and its satellites redoubled their efforts to teach communist ethics.<sup>32</sup>

If this landmark document did not spur the growth of ethical literature in North Vietnam, it at least supplied the language. Much of Đào Tùng’s treatise on communist morality, for example, restates, sometimes to the letter, the principles set down in the Soviet code. He begins by explaining the “relative independence” doctrine, claiming that morality could leapfrog the economic base to directly shape society. This doctrine had cleared the way for Soviet philosophers to break ethics from historical materialism, and study it as a discipline in its own right.<sup>33</sup> Like Soviet theorists, Đào Tùng foresaw morality becoming the basis for social order, in the end replacing law and the coercive force of the state. But that future, in his estimation, is still far off. Meanwhile, morality “extends the sphere of law” by setting the ideals for all citizens to live by, training each to forsake his small vanity for the greater good.<sup>34</sup> To Đào Tùng, communist morality had been slow to take off in Vietnam because parasitism and

---

<sup>29</sup> Ibid.

<sup>30</sup> Vietnamese-language documents do not distinguish communist morality from socialist morality, and used the two terms as though they are interchangeable. Hồ Chí Minh’s *Con người Xã hội chủ nghĩa* [The Socialist Man] (Hà Nội: Sự Thật, 1961); Đào Tùng’s *Thanh niên với đạo đức Cộng sản* [Youth and Communist Morality] (Hà Nội: Thanh Niên, 1964). Also see Văn Phát’s *Nhân tính, Đảng tính, Cá tính* [Human character, Party character, and the Individual] (Hà Nội: Thanh Niên, 1958), translated from the Chinese original, and “Đạo đức cách mạng,” *Học Tập* (December 1958).

<sup>31</sup> See, among others, Jan Feldman, “New Thinking about the ‘New Man,’: Developments in Soviet Moral Theory,” *Studies in Soviet Thought* 38, no. 2 (1989): 147-163; Deborah A. Field, “Irreconcilable Differences: Divorce and Conceptions of Private Life the Khrushchev Era,” *Russian Review* 57, no. 4 (1998): 599-613.

<sup>32</sup> Neringa Klumbyte, “Soviet Ethical Citizenship: Morality, the State, and Laughter in Late Soviet Lithuania,” in *Soviet Society in the Era of Late Socialism: 1964-1985*, eds. Neringa Klumbyte and Gulnaz Sharafutdinova (Lanham: Lexington Books, 2012).

<sup>33</sup> Richard T. De George, *Soviet Ethics and Morality* (Ann Arbor: University of Michigan Press, 1969), 4-5; Deborah A. Field, *Private Life and Communist Morality in Khrushchev’s Russia* (New York: Peter Lang, 2007), 11.

<sup>34</sup> Ibid., 107-109.

acquisitiveness—all part of “bourgeois morality” [*đạo đức tư sản*]—are still kept alive in some quarters.<sup>35</sup> Quoting the revolutionary poet Tố Hữu, he suggests that the only way to “file off” [*mài cho hết*] bourgeois morality is to “bind oneself ever closer to the Party.” This, and a later quote—where Tố Hữu defines morality as “devotion to the communist cause”—are not so different from one another.<sup>36</sup> Both reiterate the first principle of the Soviet code, stressing communism as “the highest moral good.”<sup>37</sup> At its core then, communist morality lends the party’s every action a moral worth. To be moral, everywhere, meant showing unfaltering confidence in the party to bring about the ideal state of man.

Đào Tùng’s treatise gives every indication that communism is the only correct moral end. And like him, Vũ Khiêu, writing some ten years later on the same topic, believed that anything standing in the way is immoral. Under his aegis, the Ethics Committee [*Ban đạo đức học*] at the Hà Nội Institute of Philosophy released, in 1974, a new primer on communist morality.<sup>38</sup> Another would see print in 1983.<sup>39</sup> At the time, the committee’s task was not so much to develop a homegrown moral philosophy as to introduce communist ethics into everyday life, to change the moral makeup of the Vietnamese and hasten the arrival of the new Vietnamese. To that end, it sought to “throw out the poisons of capitalist morality” rather than to understand the roots of Soviet ethics in Western philosophy.<sup>40</sup> So, predictably, Vũ Khiêu set communist moral virtue—to be had as much through work as through military service—apart from capitalist “amoralism” [*chủ nghĩa vô đạo đức*].<sup>41</sup> He looked to Soviet literature for a set of critiques. The Western mode of life, as he saw it, is debased and exploitative, producing men moved only by pleasure and profit, renouncing all duties to the people.<sup>42</sup> Vũ Khiêu scorned pragmatism [*chủ nghĩa thực dụng*] above all. His description of this philosophy—sparse and caricature-like—tapers to a single point: that pragmatism, thought to have gained a strong foothold in the south, has created the type of Vietnamese who “cuts ties with his country” in order to chase personal success. He saw this strain of American thought “chipping away at the emotional bonds that tie the South Vietnamese to their patrimony,” in the end turning them against their own countrymen.<sup>43</sup>

<sup>35</sup> Đào Tùng, 42.

<sup>36</sup> “Muốn mài cho hết cái tôi cá nhân chủ nghĩa thì . . . chỉ có gắn chặt mình vào Đảng hơn nữa, gắn chặt với Đảng một cách sinh động. . . đạo đức cộng sản là . . . phấn đấu cho chủ nghĩa cộng sản, coi đó là lẽ sống duy nhất, nghĩa vụ duy nhất.” Đào Tùng, 35.

<sup>37</sup> “Đấu tranh, lao động, và suy nghĩ theo phong cách cộng sản chủ nghĩa, tất cả vì chủ nghĩa cộng sản, đó chính là cách sống tốt nhất, đạo đức nhất, cách sống làm cho cá nhân ta và tập thể hòa với nhau như một, làm cho giai cấp, nhân dân ta cao hơn, hùng vĩ lên.” Đào Tùng, 38-39.

<sup>38</sup> Vũ Khiêu, *Đạo đức mới* (Hà Nội: Viện triết học, 1974).

<sup>39</sup> Trương Lai, *Chủ động và tích cực xây dựng đạo đức mới* (Hà Nội: Sự Thật, 1983).

<sup>40</sup> Vũ Khiêu, 242.

<sup>41</sup> *Ibid.*, 242.

<sup>42</sup> “những kẻ không cần Tổ quốc, không cần tình nghĩa, nguội lạnh mọi lương tâm.” Vũ Khiêu, 249.

<sup>43</sup> “du nhập vào xã hội miền Nam những tệ nạn của xã hội Mỹ, những lối sống trụy lạc đáng kinh tởm để đầu độc nhân dân ta. Mặt khác, nó tìm cách xóa sạch những liên hệ tình cảm truyền thống của người Việt Nam với quê hương, đất nước. Nó muốn có những hạng người đoạn tuyệt với mọi giá trị tinh thần, văn hóa của dân tộc để càng dần sâu vào lối sống thực dụng bản thủ, sẵn sàng chống lại Tổ quốc, chống lại đồng bào.” Vũ Khiêu, 250.

Where morality for Đào Tùng means commitment to world revolution first and last, to Vũ Khiêu, morality is that, and more. A certain romanticism comes through in his writing. He describes the morally upstanding Vietnamese as foremost a defender of the home soil, stressing his autochthonous relation to land and space. In this one sense, Vũ Khiêu's new Vietnamese bears some likeness to the Schmittian partisan. In *The Theory of the Partisan*, a free-standing volume published in 1963, Carl Schmitt explains the rise of the 19<sup>th</sup>-century citizen-warrior who defends "house and hearth and home" against outside enemies.<sup>44</sup> This "improvising warrior," fighting with weapons of whatever kind, enters history when limited warfare—ritualized, contained duels—gave way to "the age of total mobilization."<sup>45</sup> By the second half of the twentieth century, "with the ascension of the party to absolute status, the partisan too became absolute, elevated to the status of the bearer of absolute enmity."<sup>46</sup> While the traditional partisan went into the woods or underground to defend his homeland, foreign intruders being his real enemy, the revolutionary partisan, "a quintessentially Cold War figure," becomes, according to Jan-Werner Müller, a totalitarian figure committed in every way to global technocratic warfare.<sup>47</sup> He ceases to be defensive. With the party, and no longer the state, acting as the "total bond," the partisan takes up "his vocation as the executor proper of enmity, thus, the most powerful negation of the existing capitalist order."<sup>48</sup>

Together, Đào Tùng and Vũ Khiêu's conception of communist morality gave shape to the romantic anticapitalist fighter in Vietnam, a figure standing somewhere between the traditional and revolutionary partisan. The scholarship on romantic anticapitalism has hardly considered the partisan, however. The term "romantic anticapitalism" is conventionally thought to have been coined by Georg Lukács in 1931, though this intellectual tradition claims 1920s Germany as its epicenter.<sup>49</sup> European intellectuals then, decrying the prosaic, sinful world that industrial capitalism had brought about, looked to an idyllic, mythical past for transcendence, for an organic, spiritual relation to the world.<sup>50</sup> Through art, they sought to restore something of an "unprofane spiritual totality."<sup>51</sup> According to Michael Löwy, this revolt against modernity, set in the wake of World War I, gave rise to two schools of romanticism—reactionary, in the form of fascism, and revolutionary.<sup>52</sup> Lukács, Löwy goes on to write, "dreamt of a *utopian future*, an earthly paradise, a 'breakthrough towards a new epoch of world history,' beyond present bourgeois society."<sup>53</sup> To the Hungarian critic, socialist revolution, when pressed to the end, would restore the "cultural continuity interrupted by capitalism." Löwy explains it this way: "the utopian future (new culture) would build a bridge

---

<sup>44</sup> Carl Schmitt, *The Theory of the Partisan: A Commentary/Remark on the Concept of the Political*, trans. A. C. Goodson (East Lansing: Michigan State University Press, 2004), 20.

<sup>45</sup> Jan-Werner Müller, "'An Irregularity that Cannot be Regulated': Carl Schmitt's Theory of the Partisan and the 'War on Terror'" (Princeton University, 2006), 9.

<sup>46</sup> Schmitt, 66.

<sup>47</sup> Müller, 4.

<sup>48</sup> Schmitt, 36.

<sup>49</sup> This cultural attitude was already real enough in the late 19<sup>th</sup> century, when rising entrepreneurs menaced the upper class. It caught on during World War I. Katerina Clark, *Petersburg, Crucible of Cultural Revolution* (Cambridge: Harvard University Press, 1995), 16.

<sup>50</sup> Richard Wolin, *Walter Benjamin: An Aesthetic of Redemption* (Berkeley: University of California Press, 1994), 14.

<sup>51</sup> Wolin, 17.

<sup>52</sup> Michael Löwy, "Naphta or Settembrini? Lukács and Romantic Anticapitalism," *New German Critique*, no. 42 (Autumn, 1987), 17-31; 18.

<sup>53</sup> *Ibid.*, 20. Italics in the original.

to the pre-capitalist past (old culture) over the void of the capitalist present (non-culture).”<sup>54</sup> In Russia, the aesthetic utopianism that Lukács brought to socialism fueled an anticapitalist zeal, “an impulse to flee the profane.”<sup>55</sup>

This romantic anticapitalist sentiment also gripped midcentury North Vietnam. As early as 1948, Trường Chinh, Secretary General of the Vietnamese Worker’s Party, promoted that same anticapitalism when he named the overthrow of western culture as necessary for redeeming “the Vietnamese character and soul” [*tính cách và tâm hồn Việt-nam*].<sup>56</sup> Trường Chinh believed that such a Vietnamese inner life—said to live on in folksongs, which embody the spirit of the working class—would enrich the revolutionary culture developing all over the world.<sup>57</sup> But where Lukács saw the artist, in his capacity as formgiver, as the only one able to recapture a lost unity,<sup>58</sup> Trường Chinh, then Đào Tùng and Vũ Khiêu in his shadow, present the fighter as key to spiritual regeneration. It would take no other than the partisan, bearer of tellurianism and absolute enmity, to restore the Vietnamese essential being *and* bring about “peace and happiness for all” [*hòa bình và hạnh phúc của loài người*].<sup>59</sup> The Vietnamese revolutionary, Đào Tùng thought, projects true communist morality when he “combines nationalism with proletarian internationalism, fighting to liberate Vietnam as much as colonial Africa.”<sup>60</sup> According to Müller, the partisan, a “romantic figure” in the first instance, loses legitimacy the more he relies on “a powerful third party” for money, medicine, and weapons of every kind.<sup>61</sup> Not the case for the Vietnamese, it seems. With “his love of country, its language, culture, and custom,”<sup>62</sup> the Vietnamese revolutionary partisan, under Đào Tùng and Vũ Khiêu’s pen, takes on the guise of a romantic anticapitalist, endowed with a capacity to redeem the primordial spirit. He partakes in world-revolution without ceasing to be a carrier of a specifically Vietnamese “totality.” Communist ethics, as preached in North Vietnam, fuse the absolute enmity of modern partisanship and the anti-western élan of romantic anticapitalism in just this way.

The will to transcend western capitalism became the essence of communist morality. It did not diminish after the war, but in fact intensified as one campaign after another called for the destruction of anything seeming bourgeois. Romantic anticapitalism, Katrina Clark observes, gave rise to markedly puritanical policies in 1920s Petersburg, “a rhetoric of filth and

---

<sup>54</sup> Ibid., 21.

<sup>55</sup> Clark, 12.

<sup>56</sup> Trường Chinh, *Chủ nghĩa Mác và văn hóa Việt-nam*, 2nd edition (Hà Nội: Sự Thật, 1974), 33.

<sup>57</sup> Ibid., 86–88.

<sup>58</sup> Wolin, 23.

<sup>59</sup> Trường Chinh, 72.

<sup>60</sup> “luôn luôn kết hợp chặt chẽ lòng yêu nước nồng nàn với tính quốc tế vô sản thấm thiết. Đấu tranh cho Việt nam độc lập nhưng đồng thời đấu tranh cho các dân tộc thuộc địa Á-Phi.” Đào Tùng, 64.

<sup>61</sup> Schmitt argued that once under the central communist authority, “the partisan ceases to be essentially defensive. He becomes a manipulated cog in the wheel of world-revolutionary aggression. He is simply sent to slaughter, and betrayed of everything he was fighting for, everything the telluric character, the source of his legitimacy as an irregular partisan, was rooted in.” Schmitt, 52. Also see Müller, 7; William Hooker, *Carl Schmitt's International Thought: Order and Orientation* (Cambridge: Cambridge University Press, 2009), 176.

<sup>62</sup> “yêu đất nước, yêu tiếng nói chữ viết, yêu văn hóa, truyền thống vẻ vang dân tộc.” Đào Tùng, 63.

contamination” being the driving force.<sup>63</sup> Vietnam may have experienced something of the same in the late 1970s. The Ministry of Culture and Information held a conference in 1978, and again three years later, to discuss the fate of RVN material remains. The title of the event—“Struggle to Eliminate Cultural Vestiges of Neo-colonialism” [*đấu tranh xóa bỏ tàn dư văn hóa thực dân mới*]<sup>64</sup>—captures the anticapitalist attitude that had set in long before. The conveners took time to revile the “degenerate sensibilities”—philistinism, debauchery, feelings of abandon—that they thought mass culture set off. Blame was placed not so much on the South Vietnamese government as “the imperialist West,” which, needing “willing slaves” [*nô lệ tự nguyện*] to defend a declining empire, brought its loose morals to Sài Gòn.<sup>65</sup> Headlines announced that American mass culture had seduced an entire population by turning them to the seamy side of commerce. Sài Gòn, the onetime capital, was evoked in the image of the prostitute, the “most symbolic figure of commodified human relations, relations based on flattery, illusion, immorality, and cash.”<sup>65</sup> The city’s energy, its wealth, all the political one-upmanship and surface bonhomie were dismissed as “depraved” [*truy lạc*], still more when compared to the north, which stood tall on ideals. Newspapers depicted refugees fleeing the country as “cast off whores” [*làm đĩ cho ngoại bang*].<sup>66</sup> And when the national economy floundered for much of the 1970s–1980s, eyes turned on “the 500,000 prostitutes and black-market junkies the SRV took in.”<sup>67</sup>

By then, enforcers of economic crime legislations had gone much further than the Sài Gòn-Gia Định Military Management Commission. As part of a campaign to “fight capitalists and illegal trade,” teams of “economic inspectors” [*Đội kiểm soát kinh tế*] worked with the police to round up offenders.<sup>68</sup> Cases that appeared in the press show pharmaceutical products, imported alcohol, electronics, rubber, coffee, rice, meat, and various vegetables as the chief items being hoarded.<sup>69</sup> The police dragnet yielded 140 offenders in February 1978 alone.

<sup>63</sup> Clark, 210; 19.

<sup>64</sup> “Mục đích của nó là xây dựng nên những con người ‘nô lệ tự nguyện’, qua những con người đó tạo nên cơ cấu chính quyền tay sai và đội quân đánh thuê cho đế quốc.” Chính San, “Ghi nhận về hội nghị ‘Đấu tranh xóa bỏ tàn dư văn hóa thực dân mới,’” *SGGP* (January 20, 1978).

<sup>65</sup> Ian Buruma and Avishai Margalit, *Occidentalism: The West in the Eyes of its Enemies* (New York: The Penguin Press, 2004), 19.

<sup>66</sup> “Số phận những người ‘di cư,’” *Nhân Dân* (May 7, 1975).

<sup>67</sup> “Việt Nam phải tiếp quản không những 500,000 gái điếm, bọn chợ đen nghiện ngập mà là cả một xã hội mà toàn bộ cơ cấu của nó đã bị phá hủy.” “Nhân dân các nước ủng hộ và giúp đỡ Việt Nam,” *Nhân Dân* (January 9, 1979); Hương Trà, “Giữa Sài Gòn sôi động-Số 1,” *Quán Đội Nhân Dân* (March 12, 1975); “Tin Sài Gòn,” *Hà Nội Mới* (June 10, 1975). For contrasting accounts from foreign correspondents, see: Andre Gelin, “Life in the New Vietnam,” *The New York Review of Books* (March 17, 1977) and Earl Martin, “The New Vietnam: An Opposing View,” *The New York Review of Books* (May 12, 1977). Also see: “Diễn văn của quyền tổng thư ký Ospaa Nu-ri Ap-đun Ra-dắc,” *Nhân Dân* (January 14, 1979); Song Thương, “Càng thấy trách nhiệm với các em,” *Tuổi Trẻ* (July 20, 1979); Bằng Vĩ, “Nếp sống văn hóa mới bộ mặt hôm nay của phường 14 (quận 8),” *SGGP* (February 14, 1979).

<sup>68</sup> “Chủ trương chống tư sản gian thương, chống làm ăn phi pháp.” H.B., “Xử phạt gian thương Hồng Văn Tư 4 năm tù giam về tội đầu cơ tích trữ, phá rối thị trường, sản xuất hàng giả, cố ý lừa gạt người tiêu thụ,” *SGGP* (January 31, 1978).

<sup>69</sup> Hội đồng nhân dân thành phố Hồ Chí Minh, “Kiên quyết trừng trị bọn phản động phá hoại thị trường, lũng đoạn đời sống của nhân dân,” *SGGP* (January 30, 1978), 1, 4; Trần

These investigations would lead upstream to hideaways [*ổ đầu cơ tích trữ*] where, it was said, “depraved media of all kinds could be found.”<sup>70</sup> Soon, the Ministry of Culture and Information joined forces with the police as they chased down smugglers carrying goods, including printed works. The shift in focus from everyday goods to cultural artifacts, from commodities to their purveyors shows not only that the ban had created an underground economy, but also that cultural and economic offenses had become indistinguishable. Both were seen as regressive and a threat to socialism. Five of the people plucked out of the crowd on February 20, 1978 were found guilty not only of “orchestrating plans to destroy our economy,” but also of “circulating depraved and reactionary music, turning stretches of the Huỳnh Thúc Kháng thoroughfare into singing cafés, rasping yellow music all day long.”<sup>71</sup>

Such pockets of Sài Gòn came to be known as “active strongholds” [*địa bàn hoạt động*] of reactionaries and capitalists, a kind of refuge for the worst social types.<sup>72</sup> In 1978, the police identified a bus terminal on the western flank of Hồ Chí Minh City as one such place. The “West Station Affair” [Vụ án bến xe Miền Tây], as it was called in the news-sheets, drew some thousand onlookers to the courtroom, where Nguyễn Minh Xuân and his partners were put on trial for using gangland tactics to steal from the state. Nguyễn Minh Xuân, director of the station, allegedly carved out a fief which he ran with help from a local chief of finance, an administrative officer, and a commander of the security squad.<sup>73</sup> This zone, which slipped from government control, housed “200 porters, 300 peddlers, over 100 thugs, and the down-and-out selling on the black-market.” Assorted outlaws—“swindlers, druggies, pickpockets, prostitutes, fugitives, and reactionaries”—took cover in the many cafés sealed off from outsiders.<sup>74</sup> A few kilometers south, journalists uncovered another grimy alleyway where scenes of vice went on in the open.<sup>75</sup> Pleasure, commerce, and “obscene literature” brought

---

Thượng Thư, “Cần coi tội ăn cắp hàng nhà nước ngang với tội phản động,” *SGGP* (July 5, 1978); Quốc Vinh, “Chuyện thị trường: chúng đang đẩy giá thịt heo lên,” *SGGP* (January 15, 1979); “Vạch mặt gian thương: nhân dân phát hiện một hộ làm giả vỏ xe Hon-da hiệu ‘Đông Nai,’” *SGGP* (January 16, 1979); Q.V., “Quận 10: Khai trúng hai ô làm giả thuốc diệt rầy,” *SGGP* (February 17, 1979); V.X., “Vỏ quýt dày có móng tay nhọn,” *Lao Động* (June 21, 1979).

<sup>70</sup> “Kết hợp với chiến dịch ‘xóa bỏ kinh doanh tư sản thương nghiệp . . . phát hiện một số nhà tư sản thương nghiệp lưu trữ văn hóa phẩm đòi truy đủ loại.” Anh Mai, “Quận 10: Thu hồi văn hóa phẩm phản động đòi truy,” *SGGP* (April 6, 1978), 1, 4.

<sup>71</sup> “Không những chúng giở nhiều thủ đoạn xảo quyệt để phá ta về mặt kinh tế, mà còn cố tình nuôi dưỡng cái ‘món hàng’ tàn dư ‘văn hóa’ thực dân mới bằng cách quảng cáo, lưu hành những ‘băng nhạc’ đòi truy, phản động, biến khu vực đường Huỳnh Thúc Kháng thành một cái phòng trà lộ thiên, suốt ngày rên rỉ những bản nhạc vàng.” Q.V., “Quận 1: Tóm gọn 10 ổ gian thương đầu cơ tích trữ và buôn bán trái phép các mặt hàng điện tử, điện ảnh và dụng cụ y khoa,” *SGGP* (February 22, 1978), 1, 4. For a brief history of “yellow music” [*nhạc vàng*], its reception and dissemination under the SRV, see John C. Schafer, “The Trịnh Công Sơn Phenomenon,” *The Journal of Asian Studies* 66, No. 3 (August 2007): 597-643.

<sup>72</sup> *Ibid.*, 1.

<sup>73</sup> H.N., “Tòa án Nhân dân thành phố mở phiên tòa thẩm xét xử Nguyễn Minh Xuân và đồng bọn trong vụ án bến xe miền tây,” *SGGP* (October 16, 1978), 1-2.

<sup>74</sup> Hải Nam, “Vụ án bến xe miền tây: một tổ chức lũng đoạn và phá hoại,” *SGGP* (October 16, 1978), 2; S.G.G.P., “Những bài học qua vụ án Nguyễn Minh Xuân và đồng bọn,” *SGGP* (October 16, 1978), 1-2.

<sup>75</sup> Bằng Vĩ, “Nếp sống văn hóa mới bộ mặt hôm nay của phường 14 (quận 8),” *SGGP*



out these “debased lifestyles” [*nếp sống truy lạc*], it was said.<sup>76</sup> Reporters poking about in secondhand bookshops nearby discovered what they already knew: “anti-communist spy novels, pornography passed off as medical textbooks, and vile music.”<sup>77</sup> There, illicit books—not hard to track down despite the ban—were read, swapped, and readily resold. Admitting as much, one reporter called on the authorities to do away with the “poison” once and for all by “wiping out the gang of book sellers” [*bại trừ bọn bán sách*].<sup>78</sup> The goal was to strike at the roots of a resilient industry, as banning could only do so much.

What in earlier years had seemed only a temporary problem now proved tougher to crush. To step up its efforts, the government issued Decree 22/CT-UB in April 1981 to mark a clear advance in its campaign. Like before, it ordered shock brigades to confiscate materials that had slipped back into circulation, or been smuggled in from abroad.<sup>79</sup> It instructed the police to pursue transgressors by “striking surely, accurately, and relentlessly [*đánh trúng, đánh mạnh đánh sâu và đánh liên tục*] without causing an uproar.”<sup>80</sup> This slogan, which Mao Zedong had fashioned in 1950 to take aim at counter-revolutionaries, would suggest a change in the government’s efforts. Circular 16/TT-UB, issued a month later, made clear that “the struggle against reactionary and depraved culture is at heart a fierce class struggle.”<sup>81</sup> It urged private citizens to inform on their neighbors.<sup>82</sup> It gave police agencies free rein to shut down print shops, cafés, bookstores, theaters, and dance halls, arresting shopkeepers who, “motivated by

---

(February 14, 1979).

<sup>76</sup> Chính San, “Ghi nhận về hội nghị ‘Đấu tranh xóa bỏ tàn dư văn hóa thực dân mới.’”

<sup>77</sup> Phạm Vũ Thư, *Tuổi Trẻ* (October 12, 1979). Also see, Song Thương, “Càng thấy trách nhiệm với các em,” *Tuổi Trẻ* (July 29, 1979).

<sup>78</sup> Phạm Vũ Thư, “Một ô văn hóa phẩm đồi trụy và phản động.”

<sup>79</sup> “nhiều nguồn từ các nước tư bản đã xâm nhập bất hợp pháp các loại sách báo, băng nhạc, phim ảnh . . . chứa đầy tính chất phản động, đồi trụy.” Ủy Ban Nhân Dân Thành Phố Hồ Chí Minh, “Chỉ Thị 22/CT-UB.”

<sup>80</sup> “Cần nắm vững phương châm: đánh trúng, đánh mạnh đánh sâu và đánh liên tục, nhưng tránh gây ồn ào, xáo động không cần thiết.” Ibid. See Mao Tsetung, “Strike Surely, Accurately and Relentlessly in Suppressing Counter-Revolutionaries: December 1950-September 1951,” in *Selected Works of Mao Tsetung*, vol. V (Peking: Foreign Languages Press, 1977), 53.

<sup>81</sup> “Cuộc đấu tranh chống văn hoá đồi trụy, phản động thực chất là một cuộc đấu tranh giai cấp quyết liệt . . .” Ủy ban nhân dân thành phố Hồ Chí Minh, “Thông tư 16/TT-UB: Về việc tiếp tục đẩy mạnh cuộc vận động quần chúng đấu tranh chống tàn dư văn hoá đồi trụy phản động,” *VBPL*, March 14, 2013, [http://vbpl.hochiminhcity.gov.vn/ViewDocument.aspx?DMS\\_view=view&DMS\\_type=2&DMS\\_key=4629](http://vbpl.hochiminhcity.gov.vn/ViewDocument.aspx?DMS_view=view&DMS_type=2&DMS_key=4629) (accessed June 2, 2017).

<sup>82</sup> According to Resolution 363/QĐ-UB, issued on September 23, 1980, those who help to uncover counter-revolutionaries and crimes against socialist property would be awarded a set sum or up to 30 percent of the materials’ worth. Ủy ban nhân dân thành phố Hồ Chí Minh, “Quyết Định 363/QĐ-UB: Ban chấp hành bản quy định tạm thời về chế độ thưởng đối với những người có công phát hiện, đấu tranh ngăn chặn hoạt động của bọn phản cách mạng, bọn tội phạm hình sự và xâm phạm tài sản x.h.c.n, giữ vững an ninh chính trị và trật tự an toàn xã hội” (September 23, 1980). Informant networks also proved crucial to unearthing economic crimes in the late Stalin period. See James W. Heinzen, “Informers and the State under Late Stalinism: Informant Networks and Crimes against ‘Socialist Property,’ 1940–53,” *Kritika: Explorations in Russian and Eurasian History* 8, no. 4 (Fall 2007), 789-815.

profit, would put on yellow music to attract customers.”<sup>83</sup> Even so, “street-level bureaucrats” may have exercised some discretion as they scoured the cities. The circular warned that “bad elements within the Party had let some materials slide back to the public, causing great harm.”<sup>84</sup> To stem this practice, the Ministry of Culture and Information, the Public Security, and the People’s Procuracy were put in charge of accounting for the items confiscated. Materials thrown aside “must be destroyed or set on fire in the presence of supervisory cadres from all three bureaus.”<sup>85</sup>

By then, speculation, embezzlement, private enterprise, unlicensed street trading, and petty theft had all fallen under the heading of “crimes against socialist property” [*tội xâm phạm tài sản xã hội chủ nghĩa*]. As observed in the Soviet context, this notion “never constituted a clearly defined legal category in Russian law being rather a political and law enforcement construct, which denotes a range of offences spread across several chapters of the Soviet criminal code.”<sup>86</sup> It existed in North Vietnam under various guises. In 1974, the Supreme People’s Court deliberated cases involving “embezzlement of socialist property,”<sup>87</sup> “theft of socialist property,” “use of stolen socialist property,”<sup>88</sup> and “incompetence, causing a great loss of socialist property.”<sup>89</sup> These designations applied primarily to low-level cadres who had bent the rules for personal gain.<sup>90</sup> By November 1975, “mobile courts” [*phiên tòa lưu động*], set up to prosecute “violations of socialist property,” would move into remote areas and mete out punishment on the spot. These itinerant tribunals sought less to punish offenders than to “educate and deter” the public from joining them.<sup>91</sup> Before the turn of the decade, legal practitioners in the south argued over the finer distinctions between theft and robbery, hoarding and speculation, embezzlement and misappropriation, between socialist property

<sup>83</sup> “vì chạy theo lợi nhuận có kèm theo nhạc vàng, nhạc đôi truy đề câu khách . . .” Ibid.

<sup>84</sup> “những phân tử tiêu cực trong nội bộ làm thất thoát những thứ đó ra ngoài tiếp tục gây độc hại cho xã hội.” Ibid.

<sup>85</sup> “Số còn lại không cần thiết hoặc dư thừa thì lập biên bản xoá bỏ hoặc thiêu huỷ có sự chứng kiến của cán bộ có thẩm quyền của 3 ngành nói trên.” Ibid.

<sup>86</sup> Favarel-Garrigues, 3-4.

<sup>87</sup> Vũ Kim, “Tìm hiểu pháp lệnh trừng trị các tội xâm phạm tài sản xã hội chủ nghĩa: tội tham ô tài sản xã hội chủ nghĩa,” *Tạp san Tòa án Nhân dân [TSTA]* (May-June 1974).

<sup>88</sup> Nguyễn Trọng, “Cộng phạm trộm cắp tài sản xã hội chủ nghĩa hay tiêu thụ tài sản xã hội chủ nghĩa bị chiếm đoạt,” *TSTA* (November-December 1974).

<sup>89</sup> Vũ Kim, “Tội thiếu tinh thần trách nhiệm, gây thiệt hại nghiêm trọng đến tài sản xã hội chủ nghĩa,” *TSTA* (September-October 1974).

<sup>90</sup> See, for example, Nhân Quang, “Bàn về công bác xét xử các tội phạm tham ô, trộm cắp tài sản, của Nhà nước trong thời chiến,” *Tạp san Tư pháp [TSTP]*, no. 1 (1967): 26-29; Người Bình Luận, “Tội trộm cắp tài sản của Nhà nước có tổ chức,” *TSTP*, no. 5 (1969): 11-13; Vũ Kim, “Thế nào là tài sản xã hội chủ nghĩa và tài sản riêng của công dân?” *TSTP*, no. 1 (1971): 5-8; Vũ Kim, “Chính sách xử lý các hành vi xâm phạm tài sản xã hội chủ nghĩa và các hành vi xâm phạm tài sản riêng của công dân,” *TSTP*, no. 2 (1971): 7-10; Trịnh Đình Thế, “Thành công bước đầu của Tòa án nhân dân huyện Hương sơn (Hà Tĩnh) trong công tác giáo dục Pháp lệnh trừng trị các tội xâm phạm tài sản xã hội chủ nghĩa,” *TSTA*, no. 2 (1972): 26-27.

<sup>91</sup> T. Khôragina, trans. Lê Đình Thi, “Những phiên tòa lưu động xử các vụ xâm phạm tài sản xã hội chủ nghĩa,” *TSTA* (November-December 1975). On the DRV’s legal system, especially its stress on education, see Peter Zinoman, “Nhân Văn Giai Phẩm on Trial: The Prosecution of Nguyễn Hữu Đang and Thụy An,” *Journal of Vietnamese Studies* 11, no. 3-4 (December 2016): 188-215.

and “personal property” [*tài sản riêng của công dân*] since Decree 3-SL/76, the *de facto* penal code covering the newly annexed territory, did not distinguish one type of economic crime from another.<sup>92</sup>

These had been the issues at stake until 1980, when Circular 61-LB was at last put into practice. In it, the Supreme People’s Court, the Supreme People’s Procuracy, and the Ministry of Home Affairs instructed local authorities to “uniformly apply” three key documents when assessing crimes against socialist property.<sup>93</sup> Ordinances 149-LCT and 150-LCT, issued in North Vietnam in 1970, and Decree 3-SL/76 became the bases on which property-related crimes were judged before the SRV’s first criminal code came into effect in 1986.<sup>94</sup> According to these documents, “socialist property,” the foundation of a socialist economy, encompasses “the people’s wealth,” which is “sacred and inviolable” [*thiêng liêng, tuyệt đối không ai được xâm phạm*].<sup>95</sup> Apart from property owned by the state and its cooperative organizations, “personal property protected by the state includes goods derived from labor. . . . Money, foodstuffs, clothes, homestead, livestock, vehicle, jewelry, media, and other items for private use” counted among them.<sup>96</sup> It was believed that the growth of personal property depended on the protection of state property since “greater productivity would create wealth,

<sup>92</sup> See, for example: Duy Lương, “Phạm Xuân Sơn, Tô Văn Thuận, Vũ Văn Hùng phạm tội gì?” *TSTA* (1976); Hồ Đức Thỏa, “Sơn, Hùng, Thuận không phạm tội cướp giật,” *TSTA* (1976); Trịnh Đình Thế, “Tạ Thị Kim phạm tội gì,” *TSTA* (1976); Trí Tuệ, “Xử về tội cướp giật tài sản của công dân mới đúng,” *TSTA* (1977); Ban biên tập, “Trộm cắp hay cướp giật,” *TSTA* (1977); Nguyễn Trí Tuệ, “Lạm dụng tín nhiệm để chiếm đoạt gài sản xã hội chủ nghĩa hay tham ô?” *TSTA* (1977); Lê Công Thành, “Định tội là tiêu thụ tài sản xã hội chủ nghĩa có được không?” *TSTA* (1977); Vũ Kim, “Không thể quy tội là tiêu thụ tài sản xã hội chủ nghĩa bị chiếm đoạt,” *TSTA* (1977); Nguyễn Trí Tuệ, “Bàn thêm về trường hợp tiêu thụ tài sản xã hội chủ nghĩa bị chiếm đoạt,” *TSTA* (1977); Võ Quan Nhuận, “Trộm cắp, lạm dụng tín nhiệm, hay lừa đảo để chiếm đoạt tài sản,” *TSTA* (1979); N.K., “Hội đồng thi hành án thành phố, thi hành án tử hình 4 tên cướp nguy hiểm: Vũ Đình Ninh, Trần Thọ Bắc, Vũ Đức Long, Trần Thế Mộng can tội “Cố ý giết người, cướp tài sản riêng của công nhân,” *SGGP* (February 9, 1979); Vũ Mạnh Hồng-Lê Thu, “Trộm cắp hay lạm dụng tín nhiệm để chiếm đoạt tài sản xã hội chủ nghĩa,” *TSTA* (1979); Trần Thanh, “Tội đầu cơ kinh tế hanh tham ô tài sản xã hội chủ nghĩa,” *TSTA* (1979); Đoàn Thế Giực, “Cần phân biệt rõ tội trộm cắp, tham ô, cố ý hủy hoại và lạm dụng tín nhiệm để chiếm đoạt tài sản xã hội chủ nghĩa,” *TSTA* (1979); Thanh Cương, “Tham ô, trộm cắp ha lạm dụng tín nhiệm để chiếm đoạt tài sản xã hội chủ nghĩa,” *TSTA* (1980); Minh Đường, “Nên xử các bị cáo về tội cướp tài sản riêng của công dân,” *TSTA* (1980); Tạ Thu Thủy, “Tội tham ô tài sản trong luật hình sự việt nam: Một số vấn đề lý luận và thực tiễn” (Master’s thesis: Khoa luật, Đại học quốc gia Hà Nội, 2009).

<sup>93</sup> Hồ Thanh, “Nên thống nhất áp dụng hai pháp lệnh ngày 12-10-1970 khi truy tố và xét xử các tội xâm phạm tài sản,” *TSTA* (1980).

<sup>94</sup> On the SRV’s first criminal code, see Phuong-Khanh T. Nguyen, “The Criminal Code of the Socialist Republic of Vietnam,” *Review of Socialist Law* 13, no. 2 (1987): 103-120.

<sup>95</sup> Ủy ban thường vụ quốc hội, “Pháp lệnh 149-LCT: Trừng trị các tội xâm phạm tài sản xã hội chủ nghĩa” (October 21, 1970).

<sup>96</sup> “Tài sản riêng của công dân được Nhà nước bảo hộ gồm có của cải do sức lao động của công dân làm ra, của cải thu nhập một cách hợp pháp hoặc để dành được, như tiền bạc, lương thực, quần áo, nhà ở, gia súc, xe cộ, tư trang, văn hóa phẩm và đồ dùng riêng khác.” Ủy ban thường vụ quốc hội, “Pháp lệnh 150-LCT: Trừng trị các tội xâm phạm tài sản riêng của công dân” (October 21, 1970).

stimulate consumption, and, ultimately, increase personal wealth.<sup>97</sup> Encroachment in either category would amount to an economic crime. Its perpetrator was seen as undermining “the people’s collective interest” when appropriating or damaging their property, or when “contesting [the state’s] authority to define the rules of economic activity.”<sup>98</sup> If economic crime traditionally referred to a range of “non-political” offenses,<sup>99</sup> by 1978, any distinction between “economic” and “political” were set aside as “those who steal from the state would be treated the same as reactionaries.”<sup>100</sup>

“The neo-colonial cultural milieu” [*hệ thống văn hóa thực dân mới*] was in any case believed to be the root cause of economic crimes. To conveners of the 1978 conference on “neo-colonial vestiges,” republican-era culture “is to blame for the capitalist-reactionary ideology seen today.”<sup>101</sup> Those who took part in the shadow economy to carry out “functionally necessary but ideologically unapproved economic tasks”<sup>102</sup> were reviled as “illegal dealers” [*bọn làm ăn phi pháp*]. The press cast them as parasites for “refusing to make an honest living, accustomed as they are to ‘a sinecure life’” [*ngồi mát ăn bát vàng*].<sup>103</sup> Small-scale tradesmen, too, had kept themselves in snug neutrality so as not to be on one side or the other of the revolution. They stuck with their money-grubbing ways, a reporter wrote, bound to the culture of the market.<sup>104</sup> As in 1920s Petersburg, offenses that run “the entire gamut of the bad in culture—are laid at the feet of the petty shopkeeper,”<sup>105</sup> the chaser of creature comfort who, avowedly or unknowingly, became a purveyor of vile cultural tastes. In the eyes of party functionaries, theft of state property was above all an effect of this group’s acquisitive drive.<sup>106</sup> The more puritanical of them aimed to stifle trade (supposedly spurred on by mass culture) in order to cut down on crimes, which they saw as “alien to the new Vietnamese” [*xa lạ với người Việt Nam mới*].<sup>107</sup> Much like the proletarian who was seen as “more purely devoted to the life of the mind than any actual intellectuals,” the new Vietnamese emerged as the guardian of biological and cultural purity because he is the revolutionary’s kin.<sup>108</sup> And like the proletarian who, innocent, is “vulnerable to the poisoned fare of the mass market,” the new Vietnamese is

<sup>97</sup> Faravel-Garrigues, 19.

<sup>98</sup> *Ibid.*, 21.

<sup>99</sup> Heizen, 789.

<sup>100</sup> “Về tư tưởng, chúng tôi coi bọn ăn cắp tài sản của Nhà nước là ngang hàng với bọn phản động vì chúng đã đi ngược lại lợi ích chung của Tổ quốc, của nhân dân.” Trần Thượng Thư, “Cần coi tội ăn cắp hàng nhà nước ngang với tội phản động.”

<sup>101</sup> “Hệ thống văn hóa thực dân mới chính là hệ tư tưởng tư sản phản động hiện nay.” Chính San, “Ghi nhận về hội nghị ‘Đấu tranh xóa bỏ tàn dư văn hóa thực dân mới.’”

<sup>102</sup> Joachim Savelsberg, “Contradictions, Law, and State Socialism,” *Law & Social Inquiry* 25, no. 4 (Autumn 2000): 1021-1048.

<sup>103</sup> “những kẻ không chịu làm ăn lương thiện, quen thói ‘ngồi mát ăn bát vàng.’” Hội Đồng Nhà Nước, “Pháp lệnh trừng trị các tội phạm đầu cơ, buôn lậu, làm hàng giả, kinh doanh trái phép,” *Nhân Dân* (July 13, 1982), 1.

<sup>104</sup> “Chủ nghĩa cá nhân ở người sản xuất nhỏ,” *Nhân Dân* (March 9, 1983).

<sup>105</sup> Katerina Clark, *Petersburg*, 19.

<sup>106</sup> “tệ ăn cắp là biểu hiện của chủ nghĩa cá nhân thu vụn.” *Ibid.*

<sup>107</sup> “gieo rắc nọc độc vào không ít thanh niên, sinh viên, học sinh, xúi giục một số người lao động nghệ thuật chạy theo sự kích thích thị hiếu lạc lõng, *vong ngoại rất xa lạ với người Việt Nam mới—xã hội chủ nghĩa*” (italics added). “Chỉ Thị 22/CT-UB: Cấm Lưu Hành Và Thu Hồi Văn Hoá Phâm Phản Động, Đồi Trụy.”

<sup>108</sup> Clark, *Petersburg*, 19.

held back by such “mercantilist ethos,” which preys on his health and purity.<sup>109</sup> The image of South Vietnam as a whore—her people as lowlifes and scammers, her culture vile, crass, and unwholesome—was a commentary on a society that revolved around trade. The trope of the prostitute, as seen in Soviet Russia, was to become a “favourite for condemning commercialised (inauthentic) culture.”<sup>110</sup> For that reason, the campaigns to purify “neo-colonial poison” targeted not only book suppliers, but also shopkeepers, petty traders, prostitutes, and apostates. Each was an “avatar of parasitism.”<sup>111</sup>

Each was a criminal. By linking republican culture to capitalism, the state made a leap which allowed it to pathologize a cast of individuals seen as a threat to order, to the communist moral ideal. The pliant narrative of economic crime—which condemned mass culture as poison, and tradespeople as its dispensers—produced an image of the non-revolutionary as a misfit and potential criminal. The non-revolutionary, which is to say most of the RVN population, was “distinguished from the offender by the fact that it is not so much his act as his life that is relevant.”<sup>112</sup> Idleness and cunning was his nature. So, economic crime legislations became less concerned with “property” than with the character and motive of the criminal. Reform was still less a part of the penal regime since economic criminals, assumed to possess an abnormal drive for sex and money, were seen as likely recidivists. North Vietnam had separated crimes against socialist property from counter-revolutionary crimes. After 1975 though, the SRV could no more free the economic from the ideological than take apart the “capitalist-reactionary” formulation.

In this light, socialist economic crime as a concept seems to have acquired much of its meaning after 1975. With the takeover of the south, the party leadership came up against an economic system which it lacked the legal and managerial capacity to control. While the legal principles of the south no longer applied and the SRV had yet to impose its ways, the notion of socialist economic crime found traction, as it did in the Soviet Union, because its meanings were “so vague and so conducive to a wide variety of interpretations that they could be used to punish virtually any form of behaviour.”<sup>113</sup> SRV legislations against economic crime, issued by fits and starts, nonetheless left open spaces that “stretch across zones of strife, uncertainty and minimal governance.”<sup>114</sup> Booksellers, shopkeepers, prostitutes and others in their milieu were, in a sense, invisible transgressors. The many decrees and circulars, inasmuch as they made up criminal law before 1986, sought to bring them under the nascent legal order.<sup>115</sup> To the extent that socialist economic regulation expanded after 1975, the usual figures of delinquency were the source, the “shadowy form,” of this set of laws. In this way, the SRV

---

<sup>109</sup> Katerina Clark, “Not for Sale: Russian/Soviet Intelligentsia, Prostitution, and the Paradox of Internal Colonization,” *Stanford Slavic Studies*, vol. 7 (1993): 189-205, 196.

<sup>110</sup> Clark, *Petersburg*, 20.

<sup>111</sup> Favarel-Garrigues, 171; “Chuyển các nhà tư sản thương nghiệp sản xuất là trả họ về với thiên chức con người, là giải phóng họ khỏi kiếp ăn bám, bóc lột,” *SGGP* (April 13, 1987), 1; Lữ Phương, “Chống văn hóa nô dịch và phản động,” *Văn Nghệ* (August 15, 1981).

<sup>112</sup> *Ibid.*, 73.

<sup>113</sup> Favarel-Garrigues, 27.

<sup>114</sup> John L. Comaroff and Jean Comaroff, “Law and Disorder in the Postcolony: An Introduction,” in *Law and Disorder in the Postcolony*, eds. John L. Comaroff and Jean Comaroff (Chicago: University of Chicago Press, 2006), 1-56, 9.

<sup>115</sup> Chỉ Thị 01/CT-UB, “Về việc giải quyết một số mặt trật tự xã hội của thành phố” (January 14, 1982).

legal structure could be said to have taken “its form from the shape of its Other,” the economic criminal.<sup>116</sup>

### **Socialist Economic Crimes in *The Sorrow of War***

While government documents present socialist economic crime as an affliction of the south, *The Sorrow of War* by contrast suggests that North Vietnamese socialist ethics and law presaged the rise of economic criminals. The novel evokes this alternative history by depicting two scenes of crime that, together, form the book’s historical arc. The first, set in 1960s North Vietnam, alludes to bicycle theft—a common offense that was seen as a threat to the new property regime. When read alongside legal cases, this episode brings into focus the revolutionary partisan and the economic criminal as two distinct character types. One is a defender of communist ethics and thus stands outside of law while the other flouts all moral norms and is keen on pursuing private justice, for which he must be punished. The second episode describes North Vietnamese soldiers looting a Sài Gòn airport just as the war comes to an end. Here, the novel appropriates the trope of spectrality—commonly used in communist propaganda to designate class enemies—to develop these character types, showing how, after the war, the revolutionary is as much an economic criminal as any other.

### **Bicycle Theft and Communist Morality**

*The Sorrow of War*, notwithstanding its unusual structure, has a coherent storyline that revolves around two characters. Kiên, the protagonist and narrator, is tough and militant, a literary image of the revolutionary partisan. His childhood sweetheart Phương, who later becomes a prostitute, is much closer to a social parasite than a patriot. Brought up in the arts, the sensibilities she inherits from her father suggest a certain worldview that Kiên and others see as “bourgeois.” To the young Kiên, her statement that “war crushes everything in its path” breaks with the ethos of his time.<sup>117</sup> He believes in revolution. Patriotism has swept him along so he volunteers to fight with the obvious strength of purpose. Phương, on the other hand, is shown shadowing Kiên’s father, a reclusive but visionary artist. She is his “kindred spirit,” and in a “musing, contemplative, wordless way,” he loves her.<sup>118</sup> To Kiên’s father, Phương’s idealism spells a certain fragility that would beset the arts. And “miss bourgeois” [*cô tư sản*], as she is sometimes called, is herself drawn to “his oddities, as if they resonate with her inner being.”<sup>119</sup> There is something of a spiritual harmony between them that foreshadows the common plight of the bourgeois artist and the prostitute—the icons of socialist economic crimes.<sup>120</sup>

<sup>116</sup> Katherine Biber, “The Spectre of Crime: Photography, Law and Ethics,” *Social Semiotics* 16, no. 1 (2006): 133-149, 138. Also see Peter J. Hutchings, *Criminal Spectre in Law, Literature and Aesthetics: Incriminating Subjects* (London: Routledge, 2016).

<sup>117</sup> “Chiến tranh thì nó có chừa bất kỳ một cái gì mà nó không ngẫu nhiên và không chà đạp!”

<sup>118</sup> Bảo Ninh, *Nỗi Buồn Chiến Tranh* [*The Sorrow of War*] (Hà Nội: Hội Nhà Văn, 1991), 142.

<sup>119</sup> *Ibid.*, 192; 141.

<sup>120</sup> At times, the novel depicts the relationship between Phương and the artist as mimicking one between the learned man and the courtesan common in Chinese imperial fiction. Singsong girls—the perfect companions to men of letters—were often the only people who could appreciate a scholar’s hidden talents. Men found “among this class of women a refined companion who could match his wit and learning,” but whose beauty must be appreciated to set off the literati-courtesan romance.<sup>120</sup> As such, the pair “were bound not only by

Less about the fall from grace, the bond between Phương and the artist shows how the new society singles out bourgeois intellectuals as iconoclasts of socialist morality. As scholars have pointed out, Soviet moralists were quick to cast artists as “parasites,” as persons who do not engage in “socially useful activity.”<sup>121</sup> Much of the criminological literature from Soviet Russia, for instance, explains parasitism as “the retardation of consciousness, the fondness for the tradition of individualism and private property.”<sup>122</sup> It is in the nature of thieves, prostitutes, and artists—traditional figures of economic delinquency—to shrink from socially useful labor, and thus stand in the way of progress. In the novel, Kiên’s father first appears as a “superfluous man,” a dreamer type from Russian belles lettres. A romantic, a misfit, a dispossessed and rebellious loner, “he wants to, but cannot, play an active role in changing society.”<sup>123</sup> Wherever he goes, the superfluous man is paired with a heroine who serves as a source of redemption, helping him to “regain his lost sense of unity.”<sup>124</sup> But not for long. Like Phương, Kiên’s father cuts himself from the art world when it yields to “the aesthetics of the working class” [*thẩm mỹ của quần chúng dân nhân lao động*] and becomes in that instance a parasite.<sup>125</sup> Shunned by the party and his wife, he withdraws into an attic, his studio curtains drawn shut against the poets and artists of his day, and there cremates his paintings before taking his own life.

Like the artist, Phương, being a bourgeois, is quickly sidelined and turned into “a whore type” [*loại đĩ*].<sup>126</sup> *The Sorrow of War* gives the impression that theft presaged Phương’s transformation. This is conveyed in an episode in which Kiên and Phương try to board a train heading to the battlefield. It must be the late 1960s, as air raids turn the station into a desolate scene. Kiên, out of an indomitable will to catch up to his battalion, to not stand down or stay behind, plots with Phương to steal a cyclo. As the owner runs off to find shelter, Kiên “stealthily jumps onto

---

romanticized ties, but by a very real ‘mutual admiration’ economy” driving their fortunes and lore. Some version of this exclusive economy existed between the artist and Phương—between art and beauty—that seems odd to Kiên. He is closer to his mother, who calls herself “the new woman.” Imperial Chinese fiction kept up the courtesan-patron romance well into the nineteenth century, even as a growing merchant class threatened the literati’s social and political prestige. The expectation, always thwarted, is that the learned man would rescue his faithful servant from the brothel, helping her to become a proper woman of her day. But as the scholar becomes a social outcast, the affinity he shares with the courtesan amounts to his disempowerment “in fields other than his erotic and romantic life.” In more ways than one, *The Sorrow of War* evokes this scholar-courtesan topos to show how the midcentury artist under the DRV falls behind the times, becoming obsolete. See Paola Zamperini, *Lost Bodies: Prostitution and Masculinity in Chinese Fiction* (Leiden: Brill, 2010), 117-120; Catherine V. Yeh, *Shanghai Love: Courtesans, Intellectuals, and Entertainment Culture, 1850-1910* (Seattle: University of Washington Press, 2006).

<sup>121</sup> Favarel-Garrigues, 73.

<sup>122</sup> *Ibid.*, 81.

<sup>123</sup> Ellen Chances, “The Superfluous Man in Russian Literature,” in *The Routledge Companion to Russian Literature*, ed., Neil Cornwell (New York: Routledge, 2001): 111-122; 114-115; Jehanne Gheith, “The Superfluous Man and the Necessary Woman: A ‘Re-Vision,’” *The Russian Review* 55, no. 2 (Apr., 1996), 226-244.

<sup>124</sup> Gheith, 231.

<sup>125</sup> Bảo Ninh, 137.

<sup>126</sup> *Ibid.*, 267.

the cyclo and pedals away” while Phuong stands guard.<sup>127</sup> Hours later, they would come across a Phoenix bicycle—the surrounding suggests to Kiên that the porter has been killed.<sup>128</sup> The notion of theft suggests itself when Phuong is shown prodding Kiên to “just peddle off . . . The posters read ‘all for the front’ anyway!”<sup>129</sup> Air raids throw the surrounding into chaos, so no one seems to mind. This scene is ironic, with or without intention, because it calls up article 18 of Ordinance 150-LCT. The document is one of several which outline the DRV’s property regime. Article 18 lists instances that warrant severe punishment, including, not least, “exploiting scenes of warfare . . . to commit a crime.”<sup>130</sup> The novel shows this to be the case. It telescopes the atmosphere of war into a single image—the bomb shelter. Then there is Phuong remarking, facetiously, that theft would “teach the man a lesson about military affairs” [*bài học quân sự*].<sup>131</sup> Soon after, the novel introduces an old man exchanging rations, a canister, a gun, a flashlight, and some banknotes for the Phoenix bicycle Kiên and Phuong have just taken. As if completing a purchase, the man rides off while Kiên “calmly pockets the money” without giving the matter much thought.<sup>132</sup> He and Phuong then devour the rations.

These details take on deeper significance when compared to legal cases in North Vietnam involving “bicycle theft” [*tội lấy cắp xe đạp*].<sup>133</sup> *Tòa án Nhân dân* [The People’s Court], for example, recounts an incident which took place in August 1974. While out and about, B. and L. (never named except as initials) caught sight of a bicycle. Noticing the owner standing at some distance, B. volunteered to create a distraction that would allow L. to retreat furtively with the bicycle. It seems that they failed, as both were arrested and found, according to Ordinance 150-LCT, guilty of committing a crime.<sup>134</sup> Similar cases of theft had preoccupied the courts since the 1950s because bicycles were valuable property, used to move men and materiel to the battlefield.<sup>135</sup> As part of North Vietnamese military technology, the bicycle constituted socialist property above others. Another notable case involves Hoàng Thế Điền

---

<sup>127</sup> *Ibid.*, 189.

<sup>128</sup> *Ibid.*, 255-256.

<sup>129</sup> *Ibid.*, 189.

<sup>130</sup> “Những trường hợp cần xử nặng. . . Lợi dụng hoàn cảnh chiến tranh . . . để phạm tội.” Trường Chinh, “Pháp lệnh 149-LT: Trừng trị các tội xâm phạm tài sản xã hội chủ nghĩa,” *Ủy ban thường vụ quốc hội nước Việt Nam dân chủ cộng hòa* (Hà Nội, October 21, 1970).

<sup>131</sup> Bảo Ninh, 189.

<sup>132</sup> *Ibid.*, 156.

<sup>133</sup> Người Bình Luận, “Một vụ án xâm phạm tài sản riêng của công dân,” *Tạp san Tư pháp*, no. 6 (1971): 13-15, 13.

<sup>134</sup> Hồ Đức Thỏa, “B. và L. phạm tội gì?” *TAND*, no. 6 (November-December 1975): 22-23, 27.

<sup>135</sup> According to Christopher Goscha, the DRV used bicycles not only for postal and communication services, but also to move military supplies across battlefields, and later into the south, through the Hồ Chí Minh Trail during the Second Indochina War. See: Christopher E. Goscha, *Historical Dictionary of the Indochina War (1945-1954): An International and Interdisciplinary Approach* (Hawai'i: University of Hawai'i Press, 2011): 60-61; Arnold Blumberg, “Pedal Power – Bicycles in Wartime Vietnam,” *Historynet*, July 6, 2012, <http://www.historynet.com/pedal-power-bicycles-in-wartime-vietnam.htm> (accessed January 1, 2018). In the 1950s, local newspapers often reported cases of bicycle theft: “Tin Hà nội,” *Tia Sáng* (August 25, 1950); “Tin các tỉnh,” *Tia Sáng* (October 29, 1951); “Hải Phòng,” *Tia Sáng* (June 30, 1952); “Trước tòa tiểu hình thượng thẩm và Sơ thẩm,” *Hà Nội Tia Sáng* (May 19, 1954); “Chuyện Hà-nội,” *Sóng Hồng* (February 5, 1955).



and Bùi Văn Liễn, men with few prospects, being work-shy vagabonds. Hauled to court in January 1970, Hoàng Thế Điền was dealt twenty months, and Bùi Văn Liễn twenty-one. It turns out that they had stolen a “Favorit,” a brand of bicycles imported from Czechoslovakia, whereas the Phoenix came from China.<sup>136</sup> The conviction was in truth a judgment of their moral character. It was said that more than half their adult lives, both men had been “professional ruffians” [*lưu manh chuyên nghiệp*], making a living through deceit, unwilling to work. This signified to the court that in “thought, action, and way of life” they had defied the worker’s spirit in some essential way.<sup>137</sup> By virtue of their “parasitic nature,” the court threw out the original conviction (bicycle theft) so as to try them for a graver crime: “dangerous recidivism” [*tái phạm nguy hiểm*].<sup>138</sup> Even after the war, men were brought to trial for stealing bicycles, for posing a “grave danger to society.”<sup>139</sup>

As was the case in East Germany, North Vietnam protected socialist property by “vigorously prosecuting theft,” and sought in that way to instill a code of ethics in the people.<sup>140</sup> The harsh punishment for bicycle theft suggests that by the 1960s—when campaigns to cultivate communist ethics took off in North Vietnam—the thief was seen as incurable for the way he flouted communist morality. A free agent, calculating, shirking honest work, he emerged, as Foucault would have it, “gradually more substantial, more solid and more real, until finally it is the crime which seems nothing but a shadow hovering about the criminal.”<sup>141</sup> The behavior was seen as the result of a specific and inherent trait of the person. To the courts, thieves lacked something essential; their aversion to work made them compulsive wrongdoers and parasites. They no longer deserved every chance to become new men. The distinction drawn between idleness and industry applied in equal measure to prostitutes, who were also seen as lacking in moral purpose. Though Ordinance 149-LCT, issued in 1970 to sanction violations of socialist property, does not list prostitution as a crime, it nonetheless sets down the “principle of analogy” [*nguyên tắc tương tự*] to punish acts not foreseen by the law.<sup>142</sup> In Soviet criminal law, this concept made it possible to assign punishment “without any crime really being committed.”<sup>143</sup> Early 1960s circulars grouped the prostitute with those thought to be harmful to society, though she was generally seen as a victim of her keepers.<sup>144</sup> She fell further

<sup>136</sup> Thủ tướng Chính phủ, “Quyết Định 12-TTg: Điều chỉnh giá bán xe đạp” (Hà Nội, January 29, 1965).

<sup>137</sup> “trên tư tưởng, hành động và lối sống đã mất tính chất con người lao động.” Người Bình Luận, “Một vụ án xâm phạm tài sản riêng của công dân,” 14.

<sup>138</sup> Ibid.

<sup>139</sup> Phạm Huỳnh Công, “Nguyễn Văn Thoại phạm tội gì?” *TAND*, no. 1 (1988): 32-33; Ban biên tập, “Nguyễn Văn Thoại phạm tội gì?” *TAND*, no. 1 (1988): 28.

<sup>140</sup> Inga Markovits, “Socialist vs. Bourgeois Rights: An East-West German Comparison,” *The University of Chicago Law Review* 45, no. 3 (Spring, 1978), 612-636, 616.

<sup>141</sup> Foucault, “About the Concept of the ‘Dangerous Individual’ in 19th Century Legal Psychiatry,” 2.

<sup>142</sup> Articles on bicycle theft cases include: “Trừng trị để giáo dục,” *Sông Hồng* (February 5, 1955); “Trước tòa tiểu hình thượng thẩm và Sơ thẩm Hà Nội,” *Tia Sáng* (May 19, 1954).

<sup>142</sup> Foucault, “About the Concept of the ‘Dangerous Individual’ in 19th Century Legal Psychiatry,” 2. Pháp lệnh 149-LCT.

<sup>143</sup> George V. Starosolsky, “Basic Principles of Soviet Criminal Law,” *North Carolina Law Review* 28, no. 4 (1950): 359-374, 369.

<sup>144</sup> See, for example, Tố Hữu, “Thông Tư 121-CP: Về việc tập trung giáo dục cải tạo những phần tử có hành động nguy hại cho xã hội” (Hà Nội, August 1961); Hồng Hà, “Những ngày mới giải phóng ở thị xã Bắc-ninh,” *Nhân Dân* (August 24, 1954).

by the mid 1960s, when the state portrayed her, like other social parasites, as a wrecker of socialism who must be pushed out of Hà Nội.<sup>145</sup> If bourgeois culture and theft had formed a cursed duo, prostitution ranked among them, being, at the time, as perilous to the party-state.

In the novel, Kiên and Phương play equal parts in diverting socialist property for their own use when they appropriate the cyclo and the bicycle. Duy Lap Nguyen, analyzing this scene, argues that the appropriation is not theft, but the “‘free use’ of an object which, ‘free of sacred names’ as well as the secular fetish of value, is ‘returned to the common use of men.’”<sup>146</sup> He may have made far too much of the state of exception in North Vietnam. In fact, Katherine Verdery argues, “socialist property instituted a wholly new system of values” that privileged the state as “owner over all others.”<sup>147</sup> Socialist law, she points out, recognized four types of property (state, cooperative, personal and private), and three principal owners (the state, cooperatives, and individuals).<sup>148</sup> Because its holdings were more absolute and more exclusive, the state “exercised its property right both as an *owner* and as *titular of sovereign power*.”<sup>149</sup> As such, socialist property “was at all times state property” since the party-state held supreme ownership, only “granting use and administrative rights downward to lower-level entities.”<sup>150</sup> The DRV toughened this new ownership regime when, in 1962, it became the sole producer and distributor of bicycles. Directive 217-NT was issued to outlaw anyone from buying or selling the vehicle and its parts on the open market, and to regulate the transfer between persons.<sup>151</sup> Caroline Humphrey states, in a different context, that “socialist property *de facto* strengthened the presence of personal property within the category of collective property.”<sup>152</sup> Often, public objects became personal through use, creating “person-thing relations” that framed the way socialist subjects understood property.<sup>153</sup> The bicycle, then, appears as personal property only in the sense that the user “adapts ‘his’ machine to give a personal character to his working activity.”<sup>154</sup> As socialist property, military technology, and an asset at all times claimed by the state, the bicycle was hardly “property without patrimony,” or “an object which has lost every proper significance” when its user is thought to have perished.<sup>155</sup>

In fact, the sale or transfer of bicycles without permission from the state, so central to this scene in the novel, is a violation of the socialist property regime.<sup>156</sup> More than once, the novel

---

<sup>145</sup> Phạm Văn Đồng, “Chỉ Thị 110/CP: Về việc đẩy mạnh công tác giảm bớt dân số của thành phố Hà Nội” (Hà Nội, July 22, 1964).

<sup>146</sup> Duy Lap Nguyen, 211.

<sup>147</sup> Katherine Verdery, *The Vanishing Hectare: Property and Value in Postsocialist Transylvania* (Ithaca: Cornell University Press, 2003), 41.

<sup>148</sup> Katherine Verdery, “Theoretical Afterword: The Property Regime of Socialism,” *Conservation & Society* 2, no. 1 (2004): 189-198, 191.

<sup>149</sup> *Ibid.*, 192. Emphasis in the original.

<sup>150</sup> *Ibid.*, 193.

<sup>151</sup> Hoàng Quốc Thịnh, “Chỉ thị 217-NT: Về việc tăng cường quản lý thị trường xe đạp,” Bộ trưởng Bộ nội thương (Hà Nội, April 2, 1962).

<sup>152</sup> Caroline Humphrey, “Rituals of Death as a Context for Understanding Personal Property in Socialist Mongolia,” *The Journal of the Royal Anthropological Institute* 8, no. 1 (March, 2002), 65-87, 72.

<sup>153</sup> *Ibid.*, 85.

<sup>154</sup> *Ibid.*, 84-85.

<sup>155</sup> Duy Lap Nguyen, 210.

<sup>156</sup> “nhất thiết không được tự tiện đem nhượng lại cho người khác.” “Chỉ thị 217-NT: Về việc tăng cường quản lý thị trường xe đạp.”

describes the exchange as a purchase, and Kiên, seeing it for what it is, remarks dryly that “the man is buying the bicycle.”<sup>157</sup> Both moments—theft and sale—take place under a legal-property system which, as stated in Ordinance 150-LCT, enshrines “socialist morality” [*đạo đức xã hội chủ nghĩa*].<sup>158</sup> Socialist law, Inga Markovits observes, “set public standards for desirable goals and behaviors” that were in keeping with the will of the party.<sup>159</sup> Law and morality supplement each other: while the law reinforces moral norms, “morality is to bolster the authority of law, adding to legal sanctions the moral force of public opinion.”<sup>160</sup> Lê Trọng Hà, a judge on the Supreme People’s Court, made the similar point in 1967 that morality measures one’s “allegiance to the Party,” that violating the policies and laws of the party-state amounted to breaching the revolution’s moral code.<sup>161</sup> Therefore, bicycle theft falls within the range of offenses that could weaken the property system, undermining the socialist moral ideal and party authority all at once. In this light, by establishing Phương and Kiên as economic delinquents, the novel also shows them to be morally corrupt.

Descriptions of theft end abruptly, giving way to a dark account of Phương’s transformation. Unable to catch up to his battalion, Kiên leads her to an abandoned school where they could safely rest for the time being. He would awaken hours later to find Phương bathing at a nearby lagoon. From behind the bushes, Kiên watches, noting how she seems to forfeit her innocence, how something of her earlier beauty has faded. Before him is “an experienced woman” [*người đàn bà từng trải*] coming into her own, with an air of “indifference to herself, to him, to the past, to the wretched plight of an entire people.”<sup>162</sup> To Kiên at that moment, the signs of her callousness have been there all along. He remembers Phương “laughing profusely” [*cười rữ*] when they took off with the cyclo, as though she found some thrill in the act.<sup>163</sup> Moments before, Kiên encountered some military men who describe Phương as “a seasoned whore” [*đĩ thập thành*], as if to identify her as a veritable parasite.<sup>164</sup> By the time Kiên finds her bathing in the middle of a bomb raid, the sexual desire he has long shown for her disappears. Kiên resolves in that instance to leave her behind. He joins his battalion and would not know anything about her—whether she is dead or alive—until after the war.

Things take a turn in this scene so that Phương, erstwhile the symbol of bourgeois sentimentality, embodies the kind of hard-bitten individualism thought to be common among social parasites. One theme, which resonates in this scene and which runs subtly through the novel, is the conversion of sexual desire into political awakening. In the Japanese proletarian novel, the hero develops political consciousness when he considers his female companion a prostitute, and finally overcomes his desire for her. It does not matter if she is not an actual

---

<sup>157</sup> Bảo Ninh, 256.

<sup>158</sup> “Pháp lệnh 149-LT: Trừng trị các tội xâm phạm tài sản xã hội chủ nghĩa.” Also see: Lê Trung Hà, “Phẩm chất, đạo đức xã hội chủ nghĩa của người cán bộ tòa án,” *Tạp san Tư pháp*, no. 3 (1967): 2-6.

<sup>159</sup> Markovits, 615. Also see Teemu Ruskola, “Law, Sexual Morality, and Gender Equality in Qing and Communist China,” *The Yale Law Journal* 103, no. 8 (June 1994), 2531-2565.

<sup>160</sup> De George, 108.

<sup>161</sup> “Đức là cái thước đo lòng trung thành của người đảng viên đối với đảng . . . vi phạm chính sách, pháp luật của Đảng và Nhà nước tức là đã vi phạm đến đạo đức của giai cấp vô sản một cách nặng nề rồi.” Lê Trọng Hà, “Phẩm chất, đạo đức xã hội chủ nghĩa của người cán bộ tòa án,” *TSTP*, no.3 (1967): 2-6, 4.

<sup>162</sup> Bảo Ninh, 271.

<sup>163</sup> *Ibid.*, 189.

<sup>164</sup> *Ibid.*, 267.

prostitute, so long as she is coded as such, “she quite seamlessly starts being [one].”<sup>165</sup> *The Sorrow of War* appears to borrow this master plot to develop Kiên and Phuong’s characters. Several times, it has minor characters describe Phuong selling herself so that Kiên finally believes it to be true. It forecloses any possibility of romance by stating that the sight of Phuong bathing fills Kiên with revulsion. And so he chooses to go into war, assuming the morally superior position as a revolutionary while she functions as “a trope in the literature of men coming into class consciousness.”<sup>166</sup>

The peculiar contrast the novel draws between Phuong, the parasite, and Kiên, the revolutionary, evokes the criminal-partisan distinction. To Schmitt, the partisan’s “intense political commitment” is what sets him apart from common thieves and criminals.<sup>167</sup> Without his tellurian character, the partisan would be no different than any robber, thief, or pirate who fights “exclusively for his own, private justice, rather than against a foreign conqueror or for a revolutionary cause.”<sup>168</sup> His actions, no matter how noble, would still fall within “the criminal sphere.”<sup>169</sup> Though Phuong commits theft not for private gain, under DRV law, her act “is unpolitical and . . . purely criminal,” we can say, because it lacks “the positive inter-connectedness” to revolution.<sup>170</sup> The young Kiên, by contrast, is a model revolutionary partisan. He is single-mindedly committed to the war, so his “telluric way” exemplifies real moral force.<sup>171</sup> Under the “Moral Code of the Builders of Communism,” De George explains, all military service “deserve[s] unquestioning moral support because any such action is necessary for the triumph of communism and consequently is moral by definition.”<sup>172</sup> In this sense, the revolutionary fighter, by embodying absolute enmity, is the supreme defender of socialist morality. He stands outside of socialist law as an exception. Though both commit theft, Kiên effectively redeems himself. Phuong, on the other hand, is condemned in the court of public opinion as a prostitute. She symbolizes the baser tendencies of a bourgeois artist, thief, and whore—a criminal virtually impossible to reform. Many years later, in mid-life, Kiên would find Phuong living in one guise or another as a demimondaine. Theft, and her defiance of socialist moral values, turns out to have prefigured what she would become after the war. The novel even shows Phuong, a prototype of the economic criminal, realizing finally that she, by being “corrupt” [*hư hỏng*], has brought about her own misfortune.<sup>173</sup>

### Looting and Spectral Realism

Later, *The Sorrow of War* again pairs the figure of the revolutionary and the prostitute, but to different ends. Where the theft scene shows Kiên coming into revolutionary consciousness just as Phuong transforms into a criminal, in a scene set in postwar Sài Gòn, revolutionaries descend to thievery. The novel depicts 1975 as the moment when North Vietnamese soldiers, pushing their way into Sài Gòn, confront the city in the figure of a dead whore. The dead girl

---

<sup>165</sup> Heather Bowen-Struyk, “Sexing Class: ‘The Prostitute’ in Japanese Proletarian Literature,” in *Gender and Labour in Korea and Japan: Sexing Classes*, eds. Ruth Barraclough and Elyssa Faison (London: Routledge, 2012), 19.

<sup>166</sup> *Ibid.*, 21.

<sup>167</sup> Schmitt, 10.

<sup>168</sup> *Ibid.*, 65.

<sup>169</sup> *Ibid.*, 53.

<sup>170</sup> *Ibid.*, 65.

<sup>171</sup> *Ibid.*, 50.

<sup>172</sup> De George, 109.

<sup>173</sup> Bảo Ninh, 160.

Kiên finds at Tân Sơn Nhất International, “her breasts thrown forward, her legs splayed like scissors, strands of hair covering half her face,” resonates with the general depiction of South Vietnam at the time.<sup>174</sup> North Vietnamese soldiers, fighting at last behind them, come upon her naked body as they root through the airport for “antiques” [*đồ cổ*]—a euphemism for food, drinks, and commonplace objects they could loot. Among the coveted items is “bière 33 export.” In a dialogue between the soldiers, one lashes out at “the fucking whore [*đ. mẹ mày, con đĩ*] lying sprawled for everyone to see.” He trips over her body while scampering around for his share of the booty [*chiến lợi phẩm*].<sup>175</sup> Indignant, this lout drags the corpse down a flight of stairs, lifts her, and with a full swing flings her out onto the pavement. Meanwhile, others around him get on with scouring. Officers and soldiers “run to and fro, looting and plundering, as if on a shopping spree.” With the whore—a metaphor for South Vietnam—out of sight, they “bustle about as if at the market” [*nhôn nháo như chợ*], sharing in the plunder.<sup>176</sup>

The girl, appearing in the novel as a symbol of a dead culture (capitalism brought to an end), is the first image that Kiên encounters “at the door of peace” [*trước cửa hòa bình*]. According to Clark, the highly public image of the prostitute signifies “a struggle about *Culture*” because “she traffics in her body one of the most overused symbols in moral, political, even aesthetic discourse.”<sup>177</sup> Whereas prostitutes during the colonial era worked mostly on the sly, their industry driven underground by strict regulations put in place to keep the racial divide intact, socialist discourses on prostitution often register anxieties about the market.<sup>178</sup> In the Soviet Union for example, the prostitute emerged during perestroika as the figure most able to capture the fear that market forces would threaten cultural purity.<sup>179</sup> Her image hung as a metaphor for economic immorality, the coarsest features symbolizing the cultural and bodily decay brought on by capitalism. In *The Sorrow of War*, the soldier attacks the corpse with plundering force, imposing on it every violence he can. The novel sets this violent act against the looting carried out by men a few paces away. No sooner is the very symbol of capitalism tossed out that a new “market” takes shape. This is the irony that the novel seems to work towards when it shows fighting men putting away what they could find, guessing among themselves the worth of the spoils. Where revolutionaries represent to Đào Tùng and Vũ Khiêu the ultimate repudiation of capitalism, they appear in this scene all too eager to abandon communist ethics, ignoring the PRG’s prohibition on looting.<sup>180</sup> Far from cleaning out capitalism at long last, the revolutionaries find the south ripe for profitable conquest. Later, when these men board a train heading north, guards rifle through their belongings “as if they—the soldiers—and no other had wrecked, claimed, seized, leveled, then hollowed out the mountain of riches in the south.” Kiên describes the station, like the airport, as a “bustling

---

<sup>174</sup> Ibid., 107.

<sup>175</sup> Ibid., 108.

<sup>176</sup> Ibid., 109.

<sup>177</sup> Clark, “Not for Sale,” 191.

<sup>178</sup> See, among others, Isabelle Tracol-Huynh, “Between Stigmatisation and Regulation: Prostitution in Colonial Northern Vietnam,” *Culture, Health, and Sexuality*, vol. 12 (2010): 573-587 and Christina Firpo, “Sex and Song: Clandestine Prostitution in Tonkin’s A Đào Music Houses, 1920s-1940s,” *Journal of Vietnamese Studies* 11, no. 2 (Summer 2016): 1-36.

<sup>179</sup> Clark, “Not for Sale.” Also see: Helena Goscilo, *Dehexing Sex: Russian Womanhood During and After Glasnost* (Ann Arbor: University of Michigan Press, 1996) and Eliot Borenstein, *Overkill: Sex and Violence in Contemporary Russian Popular Culture* (Ithaca: Cornell University Press, 2008).

<sup>180</sup> On April 30, 1975, the People’s Liberation Armed Forces of South Vietnam issued a communiqué banning “all acts of looting” committed, presumably, by men “of the puppet Saigon administration.” “PLAF Saigon Command Communique on Liberation of Saigon.”

evening market” [*chợ chiều nhôn nháo*]. People run about while loudspeakers drum into them instructions “to fight enemy propaganda, to ignore any plea for mercy, to not give in to the signs of *faux* prosperity.”<sup>181</sup>

It is not entirely clear why, but men at the airport at one point decide to end their rough talk to clean and dress “the girl at Tân Sơn Nhất.” They tie her hair to make her appear “pleasing” [*mỹ quan*].<sup>182</sup> This gesture is all the more significant in the context of 1975, when bodily purity was a measure of moral fitness. In Soviet Russia, bodily, sexual, and linguistic purity “was identified increasingly with ideological conformism.”<sup>183</sup> By cleaning and dressing the corpse, in an almost ritualistic fashion, the soldiers, much like the Sài Gòn-Gia Định Military Management Commission which tried to wipe out South Vietnamese artifacts, attempt to decontaminate the “cultural gene pool.”<sup>184</sup> In another sense, their action seems to be a symbolic prelude to Đổi Mới when, with the revival of the market economy, the prostitute’s body was sanitized and prepared for labor. But the scene unfolds to suggest something else. When brandy at last sends the soldiers into a stupor, the girl appears before Kiên. She has shed the clothes. Her hair is undone. The novel presents this as a highly symbolic moment, foreshadowing, on the one hand, the failure of communist moral cultivation, and on the other, the return of capitalism under a different guise.

What begins as an unexpected encounter between Kiên and the phantom [*bóng ma*] will eventually set the style and pace of the novel.<sup>185</sup> Often, Kiên claims that it is not he but a certain spirit that is at work, “resisting the designs of his story, so that all the literary doctrines he learned” are thrown out and the sequences of the “conventional plot” lose their order.<sup>186</sup> Without understanding much, Kiên yields to the novel’s “mysterious logic,” sensing that it makes its own detours while he acts as a scribe.<sup>187</sup> At the end of it, when the fictional editor finds his manuscript, “any page seems like the first, and every page could be the last.”<sup>188</sup> On a formal level, this spectral literary aesthetic takes the narrative beyond the constraints of realism, allowing the story to pass freely from first to third person. The circular structure and dream sequences—all effects of the ghost’s “beguiling power over the writer”<sup>189</sup>—help to create a strikingly fragmented storyline. In narratives of this kind, fantasy and reality merge to take the story beyond the limits of temporality, materiality, and rationality, producing what may be called a subversive “logic of the phantasm.”<sup>190</sup> Heonik Kwon, Andrew Ng, Duy Lap Nguyen among others, by analyzing the spectral as figurations of trauma and memory,

---

<sup>181</sup> Bảo Ninh, 82-83.

<sup>182</sup> *Ibid.*, 110.

<sup>183</sup> Clark, 211.

<sup>184</sup> *Ibid.*, 20.

<sup>185</sup> For a brief discussion of the “final enigma” in *The Sorrow of War*, see Duy Lap Nguyen, “The Image of Death, Redemption and Play in Bảo Ninh’s *Sorrow of War*,” in “The Postcolonial Present: Redemption and Revolution in Twentieth-Century Vietnamese Culture and History,” 211-215.

<sup>186</sup> Bảo Ninh, 52.

<sup>187</sup> *Ibid.*, 92-93.

<sup>188</sup> *Ibid.*, 278.

<sup>189</sup> Catherine Smale, *Phantom Images: The Figure of the Ghost in the Work of Christa Wolf and Irina Liebmann* (London: Modern Humanities Research Association, 2013), 5.

<sup>190</sup> Jianguo Chen, *The Aesthetics of the Beyond: Phantasm, Nostalgia, and the Literary Practice in Contemporary China* (Newark: University of Delaware Press, 2009).

present the novel as one which edged Vietnamese fiction out of realist aesthetics, toward something more postmodern.<sup>191</sup> *The Sorrow of War* has long been read in this light.

The trope of spectrality spawned far wider uses in Vietnam, however. The 1970s–1980s established the “ghost” as an aestheticopolitical concept to designate the enemy and give greater sense to class struggle. Built into the militant prose of *Lao Động, Nhân Dân*, and *Quân Đội Nhân Dân*, the metaphor was used to point a finger at anything that stood in the way of socialism. South Vietnam and the United States were said to be “the devil’s natural allies.”<sup>192</sup> China, Cambodia, and Thailand were later folded into that “wicked alliance” [*liên minh ma quỷ*], which reached as far as Chile.<sup>193</sup> As seen in the PRC, spectrality formed “a strand of leftist ghost literature that targeted specific political enemies,” the better to set up an ideogeographical divide between good and evil, between virtue and barbarity.<sup>194</sup> During the Cultural Revolution, Wu Yiching remarks, “religious language of demonic invasion and the image of an ominous underworld populated by malevolent spirits” were used to describe class enemies.<sup>195</sup>

Vietnamese fiction took this discourse yet further. “Thúy Họa Mi” [The Nightingale], a short story serialized in the papers, evokes the spectral to take its readers into the sinister world of gangsters, pirates, and contraband. Thúy Nightingale, the eponymous heroine, is a criminal with a pure heart. Pushed by circumstances beyond her control, she drifts into the underworld. Moving in the lower depths, she joins Quán Xòm’s circle of highwaymen, grows disillusioned, but continues to collaborate with them anyway. It is not clear how Quán Xòm came into his own as a gang leader, but “he longs for a large sum of money so he could run off to the free world [*thế giới tự do*] with Thúy.”<sup>196</sup> When Hải Cá Kinh—a ruffian Quán Xòm came across in re-education camps—devises a money-making scheme, the boss is all ears. Their target is a reputed trafficker of drugs, gold, and dollars; his wife is said to be from a whorehouse. Though bound together by a solemn oath of brotherhood, Quán Xòm and Hải Cá Kinh distrust each other all the same, and end up in a nasty brawl just as their plan is

<sup>191</sup> See: Heonik Kwon, “Rethinking Traumas of War,” *South East Asia Research* 20, no. 2 (2012): 227–237; Ryan Skinnell, “The Literature of Trauma: Reading the Sorrow of Love in Bảo Ninh’s *The Sorrow of War*,” in *Thirty Years After: New Essays on Vietnam War Literature, Film and Art*, ed. Mark Herberle (Newcastle upon Tyne : Cambridge Scholars Pub, 2009), 256–264; Andrew Ng, “Visitations of the Dead: Trauma and Storytelling in Bảo Ninh’s *The Sorrow of War*,” *Storyworlds: A Journal of Narrative Studies* 6, no. 1 (Summer 2014): 83–100; Steven P. Liparulo, “‘Incense and Ashes’: The Postmodern Work of Refutation in Three Vietnam War Novels,” *War, Literature & the Arts: An International Journal of the Humanities* 15, no. 1–2 (2003): 71–94.

<sup>192</sup> Phạm Chí Nhân, “Mũi tên nhọn: Tô sông sông Thiệu,” *Nhân Dân* (April 26, 1975).

<sup>193</sup> See, among others: Tô Văn, “Cột mốc và nhân chứng,” *Quân Đội Nhân Dân* (February 13, 1979); Chông Nhọn, “Quyền ông to nhỏ,” *Lao Động* (February 17, 1979); Nguyễn Hữu Thái, “Ý đồ bá quyền nước lớn của Trung Quốc,” *Tuổi Trẻ*, March 8, 1979; “Xã luận: Bác bỏ luận điệu hai bên cùng xâm lược, hai bên cùng rút quân,” *Nhân Dân* (February 24, 1979); “Thất bại chiến lược đầu tiên của bọn xâm lược Trung Quốc,” *Sài Gòn Giải phóng* (March 10, 1979).

<sup>194</sup> Jessica Imbach, “Variations on *Gui* and the Trouble with Ghosts in Modern Chinese Fiction,” *Asia* 70, no. 3 (2016): 865–880, 871.

<sup>195</sup> Wu Yiching, *The Cultural Revolution at the Margins: Chinese Socialism in Crisis* (Cambridge: Harvard University Press, 2014), 48.

<sup>196</sup> Trần Thanh, “Thúy Họa Mi, số 7” *Tiền Phong* (March 29, 1988).

about to succeed. In the last of eight installments, Thúy emerges as the greater mastermind. She informs the police of the scheme, all the while encouraging Quán Xòm to go through with it so that he could spirit her away to freedom. She has strayed, she has killed, and exposing “the evil ghosts” [*bọn ma quỷ*] is how she redeems herself.<sup>197</sup>

“Thúy Họa Mi” draws on the usual cast of characters—capitalists, reactionaries, prostitutes, and small-time crooks—to fill out its world of crime. The details of their ghostliness, though having little to do with the essential plot, are highlighted time and again. With Quán Xòm, this metaphor is pushed furthest. He is described at one point as “a ghost that never leaves Thúy” [*bóng ma không rời khỏi Thúy*], corrupting and destroying her as he has many others.<sup>198</sup> More than once, the police arrested him, sent him for re-education, only to see him rebuild his criminal networks fencing stolen goods. The story in fact opens with Quán Xòm and his men stealing valuable textile from the state’s warehouse and passing it on to underground dealers—all with the connivance of the guards. Like commercial culture, which was seen as the main source of evil holding back the socialist man, Quán Xòm’s criminal ways prevent Thúy from reforming herself. So, she conspires with the police to bring him in, gunning him down herself when he tries to escape. Where Quán Xòm represents the “anarchy and danger of market relations,” Thúy is the fallen woman who believes in the revolution’s power to redeem.<sup>199</sup> Through them, the conflict between commerce and the socialist economy, between cultural purity and a certain capitalist-criminal mentality play out figuratively—the spectral aspect implying that capitalism lives on in an altered form.

In much the same way, *The Sorrow of War* signals the return of capitalism well before Đổi Mới. The Marxist view of crimes such as prostitution assumes that the industry is “organically alien to the socialist society,” that it would come to an end with socialist modernity.<sup>200</sup> But when back in the heart of Hà Nội trying to find his footing, Kiên sees about him a working girl circling a lake, then another—roughly made up, her clothes giving off the smell of cheap perfume—and yet another, drinking at a bar.<sup>201</sup> Around them are beggars, traffickers, and the ghosts of North Vietnamese soldiers “on the streets, all of them drab and slovenly leading unhappy lives as postwar petits bourgeois” [*tiểu thị dân thời hậu chiến*].<sup>202</sup> Phương is among them. This is as near as Bảo Ninh gets to depicting the “fairies” [*tiên cô*] and “beauties” [*mỹ nhân*] working as informal labor, taking the shape they need to avoid detection. Like the “new Russian” prostitute, these figures move in the underworld, partaking in an economy of speculations that, like the West Station Affair, defies government regulation.<sup>203</sup> They are versions of the girl at Tân Sơn Nhất.

In this sense, the novel’s spectral aesthetic does not break free from realism so much as add up to a different kind of realist narrative. At a time when “ghost” was brought on as a signifier to

<sup>197</sup> Trần Thanh, “Thúy Họa Mi, số 3” *Tiền Phong* (March 1, 1988).

<sup>198</sup> Trần Thanh, “Thúy Họa Mi, số 8,” *Tiền Phong* (April 5, 1988).

<sup>199</sup> Elizabeth A. Wood, “Prostitution Unbound: Representations of Sexual and Political Anxieties in Postrevolutionary Russia,” in *Sexuality and the Body in Russia Culture*, eds. Jane T. Costlow, Stephanie Sandler, and Judith Vowles (Stanford: Stanford University Press, 1993): 124-135.

<sup>200</sup> Favarel-Garrigues, 15.

<sup>201</sup> Bảo Ninh, 74; 126; 171; 174.

<sup>202</sup> *Ibid.*, 279-280; 75.

<sup>203</sup> Slobodanka M. Vladiv-Glover, “From Bread Dolls to Prostitutes: A Cultural Diagnosis of Post-Soviet Russia,” *Georgetown Journal of International Affairs* 8, no. 1 (Winter 2007): 87-94.



designate the enemy, something of a “phantasmagoric realism” entered the literary scene. As David Der-wei Wang observes in twentieth-century Chinese fiction, the New Life campaign brought about “a realism ironically deriving its effect of verisimilitude from the incantation of apparitions, phantoms, [and] hallucinations.”<sup>204</sup> This genre depicts reality in an altered form, rendering it strange through a blend of history and fiction in order to critique socialist enlightenment. This technique is most salient in Chinese new historical fiction of the 1980s–1990s.<sup>205</sup> In Vietnam, the discourse of economic crime produced the ghost as a kind of “reality’s surplus, the something-more” that socialist history and literature could not account for.<sup>206</sup> Against this context, *The Sorrow of War* takes up spectrality as a technique to portray the different categories of life that “ghost,” as a master signifier, stood for. It is to that extent a novel about economic criminals, pariahs of socialist society, all of them confined in one way or another to the underworld symbolized by the ghost at Tân Sơn Nhất.

## Conclusion

Because so much of *The Sorrow of War* seems to reflect the author’s own experience as a combatant, scholars have tended to see it as a story about trauma. In his book and standalone essay, Heonik Kwon, for instance, identifies Bảo Ninh as one of several authors who use literary forms to explore the “long-held wounds of war.”<sup>207</sup> Andrew Ng goes a step further. He places the novel at the crossroads of postmodern aesthetics and trauma theory, arguing that Bảo Ninh uses the stream of consciousness technique to “mirror a consciousness that has been imperiled by trauma,” as much as to model—through the act of writing—a way out of trauma.<sup>208</sup> In this vein, Ng concludes that “language is ultimately a means by which recuperation from trauma becomes possible.”<sup>209</sup> Whether through the figure of the ghost, for Kwon, or through a “mystical” mode of writing, for Ng, the novel represents to both a decisive “break with the conventional, official narrative of war based on the paradigm of the heroic revolutionary struggle.”<sup>210</sup>

By placing *The Sorrow of War* in dialogue with a different set of texts, this chapter shows that the novel presents a more ambiguous perspective on the revolution. I began this chapter by demonstrating the ways in which socialist economic crime was as much a moral as it was a legal concept. Because the primary function of law in North Vietnam was to set down socialist moral values, economic crime legislation was issued not only to protect the socialist economy, but also to weed out the morally corrupt. Morality may have meant many things, but allegiance to the party ranked above all. The courts treated theft and prostitution as grave crimes for reasons having more to do with morality than law. Both represented an unproductive way of life—not in keeping with the moral code—because one diverted resources from the revolution while the other, “most palpably connected with the market,” flouted the principles of communist morality.<sup>211</sup> After 1975, economic crime legislation was

---

<sup>204</sup> David Der-Wei Wang, *The Monster That Is History: History, Violence, and Fictional Writing in Twentieth-Century China* (Berkeley: University of California Press, 2004), 279.

<sup>205</sup> Qingxin Lin, *Brushing History against the Grain: Reading the Chinese New Historical Fiction (1986–1999)* (Hong Kong: Hong Kong University Press, 2005).

<sup>206</sup> Biber, 141.

<sup>207</sup> Kwon, “Rethinking Traumas of War,” 230.

<sup>208</sup> Ng, 92.

<sup>209</sup> Ng, 88.

<sup>210</sup> Kwon, 230.

<sup>211</sup> Clark, “Not for Sale,” 192.

applied on a much wider scale. Over and again, the government tried to stop the trade in republican-era cultural artifacts, believing that the bourgeois values they promoted could lead revolutionaries astray. Law, the bastion of private property, was ironically built up for fear that the old order could take hold again.<sup>212</sup> The prostitute emerged as the economic criminal *par excellence* at the intersection of economic, legal, and cultural discourses.

Taking up the discourse of its time, Bảo Ninh's novel brings into view the revolutionary partisan and the economic criminal as two distinct character types. One shapes the other. The revolutionary partisan—symbol of absolute enmity and tellurian virtues—embodies Vietnamese communist morality. Insofar as socialist law functions as a temporary and imperfect expression of communist ethics, laying down “what men will do and what will happen,”<sup>213</sup> the revolutionary partisan, for as long as he is committed to world revolution, stands above the law. By fighting, he would bring about its final dissolution. The economic criminal, by sharp contrast, personifies “the superficial, materialistic, artificial, and commercial orientation of the decadent capitalist West.”<sup>214</sup> Socialist law aims to reform her, or at least control her, since she stands in the way of the revolutionary partisan—materially, by drawing resources, and symbolically, as a reminder of capitalism's resilience. These two figures underscore the interlocking development of socialist ethics and law. Yet, as the novel brings into sharp focus, partisan and criminal were hardly distinguishable after the war.

Contrary to Kwon's and Ng's claim, *The Sorrow of War*, by depicting the prostitute as an icon of economic crimes, does not stray from the SRV's official narrative. Instead, both scenes of crime seem to reinforce it. In the case of bicycle theft, the novel appears to align itself with the party-state's representation of Vietnam as a female body corrupted by western colonialism, and thus in need of redemption. Parts of the novel describing looting similarly personify the market—and South Vietnam, by extension—as a defiled woman. It would be the North Vietnamese soldiers—agents of world communism—who arrive to purify her. In this light, the novel does not refute in the least the VCP's claim to have been the country's savior. Whether in North or South Vietnam, during or after the war, it is always the revolutionary who rescues the fallen woman. Where the novel could be said to complicate the official narrative is in the second scene. There, by having the Tân Sơn Nhất girl reappear as a ghost, the novel drives home the point that it is not possible to eliminate capitalism from Vietnam, just as Kiên, the revolutionary partisan, cannot be without the impure Phuong. Though it once promoted total revolution, the party-state realized, after the war, that market economics was its only lifeline. In this context, *The Sorrow of War* narrates, as Corey Robin would say, “the struggle of political men and women to get on top of their world, and the economic forces that bested them.”<sup>215</sup>

---

<sup>212</sup> On the development of socialist law in Soviet Russia in the 1920s-1930s, see Alice Tay and Eugene Kamenka, “Marxism, Socialism and the Theory of Law,” *Columbia Journal of Transnational Law*, vol. 23 (1985): 217-249.

<sup>213</sup> Alice Erh-Soon Tay and Eugene Kamenka, “Marxism, Socialism, and the Theory of Law,” *Columbia Journal of Transitional Law*, no. 23 (1985): 217-249, 223.

<sup>214</sup> Wolin, 15.

<sup>215</sup> Corey Robin, “Eric Hobsbawm, the Communist Who Explained History,” *The New Yorker* (May 9, 2019).

### Chapter 3

#### ***The Crystal Messenger: Socialist Sexual Morality and Unfaithful Aesthetics***

The narrator of Phạm Thị Hoài's *Thiên Sứ* [*The Crystal Messenger*] experiences her first sexual awakening in a library. Fourteen years old, standing at just 125 centimeters—thirty kilograms to match her frame—this pygmy, as she calls herself, claims to have lost “all capacity to become a woman.”<sup>1</sup> Among her father's books, one in particular sends her plunging into “mysterious darkness, sinful but irresistible.” In a locked room, she confides, “I removed all my clothes and cried in self-pity in front of the lost fourteen-year-old girl in the mirror.”<sup>2</sup> She would soon give herself over to fiction, leafing through *Don Quixote* and *How the Steel was Tempered*, then *Jane Eyre* and *The Golden Rose* with hardly a break. But none could again give her the pleasure she found with the first book.

From the very start, *The Crystal Messenger* sets up the premise that feminine sexuality and fiction-reading somehow overlap, and that *Đổi Mới* sexual politics can be explored through intertextuality. Many times, and not just in this scene, the novel references works from distinct literary traditions. Mikhail Lermontov is paired with Pablo Neruda, for instance, though how Russian romanticism resonates with Chilean surrealism is not always clear.<sup>3</sup> Characters from 20<sup>th</sup>-century socialist realism, like the quintessential hero Pavel Korchagin, make several appearances, but are never fully formed. They function as metaphors more than anything else, pointing to a set of personality traits, or a specific literary landscape that can be mapped onto Vietnamese characters and scenes.

Of all the references, *Manon Lescaut*, by Antoine François Prévost, and *La Dame aux Camélias* (*La Dame* hereafter), by Alexandre Dumas fils, leave their mark on Phạm Thị Hoài's novel most keenly. Each had become a classic since its publication—*Manon Lescaut* in 1731 and *La Dame* over a century later, in 1848. The stories they tell about the demimondaine's beguiling charm, or about the tragedy of wild passion, may explain why these works have found appeal across cultures, not least in China, where *La Dame* is known as *Chahua Nü*.<sup>4</sup> It was left to Nguyễn Hải and Lâm Thu to translate the novel into Vietnamese. First serialized in 1922 and taken to the stage by 1938, *Trà Hoa Nữ* would go on to draw large audiences to the theatres before the Vietnam War, was re-translated in South Vietnam, and continues to win over readers well into the present.<sup>5</sup> Coincidentally, *Manon Lescaut* also arrived on the literary scene in 1932.

<sup>1</sup> Phạm Thị Hoài, *Thiên Sứ* [*The Crystal Messenger*] (Hà Nội: Hội nhà văn, 1990), 29.

<sup>2</sup> *Ibid.*, 33.

<sup>3</sup> *Ibid.*, 63.

<sup>4</sup> See Ying Hu, *Tales of Translation: Composing the New Woman in China, 1899-1918* (Stanford: Stanford University Press, 2000).

<sup>5</sup> To date, at least three Vietnamese translations of *La Dame aux Camélias* have been published: Nguyễn Hải (1922), Lâm Thu (1938), and Nguyễn Sỹ Nguyên (1973). See *Trà Hoa Nữ*, trans. Nguyễn Sỹ Nguyên (Glendale, Ca: Tinh Hoa Miền Nam, 1980); “Sắp xuất bản: Trà Hoa Nữ,” *Hà Thành ngo báo* (Aug. 18, 1935); Đào Trinh Nhất, “Nghiêm phục và vấn đề văn hóa Đông Tây,” *Trung Bắc Tân Văn* (May 21, 1944); “Hải Nguyên—Người dịch Trà Hoa Nữ nổi tiếng,” *Văn Hiến Việt Nam*, Nov. 20, 2016, <http://vanhien.vn/news/hai-nguyen-%E2%80%93-nguoi-dich-tra-hoa-nu-noi-tieng-48699> (accessed Jan. 2, 2019). For contemporary adaptations of *Trà Hoa Nữ*, see: Mai Phương, Hùng Trần, Carol Kim, Hương Huyền, Mai Lan, Quốc Thái, *Trà hoa nữ: thiên tình sử* (Garden Grove, CA: Ca Dao Productions, 2000); Trương Minh Quốc Thái, Vân Trang, Ngọc Lan, Khánh Lê, Nhật

Nguyễn Văn Vinh, a broker of French culture in his day, gave her the name *Mai Nương Lê Cốt*.<sup>6</sup> Like late Qing scholars who found in *Chahua Nü* a new way to capture the changing “ethics and gender relations, framed by the problematic relationship between China and the West,”<sup>7</sup> Vietnamese men of letters would turn to these same texts to make sense of colonialism, modernity, revolution, and what settles in its wake. Phạm Thị Hoài seems to follow their lead.

She starts, though, from a different point than her predecessors. Where colonial intellectuals, Social Darwinism bedeviling their sense of ethnic pride, reasoned that Western literature could open to the Vietnamese a larger sense of themselves, Phạm Thị Hoài begins as though these works are already part of the Vietnamese literary world. When her novel folds in 19<sup>th</sup>-century French fiction, it does so through Vietnamese translations from the 1920s-1930s. Throughout, important strands of Vietnamese mythology and socialist realism are also woven together, one made to play off against the other, giving the novel a quality of pastiche, with varying styles and tones. Nevertheless, *Manon Lescaut* and *La Dame* are the main threads. They give *The Crystal Messenger* a narrative model on which to develop its critique of socialist sexual morality—a concern that cuts across the novel’s many subtler themes. Prévost and Dumas *filis* each explores through his heroine the political unrest of 18<sup>th</sup>-19<sup>th</sup> century Europe. This chapter will show how Phạm Thị Hoài, using their narratives in a creative play of intertext, shapes the emotional and psychological complexity of *Đổi Mới* characters.

To examine the peculiar intertextuality on display in *The Crystal Messenger*, this chapter will proceed in two parts. The first half of the chapter places the novel within the Vietnamese medical discourse on sexology and anthropometry—the study of the human body through measurements. As will be shown, facets of the novel, especially its theatrical quality and “pygmy” characters, become sharply visible when set against this background. Since socialist sexual morality spans the Vietnamese medical, legal, and cultural fields, section two begins by explaining “socialist love” as a legal concept found in the 1960 Marriage and Family Law. Where part one focuses on medical control of sexuality after 1975, this section points to earlier uses of sexual pathology, especially in a 1961 campaign to break up existing kinship ties and condemn “bourgeois love.” The chapter will conclude with an analysis of *The Crystal Messenger*’s inscription of *Manon Lescaut* and *La Dame*, considering contextual, formal, and thematic elements with a comparative frame. Pulling in the medical and legal contexts described in earlier parts, here, the analysis will spotlight moments when *The Crystal Messenger* evokes its two literary precursors to critique socialist sexual morality.

### **Sexology and the Onanistic Imagination**

The Vietnamese literary scholar Lại Nguyên Ân may have been the first to spotlight *The Crystal Messenger*’s intertextual design. The novel, he points out, fuses different literary modes,

---

Kim Anh, Bảo Quốc, Túy Hồng, Anh Dũng, Calvin Hiệp, *Trà hoa nữ: Trường kịch* (Westminster, Ca. : Thúy Nga Productions, 2015).

<sup>6</sup> “Toàn thể quốc dân và báo chí Trung, Nam đối với tin buồn ông Nguyễn Văn Vinh tạ thế,” *Hà Thành ngo báo* (May 12, 1936). For information on Nguyễn Văn Vinh’s career as a journalist and translator, see Christopher E. Goscha, “‘The Modern Barbarian’: Nguyen Van Ninh and the Complexity of Colonial Modernity in Vietnam,” *European Journal of East Asian Studies* 3, no.1 (2004): 135-169.

<sup>7</sup> Hu, 69.

all the while borrowing plots, characters, and themes from world classics.<sup>8</sup> The Vietnamese edition first offered to the public in fact draws attention to its intertextuality. A part of the preface states that the novel “gets its start from a reference found in G.G.’s works.”<sup>9</sup> According to Lại Nguyên Ân, the preface pays homage to Günter Grass, the late Nobel-Prize winning author whose 1959 novel, *The Tin Drum*, seems to have inspired *The Crystal Messenger*. Phạm Thị Hoài’s narrator is built in the image of Oskar Matzerath, Grass’s “clairaudient infant” who decides never to grow up. From the outbreak of World War II to the settled “middle-class paradise” of the 1960s, Oskar lives through it all as a perpetual three-year-old, seeing the world through an adult’s eyes. A “spirit of children’s make-believe,” said to resonate in Grass’s work, makes its way into *The Crystal Messenger*. Phạm Thị Hoài’s novel has an experimental air. It presents itself as the journal of a child with a gift for storytelling, but who is not quite up to the task of becoming an adult. The twenty thin chapters which make up the book never add up to a coherent plot, each having its own tone and structure. There is a poem which flows unbroken for pages without any punctuation. A play that is at one point condensed into a single act later expands to four. And there are diary entries written on toilet paper. Throughout, some characters are brought on to play the part for which they are typecast, while others take on a series of identities drawn from mythologies and Western romance novels. The diffuse quality and excess of symbolism, as will become clear, reflects the abstruseness of socialist sexual morality, which pervaded the Vietnamese medical, legal, and cultural spheres during and after the war.

*The Crystal Messenger* could be said to have a loose storyline. It is about a Hà Nội family living through the 1970s-1980s, when the country transitioned out of collectivism and into an era of market reform. At the center of this family drama is the narrator, an unchanging fourteen-year-old who observes and records the events unfolding around her. Hằng, her twin sister, often appears as the narrator’s alter ego—someone more beautiful and worldly, and who adapts quickly to the changes that Renovation brought about. Many of the chapters follow Hằng to the classroom, where her love affair with a teacher begins, or the coffeeshop she frequents with her upwardly mobile friends, or the plush residence of a diplomat she is to marry. At about midpoint, the novel takes its readers to Hằng’s wedding, where we meet other members of the family. Hặc and Hùng, the narrator’s brothers, cannot be any more different from each other. Hặc, older of the two, is described as a ruffian, a figure of the Hà Nội underworld who controls its gambling network. By contrast, Hùng holds an engineering degree from Moscow and is therefore the “pride and joy of the family.”<sup>10</sup> It is also at this wedding that a nameless dancer first shows up. She and Hùng begin a liaison, which the engineer quickly ends for fear that consorting with such a girl of disrepute would jeopardize his future. Though part of a family, these characters represent different sets of values and belong to separate milieux in a society undergoing profound change. We as readers only come to know them—who they are and what they do—through the narrator, who controls the story throughout.

The narrator’s act of self-pleasure is one of several ways *The Crystal Messenger* shows itself to be in dialogue with the sexual mores of its day. Little Hoài is her name. From beginning to end,

<sup>8</sup> Lại Nguyên Ân, “Những đặc điểm của tiểu thuyết Thiên Sứ,” *lainguyenan.free.fr* (November 12, 1989), <http://lainguyenan.free.fr/SVWHCT/NhungDacDiem.html> (accessed March 1, 2019).

<sup>9</sup> The full preface in Vietnamese, which is not included in the English translation, reads: “Cuốn sách này bắt đầu từ một điển tích của nhà văn G.G và những chuyện khó tin của nhà thơ F.”

<sup>10</sup> Phạm Thị Hoài, 129.

it is she who frames the narrative. Quite literally, too, since the novel's opening passage finds her standing transfixed by a rectangular window—the frame through which she observes and chronicles what passes before her. For fifteen years, she takes note of the passers-by, dividing them into “just two types: those with a capacity for love and those without.”<sup>11</sup> This task—“the only task meaningful” to her—is a clue to the novel's focus, its lens restricted to what Little Hoài calls love, though it is never clear how she defines it.<sup>12</sup> Not many pages later, the focus seems to narrow further, zooming in on the biological, if not yet legal, discourse on sexuality and reproduction. That language comes through in Little Hoài's confession. When describing solitary sex as “sinful” [*tội lỗi*], she seems aware that masturbation is thought to be immoral, even pathological. It is as though this single transgression, much like medical literature at the time stated, could change her physiology. And so shortly after, she becomes physically stunted and “can never cross the threshold to the adult world.”<sup>13</sup>

By starting this way, *The Crystal Messenger* appears to explore Đổi Mới sexual politics first through modern sexology [*giới tính học hiện đại*].<sup>14</sup> When this novel came out in 1988, the scientific study of sex, already robust in Soviet Russia by the 1920s, was just nascent in Vietnam.<sup>15</sup> This emerging field thus took its bearings from Soviet science, particularly sexopathology—a branch of clinical medicine that examines the social and behavioral side of sexual disorders.<sup>16</sup> In a 1979 article, Nguyễn Duy Ngô, attempting to set this new discipline on its feet, drew freely from Soviet sexopathology to make his case. Georgi Vasilchenko and Abram Svyadoshch penned many of the studies the Vietnamese doctor cited. Vasilchenko, a neuropathologist, had acquired some notoriety just then when he, in 1973, took charge of the Sexopathology Department of the Moscow Psychiatric Research Institute. He would go on to redefine the field, widening its scope to draw expertise from across a range of disciplines—biology, physiology, urology, endocrinology, neurology, psychology, criminology, and others.<sup>17</sup> Together with Svyadoshch, who published *Female Sexopathology* around the same time, Vasilchenko would set up clinics to treat “sexual disharmonies” among newlyweds and among couples on the brink of divorce.<sup>18</sup>

Like Svyadoshch, Nguyễn Duy Ngô's primary interest lies in the psychosexual development of adolescents. To bring matters into focus, he began with the seemingly unrelated field of anthropometry [*nhân trắc học*]. This branch of science, founded in 19<sup>th</sup>-century Europe,

---

<sup>11</sup> Ibid., 10.

<sup>12</sup> Ibid., 12.

<sup>13</sup> Ibid., 40.

<sup>14</sup> Nguyễn Duy Ngô, “Tài liệu khoa học về tuổi dậy thì,” *Nhân Dân* (Jan. 13, 1979).

<sup>15</sup> See, among others, Eric Naiman, *Sex in Public: The Incarnation of Early Soviet Ideology* (Princeton: Princeton University Press, 1997); Christina Kaier and Eric Naiman, eds. *Everyday Life in Early Soviet Russia: Taking the Revolution Inside* (Bloomington, Indiana University Press, 2008); Frances Bernstein, *The Dictatorship of Sex: Lifestyle Advice for the Soviet Masses* (DeKalb: North Illinois University Press, 2011).

<sup>16</sup> Robert T. Francoeur and Raymond J. Noonan, eds., *The Continuum Complete International Encyclopedia of Sexuality* (New York: Continuum, 2004), 905.

<sup>17</sup> See Igor S. Kon, *The Sexual Revolution in Russia: From the Age of the Czars to Today* (New York: The Free Press, 1995), 92–95.

<sup>18</sup> Ibid., 95. Also see Igor S. Kon and James Riordan, eds., *Sex and Russian Society* (Indianapolis: Indiana University Press, 1993).

measures the body to determine the average man's physical characteristics.<sup>19</sup> It was to turn into much more. Over time, the precise anatomical measurements would be used to assess fitness and productivity of a population, or to predict intelligence and behavior.<sup>20</sup> This came to pass notably in 1974, when the economic historian Robert W. Fogel, using anthropometric records of slaves, argued that plantation owners may have treated “working slaves relatively well . . . so as to maximize their productivity.”<sup>21</sup> Although Nguyễn Duy Ngô mentions only Soviet scientists, word of the Nobel laureate's contentious study, which for a short while put anthropometry back on the map as a science in its own right, may have reached Vietnam. Nguyễn Duy Ngô seems in any case interested in how the study of averages, as it might be called, overlaps with sexopathology. On this count, he states that sex drives mature in lockstep with growth spurts.

This turns out not to be the article's main point. The thrust comes rather from Nguyễn Duy Ngô's claim that unchecked drives could lead to “pathological sexual habits” [*tập tính sinh dục lệch lạc*]. Since the article scarcely elaborates on this point, we can do little more than guess about the pathology, or “illnesses” [*bệnh tật*], which manifest when drives are unrestrained. By the time Nguyễn Duy Ngô wrote his article, Soviet medical experts had more and more concluded that unbridled sexuality produces not just “psychopathological forms of behavior,” but also weak morals and intellect. Boys with uninhibited sex drives were described as aggressive—prone to alcoholism and thievery—while girls tended toward truancy.<sup>22</sup> Nguyễn Duy Ngô might have carried on analyzing the causes of pathologies in Vietnamese youth, but instead rushes to prescribe a remedy. Quoting Svyadoshch, he states that “moderate masturbation [*thói thủ dâm*] in young people serves as a self-regulating mechanism [*tự điều hoà*].” Here, the doctor joins anthropometry with sexology to, in effect, present autoeroticism as a stage one passes through on the way to maturity. Such “solitary vice,” as Thomas Laqueur has put it, forms “a part of ontogenesis: we pass through masturbation, we build on it, and we become sexual adults.”<sup>23</sup> Nguyễn Duy Ngô goes on advising parents and teachers not to discourage children from exploring their own sexuality, but, using sound medical knowledge [*tuân theo y học*], to help them manage it. Though able to relieve urgent desires, he writes, young men who over indulge in self-gratification risk impairing their physical and mental development. Thus, parents could do no better than to create a healthy “microsocial environment,” removing from view all pornography and art forms whose erotic power could lead children down the wrong path.<sup>24</sup>

One such art form is the novel. Masturbation, Laqueur argues, has “no bound in reality.” It is “a creature of the imagination,” relying entirely on it.<sup>25</sup> The masturbator willfully mobilizes

---

<sup>19</sup> See Robert Floud, Robert W. Fogel, Bernard Harris, and Sok Chul Hong, *The Changing Body: Health, Nutrition, and Human Development in the Western World Since 1700* (Cambridge: Cambridge University Press, 2012).

<sup>20</sup> See Lucy Bland and Laura Doan, eds., *Sexology Uncensored: The Documents of Sexual Science* (Chicago: University of Chicago Press, 1998).

<sup>21</sup> Jerome Groopman, “The Body and Human Progress,” *The New York Review of Books* (October 27, 2011).

<sup>22</sup> K. S. Lebedinskaya, M. M. Raikaya & G. V. Gribanova, “Clinico-psychological Analysis of Behavioral Disorders in Adolescents,” *Soviet Psychology* 24, no.1 (1985), 61-74.

<sup>23</sup> Thomas Walter Laqueur, *Solitary Sex: A Cultural History of Masturbation* (New York: Zone Books, 2003), 394.

<sup>24</sup> K. S. Lebedinskaya, M. M. Raikaya & G. V. Gribanova, 65.

<sup>25</sup> Laqueur, 21.

fantasy to create an endless theater of desire, “an economy of one.”<sup>26</sup> Similarly, novel-reading generates “a certain kind of absorption, a deep engagement of the imagination, a bodily intensity” that could easily give way to self-pleasure.<sup>27</sup> Solitary reading enabled by the novel suited the 18<sup>th</sup>-century domestic space, rousing the “onanistic imagination”<sup>28</sup> to such an extent that “pornographic images of women masturbating . . . frequently feature an open book, dropped on the ground at the moment that the overwhelming excitements of reading provoked the urge for immediate relief.”<sup>29</sup>

In *The Crystal Messenger*, Little Hoài’s moment of self-indulgence takes place in a locked room, where she is all alone reading the novels her father has collected over the years. There is also a mirror in the room. This object, which seems trivial at first, may explain the book’s underlying structure. “Masturbatory mirror play,” some psychoanalysts say, gives the illusion of omnipotent power for theater and magic: “images and feelings” seem to continually shift in a representational world the patient creates for himself.<sup>30</sup> The mirror seems to work as a canvas, or a stage, which can make manifest the mind’s seductive fancies. Laqueur’s insights show the masturbator to be primarily a reader, orchestrating in the depths of her imagination “an unregulated cottage industry of desire.”<sup>31</sup> With the mirror as a device, Phạm Thị Hoài provides a surface for the narrator to project her fantasies. Little Hoài, “silent stenographer of family history,” is shown to have such power of manipulation in her “world of four hundred brown glazed squares,” always in motion.<sup>32</sup> This phrase, which appears several times in the novel, suggests that the imaginative flights—fantasy and theatre—associated with masturbation are transposed onto the novel’s structure: each of the disparate chapters pursues its own style and stages a fictional world all its own.

Solitary and hence nonreproductive pleasure, Soviet sexologists believed, is an unthrifty “expenditure of nervous energy.”<sup>33</sup> Its assault on health and marriage would put economic productivity, socialist morality, and the fitness of future men at risk. Nguyễn Duy Ngô, heeding the effort to bring sexuality under medical control, took masturbation to be chiefly a matter of social and cultural hygiene. *The Crystal Messenger* is perhaps most distinctive when it gives this discourse new significance, re-aligning it with the practice not just of reading, but also of writing. Individual autonomy—“imagination left to its own devices”<sup>34</sup>—as distinguished from the productivity of social relations, seems key to Phạm Thị Hoài’s creative enterprise. Withdrawn from the collective and into the vagrant mind of a novel reader, Little Hoài plays with reality, creating, as we shall see, a unique kind of “onanistic imagination” that pushes against the medical and literary wisdom of her day.

This double critique of science and literature is sharpest when we read about Quang the dwarf. A “miniaturized man” measuring no more than 125 centimeters from head to toe, he is

---

<sup>26</sup> Ibid., 213.

<sup>27</sup> Stephen Greenblatt, “Me, Myself, and I,” *The New York Review of Books* (April 8, 2004).

<sup>28</sup> Sam Ladkin, “The ‘Onanism of Poetry,” *Angelaki* 20, no.4 (2015): 131-156; 141.

<sup>29</sup> Greenblatt.

<sup>30</sup> Paul A. Bradlow and Stanley J. Coen, “Mirror Masturbation,” *The Psychoanalytic Quarterly* 53, no. 2 (1984), 267-285; 282.

<sup>31</sup> Laqueur, 213.

<sup>32</sup> Ibid., 139.

<sup>33</sup> Deborah A. Field, *Private Life and Communist Morality in Khrushchev’s Russia* (New York: Peter Lang, 2007), 52.

<sup>34</sup> Ladkin, 141.



fittingly called the “pygmy king” [*ông hoàng pícmê*].<sup>35</sup> Descriptions of this man are colorful, in part evoking the 1970s zeal for anthropometry and biotechnology (which will be discussed further in chapter 4). He is at one point “an undersized grain” kept too small by a “missing drop of hormone.”<sup>36</sup> At another, he appears as “a certified copy of Pavel Korchagin.”<sup>37</sup> Whatever ridicule or game others try on him can only strengthen his resolve to undo fate. After gathering “sufficient scientific evidence to determine the reason for his stunted growth,” he sets about training himself.<sup>38</sup> For six months, Quang partakes in the “track-and-field world where crossbars combine with human will to create new beings. He searches for the creator within.”<sup>39</sup> And exactly six months later, he faces the world at 126 centimeters above ground. The extra centimeter being enough proof of his willpower, he goes off to fight in the Third Indochina War.

Man’s “capacity for self-perfection” [*khả năng tự hoàn thiện*], so much a part of Quang’s character, was also the idea behind biomimicry [*phỏng sinh học*].<sup>40</sup> Vietnamese engineers, emboldened by the belief that in nature one can find endless examples of biological innovation waiting to be studied and adapted for human use, dabbled in bionics.<sup>41</sup> They claimed that man can tap into “nature’s operating instructions”<sup>42</sup> and extract, in some way, the essential biological know-how to “outdo nature” [*vượt cả giới tự nhiên*].<sup>43</sup> Analogues from faraway Ohio that pushed biomimetic technologies to the forefront of science—robotic eyes that imitate the optical range of flies, or seafaring vessels modeled on dolphins—appeared in the Vietnamese press as showpieces of nature-inspired design—rational imitation of “living machines” [*máy sống*].<sup>44</sup>

Some in the People’s Army, intrigued by the research on how the environment influences animal physiology and behavior, drew up a sort of training manual for soldiers based on “the problems that have been hammered out on nature’s workbench.”<sup>45</sup> The goal was to improve battle-readiness, by any scale. There were exercises to quicken reflex responses, or to cut short recovery time. Vision and hearing received just about equal attention, since it was believed that, with continuous training, man can detect sound frequencies at three vibrations per second (markedly below the average human range), or increase his color perception by forty to sixty fold.<sup>46</sup> The array of fitness exercises, inspired in part by biomimicry, in part by

---

<sup>35</sup> Phạm Thị Hoài, 64.

<sup>36</sup> *Ibid.*, 63; 69.

<sup>37</sup> *Ibid.*, 66.

<sup>38</sup> *Ibid.*, 64.

<sup>39</sup> *Ibid.*, 71.

<sup>40</sup> Hoàng Quý, Nguyễn Miên, and Cao Văn Sung, “Từ sinh vật đến ngành khoa học mới: Phỏng sinh học,” *Tiền Phong* (February 11, 1975).

<sup>41</sup> See, for example, Lê Quang Long, “Cơ sở sinh lý trong chiến đấu,” *Quân Đội Nhân Dân* (February 24, 1979); Ngọc Giao, “Bạn có biết?,” *Lao Động* (January 4, 1979);

<sup>42</sup> Peter Coates, “Can Nature Improve Technology,” in *The Illusory Boundary: Environment and Technology in History*, eds., Martin Reuss, Stephen H. Cutcliffe (Charlottesville: University of Virginia Press, 2010) : 43-68.

<sup>43</sup> Vũ Kim, “Phỏng sinh học và nền kỹ thuật hiện đại,” *Lao Động* (January 4, 1979).

<sup>44</sup> *Ibid.*

<sup>45</sup> Tom Vanderbilt, “How Biomimicry is Inspiring Human Innovation,” *Smithsonian Magazine* (September 2012).

<sup>46</sup> Lê Quang Long, “Cơ sở sinh lý trong chiến đấu,” *Quân Đội Nhân Dân* (February 24, 1979).

physiology, aimed to build the “collective strength” [*sức mạnh tổng hợp*].<sup>47</sup> An article which publicized these guides begins, in fact, by describing “a scene too common for the Vietnamese” [*người Việt Nam ta đã bao lần chứng kiến cảnh*]: a diminutive guerilla, wielding a weapon much too big for her frame, faces a lanky American towering over her. Lacking sheer size, the author reasoned, the Vietnamese have no other choice but to make themselves agile and daring [*to gan hơn béo bụng*].

As a character, Quang is in every way the embodiment of this discourse on self-training. How-to manuals—part science, part myth—taught the Vietnamese that proper color schemes, for example, can increase his productivity by as much as 25 percent, and decrease work-related injuries by an even wider margin—30 percent.<sup>48</sup> Much like sexopathology, the psychology of colors and sounds, taking its data from Soviet behaviorists to present mental life as a science, tries to show how man can master himself through control of his environment. In this context, Quang’s will to change his lot seems as unfaltering as his literary predecessor’s. Like Pavel Korchagin, whom Katerina Clark describes as “a sort of Stalin-to-scale, a figure with Stalin’s significance but proportionate to the small world in which the action takes place,” Quang has some qualities of a hero.<sup>49</sup> He is above all committed to the cause, chairing various committees, twice overseeing the monetary reforms in addition to fighting on the frontier. Like the positive hero still, Quang tries to “resolve symbolically that problematical dialectic between the forces of ‘spontaneity’ and those of ‘consciousness’” when he applies science to overcome a natural deficiency.<sup>50</sup> But the parallels end here. The pygmy king’s efforts come across as absurd, comical even, when he contemplates spending “sixty times six months—thirty years—to reach a meter eighty.”<sup>51</sup> Where Korchagin is “an irresponsible, anarchic fellow whose instincts are in the right place but have to be tamed,” in Quang, we find something else.<sup>52</sup> He surpasses his peers by every measure of character—intellectually [*trí*], morally [*đức*], aesthetically [*mỹ*]—but is rejected by the universities for his small stature. How, they ask, “with your health, can you cope with the increasing demands of the revolution?”<sup>53</sup>

As noted above, Vietnam in the 1970s-1980s held on to the promise of “‘finishing’ nature,”<sup>54</sup> so sought to develop various domains of science. To Nguyễn Duy Ngô, bringing about “the new man” [*con người mới*] would require anthropometric mapping of the “typical person,” and medical control of sexuality in the young. Meanwhile, experts in biomimicry thought that science and technology, when pushed to their furthest limits, could reshape our biology so that features such as height, once fixed by genes, could in the future be engineered. The People’s Army was evidently concerned with size. Its battlefield training reflects a phase in the thinking that studying cells and biomechanics might help the Vietnamese overcome their small physique. Deliberately out of step with this scientific fervor, *The Crystal Messenger*, by defying conventional depictions of the revolutionary, presents in its own way a slight to the idea of outdoing nature. From the study of averages, scientists sought to build a superior being by

<sup>47</sup> Ibid. For other articles on physiology as studied and discussed in Vietnam, see for example: Đức Minh, “Muốn làm chủ thời gian,” *Tiền Phong* (January 1, 1975) and Từ Giấy, “Suy nghĩ đầu năm: Rèn luyện và lao động,” *Nhân Dân* (January 26, 1979).

<sup>48</sup> “Bạn có biết,” *Tiền Phong* (January 7, 1975).

<sup>49</sup> Katerina Clark, *The Soviet Novel: History as Ritual* (Indianapolis: Indiana University Press, 2000), 132.

<sup>50</sup> Ibid., 133.

<sup>51</sup> Phạm Thị Hoài, 71.

<sup>52</sup> Clark, 198.

<sup>53</sup> Phạm Thị Hoài, 69.

<sup>54</sup> Coates, 45.

transforming “l’homme moyen” into the total man. The novel, by comedic contrast, brings its pygmy hero onto the scene already with a defect which the science of his day can explain—the missing drop of hormone—but is unable to rectify.

### **Marriage Laws, *Manon Lescaut*, and *La Dame aux Camélias***

Quang nevertheless wields considerable power as a granter of marriage certificates. When the Third Indochina War comes to an end, he returns to Hà Nội to run the registry office [*phòng đăng ký kết hôn*] with a kind of professional toughness, working day and night there, unwilling to leave the task to others.<sup>55</sup> In one scene, he is found administering a marriage license to Hằng—Hoài’s sister, “older by less than a minute”—and her husband, a man from the Ministry of Foreign Affairs.<sup>56</sup> Pages later, he attends their wedding and ends up arresting some guests for “murder, devaluing socialist currency, and disturbing public peace.”<sup>57</sup> A lieutenant of the local police is there to help him. Though smaller than the average man, Quang is the model of an all-round bureaucrat, extending state power into the farthest reaches of family and social affairs. Pygmy soldier and enforcer of the marriage law, Quang is unambiguously an avatar of the party-state. It is through him that the novel brings together the medical and legal discourses on socialist sexual morality, showing how they interlock.

There is good reason for the novel to associate Quang with the registry office. On December 29, 1986, less than two years before *The Crystal Messenger* appeared, the National Assembly passed a new Marriage and Family Law [*Luật hôn nhân và gia đình*], phasing out its 1960 precursor. To enact a regime of “voluntary, progressive, and monogamous marriage,” framers of the 1986 code would only recognize those who register with the state. All other marriage proceedings were deemed invalid.<sup>58</sup> Hardly novel, compulsory registration was a cornerstone of socialist family law, used to “redraw the basic outlines of society.”<sup>59</sup> In Soviet Russia, for instance, the 1944-1945 Code of Family Law decreed that only couples who register with the Civil Registry Office would have the rights and duties of husband and wife, thus invalidating *de facto* conjugal arrangements. This code carried forward the legitimacy which the Bolsheviks, in 1919, gave to civil marriages in order to “[break] with the laws and mores”<sup>60</sup> of the old empire, pulling its new society away from the church.<sup>61</sup> Similarly, China’s corpus of family law since 1950 requires couples to register their union before any ceremony could take place.<sup>62</sup>

---

<sup>55</sup> Phạm Thị Hoài, 95.

<sup>56</sup> *Ibid.*, 30.

<sup>57</sup> *Ibid.*, 107.

<sup>58</sup> “Viet Nam: Marriage and Family Law,” *UN Refugee Agency*, (December 29, 1986), <https://www.refworld.org/docid/3ae6b54dc.html> (accessed February 18, 2019).

<sup>59</sup> Becky L. Glass and Margaret K. Stolee, “Family Law in Soviet Russia, 1917-1945,” *Journal of Marriage and Family* 49, no.4 (Nov. 1987):893-902; 896.

<sup>60</sup> Wendy Z. Goldman, *Women, the State and Revolution: Soviet Family Policy and Social Life, 1917-1936* (Cambridge: Cambridge University Press, 1993), 58.

<sup>61</sup> See, among others, Lewis A. Coser, “Some Aspects of Soviet Family Policy,” *American Journal of Sociology* 567, no.5 (March 1951): 424-437.

<sup>62</sup> On China’s compulsory marriage registration, see: Deborah S. Davis, “On the Limits of Personal Autonomy: PRC Law and the Institution of Marriage,” in *Wives, Husbands, and Lovers: Marriage and Sexuality in Hong Kong, Taiwan, and Urban China*, eds. Deborah S. Davis and Sara L. Friedman (Stanford: Stanford University Press, 2014): 41-61; Michael Palmer,

Civil registration in Vietnam dates back to 1960, when the Democratic Republic of Vietnam (DRV) ushered in its first set of laws governing marriage and family life.<sup>63</sup> As Pham Van Bich explains, “applicants for a marriage certificate [had] to undergo an investigation,” and submit documents from their workplace or place of residence confirming their eligibility for marriage.<sup>64</sup> The process had the effect of creating “political homogamy”—a mating of like—since those from good stock could not marry outside their revolutionary class.<sup>65</sup> This was part of building a “harmonious, democratic, and happy family” to protect “the health of the Vietnamese race” [*bảm đão nòi giống lành mạnh*], *Nhân Dân* wrote.<sup>66</sup> In 1961, this party newspaper stressed that registration was “the one and only rite” required for marriage.<sup>67</sup> The article, one among many which promoted the new code to the wider public, touted the principles of free union, monogamy, and equality between husband and wife. Earlier that year, the party commissioned at least twenty-seven movies and distributed 200 satirical cartoons; 2,000 ballads [*diễn ca*], putting the law into verse; 5,000 books of poetry; 13,000 color paintings; 140,000 question and answer type booklets; and 250,000 copies of the code.<sup>68</sup> This propaganda campaign, launched across the DRV, gives a sense of how much emphasis the party put on “building the socialist family” [*xây dựng gia đình xã hội chủ nghĩa*]<sup>69</sup> in order to regulate sexuality, reproduction, and the labor force.

In those days, state planners happily credited the new marriage law with emancipating Vietnamese women. Commentaries that appeared in party newspapers praised the “revolutionary spirit of the law” [*y nghĩa cách mạng của đạo luật*], which, they claimed, liberated women from a feudal system that had kept them from entering the workforce.<sup>70</sup> One after another, these articles stressed the need to turn female labor into “a major economic

---

“Transforming Family Law in Post-Dung China: Marriage, Divorce, and Reproduction,” *The China Quarterly*, no.191 (Sept. 2007): 675-695.

<sup>63</sup> Precursors to the 1960 marriage law include Decree 97 [Sắc lệnh 97] (May 22, 1950) and Decree 159 [Sắc lệnh 159] (November 17, 1959). See *Các văn bản pháp luật về luật hôn nhân và gia đình* (Hà Chí Minh City: Pháp luật, 1992).

<sup>64</sup> Pham Van Bich, *The Vietnamese Family in Change: The Case of the Red River Delta* ([Place of publication not identified]: Curzon Press, 1999), 55.

<sup>65</sup> Danièle Bélanger, Magali Barbieri, eds., *Reconfiguring Families in Contemporary Vietnam* (Stanford: Stanford University Press, 2009), 17.

<sup>66</sup> Hồ-Trúc, “Đoàn viên và thanh niên đối với luật hôn nhân và gia đình,” *Nhân Dân* (March 1, 1961).

<sup>67</sup> Minh-Tranh, “Các chế độ xã hội và vấn đề gia đình,” *Nhân Dân* (February 21, 1961).

<sup>68</sup> Công-Vũ, “Đợt phim hôn nhân và gia đình,” *Nhân Dân* (February 19, 1961); “Hầu hết các tỉnh đã họp bàn kế hoạch mở đợt tuyên truyền, vận động thi hành luật hôn nhân và gia đình,” *Nhân Dân* (February 20, 1961); Xuân-Thủy, “Cần tích cực đẩy mạnh đợt tuyên truyền, vận động thi hành luật hôn nhân và gia đình,” *Nhân Dân* (February 20, 1961); “Trong phòng tranh cô động về luật hôn nhân và gia đình,” *Nhân Dân* (March 5, 1961); “Các nơi tuyên truyền vận động thi hành luật hôn nhân và gia đình,” *Nhân Dân* (March 17, 1961); “Chú ý hoàn thành tốt đợt tuyên truyền vận động thi hành luật hôn nhân và gia đình,” *Nhân Dân* (March 21, 1961); “Các nơi tuyên truyền, vận động thi hành luật hôn nhân và gia đình,” *Nhân Dân* (March 22, 1961).

<sup>69</sup> Minh-Tranh, “Các chế độ Xã hội và gia đình: Vấn đề gia đình dưới chế độ của chúng ta,” *Nhân Dân* (February 23, 1961).

<sup>70</sup> Xuân-Thủy, “Cần tích cực đẩy mạnh đợt tuyên truyền, vận động thi hành luật hôn nhân và gia đình,” *Nhân Dân* (February 20, 1961); Ngọc-Quỳnh, “Cha mẹ theo nếp xưa đã sai, đoàn thể có sao cũng theo lối cũ?,” *Nhân Dân* (March 4, 1961).

resource” [*nguồn nhân lực dồi dào*], showing that the marriage law in fact formed part of a larger strategy for economic growth. The case was made never more so than in *Nhân Dân*, which had much to say about how to “harness the surplus energy of Vietnamese women” [*thu hút nhân lực thừa của phụ nữ*]. To keep pace with economic development and to free men for military service, one reporter commented, the state should build up a social welfare system so that women could take up work in agriculture, crafts, healthcare, education, and administration.<sup>71</sup> The question and answer booklet, published in 1960 as a companion to the marriage code, described public nurseries [*nhà giữ trẻ công cộng*] that, as envisioned in Soviet Russia, would bring “into the child’s life the inspirational principles of free, creative labor,” thus lessening the burden on mothers.<sup>72</sup> Economic independence would become the primary way for women to be on equal footing with men.<sup>73</sup> To that end, *Nhân Dân* called on young women to “use the law to fight for their own freedom” [*nắm luật và đấu tranh*], not least the freedom to marry for love.<sup>74</sup>

The socialist discourse on love, to the extent that it existed, can be traced to the “post-mandarin writers,” and further. Near the height of colonial modernity, some among the Vietnamese educated elite criticized the Confucian family structure, choosing to embrace “a European ideal of romantic love as an affirmation of individual liberation and sovereignty.”<sup>75</sup> Young men and women at the time, trying to break free from tradition, found in “modern love . . . a model for intersubjective relationships—a new basis for a more rational and humane national community.”<sup>76</sup> The idea of modern love would come to acquire a recognizable meaning in Nhất Linh’s novels, and any general account of it would imply casting aside the Confucian sense of piety. In 1960, Hồ Chí Minh and his Minister of Justice Vũ Đình Hòe, then diagnosing the plight of Vietnamese women in order to mobilize them, also placed blame squarely on the feudal regime.<sup>77</sup> The Ministry of Justice opposed child marriage [*tảo hôn*] most of all. In its publications, the ministry, evoking pseudo-science, warned that marrying young would decrease one’s physical health and productivity because much mental energy is wasted worrying about the family.<sup>78</sup> It described offspring of underage couples as physiologically weak and sickly, labelling them as an “asthenic race” [*nòi giống suy*

<sup>71</sup> H.C., “Tích cực phát huy năng lực và nâng cao trình độ văn hóa cho phụ nữ,” *Nhân Dân* (January 9, 1961).

<sup>72</sup> Vụ tuyên giáo, Bộ tư pháp, *Giải đáp một số điểm về luật hôn nhân và gia đình* (Hà Nội: Phổ Thông, 1960), 26; Catriona Kelly, “Shaping the ‘Future Race,’ Regulating the Daily Life of Children in Early Soviet Russia,” in *Everyday Life in Early Soviet Russia*, 257.

<sup>73</sup> “đặt phụ nữ ở một địa vị bình đẳng với nam giới . . .” Vũ Khiêu, *Đạo đức cộng sản* (Hà Nội: Khoa học xã hội, 1974), 235. See Gail Warshofsky Lapidus, *Women in Soviet Society: Equality, Development, and Social Change* (Berkeley: University of California Press, 1978).

<sup>74</sup> Ngọc-Quỳnh, “Cha mẹ theo nếp xưa đã sai, đoàn thể có sao cũng theo lối cũ?,” *Nhân Dân* (March 4, 1961). “Phụ nữ phải đứng lên đấu tranh chống những tư tưởng bảo thủ, để tự giáo phóng mình . . .” Công-Vũ, “Đợt phim hôn nhân và gia đình.”

<sup>75</sup> Ben Tran, *Post-Mandarin: Masculinity and Aesthetic Modernity in Colonial Vietnam* (New York: Fordham University Press, 2017), 67.

<sup>76</sup> *Ibid.*, 68.

<sup>77</sup> Hồ Chí Minh, *Những lời kêu gọi của Hồ Chủ tịch* (Hà Nội: Sứ thật, 1960), 14; Vụ tuyên giáo, Bộ tư pháp, *Giải đáp một số điểm về luật hôn nhân và gia đình*.

<sup>78</sup> “Chưa đến tuổi mà có vợ có chồng thì sức khỏe bị hạn chế, trí óc bận lo nghĩ đến gia đình cho nên học tập không tiến bộ, lao động sản xuất kém.” Vụ tuyên giáo, Bộ tư pháp, *Giải đáp một số điểm về luật hôn nhân và gia đình*, 15.

*nhược*].<sup>79</sup> But the call to do away with traditional marriage practices had already found traction by 1949, when *Sự Thật, Nhân Dân*'s predecessor, not only denounced early marriages, but also recast the notion of “free love” [*tự do luyện ái*] as bourgeois, associating it with rape, debauchery, and prostitution.<sup>80</sup>

In the 1970s, Vũ Khiêu, quoting the chairman, folded the post-mandarins' far-ranging idea of love into what he called “communist humanism” [*chủ nghĩa nhân đạo cộng sản*], or “communist morality” [*đạo đức cộng sản*].<sup>81</sup> As discussed in chapter 2, both concepts upheld the belief that to be moral meant, above all, to do all one can to bring about a communist society.<sup>82</sup> Practicing “true love” [*luyện ái chân chính*], “proper love” [*luyện ái đúng đắn*], or “revolutionary love” [*luyện ái cách mạng*] was one way to hone communist morality in everyday life.<sup>83</sup> These capture more or less the “Communist ideals of love,” where “impulses of the heart must be controlled by the demands of sense and duty.”<sup>84</sup> *The Crystal Messenger* at one point mimics this rhetoric. Before leaving for the frontier, Quang warns others that “one cannot allow love to encroach on rational thought.”<sup>85</sup> If “free romantic love” [*luyện ái tự do lãng mạn*],<sup>86</sup> because it satisfies only individual interest, is a selfish feeling, revolutionary love was discussed in relation to the “great family,” Clark's term for Soviet society.<sup>87</sup> With “genuine love” [*tình yêu chân thật*], *Nhân Dân* assured, “members of every family will come together, fully devoted to the people, and loyal to socialism.” Each would work “in order to build a new society with the highest love for all ages, for all classes, and for all of mankind [*tất cả loài người*].”<sup>88</sup> Here, the dual emphasis on labor and devotion suggests that the family would act as something of a “transmission belt” for socialist internationalism.<sup>89</sup> In this respect, the Ministry of Justice believed that the 1960 law would spark “an ideological and cultural revolution” [*cách mạng tư tưởng và văn hóa*] on its home ground, and looked forward to the day when society would supersede the family.<sup>90</sup>

A socialist welfare state seemed less and less viable by the 1980s, however. Faced with high inflation, and an economy at a standstill, the state withdrew, allowing the family to spring back “as the *de facto* locus of social security and welfare.”<sup>91</sup> The Đổi Mới marriage law in part

<sup>79</sup> “lấy nhau sớm rất có hại cho sức khỏe của vợ chồng. Con cái sinh ra ốm yếu, thường có đẻ mà không có nuôi, nòi giống suy nhược.” *ibid.*

<sup>80</sup> “Cộng sản với gia đình,” *Sự Thật* (January 15, 1949).

<sup>81</sup> Vũ Khiêu, *Đạo đức cộng sản* (Hà Nội: Khoa học xã hội, 1974), 237.

<sup>82</sup> See Deborah A. Field, “Irreconcilable Differences: Divorce and Conceptions of Private Life in the Khrushchev Era,” *The Russian Review* 57, no.4 (October, 1998), 599-613.

<sup>83</sup> “Làm thế nào để thực hiện hôn nhân tự do và tiến bộ,” *Tiền Phong* (April 1, 1975).

<sup>84</sup> Field, *Private Life and Communist Morality*, 40; 42.

<sup>85</sup> “. . . chúng ta không thể để tình yêu lấn át lí trí.” Phạm Thị Hoài, 72.

<sup>86</sup> Hồ-Trúc, “Đoàn viên và thanh niên đối với luật hôn nhân và gia đình.”

<sup>87</sup> See “The Stalinist Myth of the ‘Great Family,’” in Clark, *The Soviet Novel*, 114-135.

<sup>88</sup> “những người trong gia đình sẽ gắn bó với nhau trong cái hiểu với nhân dân, trong cái trung với Tổ quốc xã hội chủ nghĩa, trong sự thi đua lao động để xây dựng một xã hội mới, trong tình thương yêu cao cả đối với tất cả các lứa tuổi, đối với tất cả các giới, đối với tất cả loài người.” Minh-Tranh, “Các chế độ Xã hội và gia đình: Vấn đề gia đình dưới chế độ của chúng ta.”

<sup>89</sup> Coser, “Some Aspects of Soviet Family Policy,” 424.

<sup>90</sup> Vụ tuyên giáo, Bộ tư pháp, *Giải đáp một số điểm về luật hôn nhân và gia đình*; “Bức thư thứ hai từ Sơn Đông,” *Tiền Phong* (February 3, 1975); “Gương mẫu thực hiện nếp sống mới,” *Lao Động* (March 15, 1975).

<sup>91</sup> Bélanger and Barbieri, *Reconfiguring Families in Contemporary Vietnam*, 23.

reflects what Sheila Fitzpatrick calls “the great retreat” from some revolutionary values, while carrying forward others.<sup>92</sup> Along these lines, lawmakers declared that “the family, far more than the state, is responsible for the care and well-being of its members.”<sup>93</sup> Family planning became an official policy. According to Bélanger and Barbieri, the concept of “household economy” [*kinh tế gia đình*] also came into use to “accelerate the household’s ability to reinvest its productive role, making the family instrumental in the implementation of reforms” then underway.<sup>94</sup> If North Vietnam, seeking to mobilize young men and women for the war, used its laws to break up the pre-existing kinship system, legislators more than two decades later, grappling with a declining economy, favored reinstating the traditional family as the unit of production and control.<sup>95</sup>

By featuring the registry office, *The Crystal Messenger* might be understood to document the shift in attitudes toward love, marriage and much else associated with it. But it does so in a peculiarly intertextual way, through *Manon Lescaut* and *La Dame*. It is not by chance that these novels are placed side by side. When Dumas *filis* composed what would later become his best-known work, he had at hand a reissued copy of *Manon Lescaut*.<sup>96</sup> The great love story he came to write in a month’s span would display its debt to Prévost, too. In it, the frame narrator happens to acquire a copy of *Manon Lescaut* bearing the inscription “Manon à Marguerite.” We learn early on that the copy belonged to Marguerite Gautier, a deceased courtesan who had seen in Manon an image of herself. From the very start, then, *La Dame* claims *Manon Lescaut* to be its literary forerunner, and the connection it draws between the two heroines represents already a clear example of literary kinship.

*The Crystal Messenger* draws attention to its own intertextual design when it evokes Manon and Marguerite as a pair. This chapter has so far argued that the novel, responding to Soviet and Vietnamese sexology, projects a certain onanistic imagination through the books that Little Hoàì reads. Xenia Gasiorowska, surveying Russian literature written after Stalin’s death, noticed how the “thaw” gave rise to plots that feature extramarital affairs, casual involvements, infatuations, among other types of deceit. An “anatomy of unfaithfulness” is to be found in these stories, which highlight philanderers and idle flirts instead of “the chaste, sensible, hard-working heroine.”<sup>97</sup> One way to understand *The Crystal Messenger*, I suggest, is through its own kind of unfaithfulness. If socialist sexual morality, by idealizing chastity and restraint, produced an “emotionally flattened” world, characters in Phạm Thị Hoàì’s fictional universe enjoy premarital sex, have brief affairs, and marry for convenience.<sup>98</sup> Infidelity, as a theme, comes further to the foreground in the way *The Crystal Messenger* treats the texts it references—borrowing characters and scenes only to discard them a moment later, or blurring them into something else entirely. The novel’s onanistic imagination—a refusal to

<sup>92</sup> Sheila Fitzpatrick, *Everyday Stalinism: Ordinary Life in Extraordinary Times: Soviet Russia in the 1930s* (New York: Oxford University Press, 1999), 143.

<sup>93</sup> Quốc hội, “Luật Hôn nhân và gia đình,” (December 29, 1986). Quoted in Bélanger and Barbieri, *Reconfiguring Families in Contemporary Vietnam*, 23.

<sup>94</sup> Bélanger and Barbieri, *Reconfiguring Families in Contemporary Vietnam*, 21. Also see Esther Horate, *Trading in Uncertainty: Entrepreneurship, Morality and Trust in a Vietnamese Textile-Handling Village* [Place of publication not identified]: Palgrave Macmillan, 2019).

<sup>95</sup> Bélanger and Barbieri, *Reconfiguring Families in Contemporary Vietnam*, 21.

<sup>96</sup> Bernadette C. Lintz, “(Re)Writing a Classic: La Dame aux Camélias and Manon Lescaut,” *Dalhousie French Studies*, vol. 83 (Summer 2008), 25-41.

<sup>97</sup> Xenia Gasiorowska, “Two Decades of Love and Marriage in Soviet Fiction,” *Russian Review* 34, no.1 (Jan., 1975), 10-21; 11, 13.

<sup>98</sup> Field, *Private Life and Communist Morality*, 43.

reproduce the socialist sexual and moral economy—owes its meaning to the interpolated story, to the series of contrasts that this technique sets up. Picking up where section one left off, the following analysis aims to show, first, how *The Crystal Messenger* builds its critique of Đồi Mói sexual politics around *Manon Lescaut* and *La Dame*, and second, in a related vein, the ways it refutes the medical and legal basis of socialist sexual morality.

### **Manon Lescaut, My Nương, and the Moon Goddess**

Hằng is less a character in her own right than a series of names. She is Snow White, then the Moon Goddess. She is also My Nương, princess of a mythical kingdom, whose marriage to the Mountain Spirit enraged his rival, the Water Spirit. For many days and nights, the legend goes, thunder storms and ever mightier waves struck the mountains, forcing the newlyweds to move to higher and higher ground.<sup>99</sup> But before she takes on these identities, Hằng is first “the beautiful Manon Lescaut.”<sup>100</sup> In Prévost’s novel, Manon, like Hằng, emerges less as her own person than “a source of mystery.”<sup>101</sup> In the convention of a confessional *récit*—“the woman on whom the whole text depends is dead or at least much out of the way, and the man has lived specifically to tell the tale”—Manon seldom speaks.<sup>102</sup> Her thoughts and feelings are reported. When Des Grieux, her lover and the narrator much of the time, brings her steadily center stage, we find the pair take on society, swindling, card-sharping, engineering schemes, and, when caught, blame their misfortunes on the power of passion. Whether in prison or on the run, the lovers would encounter a variety of Parisian types: financiers, prostitutes, gamblers, policemen, guards, priests, justices, and assorted ruffians.

*The Crystal Messenger* aspires to be a great Hà Nội novel in the way that *Manon Lescaut* is a great Parisian novel. Prévost, Angela Scholar writes, evokes Paris “with verve and precision.”<sup>103</sup> Readers can trace the couple’s movements around the city; the Jardin du Luxembourg, the coffeehouse on Pont Saint Michel, and the Tuileries serve as landmarks. The same can be said about Phạm Thị Hoài’s novel. Gamblers, racketeers, red guards, fortune tellers, and undercover police join an engineer, poet, surgeon, architect, and party functionaries as they, all 299 of them in “a game of hide-and-seek,” search every corner of the city for Hằng, holding her to the promise that she would marry the first man to find her.<sup>104</sup> Lakeside cafés, the National Library, the Hà Nội Hilton, and the famed Trần Hưng Đạo Street, known for its embassies and ministries, provide an idea of the capital. And just as Paris is “a deeply ambivalent presence” in Prévost’s work, symbolizing the forces that Manon and Des Grieux “must either conform to or be destroyed by,” Hà Nội comes through as both glamorous and shadowy. Hằng moves between a coffeehouse—the meeting point of French-speaking, educated professionals—and “a little attic room filled with twilight dimness” suggestive of a backdoor abortion clinic.<sup>105</sup>

<sup>99</sup> See George E. Dutton, Jayne S. Werner, and John K. Whitmore, eds., *Sources of Vietnamese Tradition* (New York: Columbia University Press, 2012), 19-20.

<sup>100</sup> Phạm Thị Hoài, 67.

<sup>101</sup> Angela Scholar, Introduction to *Manon Lescaut*, trans. Angela Scholar (Oxford: Oxford University Press, 2004), xvii.

<sup>102</sup> Naomi Segal, *The Unintended Reader: Feminism and Manon Lescaut* (Cambridge, Cambridge University Press, 1986), xii.

<sup>103</sup> Scholar, xi.

<sup>104</sup> Phạm Thị Hoài, 88.

<sup>105</sup> *Ibid.*, 89.



Temporally, *The Crystal Messenger* bears the marks of *Đổi Mới* in much the same way as *Manon Lescaut* shows itself to be about the early 18<sup>th</sup>-century. Difficult as it is to place the story in the period of Louis XIV's reign, the 18<sup>th</sup> century emerges all the same as a period of momentous change. Parvenus and the *nouveau riche* exert their sway on Manon and Des Grieux, increasingly undermining the old nobility—men of honor and feeling, many of whom are “men of birth and education.”<sup>106</sup> The rise of a new economy of speculation, which allowed some among the ordinary run of men to become “modern men of means,” may explain the loss of aristocratic sensibility.<sup>107</sup> In *The Crystal Messenger*, Hoàng the Ice King represents the clearest example of a changing social order. A onetime teacher and second-rate poet, Hoàng disappears from the scene only to reemerge at Hằng's wedding as owner of Sài Gòn's sprawling ice distribution network. And yet, he no sooner builds up his “dynasty” than he squanders it in a game of cards with Hạc, Hằng's brother. Hoàng, in a theatrical gesture that calls to mind Des Grieux's astrological references, blames his ruin on “a cruel twist of fate.”<sup>108</sup> The rise and fall of entrepreneurs like him take place while the old structures of power remain. Quang, a symbol of state vigilance, keeps a constant presence. In spite of this and after taking over the Ice King's business, Hạc, a self-made entrepreneur himself, spends six months in Sài Gòn “studying the intimate workings of this beast, its rules of competition, the effects of advertisements, the advantage of monopoly.” He “understands the need to modernize,” so applies the Ice King's business model to develop his own numbers-game venture in Hà Nội.<sup>109</sup>

In *Manon Lescaut*, “money performs a complex function.” Financial calculations—“debts, loans, promissory notes, and inheritances”—more and more preoccupy the characters, especially Des Grieux who learns quickly to gamble to earn his keep.<sup>110</sup> Scholar suggests that money, as a motif, “takes us deep into the social, moral, and psychological fabric of the story,” in which wealth ends up in the hands of a new class.<sup>111</sup> All of this may be found in Phạm Thị Hoài's novel as well. Hoàng buys off a bereaved widow with cash and jewelry, maintaining, even while in prison, that “money . . . has magic.”<sup>112</sup> His lover, a “mixed-blood product” whom Little Hoài compares to Marguerite Gautier, spends as extravagantly as Manon. She “has only two needs: entertainment and spending money—entertainment without money is not possible; having money and not indulging herself is also not possible.”<sup>113</sup> Even Hằng comes to realize, near the end of the novel, that “money now holds the key to success and around me everybody dances around the money axis.”<sup>114</sup> The characters' attitude seems all the more ironic given the context. In the novel, just as it happened under the Socialist Republic of Vietnam, the *đồng*, introduced in the south in 1975, was virtually worthless by 1978 due to inflation, prompting the party-state to revalue it then, and again in 1985. Quang supervises both campaigns, arresting Hoàng and others for devaluing the banknotes. Less about moral decline, money and the way it circulates in the novel points to a thriving black market, which buoyed the national economy for a long time even as the party-state tried to crush it (see chapter 2).

<sup>106</sup> Scholar, xvi.

<sup>107</sup> Rori Bloom, *Man of Quality, Man of Letters: The Abbé Prévost between Novel and Newspaper* (Lewisburg: Bucknell University Press, 2009), 20.

<sup>108</sup> Phạm Thị Hoài, 95.

<sup>109</sup> *Ibid.*, 138.

<sup>110</sup> Scholar, xv-xvi.

<sup>111</sup> *Ibid.*, xviii.

<sup>112</sup> Phạm Thị Hoài, 168.

<sup>113</sup> *Ibid.*, 125.

<sup>114</sup> *Ibid.*, 154.

*The Crystal Messenger*, in other words, finds in *Manon Lescaut* an analogue to Đổi Mới society. The two novels are particularly close in their themes, perhaps even in their language. In both, money and sex go hand in hand as a new class of wealth creators—whose fortunes rise and sink with each gamble on the market—upends the existing social structures. Phạm Thị Hoài may have seen in Prévost’s works something else, too, that resonates not just with her era, but also with Vietnam after World War I. Europe in the 18<sup>th</sup> century, Rori Bloom writes, saw a “transition in mentalities.”<sup>115</sup> A new political culture came into being by way of a growing press. Salons, cafés, academies and newspapers made up an “autonomous, free, and sovereign public” in which reason had the edge over deference to authority.<sup>116</sup> Commerce steadily replaced the patronage system so that literature, ran as a business, came to rely on sales and advertisements. Similarly, Vietnam during the interwar period boasted a growing press with French and Vietnamese newspapers all writing to a small, but politically and economically ambitious, urban elite. Men of letters, like the eminent Nguyễn Văn Vĩnh who rendered *Manon Lescaut* into Vietnamese, founded publishing houses in order to spread Western modernity and culture. He “dug into his own pocket to invest in modern printing equipment, paper, and chemicals imported from Europe.”<sup>117</sup> Journalism at the time transformed a colonial “public sphere” constituted, as Jürgen Habermas would say, “by private people putting their reason to use.”<sup>118</sup>

*The Crystal Messenger* is keen to show that a sort of public space dawns, yet again, during Đổi Mới. It casts the instantly recognizable lakeside café as a chic rendezvous for the urban, educated types with their “mixed-code language” and “francophonic laughter.”<sup>119</sup> This class of Vietnamese can be seen debating issues as contemporary as “the growing sexualization of love among the young” [*xu thế tình dục hóa tình yêu*].<sup>120</sup> It is at the café that the pygmy king suffers his most upsetting disgrace: a young red guard, mistaking Quang for a child, “slaps him on the shoulder, removes the cigarette from his mouth and throws it into the lake. ‘Who says you can smoke, kid?’” he rebukes.<sup>121</sup> In public, Quang garners nothing close to reverence. This scene of high comedy is balanced by the funeral of a national figure—a writer of monumental stature who is mentioned by all but whose work “nobody reads.”<sup>122</sup> Word of his death spread quickly through gossip and the newspapers, revealing, in the dying “echo of his glorious” past, the decline of socialist aesthetics.<sup>123</sup>

The funeral, moreover, prepares the ground for new conceptions of authorship to emerge. In the penultimate chapter of the novel, Hoàng, held in prison with an unnamed poet, hears his cellmate say: “I am not concerned with the public [*công chúng*], even though it may be the same public who reads the newspapers and magazines that published your poems . . . Today I

---

<sup>115</sup> Bloom, 24.

<sup>116</sup> *Ibid.*, 18.

<sup>117</sup> Goscha, 147. Also see Peter Zinoman, *Vietnamese Colonial Republican: The Political Vision of Vũ Trọng Phụng* (Berkeley: University of California Press, 2014).

<sup>118</sup> Philippe Peycam, *The Birth of Vietnamese Political Journalism: Saigon, 1916-1930* (New York: Columbia University Press, 2015); Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Enquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge: Polity Press, 2015), 193.

<sup>119</sup> Phạm Thị Hoài, 72.

<sup>120</sup> *Ibid.*, 56.

<sup>121</sup> *Ibid.*, 69.

<sup>122</sup> *Ibid.*, 79.

<sup>123</sup> *Ibid.*, 62.

might be eating your scraps but tomorrow my place might be inside a prized dictionary or on a pedestal.”<sup>124</sup> Little is known about this poet’s past. He nevertheless exudes something of the *prévostian* “man of quality”—a recluse who displays his virtue by spurning all vices.<sup>125</sup> Where Hoàng comes off as a poet and shrewd businessman, moving deftly from verse to trade, the poet is another breed altogether. He cultivates himself as a type of gentlemanly genius, consciously avoiding the social scene to hone his craft. He does not compete with the other 299 men to win Hằng’s hand in marriage, though he loves her. Unlike the dead author who, we can assume, peddled communist ideology, the unnamed poet resembles the portrait of a genius, founded on the belief that works of art claim their own autonomy.<sup>126</sup> Different as they are, Hoàng and the poet, two versions of the *Đổi Mới* intellectual, both rebuff party patronage.

*The Crystal Messenger* is least like *Manon Lescaut* where we most expect it to be. Hằng has very little in common with her literary sister. If Manon is fun-loving, streetwise, and “willfully faithless” when times are hard, Hằng is miserable for the most part.<sup>127</sup> Still less in keeping with Manon, Hằng marries a man, a “middle-ranking diplomat,” she does not love. She chooses him for no other reason than for the fact that he won a contest she devised. It is in this sense that Hằng takes after *My Nương*, the mythical princess. According to Vietnamese mythology, *My Nương* was the daughter of King Hùng, ruler of a kingdom in the Red River Delta at a time when humans and the gods both walked the earth. Unable to choose a son-in-law among his daughter’s many suitors, the king announced that he would grant her hand to the first man to arrive bearing gifts. In due course, the Mountain Spirit made his presentation before anyone else, so the king, keeping his word, gave him *My Nương* to wed.<sup>128</sup>

*The Crystal Messenger* recasts this legend to surprising ends. Hằng, referred to as *My Nương* at one point, decides out of her own volition that she would give herself to the first person who finds her. “Trusting her lot to fate,” Hằng hides in an attic while 299 suitors “search for her down all the streets and lanes of the city . . . under the hats of each pedestrian in the street, under bushes with magnifying glasses.”<sup>129</sup> When no one can find her, Hằng engineers yet another contest for the surgeon, the architect and others besides. Each in this “masculine harem” rushes to lay their offerings “at the feet of the proud *My Nương*.”<sup>130</sup> In the end, Hằng picks the diplomat because he seems to her not “too bad for a prospective father—good-looking, strong and healthy, and of good breed.”<sup>131</sup> The couple right away darts to *Quang*’s office to register their union.

Rewriting the legend the way it does—removing the father figure so as to place the choice of husband fully in Hằng’s hands—the novel appears to heed the revolutionary critique of Confucianism. The father’s absence in Hằng’s marital affairs is striking. In totalitarian regimes, scholars of Soviet family law point out, the head of the family becomes increasingly dependent on the party-state such that his child “will find it difficult to accept a parental

---

<sup>124</sup> *Ibid.*, 166.

<sup>125</sup> Bloom, 37.

<sup>126</sup> *Ibid.*, 24-25.

<sup>127</sup> Scholar, xxx.

<sup>128</sup> Nghia M. Vo, *Legends of Vietnam: An Analysis and Retelling of 88 Tales* (Jefferson, NC: McFarland & Company, Inc., 2012), 100-103.

<sup>129</sup> Phạm Thị Hoài, 88.

<sup>130</sup> *Ibid.*, 74.

<sup>131</sup> *Ibid.*, 76.

authority which . . . seems so completely devoid of actual power of decision.”<sup>132</sup> The system constructs “a triangular set of relations in which the primary relationship of individual men and women was to the state,” the “universal patriarch” of the great family.<sup>133</sup> In the novel, Hằng and her husband “go straight to the registry office,” enacting in effect the triangular model—a “marriage of equals” [*hôn nhân đối ngẫu*]—that displaces the biological father.<sup>134</sup> Out of step with the Hồng Bàng princess, Hằng takes readily to married life whether or not her parents give consent.

The implications are somewhat different, however. By capturing the myth in this light, *The Crystal Messenger* shows that the socialist conception of marriage reproduces old gender relations. Hằng, Little Hoài reveals, has pressing motives for organizing the contest. She has had an abortion, the result of an illicit relationship with Hoàng, once her lover and teacher. Worse, the “packet with mysterious smells” makes her unable to conceive again.<sup>135</sup> As a fallen woman who foresees a reckoning of some kind, Hằng chooses the functionary as a way to redeem herself, hoping still to give birth to a child and thus join the great family. Though set up in style after the wedding, Hằng, given every measure of comfort the wife of a foreign affairs official can ask for, finds herself far from happy. Near the end of the novel, when Little Hoài reproduces her sister’s diary, Hằng reveals in sarcastic and pointed manner the nature of her “golden marriage” [*cuộc hôn nhân vàng bạc*].<sup>136</sup> She is to her husband “a medal” he has won, even though the power of selection at first belonged to Hằng in the most transparent way.

Confined to the domestic space, Hằng undergoes yet another transformation. She takes on the identity of the Moon Goddess Chang E [Hằng Nga] who, according to popular lore, stole the elixir of immortality from her husband and took flight to the moon. There, she is held for eternity to a “lonely and dreary life.”<sup>137</sup> Rowen R. Tung, seeing Chang E’s flight as an act of defiance, suggests that the goddess “exile[s] herself to cultivate her sphere beyond patriarchal confines.”<sup>138</sup> Tung goes on to say that unlike their precursor, “Chang E’s earthly sisters [are] trapped” in the belief that their beauty is most valuable. They therefore can never measure up to “the daring Chang E who defected to claim her territory.”<sup>139</sup> Others, such as Lihui Yang, have interpreted Chang E’s exile as a form of punishment.<sup>140</sup> Compared to the mythical goddess, Hằng consumes a packet, an elixir of sorts, that makes her infertile. Soviet sex education pamphlets, Deborah A. Field points out, often portray abortion as “an offense against society.” Those who choose to undergo it must be “punished by inevitable complications and the agony of infertility.”<sup>141</sup> If Hằng defies the patriarchal order by taking the mixture, the life she leads does not amount to the radical autonomy, or reach “the glorious height of the eternal” that Chang E, to Tung, represents. She is in fact pulled from one orbit

<sup>132</sup> Coser, “Some Aspects of Soviet Family Policy,” 432.

<sup>133</sup> Sarah Ashwin, “Introduction: Gender, State and Society in Soviet and Post-Soviet Russia,” in *Gender, State and Society in Soviet and Post-Soviet Russia*, ed. Sarah Ashwin (London: Routledge, 2000): 1-29; 1-2.

<sup>134</sup> Phạm Thị Hoài, 92.

<sup>135</sup> *Ibid.*, 54.

<sup>136</sup> *Ibid.*, 159.

<sup>137</sup> Lihui Yang, Deming An, Jessica Anderson Turner, *Handbook of Chinese Mythology* (Oxford: Oxford University Press, 2005), 89.

<sup>138</sup> Rowen R. Tung, *Fables for the Patriarchs: Gender, Politics in Tang Discourse* (Lanham: Rowman & Littlefield, 2000), 185.

<sup>139</sup> *Ibid.*, 187.

<sup>140</sup> Lihui Yang, Deming An, Jessica Anderson Turner, 89.

<sup>141</sup> Field, *Private Life and Communist Morality*, 59-60.

to another. From her parents' house, Hằng goes to live with the diplomat, where she is accessory to his career serving the party-state. As though imitating Soviet rhetoric, Little Hoài wryly remarks that, for a child, her sister “is prepared to exchange anything and everything,” but “the debt of sin [*tội nợ*] owing to that packet has not let up.”<sup>142</sup>

### Marguerite Gautier and the Dancer

The Ice King's 19-year-old dancer [*vũ nữ*] seems to be Hằng's foil. This modern-day Marguerite Gautier has passed through many men before she appears in Hà Nội as Hoàng's mistress. By Little Hoài's account, she is “almost a Trà Hoa Nữ, except for the substance.”<sup>143</sup> Already, by evoking Marguerite's Vietnamese name, the novel appears to be in dialogue with the version of *La Dame* that has been translated, and whose title comes from the Chinese *Chahua Nü*. What little is revealed about this fun-loving belle builds up a picture of a demimondaine. Like Marie Duplessis, the celebrated courtesan on whom Dumas *fills*, having had a short affair with her, drew to bring Marguerite to life, the dancer has many keepers. Some may have put her up at fashionable addresses. Where Hằng is the redeemed woman finding her way in Đổi Mới society, this dancer who does not have a name comes close to the type moralists associate with “bourgeois love.” Hùng, Hằng's other brother and a graduate of Lomonosov Moscow State University, sees her through an ideological lens. When they first meet, Hùng resolves to find salvation for this “victim of . . . imperialism and neo-colonialism.”<sup>144</sup> She is later described “displaying her love-making skills as an artisan would his craft.”<sup>145</sup> Just as Marguerite's presence “threaten[s] bourgeois respectability,” the dancer, taking on a prostitute's manners and way of life, represents a type that flouts socialist sexual morality.<sup>146</sup>

She differs from her namesake in several respects. Dumas *fills*'s Marguerite transforms from a “hard-boiled courtesan of act I . . . into the passionately lyrical lover of acts II and III who must, in her turn, naturally evolve into the pathetic consumption-racked figure of the final acts.”<sup>147</sup> The dancer, typecast, is represented as emotionally and psychologically flat, almost to the point of parody. Brought into the narrative at midpoint, with neither family nor history and given no line to speak, it is impossible to “see inside the mind” of this prostitute.<sup>148</sup> Marguerite, moreover, sacrifices her love and life for Armand's family. Her death “[mends] a social fabric torn by such destructive forces of impiety and loose morals,” as much as it repairs the disorder the French Revolution had wrought.<sup>149</sup> The dancer on the other hand, having no interiority, goes from owner to owner, “selling her body for passing whims.”<sup>150</sup>

Hùng falls inexplicably in love with her all the same. He “loses himself in passion for a girl who possesses all the desirable qualities, but has neither an education nor respect for

---

<sup>142</sup> Phạm Thị Hoài, 56.

<sup>143</sup> *Ibid.*, 125.

<sup>144</sup> *Ibid.*, 127.

<sup>145</sup> *Ibid.*, 129.

<sup>146</sup> Roger J.B. Clark, Introduction to *La Dame aux Camélias* (Oxford: Oxford University Press, 1972), 25-26.

<sup>147</sup> Roger Clark, 47.

<sup>148</sup> *Ibid.*, 29.

<sup>149</sup> Bernadette C. Lintz, “Concocting ‘La Dame aux camélias’: Blood, Tears, and Other Fluids,” *Nineteenth-Century French Studies* 33, no.3/4 (Spring Summer 2005): 287-307; 298.

<sup>150</sup> Phạm Thị Hoài, 110.

contemporary mores” [*đạo đức đương thời*].<sup>151</sup> For three weeks, the Russia-trained computer engineer and his lover give over to their desires, Hùng ignoring his parents, who “hurl abuse at them morning and night.” Like Marguerite and Armand, the couple stay with each other “without a care for reason, morality, or the law” [*đạo đức, luật pháp*].<sup>152</sup> Their relationship brings most straightforwardly to the surface the constraints of socialist sexual morality. The link between morality and the law is nowhere more sharply defined in the novel. Though *The Crystal Messenger* is ironic in many places, it is here that it evokes morality and the law in the same sentence, its language suggesting that Hùng and the dancer, by breaching the principle of political homogamy, threatens the collective, which “conspires to take revenge” [*báo thù*] on the lovers.<sup>153</sup>

Their affair quickly unravels with the appearance of another character, an official from the Ministry of Education. This man, who has the authority to nominate candidates for foreign study, one day informs Hùng that since he “maintains a relationship with a person of dubious background and dubious means of support,” and who “has had a close relationship with a . . . traitor to the nation [Hoàng],” he may lose his chance to go abroad. Struck by this news, Hùng ends the affair. His ideological stance again stiffens as he “grovels at appropriate doors, hoping to find a suitable girlfriend for a proper relationship.”<sup>154</sup> Three years later, Hùng marries a lecturer in Russian, someone with a revolutionary background.

*The Crystal Messenger* draws loosely from *La Dame* only to undermine its script. In the original text, Armand’s father, “the incarnation of bourgeois morality and voice of reason,” entreats Marguerite to give up her relationship with Armand.<sup>155</sup> Duval *père*, in a carefully crafted argument, convinces Marguerite to leave her lover for the sake of his future. The Duval family’s welfare is in her hands, the father says. Blanche Duval, Armand’s younger sister, is about to marry a respectable man whose family, aware of Armand’s mode of life, has threatened to cancel the arrangement. Duval *père* sees Armand, much like Des Grieux, as a good son who has lost his ways and now threatens to ruin the future of his family. Marguerite, her “noble thoughts” and “sacred self-respect” stirred as never before, resolves at that moment to redeem her sins by leaving Armand.<sup>156</sup> To preserve the family, and thus the foundation of bourgeois order, *La Dame*, Bernadette C. Lintz suggests, offers the Christian model of salvation as a way for Marguerite to atone for her past.<sup>157</sup> She sacrifices her own happiness, with pride even, so that Armand’s sister can marry and take on the role of a mother.<sup>158</sup>

The relationship between Hùng and the dancer also comes to a swift end, but with one key difference. In Phạm Thị Hoài’s novel, the party-state takes on the role of Duval *père*. For a short while, the young Hùng goes on loving his dancer despite objections from his family. His parents’ disapproval strengthens, more than anything else, the bond between them. Whereas in *La Dame*, it is Marguerite, not Armand, who yields to the father’s plea, *The Crystal Messenger* shows Hùng to be the prodigal son who, fearing the party-state, the symbolic father, breaks off

<sup>151</sup> Ibid., 128.

<sup>152</sup> Ibid., 129.

<sup>153</sup> Ibid.

<sup>154</sup> Ibid., 131.

<sup>155</sup> Roger J.B. Clark, 42.

<sup>156</sup> Alexandre Dumas  *fils*, *La Dame aux Camélias*, trans., David Coward (Oxford: Oxford University Press, 1986), 186.

<sup>157</sup> Lintz, “(Re)Writing,” 36.

<sup>158</sup> Lintz, “Blood,” 299.

the affair. Feeling it wise to renounce his love, he marries the teacher and is then brought back into the fold of the great family, protecting it from contamination. The dancer, unaffected by the let-down, moves on to other men, and on occasion can be seen hand in hand with a professor. *The Crystal Messenger*, by adapting Dumas *films*' narrative, seems to give socialist morality the force of Christian theology.

Hùng's fate thus resembles his sister's, just as Marguerite's death is a replay of Manon's. One way Dumas *films* builds his intertextual narrative is to show his heroine reading and annotating a copy of *Manon Lescaut*. He "[turns] Marguerite into Manon's double while challenging her to be different."<sup>159</sup> Heeding M. Duval's argument, Marguerite, "upstaging Manon in 'supériorité . . . de cœur,'" makes herself stand out as the more moral.<sup>160</sup> By having passion submit to reason, idealism to reality, the individual to the family, *La Dame* places the well-being of society above what Dumas *films* later called, deplorably, the "paganism of modern life."<sup>161</sup> *The Crystal Messenger*, while exploring in a different way the conflict between individual and collective welfare, shows instead that socialist love—the sort that keeps Hằng with her diplomat husband, and Hùng with his revolutionary wife—is far from producing the "happy family" enshrined in the 1960 and 1986 marriage codes. Neither does it guarantee a future for the Vietnamese. Hằng's "loveless marriage" [*hôn nhân không tình yêu*], Little Hoài muses, would never bring about the "golden child" she longs for.<sup>162</sup>

Dumas *films*, by evoking *Manon Lescaut*, is said to have "carve[d] a place for himself within the family of writers he acknowledges as his forefathers."<sup>163</sup> We can see, without speculating too much, that Phạm Thị Hoài also inscribes her novel within much older literary traditions, giving the *Đổi Mới* novel something of a genealogy. The tradition she prizes may be realist, but not socialist. *Manon Lescaut* shares close links with the memoir-novel and the short story—two genres of prose fiction that set themselves apart from 17<sup>th</sup>-century heroic romances, hence "owe their popularity to their relative realism."<sup>164</sup> *The Crystal Messenger* comprises, in a way, a series of life stories embedded within the larger memoir-novel. Though it makes no explicit claim to truth—the memoir-novel's trademark—Little Hoài's desire to document "family history" [*pho sử gia đình*] suggests at any rate a variant of prose realism.<sup>165</sup>

By referencing *Manon Lescaut* and *La Dame*, *The Crystal Messenger* appears to trace its immediate ancestry to colonial-era fiction, especially the "mirror-novel." The marks of this concept can be found nowhere more so than in *Le Roman de Mademoiselle Lys*. Nguyen Phan Long, its author, enjoyed an august career as a politician and journalist, perhaps moving, at some point, in the same circle as his contemporary Nguyễn Văn Vinh. *Mademoiselle Lys*, as Karl Ashoka Britto explains, takes the form of a journal, its content modeled on the French novels that Hai, the young diarist, reads during her schooldays. Influenced by her French education, Hai "attempts to structure her identity around Western literary narratives, looking to the novel in particular for models of aesthetic creation and romantic desire."<sup>166</sup> Readers coming for the first time to Nguyen Phan Long's work should take note of the mirror alluded to in the

<sup>159</sup> Lintz, "(Re)Writing," 34.

<sup>160</sup> *Ibid.*, 36.

<sup>161</sup> Quoted in Coward, *La Dame aux Camélias*, xix.

<sup>162</sup> Phạm Thị Hoài, 90; 109.

<sup>163</sup> Lintz, 26.

<sup>164</sup> Scholar, xxiv.

<sup>165</sup> Phạm Thị Hoài, 15.

<sup>166</sup> Karl Ashoka Britto, *Disorientation: France, Vietnam, and the Ambivalence of Interculturality* (Hong Kong: Hong Kong University Press, 2004), 47.

preface. This object, Britto points out, may be read as a commentary on how “the ideal francophone novel would serve as a *miroir fidèle*, a sort of doubly-reflective narrative in which different cultures could glimpse one another in the revealing light of mutual comprehension.”<sup>167</sup> In the novel itself, Hai owns a dressing mirror. The Eurocentric ideal that she dreams up would later fall apart when she, looking into the mirror, confronts “her own otherness.”<sup>168</sup> This highly symbolic moment signals a turning point in the narrative: Hai gradually abandons her romantic illusions and is brought “back into the family fold, secure in her rediscovered Vietnamese cultural identity.”<sup>169</sup> The mirror-novel, we can say, documents the way Western narrative models can or cannot “reflect and represent Vietnamese subjects.”

For all its textual crossovers, *The Crystal Messenger* may be closest to the mirror-novel than any other type. The similarities are clear. Phạm Thị Hoài’s narrator is an avid reader of Western literature. Her female characters, like Hai, all try to find their place in a changing society. Still more in keeping with *Mademoiselle Lys*, *The Crystal Messenger* uses the mirror as a metaphor for the creative process. Frederick Burwick observes that toward the end of the 18<sup>th</sup> century, when “the reliability of representation had been called into doubt,” poets such as Coleridge and Wordsworth brought back the trope of the mirror to “reinstate imitation within the activity of imagination.”<sup>170</sup> Optical illusions in their poetry point to visual perception as much as to mental reflection, accounting for both “the world of things” and “the capacities of the mind.”<sup>171</sup> These two modes of perception create tension, “encourage[ing] fancy and imagination.”<sup>172</sup> In *The Crystal Messenger*, this reciprocity between mind and nature is represented by two objects, the mirror and the window. The external world Little Hoài observes through her window—“images received through the senses”<sup>173</sup>—are brought into play with the imaginary worlds she encounters in the novels she reads. This uncertain fusion is refracted further when Little Hoài is in front of the mirror.

In *Mademoiselle Lys*, the mind and nature dyad is turned into a conflict between Vietnamese identity and colonial modernity. The stress is placed more specifically on how Western notions of individual freedom are at odds with Confucian femininity. Placing this novel in the larger frame of colonial collaboration, Britto shows that this conflict is resolved when Hai puts aside her French novels, choosing to marry a Vietnamese who, like Nguyen Phan Long, supports collaboration with the empire. In this way, “the female protagonist rediscovers an intact, unitary Vietnamese self that could replace and repress her intercultural psyche, and yet also be integrated into the structure of French colonialism.”<sup>174</sup> *The Crystal Messenger* updates this tension. It consciously fuses, in no recognizable pattern, Vietnamese and Western characters, themes, and plots without offering a resolution of any sort. Vietnamese, French, and Russian literature crisscross with the medical, legal, and moral discourses on sexuality, but no compromises are struck between the Vietnamese and Western ideals of femininity, just as there is no clear give and take between the different literary traditions or narrative forms.

---

<sup>167</sup> Ibid., 50.

<sup>168</sup> Ibid., 53.

<sup>169</sup> Ibid., 74.

<sup>170</sup> Frederick Burwick, “Reflections in the Mirror: Wordsworth and Coleridge,” in *Reflecting Senses: Perception and Appearance in Literature, Culture, and the Arts*, eds. Walter Pape and Frederick Burwick (New York: Walter de Gruyter, 1995): 122-140; 124.

<sup>171</sup> Ibid., 124; 132.

<sup>172</sup> Ibid., 139.

<sup>173</sup> Ibid., 123.

<sup>174</sup> Ibid., 77.



It is perhaps in this way that *The Crystal Messenger* breaks fresh ground. As Ying Hu remarks, Chinese scholars over the centuries have turned to *La Dame* to work out China's relation with the West, which was felt to be at once "a source of moral pollution" and the source of high culture. Vietnamese intellectuals during the colonial era also took to Western fiction, even while old-time moralists faulted *Manon Lescaut* and others for supplying "false values."<sup>175</sup> From a more panoramic view of the twentieth century, the debate on women, overlapping as it did with the struggle for literary forms, may seem to Phạm Thị Hoài to have reached an impasse. The result is that Vietnamese characters, as Little Hoài notes at the start of the novel, can only be cast "as models"—a dead end from which there seems to be no escape. They are caricatures that, as David Coward has written about Dumas *films'* own, "remain social and psychological types, uninteresting in their own right, and functional in purpose."<sup>176</sup> Quang is the party bureaucrat to the last. The dancer, in her turn, does not rise above the role of a skittish demimondaine, a symbol of neocolonial debauchery. The plot, already threadbare, is likewise the product of splicing well-known narratives. Signs of complexity can only be glimpsed in Hằng. She, as a composite character, is first the modern, beguiling Manon whose beauty draws the interest of Hà Nội society, then the mythical Mỵ Nương who takes charge of life, before settling into her role as the Moon Goddess, the embodiment of "cosmic solitude."<sup>177</sup> In this light, Little Hoài's refusal to grow up, to stay "the lost fourteen-year-old girl," can seem to repudiate socialist sexual morality as much as to forecast the Vietnamese literary landscape losing vibrancy. And yet, as Steven Marcus has said of *The Tin Drum*, "in such strange shifts and twists does literary creation find its origins."<sup>178</sup> *The Crystal Messenger*, by fusing Western and native forms and content, may have found for itself a model all its own. This is at least suggested when Little Hoài, on the very last page, transforms into a 29-year-old woman. Becoming her sister's duplicate, "identical like two drops of water," she finally comes into a model that she has created, and which is most suited to represent the iconoclast.<sup>179</sup>

## Conclusion

As we look back to the period of Renovation, we can see why the party-state updated its 1960 Marriage and Family Law in 1986. Because the government sought above all to increase national productivity by engineering the law-abiding, entrepreneurial subject, control of sexuality and the family was key. As was the case with the 1926 Soviet Family Code, the Vietnamese government, facing a dire economy, "was interested in modifying the family to encourage economic development."<sup>180</sup> It thus abandoned the ideals of a welfare state, and made each family responsible for its own members. Managing the sexuality of its citizens was one way the government went about building stable families. In this context, the field of sexology and biomechanics won support because they had the one goal of making the Vietnamese a more productive people: while the science of sex taught them how to manage

<sup>175</sup> Hue-Tam Ho Tai, *Radicalism and the Origins of Vietnamese Revolution* (Cambridge: Harvard University Press, 1992), 205.

<sup>176</sup> Coward, *La Dame aux Camélias*, xviii. On character types in *The Crystal Messenger*, see "Huyền thoại hóa trong "Thiên Sứ" của Phạm Thị Hoài," *Heart of Mir* (May 3, 2012), <http://vn.360plus.yahoo.com/maiho3110/article?mid=196&fid=-1> (accessed February 20, 2019).

<sup>177</sup> Tung, 185.

<sup>178</sup> Steven Marcus, "A New Beat," *New York Review of Books* (June 1, 1963).

<sup>179</sup> Phạm Thị Hoài, 174.

<sup>180</sup> Glass, 898.

their own sexual energy, bionics experts recommended ways for them to overcome whatever physical limitations they may have had.

It is in *The Crystal Messenger* that we realize how such a policy of social engineering may have taken an undue toll on Vietnamese women. Each and every female character in the novel ends up spurned, abandoned, or childless. It is only fitting that Manon Lescaut and Marguerite Gautier, famous beauties who die without children, symbolize the Vietnamese woman of Renovation. Like the heroines, Phạm Thị Hoài's characters are made to sacrifice their love so that the socialist ideal family remains intact. Little Hoài, we come to understand, refuses to become an adult as a way to avoid the fate that all the women who came before her have faced. Through her, the novel strikes its most defiant tone. It presents itself as a series of imaginative tales Little Hoài dreams up while masturbating—a nonreproductive, hence resistant act. At another level, we can see the novel creating a literary space for the economically and biologically nonproductive woman who stands outside the socialist sexual economy, and thus subverts it.

## Chapter 4: *Vietism: Carl Jung and the New Vietnamese*

In 1977, when the Montreal-based journal *Chân Trời Mới* [New Horizon] (*CTM*) called on all overseas forces to prepare for combat, the Vietnamese human rights campaign was already in full swing.<sup>1</sup> A series of coordinated actions swept the globe, bringing Vietnam's human rights abuses into the mainstream of political discourse. In Texas, a Vietnamese student association circulated an open letter, appealing to "governments, organizations, and people for whom human rights is a basic freedom" to assist refugees.<sup>2</sup> In Virginia, a delegation submitted petitions to Jimmy Carter, urging his administration not to overlook human rights when providing economic aid to Vietnam.<sup>3</sup> Meanwhile, a throng of protestors in Paris—thousands strong—aired their grievances just as Prime Minister Võ Văn Đồng landed in France.<sup>4</sup> About this time, too, the Khmer-Lao-Vietnam Committee for Human Rights made its debut in Europe.<sup>5</sup> This organization called upon the United Nations and its satellite agencies for help, counting among its supporters the literary giants Eugène Ionesco and Natalya Gorbanevskaya. The great theme of human rights also took hold that year in Tokyo, when Nguyễn Công Hoan, a member of Vietnam's National

---

<sup>1</sup> "Quan Điểm" [Point of View], *Chân Trời Mới* [New Horizon] (*CTM*), no. 22&23 (1977), 1; "Việt kiều tại Canada biểu tình nhân gày quốc tế nhân quyền 10-12-77," *CTM*, no. 24 (1977), 6.

<sup>2</sup> "An Open Letter to Governments, Organizations, and People for whom Human Rights is a Basic Freedom," *Tin Việt* [Vietnamese News] (December 15, 1977); Vu Pham, "Antedating and Anchoring Vietnamese America: Toward a Vietnamese American Historiography," *Amerasia Journal* 29, no. 1 (2003): 137-152.

<sup>3</sup> "Vietnamese protested against human rights violations in VN," *Tiên Rồng* [The Fairy and the Dragon] I, no. 4 (April 1977), 1.

<sup>4</sup> Vo Van Ai, "Lettre ouverte à m. Phan Van Dong, premier ministre de la république socialiste du Viet Nam à l'occasion de sa visite officielle en France le 25 Avril 1977," *Quê Mẹ* [Motherland] (*QM*) (May 7, 1977), 2, 3. *Hội tranh đấu cho nhân quyền tại Việt Nam* (l'Association pour la Lutte des Droits de l'Homme) [The Association for Human Rights in Vietnam] was also active in Europe that year, pressuring the United States, France, Germany, Denmark, Israel and other nations to address human rights violations in Vietnam. Meanwhile, in North America, the Vietnamese ad hoc Committee on Human Rights circulated letters and petitions to American citizens calling them to push their government representatives to prioritize human rights. Trần Trung Quân, "Tiếng sáo nhân quyền gửi về nước tôi," *Tuần báo Trắng Đen* [Black and White] (*TBTD*) (July 1977); "Biểu tình tại toà đại sứ Mỹ tại Pháp," (April-November 1977), 9; "Việt kiều biểu tình thân hữu trước tòa đại sứ Do Thái tại Pháp," *TBTD* (April-November 1977); "Tranh đấu cho 200 cô nhi tại Đam Mạch," *TBTD* (June 1977), 17; "Open letter to the American People from the Vietnamese ad hoc Committee on Human Rights," *Việt Điều* (May 1977).

<sup>5</sup> Ủy ban bảo vệ quyền làm người Cambốt-Lào-Việt Nam [Comité Khmer-Lao-Vietnamien pour la défense des Droits de l'homme] was jointly founded by Prince Sisowath Thomico of Cambodia, Prince Mangkra Souvannaphouma of Laos, and Võ Văn Ái. "Ủy ban bảo vệ quyền làm người Cambốt-Lào-Việt Nam tố cáo sự vi phạm nhân quyền của chính quyền cộng sản tại ba nước," *QM* (July 14, 1977).

Congress, defected to Japan.<sup>6</sup> In less than two years after Sài Gòn's fall, a network of Vietnamese activists had emerged, setting in motion a movement with human rights as its guiding spirit.

As this movement crested, quieter preparations had been made to back anticommunist insurgents still in Vietnam. *CTM* reported in 1977 that counter-revolutionaries had built up strength in the southern provinces, using guerilla tactics to gain ground. A news article portrayed them as brigands who, without external aid, took to pilfering granaries.<sup>7</sup> In much the same way, the monthly magazine *Hồn Việt Nam* [Vietnam's Soul] in Paris claimed that "there are already in south Vietnam people who can use guns . . . to take down northern Communist forces."<sup>8</sup> A month later, *CTM* printed an interview in which a refugee confirmed what then seemed speculative. Lê Kim Ngân, once a professor in South Vietnam, recounted that insurgents and possible renegades of the new regime had set off explosions in Sài Gòn and Long Bình.<sup>9</sup> Not long after, the journal *Việt Đạo* [Vietism] in Japan printed a letter from defector Nguyễn Công Hoan, addressed to Lê Kim Ngân, in which he cites an attack in Sài Gòn as proof that "our people are fighting communists in any way they can."<sup>10</sup> His letter had more than echoes of what was then becoming a common refrain, calling on exiled Vietnamese to furnish "insurgencies inside the country with every resource so as to hasten our return to the Fatherland."<sup>11</sup> While Nguyễn Công Hoan pushed for irregular warfare,<sup>12</sup> Lê Kim Ngân urged the Vietnamese abroad to first develop

---

<sup>6</sup> "Nguyễn Công Hoan và một số nhân vật . . . để lại gia đình . . . ra đi tranh đấu cho tự do và Nhân Quyền của người Việt." "Tin chấn động thế giới," *Việt Đạo* [Vietism] (*VD*) (April 6, 1977).

<sup>7</sup> ". . . cướp các kho lúa của Cộng Sản, hay chặn xe hàng lại." "Kháng chiến Việt Nam và đấu tranh hải ngoại," *CTM*, no. 24 (1977): 6.

<sup>8</sup> "Trên khắp miền Nam đã sẵn có người biết sử dụng súng với ý chí căm thù, lý tưởng giải phóng quê hương, thái độ quyết sống mãi với kẻ thù để tự cứu." Phạm Hữu, "Thời gian đã chín mùi ngày nhân dân miền nam đứng dậy ngày đổi mới," *Hồn Việt Nam* [Vietnam's Soul] (*HVN*) (November 15-30, 1977). 4-5, 15. *Người Việt Hải Ngoại* [Vietnamese Abroad] (*NVHN*), based in San Diego, also printed an interview with Mã and Phụng, who stated that between 1975 and 1977, just before they left Vietnam, a resistance group called Phục Quốc Quân had attracted fighters from the Cao Đài and Hòa Hảo sects, as well as Chinese and ethnic minorities. Vương Bách Thạch, "Độc Báo: Cuộc chiến Việt Nam tiếp diễn bằng du kích," *NVHN*, no. 15 (January 1, 1988), 40-42; "Kháng chiến lớn mạnh," *NVHN*, no. 15 (January 1, 1988), 22.

<sup>9</sup> Pierre Saint-Germain, "Le Vietnam résiste au Communiste . . .," *La Presse* (June 12, 1977), reprinted in Vietnamese in *CTM*, no. 24 (1977): 20-21. Also see: "Une petite guerre de maquisards continue au sud-Vietnam" [Guerilla Warfare Continues in South Vietnam], *Journal de Montreal* (April 27, 1977); "La résistance au Vietnam: Preuve de la résistance dans le sud," *QM* (October 25, 1977), 5.

<sup>10</sup> "Đồng-bào mình đang từng giờ từng phút sống-chết với bọn Cộng-sản khác máu, mặc dù họ gặp rất nhiều khó khăn." "Thư dân biểu Nguyễn Công Hoan gửi GS Lê Kim Ngân," *VD* (May 1977), 4.

<sup>11</sup> "phối hợp . . . bằng tất cả nhân lực ở ngoài để hỗ trợ thật sự các Phong Trào nổi dậy ở bên trong, để thu ngắn 'đường về Tổ Quốc' của chúng ta." *Ibid.*

<sup>12</sup> "chỉ còn một con đường là VU LỰC." *Ibid.* Also see: "Lực lượng kháng chiến phục quốc trên đà chủ động độc biên giới," *QM* (April 19, 1978); Định Xuân Thu, "La résistance au

a guiding philosophy. In a reply four days later, he introduced a “scientific-humanist doctrine” to challenge what he saw as “a heterodoxy that was fundamentally foreign, out of keeping with the people, and anti-humanist.”<sup>13</sup> This new doctrine—given the name Vietism [Việt Đạo] (VD)—set out to return communists to a “truly humanist disposition.”<sup>14</sup> Lê Kim Ngân believed that once the Vietnamese party-state dissolves, this doctrine could be the basis for building “an egalitarian, humane regime that could bring about happiness and prosperity for the people.”<sup>15</sup>

The urgency that resonates in Lê Kim Ngân’s letter suggests something of its belatedness, and points to a key grievance of the exiled intelligentsia. Such sentiment found expression in a 1976 commentary printed by the Virginia-based bulletin *Hương Việt* [Vietnamese Essence]. The unnamed author stated that American intervention had caused South Vietnam to lose “the promise of collective sovereignty.”<sup>16</sup> While the United States had no imperial motives in South Vietnam, he went on, “its contradictory policies from the very start had inflicted the worst maladies on the proverbial newborn, severely handicapping it.”<sup>17</sup> The “retrograde strategies” that it put into place shored up one corrupt regime after another.<sup>18</sup> As a consequence, “communists led the liberation movement alone”<sup>19</sup> while “nationalists impartial to communism were isolated and unable to mobilize legitimate force.”<sup>20</sup> Their only choice was to “hold their peace and bide their time” [*chùm chẵn đợi thời*].<sup>21</sup> At the heart of this commentary is the belief that Cold War politics had compromised South Vietnam’s emergence as a nation. To the author, the south appeared in retrospect as something of a comatose nation, stricken with a “hideous, chronic illness.”<sup>22</sup>

---

Vietnam,” *QM* (October 14, 1978); Định Xuân Thu, “Lực lượng Kháng chiến Phục quốc trên đà chủ động dọc biên giới,” *QM* (October 14, 1978), 3-5;

<sup>13</sup> “kết tập nên 1 chủ thuyết khoa học/nhân bản để chống lại tà thuyết hoàn toàn ngoại lai, phi dân tộc, phi nhân bản Mác-Lênin.” “Thư GS Lê Kim Ngân gửi dân biểu Nguyễn Công Hoan,” 5

<sup>14</sup> “Phá vỡ niềm tin ngay chính trong hàng ngũ cán bộ, binh sĩ, đảng viên cộng sản ngõ hầu đưa họ trở về với Dân tộc, với ý hướng Nhân bản thực sự . . .” Ibid

<sup>15</sup> “sau khi chúng ta dùng vũ lực lật đổ chế độ độc tài Cộng sản tại quê nhà, chủ thuyết Nhân bản này sẽ là chủ thuyết căn bản để xây dựng một chế độ công bằng, bác ái thực sự đem lại ấm no hạnh phúc cho toàn dân.” Ibid.

<sup>16</sup> Nguyen Vo Thu-Huong, “History Interrupted: Life after Material Death in South Vietnamese and Diasporic Works of Fiction,” *Journal of Vietnamese Studies* 3, no.1 (2008): 10.

<sup>17</sup> “Hoa-Kỳ không có tham vọng thôn tính đất đai lập thuộc địa, nhưng sách lược mau thuẫn từ đầu đã khiến cho đũa hai nhi mới chào đời sau hội nghị Genève 1954 đã mang bệnh hoạn tật-nguyên quá nặng.” “Sự cáo chung của 1 chế độ,” *Hương Việt* [Vietnamese Essence] (March 1976), 2-3.

<sup>18</sup> “Chính sách Hoa-Kỳ liên tục tạo tác và nâng đỡ những chính quyền thái hoá, phản nhân dân.” Ibid.

<sup>19</sup> “Cộng sản nghiêm nhiên một mình lãnh đạo phong trào ái quốc chống xâm lăng.” Ibid.

<sup>20</sup> “Những người Việt yêu nước không có xu-hướng cộng sản bị cô lập hoàn toàn, không thể gây dựng được một lực lượng chân chính . . .” Ibid.

<sup>21</sup> “chỉ còn ‘chùm chẵn’ đợi thời.” Ibid.

<sup>22</sup> “chứng bệnh kinh-niên ghê tởm.” “Sự cáo chung của 1 chế độ,” 2.

The movement that quickly took shape abroad saw South Vietnam's collapse as an occasion to "impute to loss a creative instead of a negative quality," as David Eng would say.<sup>23</sup> Several commentaries printed in the 1970s suggested that in hindsight, "communist takeover of the south was necessary in order to awaken the people."<sup>24</sup> This is because only in that interval does the communist regime "fully reveal its true form, reveal the many wicked artifices of a domineering force stewarding a foreign ideology."<sup>25</sup> Those who previously looked to the north as a possible "cure to the malady that afflicted the south" would finally be disenchanted.<sup>26</sup> An editorial in *HV* further reasoned that far from complete severance, the Vietnamese who fled were "only seeking temporary refuge from the violence that Hà Nội would unleash" on them.<sup>27</sup> In an earlier issue, an editor described the flight as "a vast and collective study-abroad program"<sup>28</sup> during which the Vietnamese could acquire "the genius of other civilizations to enrich their own."<sup>29</sup> The conviction that "a people deprived of fundamental liberties could only face decline and eventual extinction" spurred them to action.<sup>30</sup> They gave themselves the "primordial task" of "recovering national sovereignty," "restoring Vietnam for the development of future generations," and "realizing peace and happiness for humanity."<sup>31</sup> So, they organized demonstrations and conferences to lobby western democracies; they fundraised to support refugees; they founded many publications to build solidarity and preserve Vietnamese culture.<sup>32</sup> Political commentaries,

---

<sup>23</sup> David Eng, David Kazanjian, and Judith Butler, *Loss: The Politics of Mourning* (Berkeley: University of California Press, 2002), 2. Nguyen Vo Thu-Huong suggests that the "interrupted history of the South, the death of its nation, is a major creative force." She argues that literature produced in the diaspora consciously develops the styles and themes found in South Vietnamese literature.

<sup>24</sup> "phải chờ tới khi CSBV chiếm miền Nam thâu gồm cả đất nước mới là cơ-hội dân-tộc Việt-Nam cởi bỏ gông xiềng." Phạm Hữu, 4.

<sup>25</sup> "Sau khi chiếm miền Nam CSBV mới lộ nguyên hình, chân tướng, thủ-đoạn thâm độc của kẻ thống trị và tay sai ngoại bang." Ibid.

<sup>26</sup> "liều thuốc hữu hiệu cho con bệnh miền Nam." Ibid.

<sup>27</sup> "Người Việt hải ngoại . . . ra đi để tạm lánh bạo quyền Hà Nội, chứ không có nghĩa là dứt hẳn." "Phục Việt: Khôi phục và hưng vượng tinh túy văn hóa dân tộc," *HV* (January 1981), 3.

<sup>28</sup> "Cuộc tỵ nạn này rất hữu ích cho ta như một cuộc du học tập thể khổng lồ." Trần Văn Nguyễn, "văn hóa còn, nước Việt còn," *HV* (November 1980), 9-10; 9.

<sup>29</sup> "tiếp thu văn minh thế giới làm giàu cho văn minh ta." Ibid.

<sup>30</sup> "Un peuple privé de ses libertés fondamentales court vers sa décadence et son extinction à plus ou moins brève échéance." Ibid.

<sup>31</sup> "Reconquérir notre indépendance nationale pour la survie de notre peuple; Restaurer le Vietnam pour l'épanouissement des générations futures; Réaliser la Paix pour le bonheur de l'Humanité." "Proclamation," *HV* (July 1980), 5.

<sup>32</sup> See, among others, Hồ-Trường-An, "Tết tha hương nhớ tết quê nhà," *HV* (January 1981), 4; Trần Quang Hải, "Đóng góp của nghệ sĩ hải ngoại trong công cuộc Phục Quốc," *HV* (January 1981), 2. In response, The Vietnamese Foreign Language Publishing House released in 1980 the provocative dossier *Which Human Rights?* As its title suggests, this thin volume constituted a defense of the Socialist Republic of Vietnam's (SRV) policies, which had come under international criticism. The expansion of penal colonies in 1975 to imprison officials of South Vietnam had outraged Vietnamese exiles. By 1979, when an unprecedented number braved mortal danger to leave the country—"boat people" as they came to be known—a coalition of exiles spanning Japan, Australia, Canada, the United States, and continental Europe indicted

exposés, and short stories were circulated across the globe, promoting national liberation and a new human rights doctrine that came to be known as Vietism.

To uncover this new vision of human rights, as well as the Western and native philosophical traditions on which it is based, this chapter examines a selection of Vietnamese-language publications from Japan, Australia, France, Germany, Canada, and the United States. It will first explore how this unique philosophy—Vietism—fuses Southeast Asian folk beliefs with German romanticism, Jungian psychology, and social biology to envision a higher-man—a “new Vietnamese” who would arrive as a unique kind of man, bearing a unique heritage that he slowly but ceaselessly unlocks through self-cultivation to, in the end, lead a “universal crusade for freedom.” Literature was seen as a crucial domain for renewing Vietnamese civilization. In its second half, the chapter will bring into view the figure of the new Vietnamese—a literary instantiation of Vietism—in the short story collection *Ngư Nản Chân Bon* [Surrender].<sup>33</sup> Nguyễn Mộng Giác, its author, first wrote the stories which would make up this collection at the Kuku Refugee Camp, on a small island of Indonesia, where he stayed from December 6, 1981 to February 9, 1982. Once in the United States from 1983 onward, he would go on to become a pillar of the Vietnamese literary world, penning many more works and founding journals to promote his vision of future man.

### **The Primordial Man and the New Vietnamese**

Đoàn Văn Linh was one of the first Vietnamese human rights activists in Europe. He was a journalist who left Sài Gòn on assignment in April 1975 without anticipating South Vietnam’s surrender. His wife and children remained inside the country to which he could no longer return. The many appeals he sent the Vietnamese Embassy, trading his expertise for family reunion, saw no reply. As a last desperate bid for answers, Đoàn Văn Linh wrote the Vietnamese ambassador stating his resolve to broadcast the suicide of his wife and three children in Vietnam and his immolation in France if his family remained separated.<sup>34</sup> He secured the support of a news agency in South Korea to bring images of their death into the homes of a western audience already shaken by the outflow of Vietnamese. The year was 1976, when an initial wave of escapes presaged the refugee crisis that followed. Đoàn Văn Linh hoped that such a broadcast

---

the regime on human rights abuse. If their language conveyed unmistakable moral fury, the socialist government’s response was equally firm. It reminded foreign organizations “not to interfere in the internal affairs of other states under the pretext of ‘defending human rights.’” It cast its policy of systematic imprisonment as a preventive measure, since letting “former leaders of the Saigon puppet army and administration enjoy freedom would have been tantamount to giving them a free hand to reconstitute their own forces.”<sup>32</sup> As the authorities balanced “security and humanitarianism,” the United States and China had meanwhile “stimulated the illegal departure of the boat people, . . . fomenting rebellions.” Steadfast and indignant, the government held that “the fundamental rights of each individual . . . are the exclusive prerogative of the member states, not of the international community.” See *Vietnam: Which Human Rights? Dossier* (Hà Nội: Vietnam Courier, 1980).

<sup>33</sup> Nguyễn Mộng Giác, *Ngư Nản Chân Bon* (Westminster, Ca.: Người Việt, 1984).

<sup>34</sup> “Chuyện thật . . . nhưng khó tin đối với CSVN hiện nay, hay chuyện một người kiên trì tranh đấu,” *Liên Hoa* (1977).

would generate empathy and outrage across the globe.<sup>35</sup> It is unclear why, but Võ Văn Đồng eventually processed the journalist's family for resettlement abroad. Their arrival in Paris on November 25, 1976 touched off a wave of initiatives that drew on their experience to rouse the conscience of the West as never before. France, West Germany, Denmark, Israel, Serbia, Canada, the United States, and Australia circulated their stories while Đoàn Văn Linh petitioned representatives of these governments to campaign for "the rights of man in Vietnam."<sup>36</sup>

Đoàn Văn Linh's popularity came at a particularly tense moment when the Vietnamese refugee crisis was at its worst. Television and newspaper coverage—the visual encounters that they made possible—moved the broader public to action.<sup>37</sup> If the initial burst of activism appeared *ad hoc*, then 1979 stirred a sense of urgency never seen before among exiled Vietnamese.<sup>38</sup> *Quê Mẹ* [Motherland] (*QM*), then the preeminent forum for human rights activism in France, published many articles condemning the Vietnamese abroad for idly passing their days as the SRV carried

---

<sup>35</sup> Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton & Company, 2008), 28.

<sup>36</sup> See, among others, "1 phụ nữ Việt Nam viết về 19 tháng sống kinh hoàng dưới chế độ CSVN"; "Làm người ai chẳng muốn sống, vậy mà dân Sài Gòn mong được chết vì bom nguyên tử"; "nhân dân quê nhà chờ quý vị hoạt động," in *Hội tranh đấu cho nhân quyền tại Việt Nam: Tin tức tranh đấu 30.4.1977-30.11.1977 Information de Lutte Presse* (University of California, Southeast Asian Archive file); "Tiếng sáo của Đoàn Văn Linh tại Ba lê đã làm cho nhiều người chú ý đến tình hình Việt Nam," *TBTD* (October 27, 1977), 5. In 1977, Đoàn Văn Linh received threatening messages, one stating: "Đoàn Văn Linh, cessez immédiatement vos activités politiques réactionnaires autrement, votre vie et celle de votre famille seront en danger . . . premier and dernier avertissement . . . vos amis qui vous veulent du bien." In spite of these threats, Đoàn Văn Linh made clear in his correspondence with Vietnamese Ambassador Võ Văn Sung that he is committed to the liberation of the Vietnamese. *Hội tranh đấu cho nhân quyền tại Việt Nam*.

<sup>37</sup> "Conférence sur les droits de l'homme," *QM* (April 19, 1978); "Lettre ouverte à ceux qui parlent des droits de l'homme," *QM* (April 19, 1978); Jean-Marie Benoist, "l'Exigence imprescriptible des droits de l'homme," *QM* (April 19, 1978); Brigitte Friang, "Ce Mercredi: 30.4.1975 à Saigon," *QM* (April 19, 1978); Jean-Marc Varaut, "l'Homme et la liberté," *QM* (April 19, 1978); Edith Lenart, "Dream and Reality in South Vietnam," *QM* (April 19, 1978); Ilios Yannakakis, "Brissons le silence sur l Viêt Nam," *QM* (April 19, 1978); Natalya Gorbanevskaia, "Pour votre liberté et la nôtre," *QM* (April 19, 1978); Denise Dumolin, "l'Angoisse de l'avenir," *QM* (April 19, 1978); Phuong Anh, "le courage du refus," *QM* (April 19, 1978); "Thế giới chấn động: một chiếc tàu đi vớt người vượt biên," *QM* (November 19m, 1978); Alain Geismar, "Le Vietnam à l'heure du goulag: le devoir d'inquietude," *Le Matin* (October 24, 1978); "Statement of the Committee for Indochinese Human Rights," *Illinois Insights* (June-September 1979), 3; "Conference and Demonstrations for Indochinese Human Rights," *Illinois Insights* (June-September 1979), 4.

<sup>38</sup> See, for example, "Uất hận dâng cao, đồng bào hải ngoại căc tay lấy máu viết biểu ngữ lên án CS," *Hành trình mới*, no. 12 (June 30, 1979); Nguyễn Lương Huy, "Kiêu cứu," *Quật khởi: Tiếng gọi đấu tranh*, no. 2 (June 30, 1979); "Chuẩn bị ngày về Việt Nam ngay từ bây giờ, xin đặt vào trách nhiệm chung," *Tiếng gọi phục quốc*, no. 19&20 (1979), 1; "Buổi tuyệt thực cầu nguyện tại công trường 'Nation' ở Geneve," *Tiếng gọi phục quốc*, no. 19&20 (1979), 5; Comité Vietnam pour Sauver les Réfugiés de le Mer, "Livre Blanc/White Papers," *Que Me Magazine* (1979); "Editorial," *Comité de Solidarité Franco-Vietnamien* (January 1979).



out its “policies of genocide.”<sup>39</sup> Drudgeries of the everyday<sup>40</sup> had lulled the Vietnamese into silence and inaction, *QM* wrote, and it would not be long before they are reduced to a “dysfunctional, virtually impotent force.”<sup>41</sup> While some turned to international forums to indict the SRV’s violations, citing key human rights documents to show how the party-state’s policies contradicted “the dispositions of its constitution” and the moral obligations of a United Nations member,<sup>42</sup> others committed their effort to shaping “a new Vietnamese” [*con người Việt mới*], seen as key to Vietnamese sovereignty.<sup>43</sup>

Vietism’s 1977 manifesto resonated with the belief that a unifying doctrine was vital to awakening all Vietnamese to action. According to the exposition *VD* printed, Vietism was first founded as a counterbalance to communism, to “hold in check its destructive power.”<sup>44</sup> To that end, Vietism aimed to “understand the human” [*tìm hiểu chính con người*]<sup>45</sup> and the conditions for his “self-emancipation” [*tự giải phóng*].<sup>46</sup> This emphasis on the human is inspired by Kim Định’s writings on *tục tả nhậm*—an ancient practice of setting buttons to the left on garments. This scholar-priest, then in the United States, dated this practice to the Đông Sơn culture that had flourished four or five centuries before Han conquest of the Red River Plain.<sup>47</sup> In an essay outlining Vietism’s basic principles, Kim Định cites archaeological evidence to suggest that *tả nhậm*—a recasting of Johann Jacob Bachofen’s theory on *major honos laevarum partium*<sup>48</sup>—

<sup>39</sup> Hoàng Triệu Thương, “Tự do và Cộng sản,” *QM* (Spring 1979), 7-10; Mai Khuê, “Holocaust Vietnam,” *Hành Trình Mới* (June 30, 1979), 9.

<sup>40</sup> “Đời sống kiếm tiền đã . . . loại bỏ tâm huyết chống Cộng trong lòng người Việt tị nạn.” *Ibid.*, 8. Also see Võ Phiến, “Người Mỹ bạc tình,” *QM* (Spring 1979), 26-28.

<sup>41</sup> “. . . một lực lượng rời rã, thác loạn và hầu như bất lực.” *Ibid.*, 7.

<sup>42</sup> Le Mong Nguyen, “Quatre ans après la chute de Saigon: La violations des Droits de l’Homme au Vietnam: Aspects juridiques et politiques,” *QM*, no. 31, 32&33 (May 1979), 16-18; “Lettre ouverte à M. Ronald Reagan, Président élu des Etats-Unis d’Amérique” *HV* (December 1980), 5-6; Lý Ngọc Sơn, “Biểu tình vận động dư luận Mỹ thành công vượt bực,” *Việt Nam Hải Ngoại* (March 15, 1983), 20-23.

<sup>43</sup> “xây dựng một con người Việt mới, một xã hội và một quốc gia dân tộc Việt mới.” Nguyễn Văn Trần, “Kiêu bào hải ngoại chờ đợi ở Ông Tảng một thái độ dứt khoát,” *HV* (July 1980), 7; Võ Văn Ai, “Ý thức quốc kháng,” *QM*, no. 31, 32&33 (May 1979), 27, 32.

<sup>44</sup> “nếu không có một đề nghị mới mẻ, sinh động, chúng ta không thể hi vọng phê bình được cộng sản một điều gì, và chắc chắn không ngăn chặn được sức công phá của nó.” “Đấu tranh ý thức hệ: Tàn phê phán cộng sản chủ nghĩa,” *VD* (May 1977), 6.

<sup>45</sup> “đẩy mạnh công cuộc tìm hiểu chính con người.” Trần Đức Dũng, “Diễn đàn tự do: Góp ý về một quan niệm hợp nhất,” *VD* (May 1977), 53-55; 55.

<sup>46</sup> “đấu tranh tự giải phóng.” “Vào đề,” *VD* (May 1977), 15-16; 16; “con người làm chủ lấy mình.” Kim Định, “Triết lý tả nhậm,” *VD* (May 1977), 48-52; 50.

<sup>47</sup> Keith Taylor, *A History of the Vietnamese* (Cambridge: Cambridge University Press, 2013).

<sup>48</sup> Kim Định’s explanation of *tục tả nhậm* resonates with Johann Jocab Bachofen’s theory of a matriarchal past. Bachofen was a Swiss anthropologist and sociologist who is remembered for his controversial claim that matriarchy preceded patriarchy. In his book, *Mother Right: An Investigation of the Religious and Juridical Character of Matriarchy in the Ancient World*, Bachofen remarks that “the homogeneity of matriarchal ideas is confirmed by the favoring of the left over the right side. The left side belongs to the passive feminine principle, the right to the active masculine principle. . . Customs and practices of civil and religious life, peculiarities of clothing

symbolizes man's freedom from any form of control, bestowing upon him a central role in the universe [*đề cao con người*].<sup>49</sup> According to the author, what distinguishes Vietnamism is its emphasis on the human as the product of heaven and earth's interactions and through him, these "constitutive elements" are bridged to enable his self-perfection.<sup>50</sup> Kim Định elsewhere relates heaven to capitalism [*duy thiên*] and earth to communism [*duy địa*], which, alone, would break the fundamental harmony.<sup>51</sup> Kim Định casts the SRV as a disruption to the primordial balance—the highest point of humanism that ancestors of the Vietnamese had achieved.<sup>52</sup> According to him,

---

and headdress, and certain linguistic usages reveal the same idea, the *major honos laevarum partium* (greater honor of the left side) and its close connection with mother right." As this essay will later show, Bachofen's thesis was key to Kim Định's conception of Vietnamese heritage. Johann J. Bachofen, *Myth, Religion, and Mother Right: Selected Writings of J.J. Bachofen* (New Jersey: Princeton University Press, 1967), 77.

<sup>49</sup> "Hương dương được tộc Việt chỉ bằng tục tả nhậm theo nghĩa bao quát là sinistrogyre tức hướng đi ngược kim đồng hồ chỉ Trời. Trái với "hữu nhậm" dextrogyre hướng Đất. Hai hướng này rất quan trọng được dùng để phân biệt tộc Việt với Tàu như Kinh Tư nói "Tứ Di tả nhậm: các Di (tức các tộc Việt) đều cài áo bên trái hàm ý coi trọng hướng tả tức hướng Trời. Ta thấy các vòng vũ trên mặt trống đều tiến theo hướng tả nhậm tức hướng dương (hướng trời) nên nói được Trống Đồng chính là một đóa hoa quỳ vĩ đại: hoa quỳ hướng dương, các vòng vũ đều hướng dương. Đó là ý nghĩa mà sau Nho công thức hóa thành hai tiếng "thuận thiên" nghĩa là sống theo trời, hay nói cho rành rẽ hơn là sống theo mệnh lệnh trời, sống theo thiên mệnh, mà theo nguyên nho thì thiên mệnh không là mệnh trời của nhà vua nhưng chính là bản tính con người, mỗi con người. . . . Đó là nét đặc trưng thứ nhất của nền minh triết Việt được xây trên bản tính con người chứ không trên chi khác bên ngoài con người." Kim Định, *Văn Lang Vũ Bộ* (Sunnyvale: H.T Kelton USA, 1982). In a lecture that Kim Định gave at the First World Conference in Chinese Philosophy (Taichung, Taiwan) in August 1984, the author restated this point in English as: "In Ju, man is, on the contrary, raised to the rank of heaven and earth, as one of three powers: if heaven is king, earth is king then man is king also. That is the deep reason why Ju emphasized so much number 3 and raised it to the level of Tao; the Tao of three." Kim Định, "The Role and The Conditions of 'JU' in Our Present Age." "đặt con NGƯỜI như một TÀI gang hàng với TRỜI cùng ĐẤT, non cũng gọi là 'Tham Thông' tức cả ba Tài đều tham dự: nếu Trời làm, Đất làm thì Người cũng làm non gọi là NHÂN CHỦ." Lê Việt Thường, "Nhà Nước(CS)tưởng niệm triết gia KIM ĐỊNH tại văn Miếu Hanoi," *Đồng Hương Kontum*, March 3, 2015, <http://kontumqueto.com/2015/03/13/nha-nuocstuong-niem-triet-gia-kim-dinh-tai-van-mieu-hanoi/comment-page-1/> (accessed March 10, 2016).

<sup>50</sup> "con người lý tưởng . . . vừa làm vua (đế), vừa làm chánh tế thượng phẩm (à la fois Empereur et Pontife). Vua để điều lý vạn vật còn Pontife là kẻ bắt cầu, có ý chỉ cây cầu uyên nguyên nối trời cùng đất, đặng duy trì mối quan thiên lý tưởng" Kim Định, "Con Người," *Newvietart*, <http://newvietart.com/index4.347.html> (accessed March 12, 2016).

<sup>51</sup> "roi vào những quan niệm thiên lệch duy thiên hay duy địa (quen gọi là duy vật) đây chất giết người, bởi những quan niệm đó đều cắt hoạn con người hết một bên và gây nên thiên lệch, chỉ mới đọc đã thấy ngạt thở huống nữa đem ra hiện thực thì gây biết bao khô ải như cộng sản đang làm." *Ibid.*, 7.

<sup>52</sup> "nạn 1 chiều, là cái vừa giáng xuống đầu người Việt." *Ibid.*, 51. This view of communist imperialism had circulated in the first Republic of Vietnam (1954-1963). Intellectuals at that time depicted the Democratic Republic of Vietnam as a "communist colony," reacting in part

once the originary symmetry is thrown out of balance, the Vietnamese “stands to perish . . . unless we protect him.”<sup>53</sup> Kim Định found redemption crucially in man.<sup>54</sup> Often, he evokes the Kingdom of Văn Lang, a quasimythical polity in the first millennium BCE, as the domain where “human freedom and dignity” [*tự do nhân phẩm của con người*] were not violated.<sup>55</sup> The exile’s unbroken ancestry with this tradition places him in a unique position not only to restore that lost indigenous spirit,<sup>56</sup> but also to promote that “restoration as the activation of natural rights.”<sup>57</sup>

Vietism sought to cultivate a Vietnamese whose every act and thought could work towards renewing the country and its people. According to one of its proponents, the refugee resettlement before 1977 had given rise to three categories of Vietnamese abroad. The first are described as “traffickers in its people” [*con buôn dân tộc*]—“capitalists” who are only interested in self-enrichment.<sup>58</sup> The second class, in the grip of a psychic malaise, is timid, petrified, and contemptuously inactive.<sup>59</sup> Meanwhile, members of the third category are at every moment conscious of their role in rebuilding the Vietnamese community, “seizing the opportunity to realize a humanist revolution” on new frontiers.<sup>60</sup> Vietism saw this category of Vietnamese as “a particular kind of human activated as a . . . moral unit”<sup>61</sup> through his campaign against the “annihilation of his people.”<sup>62</sup>

---

to the “fear of political subjugation and cultural assimilation.” The general worry that the Vietnamese people would face racial and cultural extinction also motivated nationalists during the colonial period to revolt. See, Nu-Anh Tran, 42; Hue-Tam Ho-Tai, *Radicalism and the Origins of the Vietnamese Revolution* (Cambridge: Harvard University Press, 1992).

<sup>53</sup> “sự trảm diệt của con người . . . bảo vệ con người chống lại những thể lực phi nhân.” Ibid.

<sup>54</sup> Hồ Phú Hùng, “Kim Định: Cuộc đời và tư tưởng,” *Văn hóa Nghệ An* (July 25, 2015), <http://www.vanhoanghean.com.vn/chuyen-muc-goc-nhin-van-hoa/nhung-goc-nhin-van-hoa/kim-dinh-cuoc-doi-va-tu-tuong>, (accessed March 1, 2016).

<sup>55</sup> “văn lang, tức một nước có thể chế không phạm đến tự do nhân phẩm của con người.” Kim Định, *Kinh Hình Khái Triết* (San Jose: Thanh Niên Quốc Gia, 1982), 90.

<sup>56</sup> “dòng lịch sử tranh đấu cho con người.” Ibid. See also Kim Định, “Nhân chủ,” *Việt Văn Mới*, December 31, 2014, <http://newvietart.com/index4.1913.html> (accessed March 1, 2016); Ronald Neizen, *The Origins of Indigenism: Human Rights and the Politics of Identity* (Berkeley: University of California Press, 2003).

<sup>57</sup> Slaughter, 105.

<sup>58</sup> “Thái độ thứ nhất là thái độ của con buôn dân tộc . . . đã bán nước từ trong tư tưởng, chỉ vụ đến quyền lợi cá nhân . . . thái độ mại bán.” Phan Minh Triết, “Bọc-mẹ-100-con và thời đại nguyên tử,” *VD*, 35-41; 36.

<sup>59</sup> “Tháo độ thứ hai thì vô bổ, khủng hoảng tâm lý cá nhân . . . Càng ‘mặc kệ’ càng ôm sầu cho chính bản thân.” Ibid.

<sup>60</sup> “muốn xây dựng cộng đồng Việt nam tốt đẹp tại hải ngoại và nhất là nắm lấy cơ hội thực hiện cuộc vận động mới: CÁCH MẠNG NHÂN BẢN.” Ibid.

<sup>61</sup> Joseph Slaughter, *Human Rights Inc.: The World Novel, Narrative Form, and International Law* (New York: Fordham University Press, 2007), 48.

<sup>62</sup> “họa diệt vong.” Phan Minh Triết, 39.

There was then a strong belief in the perfectibility of the Vietnamese, that he could be transformed into “a being conscious of his capacity to overturn tyranny.”<sup>63</sup> The new Vietnamese would arrive as a kind of higher-man, charged with heroic energy and a readiness to sacrifice himself for his people.<sup>64</sup> Cultivating such a man meant creating new goals for which the Vietnamese would strive. According to a program of “self-organization” [*dọn mình*] that *HV* published in 1980, one who successfully organizes himself mentally and physically would have the inviolable self-awareness to engage in national liberation.<sup>65</sup> He must spurn earthly indulgences and embrace asceticism, living circumspectly and martially in order to change himself.<sup>66</sup> Only then would he have the “mental clarity to strategize and a supernatural strength with which to act.”<sup>67</sup> The article even suggests that a good test of self-ownership is the capacity to resist “the most destructive lure”—feminine beauty.<sup>68</sup> Other references to the craft of self-cultivation emphasize the culture of the body no less than that of the mind.<sup>69</sup> This idea of self-training seems to stand with the assumption that it is possible to uncover “a certain personality that naturally corresponds to a Vietnamese mentality.”<sup>70</sup>

The political commentator Nguyễn Đông-A went further, suggesting that the new Vietnamese embodies the “national soul” [*hồn nước*].<sup>71</sup> According to him, “no one is responsible for the

<sup>63</sup> “một con người ý thức tự nó có thể lay đổ một bạo chính.” Võ Văn Ai, “Ý thức quốc kháng,” 27.

<sup>64</sup> Trần Văn Ân, “Nói về lãnh đạo,” *Hồi ký Trần Văn Ân: Đấu sĩ, cách mạng-văn hóa, chính trị-ngoại giao, viết báo-ngồi tù III* (Paris: unpublished memoir); “Phục Việt,” *HV*, no. 1 (July 1980). Kim Định also writes: “văn hoá Dân tộc ta cũng chính là của Nhân tộc, cho nên vấn đề nào cũng tự dân tộc vươn lên đến vấn đề phổ quát chung cho cả nhân loại, và chữ Việt được hiểu ngầm là siêu Việt, từ gốc Việt nhưng siêu lên lan tỏa ra khắp hết mà không gặp ngăn trở nào cho thói tục riêng biệt. Nói vậy có nghĩa là triết Việt đã đạt độ phổ biên có thể hợp cho mọi thời mà cũng cả cho mọi nơi.” Kim Định, “Pho Tượng Đẹp Nhất Của Việt Tộc.”

<sup>65</sup> “Dọn mình tức là tổ chức bản thân và đời sống của cá nhân mình, thứ tự cả trí óc mình.” “Dọn mình làm người đấu tranh ái quốc,” *HV*, no. 5 (1980).

<sup>66</sup> “dọn mình cũng là giảm bớt nhu cầu xuống mức tối thiểu—ăn gọn, ở gọn, bỏ hú hí, chỉ giữ tiêu khiển.” *Ibid.*

<sup>67</sup> “có trí mình miễn để thống suốt sự tiến thoái, kế đó là có khí lực và thần lực để hành động.” *Ibid.*

<sup>68</sup> “Người đã dọn mình thường tự ngăn ngừa không để cho nữ sắc cám dỗ. Tai hại lớn nhất đối với một cán bộ là sự say mê nữ sắc.” *Ibid.*

<sup>69</sup> “tâm phải thành, thân phải chánh.” Trần Văn Ân, “Nói về lãnh đạo”; “công tác đào tạo nòng cốt chưa thể có được trong một sớm một chiều, cho nên tự đào tạo.” Đỗ Khiêm, “Lực lượng nòng cốt,” *HV*, no. 5 (1980); “sự việc đều xuất phát từ con người nên quan niệm mỗi con người phải khởi sự từ nguyên tắc sửa bản thân để lập mình hầu lập người, mình đạt hậu đạt người.” “Phục Việt: Khôi phục và hưng vượng tinh tú văn hóa dân tộc,” 3.

<sup>70</sup> “. . . une certaine personnalité de la commune . . . correspondant au fait naturel de la commune et à la mentalité vietnamienne.” Nguyễn Văn Căn, “La Commune Vietnamienne,” *HV*, no. 4 (1980), 5-6; 5.

<sup>71</sup> Diasporic Vietnamese discourse on reformation of the national soul seems to resonate with the debate among exiled Chinese intellectuals (such as Li Zehou) that tried to recover the independent subject in Chinese culture. See, for example, Liu Kang, *Politics, Ideology, and Literary Discourse in Modern China: Theoretical Interventions and Cultural Critique* (Durham: Duke University

tragedies that befell Vietnam because all of us were brought up in a culture not our own.”<sup>72</sup> When the Vietnamese came to realize that “the soul no longer inhabits the nation, some among us carried on as xenophiles while others turned to Soviet Russia in haste, hoping to acquire the means to save the people.”<sup>73</sup> Yet, the “massacres” that took place after 1975 proved that the national soul remained elsewhere.<sup>74</sup> Nguyễn Đông-A argued that a rediscovery of that soul, set adrift for over a century,<sup>75</sup> is vital to the survival of the Vietnamese.<sup>76</sup> Vietism would revive the spirit in the Vietnamese to define him, all the while letting his self-discipline and study renew the spirit in turn.<sup>77</sup> Vietnamese sovereignty, reterritorialized in the self, was thus conceived as a private campaign to protect oneself from possible usurpers. As Đỗ Khiêm stated in 1980, the Vietnamese’s true adversary is not a person but the loss of his soul [*vong thân, vong bản*].<sup>78</sup> He faces

---

Press, 1993), Rong Cai, *The Subject in Crisis in Contemporary Chinese Literature* (Honolulu: University of Hawai'i Press, 2004) and Tongqi Lin, “A Search for China’s Soul,” *Daedalus* 122, no.2 (Spring 1993), 171-188.

<sup>72</sup> “Đất nước trong bối cảnh vừa qua thì chẳng ai phải chịu trách nhiệm hết cả, bởi chúng ta đã được đào tạo trong một văn hóa không phải của chính chúng ta nữa thì làm sao còn hồn.” Nguyễn Đông-A, “Có hồn nước hay không có hồn nước,” *HV*, no. 1 (July 1980), 1.

<sup>73</sup> “Thấy hồn đã không còn ở với nước nữa thì một số chúng ta đã chạy theo con đường vọng ngoại, một số khác đã vội vã đem gởi hồn sang Nga để tìm học cách cứu đồng bào.” *Ibid.* If Vietism is to be interpreted as republican anticommunism assuming a new guise, then that resonance has to be understood in a very specific sense. Whereas Sài Gòn, at least under the First Republic, saw communism as betrayal of the anticolonial resistance, exiled intellectuals opposed communism for its “incompatibility with human nature,” its “foreignness to man” (Kim Định, “Pho Tượng Đẹp Nhất Của Việt Tộc”). Nguyễn Đông-A, in a separate article, characterized the Vietnamese Communist Party as an “anti-humanist phenomenon” [*Đảng là một hiện tượng phi nhân*] because its economic conception of human fulfillment reduces the Vietnamese to a “materialist being.” Nguyễn Đông-A, “Lập chí lập mạng,” *HV*, no. 2 (August 1980), 9, 3. For an account of First Republic nationalism, see Nu-Anh Tran, “Contested Identities: Nationalism in the Republic of Vietnam (1954-1963)” (Ph.D. dissertation, University of California, Berkeley, 2013): 23-51. On the rhetorical rehabilitation of Confucianism as postcolonial discourse in South Vietnam, see Nguyễn Tuấn Cường, “The Promotion of Confucianism in South Vietnam (1955-1975) and the Role of Nguyễn Đăng Thục as a New Confucian Scholar,” *Journal of Vietnamese Studies* 10, no.4 (Winter 2015): 30-81.

<sup>74</sup> “nếu nước có hồn thì sao việt cộng lại đi sát hại đồng bào.” *Ibid.*

<sup>75</sup> “Hồn nước đã mất từ cả thế kỷ nay rồi.” Nguyễn Đông A, “Đạo mất trước, nước mất sau: Giáo sư Kim Định với Hồn nước,” *HV*, no. 4 (November 1980), 8.

<sup>76</sup> “muốn phục hồi chủ quyền quốc gia cứu sống dân tộc thì một trong những công việc phải làm là tìm lại cho được hồn nước.” Nguyễn Đông-A, “Có hồn nước hay không có hồn nước.” Parts of this essay reproduces text from Kim Định’s 1979 thesis, *Hồn Nước Với Lễ Gia Tiên*.

<sup>77</sup> “tinh anh nguồn, tinh hoa dân tộc cần tiếp nạp và dung hòa cái mới theo thời và không gian để thêm sinh lực.” “Phục Việt: khai thác và phát huy tinh hoa Việt,” *HV*, no.2 (1980).

<sup>78</sup> “Kẻ thù không phải là người mà chính là sự vong thân, vong bản.” Đỗ Khiêm, “Chính và Tà, Tà và Địch,” *HV*, no. 1 (July 1980). “Vong thân là gì? Nói cụ thể là làm con người quên mất bản gốc người của mình. Con người bị bán đoạn mãi cho những tha vật như tôn giáo, tư bản, chính trị... Bản tính con người biến mất để trở thành những sự vật cụ thể như tiền bạc, hàng hóa . . .” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 26.

at every moment this threat, which is internal and external to him, and the weapon against which is “an inquiring mind that reflects on the nature of man.”<sup>79</sup>

Much of Nguyễn Đông-A’s reflections on Vietnamese humanism echoed Kim Định’s 1979 thesis, *Hồn Nước Với Lễ Gia Tiên* [National Soul and Ancestral Ceremony].<sup>80</sup> Though taking the form of distinct philosophical essays, as a whole, this text outlines a program for discovering that national soul without which the Vietnamese would slip into another fratricidal war. This project, which Kim Định called his generation’s mission, consists of transforming the mass [*đàn lũ*] into a kind of “federation . . . held together by love and compassion.”<sup>81</sup> Kim Định saw the mass in the Jungian sense, as a force that “crushes out the insight and reflection that are still possible with the individual,” possessing him, depriving him “of the moral decision as to how he should live his own life” such that he becomes a part of an obsolete, unconscious herd “ruled, clothed, fed, and educated as a social unit.”<sup>82</sup> By adopting Carl Jung’s psycho-biological view of man,<sup>83</sup> Kim Định casts the contemporary Vietnamese as the product of a “psychic infection”<sup>84</sup>:

[A] dissociation between consciousness and the unconscious, an unnatural and even pathological condition, a “loss of soul” such as has threatened man from the beginning of time. Again and again and in increasing measure he gets into danger of overlooking the necessary irrationalities of his psyche, and of imagining that he can control everything by will and reason alone, and thus paddle his own canoe. This can be seen most clearly in the great socio-political movements, such as Socialism and Communism.<sup>85</sup>

In this sense, the Vietnamese soul is not in the least an invented, amorphous primordially, but the very basis of moral and spiritual integrity, of breaking free from the mass. Kim Định cites the sociologist Paul Mus to suggest that the “herd mentality”<sup>86</sup> first took shape in Vietnam in the

---

<sup>79</sup> “Đối tượng ở trong ta: vũ khí được sử dụng là . . . tinh thần cởi mở tìm tòi học hỏi, suy xét về chính bản chất của con người.” Ibid. Also see “Trước thời cuộc: Việt nam ngày mai trước các chủ thuyết,” *HV*, no. 3 (October 1980), 1, 3.

<sup>80</sup> Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 32.

<sup>81</sup> “đề cho đàn lũ trở thành đoàn thể, tức là sự hội họp đoàn tụ mang ân tích của con người, nghĩa là gắn bó bằng tình yêu thương nhiều hơn bằng luật pháp.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 23.

<sup>82</sup> Carl G. Jung, *The Undiscovered Self* (Florence: Routledge, 1957), 2, 8.

<sup>83</sup> Carl G. Jung, *The Collected Works of C. G. Jung: The Development of Personality*, eds. Herbert Read, Michael Fordham, and Gerhard Adler (London: Routledge & Kegan P, 1977), 3.

<sup>84</sup> “cái nhân loại đó thiếu nội dung chân thực, mà chỉ còn là mớ danh từ rỗng che đậy một sự vong thân trầm trọng của chính mình, của gia tộc bị tan hoang.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 27.

<sup>85</sup> Carl G. Jung, *The Collected Works of C.G. Jung: West and East*, trans. R.F.C. Hull, Vol. 11 (Princeton: Princeton Univ. Press, 1969), 429. Kim Định defines that loss as: “Vong thân là gì? Nói cụ thể là làm con người quên mất bản gốc người của mình. Con người bị bán đoạn mãi cho những tha vật như tôn giáo, tư bản, chính trị... Bản tính con người biến mất để trở thành những sự vật cụ thể như tiền bạc, hàng hóa, nghĩa là những giá trị phổ thông, vô hồn, người ta trao đổi cho nhau như những đồ vật.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 26.

<sup>86</sup> “Khi đã đàn lũ hóa thì cá nhân sống như đàn cừu.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 32.

nineteenth century, with French occupation, and evolved into its vilest form under socialism.<sup>87</sup> In effect, the spiritual autonomy symbolized by *tả nhậm* had proliferated under agrarian societies before “the arrival of western culture,” diminishing quickly thereafter to just a “faint presence in the south.”<sup>88</sup> By the twentieth century, the Vietnamese had effectively become a parable for the modern man, plagued so deeply by a “psychic epidemic” that he stood defenseless against the mass.<sup>89</sup> Western psychoanalysis had opened to Kim Định a view of Vietnamese modern history, and the violence that it wrought, as the consequence of either overlooking the human psyche or negating it, as did the socialist state, which drew its strength from the “greatest possible accumulation of depotentiated social units.”<sup>90</sup>

Jung appears to have cast a long shadow over Kim Định as he reflected on how to turn the Vietnamese into “a whole being” [*con người toàn diện*].<sup>91</sup> Like the Swiss psychiatrist, Kim Định found the West all too vulnerable to fanatical ideology, that the variety of freedoms it offers the modern man would lead to “one goal which is practically indistinguishable from the Marxist ideal.”<sup>92</sup> His pursuit was as psychological as it was political, and it involved finding “a mode of human emancipation that would leave society intact.”<sup>93</sup> With that resolve, Kim Định adopted

---

<sup>87</sup> “Ông P.Mus nhận xét rất đúng rằng: “Sự bị đánh bật ra khỏi xã thôn (không có ruộng) đã trở thành một nhân tố phá vỡ mất sự quân bình tâm lý của người Việt Nam, kẻ như họ bị chặt đầu vạ. Việc nhô người dân ra khỏi công thể (gia đình, làng xóm) được cộng sản tiếp tục bằng chủ nghĩa tam vô, cốt cho con người trở thành hoàn toàn cá nhân, nghĩa là bị cắt đứt mọi ràng buộc tình cảm với gia đình, tổ quốc (mà ở tâm thức thôn dân là ấp thôn) để cho dễ được sát nhập vào đảng. . . . La sociologie vietnamienne voit dans ce travail l’opération conjointe du Ciel et de la Terre, Parents des êtres, tandis que l’interprétation marxiste normative par l’utile et non par le sacré, purge la matière et par cela même la société de ces surimpressions spirituelles.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 24-25.

<sup>88</sup> Kim Định, “Triết lý tả nhậm,” 50.

<sup>89</sup> Carl G. Jung, “Religion as the Counterbalance to Mass-Mindedness,” in *The Undiscovered Self*, 13-21. Although Kim Định rejects western cultural imperialism, he nonetheless engages with western intellectual traditions, particularly Jung’s insights, to clarify his own views. This is not a contradiction on his part. It rather shows how he “continued the Confucian lineage by translating and transforming [western philosophy and science] into a vocabulary consistent with [his] own premises.” On the topic of creative appropriation, see Roger T. Ames, “New Confucianism: A Native Response to Western Philosophy,” in Shiping Hua, ed., *Chinese Political Culture* (New York: M.E. Sharpe, 2001), 70-99, 84 and Stephan Schmidt, “Mou Zongsan, Hegel, and Kant: The Quest for Confucian Modernity,” *Philosophy East and West* 61, no.2 (April 2011): 260-302.

<sup>90</sup> Jung, *The Undiscovered Self*, 74.

<sup>91</sup> Kim Định translated this phrase from the French “l’homme en totalité . . . au centre de toute chose.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 33.

<sup>92</sup> Jung, *The Undiscovered Self*, 28. “Thê giới tự do thì cho tự do phát triển không chỉ ra được hướng nào, nên tự do cá nhân sẽ dễ biến thành cá nhân chủ nghĩa.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 32.

<sup>93</sup> “cái khó khăn then chốt nằm trong chỗ phải giải phóng cách nào cho xã hội không tan rã, gia đình khỏi đổ vỡ.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 35. At some point, Kim Định rephrases this problematic, in a Freudian iteration, as “how to ‘kill’ the father and become his ‘confidant’ still.” “Vì thê tuy cần phải “giết cha” nói theo Freud (le meurtre du père), nhưng phải “giết” thê

the idea of the collective unconscious [*tiềm thức cộng đồng* or *vô thức cộng đồng*],<sup>94</sup> which, according to Jung, “comprises in itself the psychic life of our ancestors right back to the earliest beginnings.”<sup>95</sup> Archetypes, or “primordial images” [*sơ nguyên tượng*], make up this collective psychology.<sup>96</sup> They are “symbols which are older than historic man, which are inborn in him from the earliest times, and, eternally living, outlasting all generations.”<sup>97</sup> This repository of symbols, biologically inherited and existing in “the dark hinterland of the psyche,” “lies ready to hand in the unconscious of every man.”<sup>98</sup> Kim Định likened this notion of the collective unconscious to “what the Vietnamese customarily refer to as the soul of rivers and mountains” [*hồn sông núi*]—the national soul.<sup>99</sup>

Inspired still more by Jung, Kim Định found in rituals the possibility of raising the Vietnamese out of the mass and bringing him closer to an “awakened state, an authentic existence.”<sup>100</sup> If for Jung, myths “are the mental life of the primitive tribe, which immediately falls to pieces and decays when it loses its mythological heritage, like a man who has lost his soul,” Vietnamese rites are to Kim Định the key to the collective unconscious.<sup>101</sup> He believed that rites could “reactivate the powers slumbering in the psyche” [*khơi nguồn canh tân thân tâm của tiềm thức*].<sup>102</sup> When Kim Định claims that “the highest purpose of rituals is to bring one into relation with the Primordial Man [*thủy tổ cội gốc*],”<sup>103</sup> he is drawing on Jung’s assertion that religious experience “enables the conscious mind to preserve its link with the unconscious, which continues to send out” archetypal symbols.<sup>104</sup> When Kim Định further claims that “contact with the Primordial Man would forge the fullest image of self,”<sup>105</sup> he appears to accept the Jungian premise that self-realization is possible when projected symbols are assimilated into consciousness. Both Jung and Kim Định

---

nào đề rồi có thể trở nên “bạn” của cha, tức là làm thế nào để vun trồng óc trách nhiệm mà nền móng gia đình vẫn còn . . .” Ibid., 35.

<sup>94</sup> Kim Định, *Hồn Nước và Lễ Gia Tiên*, 33, 42.

<sup>95</sup> Carl G. Jung, *The Collected Works of C.G. Jung: Complete Digital Edition* (Princeton: Princeton University Press, 2014), 112.

<sup>96</sup> Kim Định, *Hồn Nước và Lễ Gia Tiên*, 76.

<sup>97</sup> Carl G. Jung, *The Collected Works of C.G. Jung*, 402.

<sup>98</sup> Carl G. Jung, *The Collected Works of C.G. Jung*, 154; 69.

<sup>99</sup> “một thực thể u linh cao hơn các cá nhân trong một nước cộng lại, và có một đời sống riêng biệt vừa cao xa mà lại rất thâm sâu nơi lòng mỗi người. Chính cái thực thể u linh đó mà dân Việt quen gọi đơn sơ là hồn sông núi . . .” Kim Định, *Hồn Nước và Lễ Gia Tiên*, 42.

<sup>100</sup> “vươn tới trạng thái thức tỉnh, tới sự hiện hữu chính tông (existence authentique).” Kim Định, “Ý Nghĩa Lễ Gia Quan.” Kim Định cites the following passage from Jung’s *Psychologie de l’Inconscient*: “Le rituel est un moyen sur de traiter avec des forces imprévisibles de l’inconscient.” Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 38.

<sup>101</sup> Carl G. Jung, *The Collected Works of C.G. Jung*, 154. Italics in the original.

<sup>102</sup> Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 38.

<sup>103</sup> “Cái lễ của thiên hạ đi đến cùng cực là trở lại với thủy tổ cội gốc.” Kim Định, *Hồn Nước và Lễ Gia Tiên*, 38. Kim Định uses the term “Primordial Man” in his English essay, “The Role and The Conditions of ‘JU’ in Our Present Age.”

<sup>104</sup> Carl G. Jung, *The Collected Works of C.G. Jung*, 122-123.

<sup>105</sup> “Trở lại thủy tổ đên cùng cực là cốt làm cho đôn hậu cái bản gốc của mình (không để cho mình bị vong bản) . . .” Kim Định, *Hồn Nước và Lễ Gia Tiên*, 38.



believed that inasmuch as one reaches the numinous through rituals, such an experience could provide “a point of reference, other than the state, enabling the individual to exercise his judgment and his power of decision.”<sup>106</sup>

Like Jung, moreover, Kim Định gave overriding importance to the individual because he is the bearer of the psyche. Kim Định did not promote the concept of an autonomous individual in search of pure spirituality—the creature of libertarian philosophy that is often considered the subject of human rights.<sup>107</sup> He instead defined the self as a reflection of the cosmos [*vũ trụ chi tâm*].<sup>108</sup> As Curtis Smith explains: “at the farthest reaches of the psyche, its individuality merges into the materiality of the world. At some point the boundaries between psyche and world blurs to the point of extinction so that rather than an impenetrable wall separating psyche and world, psyche and world appear as points on a continuum, forming an indivisible whole.”<sup>109</sup> Kim Định reinterprets this cosmic allusion as “the perfect unity of heaven, earth and man,”<sup>110</sup> allowing him to achieve “total humanity” [*nhân bản toàn diện*]—when an individual is indelibly linked to the larger life of his race, to the sum of their strivings.<sup>111</sup> *HV* similarly defined “humanism” [Đạo Người] as an ethical order in which “myriad things resonate harmoniously,” and the cultivated self achieves an “interactive relationship . . . with the transcendent substance of the cosmos.”<sup>112</sup> According to Trần Văn Ân, the newspaper’s main advisor, this homo-cosmic continuum is key to renewing the Vietnamese community abroad. This community would consist of men who, by

---

<sup>106</sup> Jung, *The Undiscovered Self*, 14. Kim Định reiterates this as : “tự trọng mình, làm cho mình trở thành độc lập, tự chủ, xứng đáng là đại trượng phu,” while the editors of *HV* interprets the idea as “tự do từ trong huyết quản, tâm tư và trí óc. Tự do viên mãn.” “Nước Nhà,” *HV*, no. 3 (October 1980), 1.

<sup>107</sup> Slaughter, 19-20.

<sup>108</sup> Kim Định, *Hồn Nước Với Lễ Gia Tiên*, 45.

<sup>109</sup> Curtis D. Smith, *Jung's Quest for Wholeness: A Religious and Historical Perspective* (New York: SUNY Press, 1990), 98.

<sup>110</sup> “những lễ đó vừa đúc kết tinh hoa đạo trời, đạo đất, đạo người, vừa giúp cho con người đạt đến cái suối nguồn của trí sáng suốt, của tình nhân hậu, của chí dũng mãnh.” Kim Định, *Hồn Nước và Lễ Gia Tiên*, 38.

<sup>111</sup> “vũ trụ chi tâm=nhân bản toàn diện. Nói khác muốn có cái tâm bao la như vũ trụ (đã làm tâm chân thực bao giờ cũng to bằng vũ trụ) thì cần con người phải sống toàn diện, phát huy mọi khả năng trong con người. Khi mọi khả năng được tài bồi vun tưới để nảy nở đều đặn, để tất cả vươn lên tới chỗ chí cực, không năng lực nào lấn át năng lực kia khác, thì lúc ấy liền nhận thức ra sự vật nào cũng nằm trong thể tương liên với Toàn thể. Nói gọn lại thì Tâm chính là Toàn thể.” Kim Định, *Tâm Tư* (Sài Gòn: Khai Trí, 1970), accessible online: <http://www.vietnamvanhien.net/tamtu.pdf>, 2-3.

<sup>112</sup> Chun-chieh Huang, *Humanism in East Asian Confucian Contexts* (New Brunswick, NJ: Transaction Publishers, 2010), 23. “Muôn loài cùng một thể. Người với trời đất là một. Muôn loài sinh sinh hóa hóa không ngừng.” “Đạo Trời,” *HV*, no. 4 (November 1980), 1; “Từ đạo người,” *HV*, no.7 (April 1981), 1; “Học người xưa: Tìm tự do trong giáo lý Nhà Phật và trong Nho học,” *HV*, no.5 (December 1980), 7. Those who chose to know at first hand this “most fundamental harmony” would find their beings in union with others.

their own will, open themselves to the world, form an “inviolable sanctuary” with heaven and earth, and “become one with the cosmos, living fully with its many splendors.”<sup>113</sup>

Like Kim Định, Trần Văn Ân turned to western science to rethink the character of the Vietnamese man. The unpublished personal papers of this “gladiator” [đấu sĩ], as he called himself, show him to have been an erudite thinker and an influential political strategist prior to exile. While in France from 1975 onward, he channelled his energy into reviving Vietnamese culture. If Jung had provided some conceptual basis for Kim Định to imagine a new Vietnamese, the ethologist Konrad Lorenz plays a similar though less visible role in Trần Văn Ân’s reflections.<sup>114</sup> Late twentieth century Europe was home to a lively debate on social biology. Lorenz was at the center of it, not least for the analogy he drew between the phylogenetic evolution of instincts in animals and the development of social rites in man.<sup>115</sup> According to the Austrian scientist, though rituals evolve by such an extent that they become unrecognizable, and although it may be impossible to trace the present form of rituals to their origin, “in some other living species, or in some still surviving other cultures, some intermediate steps on the same line of development are accessible to be studied.”<sup>116</sup>

This definition of cultural heritage fascinated Trần Văn Ân.<sup>117</sup> He found hope in the possibility of retracing Vietnamese cultural evolution in order to “selectively recover essences” that have outlived historical rupture, and have them serve as the basis for cultural renewal.<sup>118</sup> His aim was to return the Vietnamese man to an “ethnic being” [con người dân tộc] that he once was, defined by his “ethnic identity” [dân tộc tánh] and held together by an “ethnic unconscious” [Đại ngã dân

---

<sup>113</sup> “Con người đúng chỗ là con người trong vũ trụ, giữa trời đất, con người liền vũ trụ, sống toàn diện với toàn thể cái gì mình trông thấy—nhân và vật.” Trần Văn Ân, “Tại sao Cộng sản cũng nói nhân bản mà giết người? Con người Việt nên như thế nào?,” in Trần Văn Ân, *Con người Mác-xít: Vật chất sống-biết suy tư (Matière vivante et pensante)* (Rennes, Fr.: June 1986) (unpublished papers). Also see: Văn Lang/ Trần Văn Ân, “Chung quanh vấn đề Việt học,” in Trần Văn Ân, *Đấu sĩ Cách mạng-Văn hóa, Chính trị-Ngoại giao, Viết báo-ngồi tù III* (Rennes, Fr.: Tủ sách Gia Đình, 1989), 409-411 (unpublished papers). “Muôn loài cùng một thể, trời với người là một, tất cả trên đời đều hợp tác nhau mà dưỡng sinh, có hổ tương bổ túc mà không có tương sát giữa loại người.” “Đạo người,” *HV*, no. 5 (December 1980), 1, 10.

<sup>114</sup> Trần Văn Ân’s personal correspondence with Nguyễn Hoài Vân (Rennes, June 15, 1990).

<sup>115</sup> Since the end of WWII, Konrad Lorenz has been brought under considerable attack for the way his works biologically substantiated Nazi extermination policies. See, for example, Ute Deichmann, *Biologists Under Hitler* (Harvard University Press, 1996); Peter H. Klopfer, *Politics and People in Ethology: Personal Reflections on the Study of Animal Behavior* (Bucknell University Press, 1999); and Richard W. Burkhardt, Jr., *Patterns of Behavior: Konrad Lorenz, Niko Tinbergen, and the Founding Of Ethology* (Chicago: University of Chicago Press, 2005).

<sup>116</sup> Konrad Lorenz, *On Aggression* (New York: Routledge, 1966), 74.

<sup>117</sup> Trần Văn Ân’s personal correspondence. Also see Kim Định, “The Vietnamese Cultural Heritage towards Contemporary Life,” *Vietnam Missionaries in Asia*, April 17, 1997, <http://www.catholic.org.tw/vntaiwan/kimdinhh/culture.htm> (accessed March 10, 2016). Kim Định presented this essay at the XVIII World Congress of Philosophy held at Brighton, England in August 21-27, 1988.

<sup>118</sup> “lộc lừa cái tinh túy xưa đến nay làm định lý.” Trần Văn Ân ,706.

tộc]. If Vietnamese Confucianism were his heritage [*vốn* Việt Nho],<sup>119</sup> it had altogether disappeared<sup>120</sup> and left him as “man without tradition,” without ground under his feet—a mass man.<sup>121</sup> Lorenz’s warning—if social “customs were not raised to sacred ends in themselves, there would be no trustworthy communication”—may have guided Trần Văn Ân.<sup>122</sup> He thought that Vietnamese culture, once revived, could act as the sacred link uniting all Vietnamese, guiding their development as ethnic beings, as men “who evolve to still higher selves in and with his community.”<sup>123</sup>

Where Kim Định and Trần Văn Ân’s ideas overlap most is their belief in the transmission of racial attributes, which, for the former, seem biologically inherited, and for the latter, culturally conveyed. By calling into use the concept of the archetype, which Jung defines as “the deposits of all our ancestral experiences,” accumulated across millenia and leaving their mark on “the inherited brain-structure,” Kim Định reinforces the idea that the collective unconscious is biologically passed on.<sup>124</sup> But whereas Jung, for the better part of his career, argued that “all human races have a common collective psyche,” in Kim Định’s philosophy, the collective unconscious appears to be limited by race and culturally determined.<sup>125</sup> It is the experiences of their own forebears, and no other, that the Vietnamese inherits.<sup>126</sup> In one sense, stressing the hereditary nature of the collective unconscious allows Kim Định to project a transcendent reality to which all Vietnamese are linked by a psycho-biological kinship. Though geographically

---

<sup>119</sup> Vietnamese Confucianism [Việt Nho] is a controversial theory put forward by Kim Định and later won the support of intellectuals like Trần Văn Ân. According to Liam Kelley, Kim Định claimed that “the foundation of Hoa civilization was first created by the ancestors of the Vietnamese, . . . that the Chinese were different in that they came later and appropriated those ideas and that through their dominance those ideas eventually came to be seen as Hoa civilization.” Among those ideas appropriated were principles that would later make up Confucianism. “So from Kim Định’s perspective, the Vietnamese are the true Hoa, whereas the Chinese are originally Di who stole cultural practices from the Hoa Vietnamese. . . What is more, rather than creating equality between Vietnam and China, this interpretation actually made the case for Vietnamese superiority over China.” Liam Kelley, “Why the Field of Vietnamese History Needs a Joseph Levenson,” *LMK*, July 03, 2015, <https://leminhkhai.wordpress.com/2015/07/03/why-the-field-of-vietnamese-history-needs-a-joseph-levenson/> (accessed June 2, 2016). Also see Kim Định, *Nguồn gốc văn hóa Việt Nam* (Sài Gòn: Nguồn Sáng, 1973).

<sup>120</sup> “Xã hội Việt Nam đã phân hóa từ pháp trị. . . Người mình đã mất cái Việt Nho . . . không thể tựa vào ai khác hơn các Đảng Cộng sản.” (803)

<sup>121</sup> “Con người không có tradition . . . chết cả dân tộc trong tay Cộng sản.” (706).

<sup>122</sup> Lorenz, 80.

<sup>123</sup> “l’homme s’épanouit continuellement dans et avec la communauté.” Trần Văn Ân, “Chung quanh vấn đề Việt học.”

<sup>124</sup> Ritske Rensma, “Analytical Psychology and the Ghost of Lamarck: Did Jung Believe in the Inheritance of Acquired Characteristics?,” *Journal of Analytical Psychology* (2013): 258-277, 259; R.S. Percival, “Is Jung’s Theory of Archetypes Compatible with Neo-Darwinism and Sociobiology?” *Journal of Social and Evolutionary Systems* 16, no.4 (1993): 459-87.

<sup>125</sup> Carl G. Jung, *The Collected Works of C.G. Jung*, 275.

<sup>126</sup> See, for example, Kim Định, *Vấn đề Nguồn Gốc Văn Hóa Việt Nam* (Sài Gòn: Nguồn Sáng, 1973) and *Kinh Hùng Khai Triết*, 72.

dispersed, they remain connected to what Sharon Kim calls “the larger body of [their] race, and its transhistorical memory in culture.”<sup>127</sup> This collective unconscious would moreover give the Vietnamese everyman, not just a selected few, the potential to cultivate a larger personality. In another sense, by figuring the collective unconscious as an “adaptive acquisition,” Kim Định takes the experience of exile beyond the drama of the self, giving it a far greater significance—an evolutionary significance.<sup>128</sup> If 1975 spawned for the first time the figure of the Vietnamese refugee, to Kim Định and Trần Văn Ân, this figure stands as part of an unbroken lineage. Physiologically linked to his ancestors, the Vietnamese refugee inherits the collective unconscious, transforms it in some small way through experience and self-cultivation, before passing it on to future generations through not only the cultural artifacts that he creates, but also biologically, through the very inherited brain-structure.

Whether in Canada, Japan, the United States, or France, these exiled intellectuals believed that the reinvented Vietnamese would rise from a personality training initiative [*đào luyện con người*]<sup>129</sup> to become his people’s only saving grace [*bữa bổi giữ nước*].<sup>130</sup> The pursuit of this figure shows just how wide the range of discourse that these intellectuals—as much at home in French, English, and Chinese as they are in Vietnamese—drew on to reimagine Vietnamese humanism. Their ideas took shape just as “the last utopia” was coming to the fore, when human rights emerged in the last quarter-century as the “best defense against the communist threat.”<sup>131</sup> While Vietnamese activists continue to see human rights as “the only generally intelligible way in modern political ethics”<sup>132</sup> to challenge the SRV, Kim Định and his contemporaries found little guidance from the creed. They looked askance at Vietnam’s prospect, and shifted the discourse from politics to that “something inside which one cannot realize, but one can know.”<sup>133</sup> If human rights figure the state as their “sole and essential crucible,”<sup>134</sup> Kim Định attempted to recover a model of humanity that foregrounds man as a “citizen of the cosmos” [*công dân vũ trụ*],<sup>135</sup> intellectually free

---

<sup>127</sup> Sharon Kim, “Lamarckism and the Construction of Transcendence in ‘The House of Mirth,’” *Studies in the Novel*, 38, no.2 (summer 2006), 187-210, 206.

<sup>128</sup> Percival, 470.

<sup>129</sup> “Bây giờ hãy chú tâm vào mặt giáo dục, vào cách đào luyện con người để xét xem cuộc cách mạng đó có được hiện thực chăng?” Kim Định, “Ý Nghĩa Lễ Gia Quan.”

<sup>130</sup> “thiết lập nên . . . một nền văn hóa dân tộc mà bất cứ người nào, hễ đã là con dân nước Việt cũng phải học, phải đọc, phải coi trọng như một di sản của tổ tiên trời lại, như một bữa bổi giữ nước, càng ngày càng trở nên cần thiết trong một nước đa giáo.” Kim Định, *Hồn Nước và Lễ Gia Tiên*, 41.

<sup>131</sup> Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge: Harvard University Press, 2010), 76.

<sup>132</sup> Rowan Williams, “Religious Faith and Human Rights,” in *The Meaning of Rights*, 71-82, 72.

<sup>133</sup> Kim Định, “The Role and the Conditions of ‘Ju’ in our Present Age.”

<sup>134</sup> Samuel Moyn, “Plural Cosmopolitanisms and the Origins of Human Rights,” in *The Meaning of Rights*, 193-211, 211; Jan Eckel and Samuel Moyn, eds., *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2013).

<sup>135</sup> Việt Thương, “Sự cần thiết của mặt trận văn hóa trong công cuộc cứu quốc và kiến quốc,” *Dân Quyền* [Civil Rights], no. 69 (November 1983), 12-20, 14.

to cultivate his own identity.<sup>136</sup> And if the Enlightenment heritage of human rights takes reason as the condition for any “autocracy of the mind,”<sup>137</sup> Kim Định’s contempt for the mass man reveals his deep skepticism for the type of human that is left “when intellect breaks away from instinct.”<sup>138</sup> Set apart from the herd, the new Vietnamese would arrive as a unique kind of man, bearing a unique heritage that he slowly but ceaselessly unlocks through self-cultivation to reach “the Primordial Man.”<sup>139</sup> This is the ancestor who embodies what Lydia Liu calls “the originary plurality of humanity,” and who represents eternal creation and self-creation.<sup>140</sup> If the Primordial Man points to a lost humanity, the new Vietnamese, belonging to the future, was a novel political invention, and the product of an effort to rethink the vision of “free and full personality development.”<sup>141</sup>

### **The Cultural Front of a Vanishing People**

But such a man who stands above the herd could not be willed into being as soon as need presented itself. Though the corps of militant organizations that sprang up at around this time, vowing to restore Vietnam in the short run, staked their fortunes on the search for strongmen,<sup>142</sup> Kim Định beheld the image of “the right man” lest the Vietnamese would again tend towards mass politics.<sup>143</sup> Man-of-the-future had set his development on this prophet.<sup>144</sup> At the 1984 World Conference in Chinese Philosophy, Kim Định beseeched representatives of fifty nations to “discover the Ju man whom we badly need.” Now as ever, he stressed, “activities aiming at perfecting man like poetry, rites, dance, game and above all, music” are key to unlocking the right man.<sup>145</sup>

---

<sup>136</sup> “độc lập trí tuệ.” Kim Định, *Cửa Khổng: Nho giáo nguyên thủy* (Sài Gòn: Nguyễn bá Tông, 1965). Accessed online at: <http://4phuong.net/ebook/32114432/119396147/chuong-iii-a-iii-nhan-ban-tam-linh.html>.

<sup>137</sup> Inder Marwah, “Bridging Nature and Freedom? Kant, Culture, and Cultivation,” *Social Theory and Practice* 38, No. 3 (July 2012): 385-406, 405.

<sup>138</sup> “thiếu yếu tố tâm linh con người đầu còn là con người nữa.” Việt Thương, “Sự cần thiết của mặt trận văn hóa trong công cuộc cứu quốc và kiến quốc,” 14.

<sup>139</sup> Kim Định, “The Role and The Conditions of ‘JU’ in Our Present Age,” 2.

<sup>140</sup> Lydia Liu, “Shadows of Universalism: the Untold Story of Human Rights around 1948,” *Critical Inquiry* 40 (Summer 2014), 411.

<sup>141</sup> “cho con người đạt được độ sống hết cỡ người, sống no tròn: phát triển đến hết mức có thể đạt được của mọi khả năng tiềm ẩn nơi con người.” Kim Định, *Hồn Nước và Lễ Gia Tiên*, 89.

<sup>142</sup> See, for example, “Mặt trận quốc gia thống nhất giải phóng Việt nam,” *Quê Mẹ* (Bankstown, Australia) (May 1982): 50-51; Hoàn Sơn, “Cương lĩnh chính trị của mặt trận,” *Quê Mẹ* (Bankstown, Australia) (May 1982): 51-52; Nguyễn Trông, “Vô Đại Tôn và công cuộc kháng chiến đông dương,” *Dân Việt* (August 5, 1982); Đoàn Quốc Bảo, “Lực lượng quân nhân anh hùng VNCH chuyển mình,” *Sài Gòn*, no.3 (April 1, 1982); Mặt trận quốc gia thống nhất giải phóng Việt Nam, *Tuyển Tập Chuyên Kháng Chiến* (San Jose: Đông Tiên, 1985).

<sup>143</sup> “The right man whom we are looking for must be a scholar doubling as a philosopher.” Kim Định, “The Role and The Conditions of ‘JU’ in Our Present Age.”

<sup>144</sup> “Our task is to make this scholar-philosopher appear sooner or later.” Ibid.

<sup>145</sup> Ibid.

At about this time, Kim Định's vision had inspired some Vietnamese to forge a "cultural front" [*mặt trận văn hóa*].<sup>146</sup> The initial spadework unfolded in the early 1980s, just as the Vietnamese began to shake off the nightmare of their flight and take stock of their life in exile. An essay in a 1983 issue of *Dân Quyền* [Civil Rights] may have made the strongest push for this front when contending that "control of cultural structures means absolute control over the people's destiny."<sup>147</sup> Việt Thường, the author and a Kim Định partisan, saw this front as all the more important in the 1980s, when factionalism had set in and deepened divides within Vietnamese communities. Reports on suspected communist spies and the campaigns to spoil human rights activism had been in the news.<sup>148</sup> Local newsletters warned that a kind of "cultural bankruptcy" had the effect of impairing the Vietnamese, some of whom, "ethnically 'lost,'"<sup>149</sup> had "formed cliques to tear the community apart."<sup>150</sup> The sense of communal integrity, which had been so certain, was evidently shaken as groups regarded one another with suspicion, unsure "if they are failing nationalists or operating incognito for the enemy."<sup>151</sup> Still more, the SRV's campaigns to destroy "poisonous cultural vestiges" of South Vietnam fanned the fear that Vietnamese culture

---

<sup>146</sup> Việt Thường, "Sự cần thiết của mặt trận văn hóa trong công cuộc cứu quốc và kiến quốc," *Dân Quyền* [Civil Rights], no. 69 (November 1983), 12-20, 14; Kim Định, "Triết Việt trên đất Mỹ," *Văn học Nghệ thuật (VHNT)*, no.2 (May 1978), 3-7.

<sup>147</sup> "Năm vững cơ cấu văn hóa . . . là năm vững được sứ mệnh tương lai của một dân tộc." Việt Thường, 12. "tiên chấn văn, nhị hậu hưng quốc." Hoàng Văn Chí, "Nghiên cứu văn hóa," *DQ*, no. 72 (February 1984), 16-18.

<sup>148</sup> "Những hoạt động gián điệp của cộng sản ở vài vùng trên đất Mỹ," *VNHN*, no. 21 (January 4, 1978), 41; Lý Đại Long, "Một con tàu cho V.N.," *QM*, no. 31, 32&33 (May 1979), 46, 29. "Một thực tại chia xé, chia rẽ, tranh chấp, hủy hoại nhau. . . Ngoại nhập thì kẻ thù chúng ta dùng thế ly gián để hãm hại." Võ Văn Ai, "Ý thức quốc kháng," 27. Also see Decision 225/CP, issued by the SRV in July 17, 1980, specifying the founding of a bureau to monitor the activities of Vietnamese abroad. One of the missions of this bureau, the document states, is to "oppose the enemy's conspiracies" [*đấu tranh chống âm mưu của địch*]. "QUYẾT ĐỊNH: Về việc thành lập Vụ công tác người Việt Nam ở nước ngoài," *Văn bản pháp luật [VBPL]*, July 17, 1980, <http://vbpl.vn/TW/Pages/vbpbq-toanvan.aspx?ItemID=1414> (accessed March 13, 2016). See also Larry Berman, *Perfect Spy: The Incredible Double Life of Pham Xuan An* (New York: Harper Collins, 2007).

<sup>149</sup> Peter Frizsche and Jochen Hellbeck, "The New Man in Stalinist Russia and Nazi Germany," in *Beyond Totalitarianism: Stalinism and Nazism Compared*, eds., Michael Geyer and Sheila Fitzpatrick (New York, N.Y. : Cambridge University Press, 2009): 302-341; 339.

<sup>150</sup> "văn hóa Việt nam phá sản, số lớn những người những nhóm làm chính trị đi vào con đường cô lập bè đảng . . . chia xé cộng đồng quốc gia thành manh mún sự quán bất động." Ibid. "Địch tiếp tục . . . xuất cảng những căn bã ra hải ngoại, tặng không cho chúng ta, để chúng ta vì đó mà sinh ra ung thối, nảy nở mầm tự diệt." "Bình chúc dạ du," *Việt Nam Hải Ngoại*, no.169 (August 1985); Thượng Văn, "Những biểu hiện lệch lạc trong đấu tranh bây giờ," *Nhân Văn*, no.13 (April 1983), 39-45.

<sup>151</sup> "họ là người quốc gia xuống dốc hay họ chính là kẻ nằm vùng cho địch?" Ibid. For a discussion of the strife between pro-Hà Nội and anticommunist factions among Parisian Vietnamese, see Gisele Bousquet, *Behind the Bamboo Hedge: The Impact of Homeland Politics in the Parisian Vietnamese Community* (Ann Arbor: University of Michigan Press, 1991).

was quickly disappearing.<sup>152</sup> Thus, between the 1970s and 1980s there resounded the call to grow and preserve a culture that was being discounted and torn up by the SRV. Defense of culture became synonymous with saving a race that felt itself verging on extinction.<sup>153</sup>

Pushed by this very impulse to treasure and preserve, the Vietnamese founded cultural institutions to isolate and grow Vietnamese arts, free of western influence.<sup>154</sup> Academies emerged, tasked with training Vietnamese youth in the martial and literary tradition of their predecessors.<sup>155</sup> To raise the general esteem for the arts and humanities, cultural journals appeared in greater numbers, some choosing to stay above politics in order to showcase the creative genius of the Vietnamese.<sup>156</sup> Such journals became the meeting place of learned men who volunteered their time to translate Vietnamese literature and poetry into western languages. A cultural renaissance was then unfolding.<sup>157</sup> In the heartland of Southern California,<sup>158</sup> the fear

---

<sup>152</sup> “Trong nước thì chính sách văn hóa phi dân tộc mà bọn cộng sản thống trị đang áp đặt trên dân nhân là một đe dọa trực tiếp cho nền văn hóa dân tộc.” “Tổ chức văn hóa Việt ra mắt trên thủ đô Canada,” *DQ*, no. 69 (November 1983), 21; “nền văn hóa của miền nam tự do sẽ bị giết chết lặng lẽ ở quê nhà.” Lê Tất Điều, “Lập viện văn hóa Việt Nam,” *DQ*, no. 69 (November 1983), 29; Nguyễn Vy Khanh, “Văn Học Miền Nam Tự-Do 1954-1975,” *khaiphong*, June 26, 2016, <http://khaiphong.org/showthread.php?11507-V%26%23259%3Bn-H%26%237885%3Bc-Mi%26%237873%3Bn-Nam-T%26%237921%3B-Do-1954-1975> (accessed September 10, 2016); Philip Taylor, *Fragments of the Present: Searching for Modernity in Vietnam's South* (Honolulu : University of Hawai'i Press, 2001). Also see: Đắc Nhẫn, “Về âm nhạc đòi trụ ở Sài Gòn trước đây,” *Văn Nghệ Giải Phóng (VNGP)* (July 10, 1976), 13; Hà Xuân Trường, “Tẩy trừ hậu quả văn hóa nô dịch thực dân mới,” *VNGP* (September 25, 1976), 2, 8; Nguyễn Văn Mười, “Những khuynh hướng nghệ thuật tạo hình tư sản phản động dưới thời Mỹ nguy trước đây,” *VNGP* (October 30, 1976), 10, 11; Bùi Phúc, “Văn nghệ chống cộng của Mỹ, nguy tại các đô thị Miền Nam Việt Nam trước ngày 30-4-1975,” *VNGP* (March 6, 1976), 11; Đỗ Huy, “Lao động, nguồn gốc và thước đo mọi giá trị con người,” *An ninh thủ đô* (July 4, 1981); Nguyễn Hải Trùng, “Đánh giá và chôn vùi văn nghệ phẩm đòi trụ phản động,” *Văn Nghệ thành phố Hồ Chí Minh (VNtpHCM)* (July 17, 1981).

<sup>153</sup> “làm văn nghệ ở hải ngoại, đó là một công trình tiếp nối, một nỗ lực sống còn, để ‘tên gọi là Việt Nam.’” Võ Đình, “Bàn về làm văn-nghệ ở hải-ngoại,” *Tập San Văn Hóa* [Vietnam Cultural Journal] 1, no.1 (December 1981), 72-75, 73; Phạm Kim Vinh, “Tàn sát văn hóa và tự sát văn hóa,” *VHNT*, no. 7 (October 1978), 73-81.

<sup>154</sup> “tình trạng ảnh hưởng chế ngự của nền văn hóa của các quốc gia mà chúng ta đang sinh sống.” “Kiện toàn mặt trận văn hóa,” *DQ*, no. 72 (February 1984), 3; Lê Tất Điều, “Lập viện văn hóa Việt Nam.”

<sup>155</sup> Đỗ Quý Toàn, “Góp ý kiến về các lớp học văn, sử Việt Nam,” *DQ*, no. 72 (February 1984), 40-42.

<sup>156</sup> *Tập san Văn Hóa Việt Nam's* mission, for example, was to “locate the pursuit of scholarly researches and individual creativities above all sorts of ideological interests.” For a list of the earliest cultural journals published by Vietnamese exiles, see Thụy Khuê, “Thử tìm một lối tiếp cận văn sử học về: Hai mươi năm văn học Việt Nam hải ngoại 1975-2000,” *Hợp Lưu*, December 1999, <http://hopluu.net/a826/thu-tim-mot-loi-tiep-can-van-su-hoc-ve-hai-muoi-nham-nam-van-hoc-viet-nam-hai-ngoai-1975-2000> (accessed December 8, 2015).

<sup>157</sup> Dư Tử Lê and Võ Văn Hà, “Đi tìm Việt Nam trong tủ nhục và hãnh diện,” in *Quê Hương: Tuyển Tập Văn Chương Việt Nam* (Ca.: Gìn Vàng Giữ Ngọc, 1977), 3-4; Hoàng Thụy Du, “Tổng

of being a people without culture spurred the lay writer to put into prose what he remembered, channeling the belief that the cultural front was “within the reach of every refugee the world over.”<sup>159</sup> By the early 1980s, anthologies of Vietnamese fiction slowly showed up on local bookshelves, bookended and outnumbered by self-published memoirs.<sup>160</sup> “Vietnamese culture” underwent a modest redefinition. It was now seen as “a way of being and thinking” unique to the Vietnamese refugee.<sup>161</sup> “Four millennia of Vietnamese art” being kept alive, and the new forms created by a people creating themselves, made up the cultural estate of the Vietnamese diaspora.

In this context, literature was put in the service of fostering an “ethnic consciousness” [*ý thức Việt tộc*].<sup>162</sup> When the renowned artist Võ Đình wrote in 1981 that a certain Vietnamese spirit [*tinh Việt*] resides within him despite himself, urging him to move under the surface of everyday life to discover “Vietnam as an ever-present reality,” he was giving the impression of the poet as an avatar of early Vietnamese life.<sup>163</sup> According to Võ Đình, the Vietnamese “maker of culture” must live in constant awareness of this “reality,” never yielding to the temptation of practicing “western art” and never letting the cultural front drop out of sight. Echoing Kim Định and Trần Văn Ân, who, through unraveling the defeat of the ethnic Vietnamese, saw cultural revival as the first step to reinstating him, Võ Đình found in literature an analog to the kind of vision that his contemporaries had held on to. He quotes Czeslaw Milosz to suggest that it is in the imagination that the poet can be the maker and redeemer of man. The wonder and majesty of a child’s world appeals to him, as it did to Milosz, because it is there that the poet, in his true vocation, sees both past and future, both the Primordial Man and man hereafter.<sup>164</sup> Literature is cast in this way as

---

kết 2 năm sinh hoạt VHNT của những người cầm bút VN tỵ nạn-hay cảnh tỉnh nhà văn Việt trên đất mỹ” [Summary of the Literary Activities of the Vietnamese Refugee Writers During the Past Two Years or a Brief Analysis of Problems Faced by Vietnamese Refugee Writers Since Their First Days of Arrival in the United States], in *Quê Hương: Tuyển Tập Văn Chương Việt Nam*, 52-54.

<sup>158</sup> According to Nguyễn Mộng Giác, Southern California in the 1980s attracted roughly 80 percent of Vietnamese writers then living in exile. Vĩnh Phúc, *Đối Thoại: 13 văn thi sĩ nói về mình và văn học* (California: Văn Nghệ, 2001): 61-80, 68.

<sup>159</sup> “Một cuộc tự vệ văn hóa có kích thước nằm trong tầm tay của mỗi người tỵ nạn VN trên thế giới.” Phạm Kim Vinh, *Văn Hóa Dân Tộc và Văn Hóa Lưu Vong* (Westminster: PKV, 1986), 147.

<sup>160</sup> Nguyen Ngoc Bich, ed., *War and Exile: A Vietnamese Anthology* (Springfield: Vietnamese PEN, 1989). Also see Tuan Hoang, “From Reeducation Camps to Little Saigons: Historicizing Vietnamese Diasporic Anticommunism,” *Journal of Vietnamese Studies* 11, no. 2 (Spring 2016): 43-95.

<sup>161</sup> “Văn hóa là lẽ lối sinh hoạt và suy nghĩ.” Hoàng Văn Chí, “Văn hóa và dân tộc,” *Nguyệt Báo Độc Lập* (January 1984).

<sup>162</sup> Võ Đình, “Bàn về làm văn-nghệ ở hải-ngoại,” *Tạp San Văn Hóa* [Vietnam Cultural Journal] 1, no.1 (December 1981), 72-75.

<sup>163</sup> “đầu muốn đầu không . . . tất cả cái tính Việt ‘4000 năm’ đã có mặt trong họ, linh động trong mỗi nét bút, mỗi màu nhuộm, mỗi đường dao. . . Nước Việt Nam là một thực tại vĩ đại liên tục hiện hữu khắp chúng ta, trực tiếp nói lên mỗi con người Việt Nam.” *Ibid.*, 73-74.

<sup>164</sup> “làm văn nghệ ở hải ngoại, đó là một công trình tiếp nối, một nỗ lực sống còn, để ‘tên gọi là Việt Nam.’ . . . Làm văn nghệ ở hải ngoại là không chỉ nói lên những tiếng nói đã bật mà còn nói những tiếng đang thì thầm vọng lại từ ngày mai.” *Ibid.*



the domain for renewing Vietnamese civilization on new frontiers.<sup>165</sup> And the writer-poet, forming a segment of Vietnamese refugees whose intuitive power has not been blunted but perhaps sharpened by exile, becomes the builder of a higher standard of genius, out of which the higher-man—the new Vietnamese—would emerge.

### **Nguyễn Mộng Giác and Vietnamese Humanism**

Whether this ideal type existed is not a question the evidence could settle, but there is an ostensible image of him in “Mẹ Trong Lòng Người Đi” [The Émigré’s Mother]. He appears in this short story as a wayward child on his way to being “a mover and shaker of the world” [*tay chọc trời khuấy nước*].<sup>166</sup> There is, in fact, an omniscient narrator who imagines this child climbing to a rooftop. In the narrator’s mind, the rash and unreflecting child would fall prey to “his desire to wipe out all the stars, and replace them with his own.” It quickly becomes clear that this child is the narrator’s fancy, his story showing a quality of fairytale. All the same, the narrator speaks directly to this imaginary child, advising him to spare in his game the one star he calls “Mother’s” [Vị Sao Mẹ]. He warns the child that his future would fall into darkness, “pitiful and forlorn,” if this single star is forsaken.<sup>167</sup> Not much else happens before the story ends with the narrator urging the child to become, above all, a poet.<sup>168</sup>

With little plot to push it forward, the story trades in details. Within the space of some fifteen pages, there are folk ballads [*ca dao*] and poetry and autobiographical bits. Images of prison camps, escape, and the eager manhunt, compressed into a paragraph, precede a tragic description of a man locked up and broken, trusting to his fate. A brief reference to “a band of men mad with reason” [*bọn đàn ông mê lý trí*] may be the most outwardly political element of the piece. As he speaks to the child, the narrator often steps back to reflect on the mother as something both more and less than “a metaphor for the homeland.”<sup>169</sup> At the level of detail then, this seemingly trivial story bears the spirit of its age, making itself read as a meditation on the Vietnamese-to-be, rising from the devolved state of his kin. Beneath its spare outlines, as will be shown, the story contains the sum total of a decade-long reflection on Vietnamese humanism.

“Mẹ Trong Lòng Người Đi” was published in 1984 as part of the short story collection *Ngựa Nằn Chân Bôn*. Though printed in California, Nguyễn Mộng Giác first wrote the stories which would later make up this collection in Indonesia, at the Kuku Refugee Camp. He reached

---

<sup>165</sup> See Jing Tsu, “Extinction and Adventures on the Chinese Diasporic Frontier,” *Journal of Chinese Overseas* 2, no.2 (November 2006), 247-268.

<sup>166</sup> Nguyễn Mộng Giác, “Mẹ Trong Lòng Người Đi,” in *Ngựa Nằn Chân Bôn* (Westminster: Người Việt, 1984). Available online at: <http://nguyenmonggiac.info/truyen-ngan/ngua-nan-chan-bon/86-me-trong-long-nguoi-di.html?tmpl=component&print=1&page=> (accessed November 25, 2015).

<sup>167</sup> “Ngôi sao ấy rụng xuống, chú sẽ cô đơn hồi tiếc vĩnh viễn trên đường đời.” Ibid. “Nhưng còn Mẹ thì hiểu ra làm sao. Là đất nước? Là mẹ anh, mẹ tôi, mẹ chúng ta. Tất cả, vàng tất cả, là Mẹ . . .” *ibid.*

<sup>168</sup> “tôi vẫn thích chú trở thành một nhà thơ hơn.” Ibid.

<sup>169</sup> Nam Dao, “hình như có điều gì . . .,” *Da Màu*, March 28, 2009, [http://damau.org/archives/4956#\\_ftnref1\\_4736](http://damau.org/archives/4956#_ftnref1_4736) (accessed August 10, 2016).

America on November 23, 1982.<sup>170</sup> Before the end of the war, Nguyễn Mộng Giác dabbled in fiction but did not hit the literary scene until very late. The journal *Bách Khoa* [Encyclopaedic] first featured his writings in 1971, and effectively launched his career as a novelist and an essayist. Some three years later, when his novel won the Vietnamese PEN Club award [Văn Bút Việt Nam], this Bình Định native was in a flush of celebrity and circulated among the most esteemed writers of South Vietnam.<sup>171</sup> His creativity did not seem stifled when the South folded. From 1975 to his lucky escape, Nguyễn Mộng Giác eked out a living by selling used books and working in a noodle factory. He was imprisoned twice in this span—first, in October 1979, when the police arrested the factory owners and those associated with their business for suspected espionage, and second, when he was caught trying to flee the country.<sup>172</sup> He wrote on the sly all the while, nearly completing *Sông Côn mùa lũ* [The River Floods], a saga chronicling the fortunes of eighteenth century warriors, before his fifth and successful exit.<sup>173</sup>

Nguyễn Mộng Giác's later fiction gives the sense that he was a writer deeply affected by the turbulence of his time. At the Kuku Refugee Camp, he began drafting *Mùa biển động* [Swelling Sea], another saga that would define him as the main pillar of Vietnamese diasporic literature. This five-volume novel recreates south Vietnam as it moves from the 1968 Huế Massacre to the 1980s, when “men lose themselves in a glut of misery and vice.”<sup>174</sup> While carrying forward this novel from the first volume to its last, completed in 1989, Nguyễn Mộng Giác also managed the journal *Văn Học* [Literary Studies], one of the first of its kind to appear in the United States.<sup>175</sup> These efforts give credence to his conviction that “the highest worth of literature, its greatest contribution, . . . is to push for the abolition of forces that corrupt and suppress divine human rights.”<sup>176</sup> Nguyễn Mộng Giác's statement, like an authorial credo, echoing Kim Định, captures the ideals that Vietnamese intellectuals then ascribed to letters and the arts. As one of his contemporaries and longtime contributor to *Văn Học* stated, “national salvation” [*cứu nước*] is the office of Vietnamese literature.<sup>177</sup> Phạm Kinh Vinh, in homage to Kim Định, evokes the yet-to-arrive “ideal Vietnamese” [*con người lý tưởng Việt tộc*] as the final reach of Vietnamese history. He

---

<sup>170</sup> Nguyễn Mộng Giác, “Sống và viết tại hải ngoại,” *Việt*, no. 2 (1998). Available online at: <http://nguyenmonggiac.com/tieu-luan-tuy-but/73-song-va-viet-tai-hai-ngoai.html>.

<sup>171</sup> “Nguyễn Mộng Giác với Phạm Phú Minh và Trần Doãn Nho,” *Da Màu*, March 23, 2009, <http://damau.org/archives/4808> (accessed March 1, 2015).

<sup>172</sup> Nguyễn Mộng Giác, *Nghĩ về văn học hải ngoại: tiểu luận* (California: Da Màu, 2004), 199; “Nguyễn Mộng Giác: Trò chuyện với sinh viên” *talawas*, March 14, 2006, <http://www.talawas.org/talaDB/showFile.php?res=6667&rb=0102> (accessed April 2015).

<sup>173</sup> Luân Hoán, “Nguyễn Mộng Giác, dòng văn bên dòng sông Côn,” *luanhoan.net*, no date, [http://luanhoan.net/tacpham/DuaHoiBeban2/web/9\\_NguyenMongGiac.htm](http://luanhoan.net/tacpham/DuaHoiBeban2/web/9_NguyenMongGiac.htm) (accessed September 9, 2016).

<sup>174</sup> “. . . con người vong thân, lạc loài trong vùng tuyết mù đầy tội ác và tuyết vọng.” Thụy Khuê, “*Mùa biển động* của Nguyễn Mộng Giác,” *thuykhue.free.fr*, May 2001, <http://thuykhue.free.fr/tk06/muabiendong.html> (accessed June 2016).

<sup>175</sup> Nguyễn Mộng Giác, *Nghĩ về văn học hải ngoại: tiểu luận*, 150-151.

<sup>176</sup> “Văn chương không thể đứng ngoài những cuộc vận động chính trị nhằm bảo vệ quyền tự do, quyền sống của con người, nhưng Văn Học quan niệm sự đóng góp tích cực nhất, cần thiết nhất của văn chương vào cuộc vận động là những tác phẩm giá trị nhằm đề cao con người, đả phá những thế lực tha hóa hoặc đàn áp quyền sống thiêng liêng của con người.” *Ibid.*, 157.

<sup>177</sup> Phạm Kim Vinh, *Văn Hóa Dân Tộc và Văn Hóa Lưu Vong*, 28.

vows to “bring to life the ethnic Vietnamese on all continents where Vietnamese refugees reside, and ensure, with patience and resolve, that he prevails for eternity.”<sup>178</sup> Literature was seen as the medium. First quickened to guard against cultural extinction, Vietnamese diasporic literature became by the early 1980s the keeper of this vision of future man.

### The New Vietnamese in “Về Nguồn”

The new Vietnamese in “Mẹ Trong Lòng Người Đi” comes into sharper relief when placed alongside his counterpart in “Về Nguồn” [Return to the Source], another story in the collection that seeds, more than others, the fear that the Vietnamese were doomed to disappear under communist rule. Different as the two stories are in language and style, both give a sense of the conflicting utopianisms that Nguyễn Mộng Giác found himself confronting after 1975. In “Về Nguồn,” Tân heads a college admissions committee under the SRV. The new academic year is about to start, and he has not as yet checked the political backgrounds of the applicants to keep “descendants of the enemy from higher education.” Under pressure, Tân sends a letter to the director of the Planning Institute, seeking his advice on how to weed out those with tainted pedigrees. It so happens that the director is vexed by a different set of problems. A kind of defiant sluggishness has set in among the people, and with the flight of the Vietnamese causing a “brain drain” [*xuất não*], national productivity continues to drop. Incidentally, the director recalls Hồ Chí Minh’s motto that “building socialism requires socialist men” [*muôn xây dựng chủ nghĩa xã hội trước hết phải có con người xã hội chủ nghĩa*]. At his wife’s urging, he drafts a proposal suggesting that “artificial insemination” [*dùng tinh đông viên để lai giống*] could be used to produce a stock of thoroughbreds. This proposal soon makes its way to the secretary general, who launches a program that brings together “human and technological prowess to fulfill the mission” [*sức người hợp với sức máy cuối cùng đã hoàn thành sứ mệnh*].

Before leaving the country in 1981, Nguyễn Mộng Giác had witnessed the most forceful attempt to bring the Vietnamese closer in image to the socialist man. Scores of articles, written by the most influential cultural figures no less, fostered the belief that “it is the duty of every sector and every person to build the new man from birth, training him to . . . possess the right thoughts and sentiments, the intellect and physical fitness for mastery over society, nature, and himself.”<sup>179</sup> Chế Lan Viên, a leading member of the Writer’s Union, wrote in 1979 that “we, Vietnamese socialists, have our own breed.”<sup>180</sup> Like the director in “Về Nguồn,” he cites Hồ Chí Minh’s slogan to call for the creation of “a new Vietnamese” [*con người Việt Nam mới*]. This is the Vietnamese socialist man, one whose commitment to proletarian internationalism would bring him nearer to the total man. Drawing from the world of horticulture, Chế Lan Viên likens the making of the new Vietnamese to “growing trees, though we must first sow seeds to cultivate the best of them” [*ương giống, gieo mầm, trồng cho tốt những con người*]. It has been said that “cultivation is

---

<sup>178</sup> “. . . quyết tâm thực hiện con người Việt tộc và truyền bá đến khắp năm châu, tới hết mọi nơi nào có người tị nạn VN, cũng như kiên tâm trì chí để con người ấy tồn tại đến muôn đời.” Ibid., 252.

<sup>179</sup> “Phát triển và nâng cao chất lượng nhà trẻ,” *Hà Nội Mới*, January 7, 1979.

<sup>180</sup> “Chúng ta, chủ nghĩa xã hội Việt Nam, ta có kiểu người của chúng ta.” Chế Lan Viên, “Làm chủ con người. Con người làm chủ,” *Nhân Dân*, January 7, 1979. Also see: Hồ Chí Minh, *Con người xã hội chủ nghĩa* (Hà Nội: Sự Thật, 1961); Đào Tùng, *Thanh niên với đạo đức cộng sản* (Hà Nội: Thanh Niên, 1964).

a form of reason” because human triumph over nature manifests in the ability to control production.<sup>181</sup> In this sense and through such a metaphor, it would seem that Chế Lan Viên is endorsing scientific intervention to “master the very raw materials of the subject, neutralizing all negative physical and psychological aspects inherited from the [feudal] past at the level of the germ plasm.”<sup>182</sup> He goes on urging that as a condition for creating the new man, Vietnam must have “a nest of advanced science and technology for the phoenix to lay eggs” [*lót ổ . . . khoa học kỹ thuật tiên tiến cho con phượng hoàng đến đẻ*]. The symbolism of the phoenix—its premise of self-generation and eternal life—would not have been lost on this poet. And yet, by pairing this image with scientific and technological progress, he recasts the bird as a symbol of secular immortality gained through applied science. The new socialist Vietnamese is by extension what Peter Frizsche and Jochen Hellbeck call “a defiantly secular figure, one who [is] no longer concerned with religious or moral purification.”<sup>183</sup>

This insistence—that the Vietnamese socialist man is the scientific negation of all “chaotic and ineffectual psychological impulses”<sup>184</sup>—is a common signature of any political writing from the period. Lê Sĩ Thắng, one of Chế Lan Viên’s contemporaries, argued in 1978 that the Vietnamese have always displayed a “dispassionate skepticism towards spirits” [*thờ ơ với thần linh*],<sup>185</sup> though he only truly broke free from their sway in 1930, under the guidance of the Vietnamese Communist Party.<sup>186</sup> To illustrate the development of the Vietnamese into a rational being, Lê Sĩ Thắng evokes Thánh Gióng. This is a character from folk mythology who, under the pen of nationalist poets, acquires the guise of a three-year-old child transforming himself into a giant after eating rice, and with his iron horse defeats an army of invaders before ascending to heaven.<sup>187</sup> It is fitting that Thánh Gióng should be a metaphor for the Vietnamese who, according to the author, “knows to grow himself, rising above deities” [*biết lớn, vượt lên trên thần thánh*] through his own strength and sharp wit.<sup>188</sup> By 1980, when the astronaut Phạm Tuân took his maiden flight on the Soviet Union’s Soyuz 37 spacecraft and newspapers headlined his journey as the triumph of human intelligence and cooperation, it would seem that Vietnam,

---

<sup>181</sup> Charlotte Scott, *Shakespeare's Nature: From Cultivation to Culture* (Oxford: Oxford University Press, 2014), 4.

<sup>182</sup> Christina Kiaer, “Delivered from Capitalism: Nostalgia, Alienation, and the Future of Reproduction in Tret'iakov's I Want a Child!,” in *Everyday Life in Early Soviet Russia: Taking the Revolution inside*, Christina Kiaer and Eric Naiman, eds. (Bloomington: Indiana University Press, 2006), 185.

<sup>183</sup> Peter Frizsche and Jochen Hellbeck, 305.

<sup>183</sup> Charlotte Scott, *Shakespeare's Nature*, 304.

<sup>184</sup> Peter Frizsche and Jochen Hellbeck, 316.

<sup>185</sup> Lê Sĩ Thắng, “Vài nét về con người Việt Nam truyền thống,” in *Về vấn đề xây dựng con người mới*, Phạm Như Cương, ed. (Hà Nội: Khoa học xã hội, 1978): 283-315, 292.

<sup>186</sup> *Ibid.*, 315.

<sup>187</sup> Trần Quốc Vượng, “The Legend of Ông Dóng,” in *Essays into Vietnamese Pasts*, Keith Weller Taylor and John K. Whitmore, eds. (Ithaca: Cornell University Press, 1995): 13-41, 16.

<sup>188</sup> Lê Sĩ Thắng, 293. While the image of rice and iron, so central to this legend, suggests that the new Vietnamese cannot be thought apart from the discourse on productivity, Thánh Gióng represents to Lê Sĩ Thắng a specific kind of ideological transcendence achieved through warfare, not labor.

having “turned its back on spirits”<sup>189</sup> to keep in step with its Soviet patron, was finally brought into the age of technology.<sup>190</sup>

“Về Nguồn” is notable for the way it reinscribes such rationalist discourse to suggest that a certain eugenicist sentiment had in fact taken hold in Vietnam, providing a “scientific gloss” on class politics.<sup>191</sup> In spite of its modest length, the story is broken into four smaller fragments, closely interwoven to tie agricultural to human engineering. This specific structure gradually expands the focus from husbandry to eugenics, drawing a connection between the biotechnological solution to low productivity on the one hand, and the regressive evolution of the Vietnamese on the other. When compared to documents from the same period that openly set out to create a Vietnamese socialist man, “Về Nguồn” reveals just how this biological fantasy would fail in its own right.

The biosocial rhetoric of the late 1970s comes through quite early on in the first section. While Tân investigates the applicants’ family history, his superior describes the process of selecting college students as “refining the Vietnamese stock” [*chọn giống . . . tiền đồ của dân tộc*]. Guided by this ethos, Tân classifies the applicants according to their political past. He writes “traitor” [*kẻ phản bội*] on most files, on some: “child of feudal colonialists and should be sent to labor camp” [*con của thực dân phong kiến, đề nghị cho đi cải tạo lao động*]. These prospective students are identified all the same as “enemies of the people” [*kẻ thù của nhân dân*] who, owing to their fathers’ background, are set apart from the socialists. For good measure, Tân would only grant “children of communist officials or of former guerilla fighters” the coveted title of being “the nation’s future” [*tương lai đất nước*], thus protecting it from the undesirable, pre-socialist class.

The story takes place in a time of war—the 1979 conflict between China and Vietnam—when national newspapers took to labeling in toto the Chinese, the Americans, Vietnamese émigrés, and those fleeing the country as the enemy. There was then a tendency to represent these groups as what Joanne Woiak calls “hereditary paupers.”<sup>192</sup> Trần Bạch Đằng, for example, published an article in which he portrays “the enemy’s arrogance” as a kind of “hereditary disease” [*bệnh khoán lác . . . mang tính di truyền*].<sup>193</sup> Others such as Nghị Đoàn and Nguyễn Hữu Thái wrote that “reactionary forces had used the bloodline doctrine” [*thuyết huyết thống*] to stir up unrest among the Chinese population in Vietnam.<sup>194</sup> At a time when the political and the biological are blurred, a play sharing the name of Nguyễn Mộng Giác’s story—“Về Nguồn”—was staged to

---

<sup>189</sup> “không nữa lời viện đến thần linh.” Lê Sĩ Thắng, 191.

<sup>190</sup> Thép Mới, “Việt Nam-Vũ Trụ,” *Sài Gòn Giải Phóng (SGGP)*, July 25, 1980; Lê Xuân Tú, “Về chương trình nghiên cứu khoa học của Việt Nam trong chuyến bay vũ trụ phối hợp liên xô-Việt Nam,” *SGGP*, July 25, 1980.

<sup>191</sup> Diane Paul, “Eugenics and the Left,” *Journal of the History of Ideas* 45, no.4 (October-December 1984), 567-590, 569.

<sup>192</sup> Joanne Woiak, “Designing a Brave New World: Eugenics, Politics, and Fiction,” *The Public Historian* 29, no.3 (Summer 2007), 105-129, 122.

<sup>193</sup> Trần Bạch Đằng, “Lịch sử tái hiện,” *SGGP*, February 22, 1979.

<sup>194</sup> Nghị Đoàn, “Chung quanh vấn đề người Hoa,” *ND*, January 5, 1979; Nguyễn Hữu Thái, “Hiềm họa thường trực của châu Á,” *Tuổi Trẻ*, March 22, 1979. For a discussion of the bloodline theory in China, see Yiching Wu, *The Cultural Revolution at the Margins: Chinese Socialism in Crisis* (Cambridge: Harvard University Press, 2014).

bring into focus an image of the ideal revolutionary. It is set in the Republic of Vietnam, where the love affair between Vân, a teacher, and Hưng, a steel plant worker, unfolds in spite of opposition from Vân's father. By small moves, the play reveals the father to be a capitalist [*tên tư sản mại bán*] who owns the steel mill. Phạm Vũ Thư, in a review published in 1979, suggested that the play had its most powerful hold on him when Vân defies her father, choosing to “stand with the downtrodden.” He evokes a kind of hereditarian argument to explain the protagonist's defiance: Vân “carries within her the ‘heritable qualities’ [*yếu tố ‘di truyền’*] of a poor family,” adding, almost as an afterthought, that she is the daughter of “a peasant woman.”<sup>195</sup>

If these articles, for their time, show that ideology often shaded over to biology to assign moral fitness to some Vietnamese, in Nguyễn Mộng Giác's story, experimental biology is taken out of the agricultural context and put to test in human genetics. At various moments in the second section, the director of the Planning Institute takes advice from his helpmate, a cadre at the Institute of Animal Husbandry [*Viện nghiên cứu chăn nuôi*]. She has just returned from Ba Vì's cattle breeding farm, where livestock imported from India, Cuba, and the USSR are kept for mating. According to the director's wife, humans “obey the same laws of heredity.” In a certain technocratic spirit, she recalls that Nazi Germany, “though without the scientific expertise that Vietnam now commands,” had conducted experiments to improve the quality of its population. Within a technical discourse of husbandry, she presents the Nazi pursuit of racial purity as a search for biological perfection. It is at this moment that the director's proposal comes at last into focus: “We will use the sperm of communists who have proven themselves, . . . and select mothers who champion the ‘three responsibilities’ [*ba đảm đang*]—as producers, household caregivers, and national defenders—and exceptional girl-soldiers [*chiến sĩ gái kiên cường*]” to produce a new generation of revolutionaries.<sup>196</sup>

Taking up barely a page of the story, the character of the director's wife is built around small details that point to the larger reality of biological experimentation then undertaken in Vietnam. The Institute of Animal Husbandry, Ba Vì's farmstead, as well as the imported animals housed there are details that Nguyễn Mộng Giác may have lifted from period literature on husbandry. Ba Vì in the 1970s was held up as a laboratory where foreign seeds are nursed into plants stronger and more productive than native stock. According to a 1978 article, Ba Vì horticulturalists had grown “grass seedlings brought in from abroad” [*mang từ nước ngoài về*] into a lush crop, feeding livestock species across the country.<sup>197</sup> Scientists there reportedly cross-bred foreign and domestic animals to create “superior offspring” that could bring about economic abundance.<sup>198</sup> In these texts, the practice of husbandry is allied with the conventions of

---

<sup>195</sup> “trong con người Vân mang yếu tố ‘di truyền’ của một gia đình nghèo (Mẹ ruột của Vân vốn là một thôn nữ nghèo).” Phạm Vũ Thư, “Về Nguồn: một con đường mới,” *Tuổi trẻ*, March 22, 1979.

<sup>196</sup> Ashley Pettus, *Between Sacrifice and Desire: National Identity and the Governing of Femininity in Vietnam* (New York: Routledge, 2004), 1962; “Phụ nữ Hải Hưng thi đua nuôi con khỏe, dạy con ngoan,” *ND*, February 28, 1975.

<sup>197</sup> G.L., “Từ 12 hạt giống,” *Lao Động* (January 25, 1979).

<sup>198</sup> Nhật Ninh, “Người kỹ sư và con F3,” *Nhân Dân* (January 12, 1979). Also see: Phạm Tiến Duật, “Anh có em Hà Nội có Ba Vì,” *Hà Nội Mới* (January 28, 1979); Nguyễn Vinh PHúc, “Núi Ba Vì,” *Hà Nội Mới* (January 7, 1979); Hà Đình Đức, “Khoa sinh vật trường đại học tổng hợp phục vụ nông nghiệp tỉnh Nam Hà,” *Hà Nội Mới*, May 29, 1975.

diplomacy—hybrid species are presented as symbols of socialist fraternity and the “collective human transformation” of nature.<sup>199</sup> Husbandry became a way of demonstrating the fruitfulness of human industry and collaboration, on which the future and security of socialism depended. But whereas period articles use husbandry as a metaphor for human agency, “Về Nguồn” recasts it as a peril to the Vietnamese. By making the director’s wife an expert on animal breeding who specializes in the introduction of foreign strains into native species, permanently changing their physiology, Nguyễn Mộng Giác alludes to the inevitable dissolution of the Vietnamese racial identity when the same industrial techniques are used on humans.

The program to create socialist men through artificial insemination passes the politburo, and hits its stride in the fourth, and last, section. To build a welfare system for the fittest, the Central Women’s Union sets about selecting fourteen “ideal mothers” [*mẹ lý tưởng*]; the Health Ministry joins the Society for the Protection of Mothers and Children to prepare the greatest possible care; and the Ministry of Education drafts special curricula for the coming eugenic children, “the perfected product of socialist reproduction.” According to Christina Kiaer, the eugenic baby is “the ultimate socialist object” and “a literal embodiment of the creativity of production.” He belongs to the collective, “existing in public nurseries and kindergartens rather than in the materially and emotionally cluttered lap of the family.”<sup>200</sup> In the final moment when cadres from the Institute of Animal Husbandry arrive in Hà Nội to collect sperm, the story takes a surprising turn. It reveals that selected donors, their belief in “this absurd trial” [*một cuộc thử thách kỳ cục*] lapsing, have secretly asked subordinates to provide sperm in their stead. The story ends with a slight to the vision of socialism, stating that future Vietnamese socialists are descendants of the chiefs of commerce, the petroleum custodians, the economic policemen”—those who, “already with immense wealth, will only conspire to grow their fortune” [*nắm trong tay rất nhiều tiền, và có trong óc rất nhiều kế . . . để thủ lợi*].

In her analysis of a Soviet play where Milda—“her body a well-equipped factory”—propositions Iakov—the perfect specimen of proletarian masculinity—to father her child, Kiaer suggests that Iakov’s participation is a “metaphor of alienated labor.”<sup>201</sup> By contract, he is asked to “produce a product and then give it up, to be alienated from it forever.” The eugenic child, the product of Milda and Iakov’s reproductive labor, is then “expropriated by the state, which ‘represents’ [them].”<sup>202</sup> In “Về Nguồn,” neither the women nor men selected for the experiment initiate, as Milda does, the contract of procreation. The mothers are asked to give up ownership of their bodies, offering themselves to the collective without their husbands knowing [*chưa hỏi ý kiến chồng*]. If they by chance find out, the secretariat of the labor union is swiftly sent in to “set them at ease.” In contrast, men selected for their immaculate pedigrees could, through their own cunning, free themselves from the obligation. And yet, the new breed of Vietnamese emerging from this experiment inherits only the fathers’ hereditary materials, not the mothers’. The final line of the story—“from father to son” [*cha truyền con nối*]

### **The New Vietnamese in “Mẹ Trong Lòng Người Đi”**

---

<sup>199</sup> See Charlotte Scott, *Shakespeare's Nature*, 30.

<sup>200</sup> Kiaer, 205.

<sup>201</sup> *Ibid.*, 195, 198.

<sup>202</sup> *Ibid.*, 198.

This peculiar ending can only be understood in relation to “Mẹ Trong Lòng Người Đi.” If the fragments of “Về Nguồn” only add up to a loose plot, “Mẹ Trong Lòng Người Đi” shows no semblance of a plot. It takes on a scarcely definable form, narrated in the first person though it is unclear if the “I” refers to a fictional persona or the author himself.<sup>203</sup> Its central image is the child, its text mainly strewn with folk verses, and while the few autobiographical details seem to give it some frame, there is still a striking hollowness that runs through it. This unusual structure may reflect a scene of loss that is central to the story. In creating the fantastical world through which his imaginary child moves, the narrator also calls up “the despair of having lost a mother” [*nỗi khổ xa mẹ, mất mẹ*]. The remainder of the story figures this maternal loss as key to the development of the child, who represents the new Vietnamese.

Structurally, the mother’s death “opens up a series of representational possibilities.” According to Carolyn Dever, “in the space of the missing mother, novelists . . . are free to reinscribe the form and function of maternity . . . and thus to reformulate both conventional roles for women and conventional modes of narration.” In Nguyễn Mộng Giác’s fiction, the mother’s absence not only evokes “the specter of the motherless and vulnerable child,” but also allows the story to take a “backward-looking quest” for originary trauma—the moment the mother disappears.<sup>204</sup> As a structural device, maternal death creates “a crisis in which self-understanding, represented as the ability to craft a coherent life story or autobiography,” is entirely dependent on recuperating the dead mother.<sup>205</sup> Nguyễn Mộng Giác appears to arrange poetry and folk verses as symbols through which the story steps backward in time to reveal an original way of life ruled, according to Kim Định, by the mother.

Thematically, the phrase “mất mẹ” resonates with the belief that Vietnamese civilization was once matriarchal—peaceful, benevolent, when “life had not yet broken away from the harmony of nature”<sup>206</sup>—long before it gave way to patriarchal rule.<sup>207</sup> This notion of a matriarchal heritage was to underlie much of Kim Định’s philosophy. In a 1982 publication, Kim Định outlines two cultural stages that he thought defined Vietnamese history: one presided over by women [*văn hóa còn mẹ*], the other dominated by statesmen and hence “motherless” [*văn hóa mất*

---

<sup>203</sup> “Mẹ Trong Lòng Người Đi” has some features of *tùy bút*, a type of prose essay that, according to John Schafer, tends to “mourn the passing of things and customs associated with former time.” Formally, it is “casual, instinctive, generalized, anti-rational,” and digressive. John Schafer, *Võ Phiến and the Sadness of Exile* (Northern Illinois: Humboldt University Press, 2016): 121-170.

<sup>204</sup> Carolyn Dever, *Death and the Mother from Dickens to Freud: Victorian Fiction and the Anxiety of Origins* (New York: Cambridge University Press, 1998), 1-2; 2.

<sup>205</sup> *Ibid.*, 7.

<sup>206</sup> Bachofen, 76.

<sup>207</sup> On the cult of the mother in Vietnam, see: Olga Dror, *Cult, Culture, and Authority: Princess Liễu Hạnh in Vietnamese History* (Honolulu, University of Hawai’i Press, 2007); Wynn Wilcox, “Women and Mythology in Vietnamese History: Le Ngoc Han, Ho Xuan Huong, and the Production of Historical Continuity in Vietnam,” *Positions: East Asia Cultures Critique* 13, no.2 (2005): 411-439; Hue-Tam Ho-Tai, “Faces of Remembrance and Forgetting, Hue-Tam Ho Tai,” in *The Country of Memory: Remaking the Past in Late Socialist Vietnam*, ed. Hue-Tam Ho-Tai (Berkeley: University of California Press, 2001): 167-195.



mẹ].<sup>208</sup> Here and elsewhere, he constructs an early Vietnamese society based on the religious and civic primacy of the mother. The Vietnamese in this matriarchal state is said to have achieved a noble agricultural life [*tinh thần nông nghiệp*]: Held together by a telluric bond and a sense of fraternity, they were self-reliant and free from strife.<sup>209</sup> Kim Định suggested that as a general course of cultural evolution [*con đường tiến hóa*], this society at last yielded to paternal rule in order to protect itself from foreign aggression.<sup>210</sup> Though peaceful,<sup>211</sup> the shift to father-rule gradually displaced the original mode of life such that by the twentieth century, descendants of the Vietnamese could no longer sense the divinity of the Mother.<sup>212</sup> They thus “ushered in a western culture full of masculine drive” [*rước văn minh Thái Tây đẩy nam tính về*],<sup>213</sup> which quickly took hold and gave rise to an imperium governed through law and reason.<sup>214</sup> This view of Vietnamese history defines the communist state not as the logical end, as is often claimed,<sup>215</sup> but the consequence of a certain decline in the psychological health of its people. Kim Định goes so far as to suggest that as a “foreign system trying to take its place on the Vietnamese scene,”<sup>216</sup> communism is indication that a civilizational “schizophreny [*sic*]”<sup>217</sup> had seized the Vietnamese long ago.

Hardly his own, Kim Định’s concept of a mother-centric order was derived from Johann Jacob Bachofen’s pioneering though largely discredited theory of “Mother Right.” In 1861, this Swiss anthropologist drew on myth, classical literature, and material artifacts to argue that a primitive state of matriarchy had flourished before Greek politics came about. This epoch saw the development of agriculture and sedentary life, and descent was traced through women—“the repository of all culture, of all benevolence, of all devotion.” Before the shift to a paternal system,

<sup>208</sup> Kim Định, *Kinh Hùng Khai Triết* (San Jose: Thanh Niên Quốc Gia, 1982), 100.

<sup>209</sup> Kim Định, *Kinh Hùng Khai Triết*. Also see Trần Văn Đoàn, “Mẫu Tính Trong Văn Hóa Việt: The Metaphysical Principle of Maternity in Vietnamese Culture,” November 7, 2002, <http://www.simonhoadalat.com/HOCHOI/TRIETHOC/MautinhVHViet.htm#ftnref13> (accessed December 10, 2016).

<sup>210</sup> “Ta suy đoán được rằng thời thê đã đôi, xã hội đã đông thêm, bờ cõi đã mở rộng, sự đe dọa bên ngoài gia tăng, không còn hợp cho mẫu tộc được nữa, đã đến lúc phải nghĩ đến sức mạnh ít nhất là để chống ngoại xâm, vậy nên mẹ phải truyền sang cho Hùng Vương biểu thị phụ tộc.” Kim Định, *Kinh Hùng Khai Triết*.

<sup>211</sup> “. . . một sự chuyên mình êm thắm theo kiểu giao thoa hài hòa: thông nhất giữa mẹ và cha, chứ tuyệt đối không có vụ cha đẩy mẹ.” Ibid.

<sup>212</sup> “Tuy nhiên lâu ngày con cháu không cảm được thê nào là ‘còn mẹ.’” Ibid.

<sup>213</sup> “. . . hò nhau đi rước văn minh Thái Tây đẩy nam tính về.” Ibid.

<sup>214</sup> “tất cả tai họa đều tại lỗi triết học duy trí đã đánh mất nguyên lý mẹ.” Kim Định, *Thái Bình Minh Triết* (n/a: Thời Điểm, 1997), 21. Text accessible online at: <http://www.vietnamvanhien.net/thaibinhminhtriet.pdf>.

<sup>215</sup> For a discussion of the “continuity thesis,” see: David G. Marr, *Vietnamese Tradition on Trial: 1920-1945* (Berkeley: University of California Press, 1984); Kim Ngọc Bao Ninh, *A World Transformed: The Politics of Culture in Revolutionary Vietnam, 1945-1965* (Ann Arbor: University of Michigan Press, 2002).

<sup>216</sup> John K. Whitmore, “Communism and History in Vietnam,” in *Vietnamese Communism in Comparative Perspective*, ed. William S. Turley (Boulder: Westview Press, 1980), 11-44, 11.

<sup>217</sup> Kim Định. *Thái Bình Minh Triết*, 19.

“the relationship which stands at the origin of all culture, of every virtue, of every nobler aspect of existence, is that between mother and child.”<sup>218</sup> By contrast, the father, “standing in no visible relation to the child, . . . can never, even in the marital relation, cast off a certain fictive character.”<sup>219</sup> Kim Định glossed this notion of Mother Right as “the mother principle” [*nguyên lý mẹ*] and less often as “matriarchy” [*mẫu quyền*]. Echoing Bachofen, Kim Định claimed that traces of this primordial world are still present in myth, which when studied could reveal something about “our culturally structured souls.”<sup>220</sup>

But unlike Bachofen who examined myth in order “to come a little closer to the eternal meaning of things,” Kim Định wanted to “redeem the mother principle to one day recover the harmony” [*thế quân bình*] that defined this lost culture.<sup>221</sup> In his view, the ancient world was something of an utopia of human communion where man and nature, consciousness and the unconscious, spirituality and sensuality had not yet separated. This represented to Kim Định a supreme harmony in which the early Vietnamese had lived.<sup>222</sup> Though he freely translated long passages from “Mother Right,” Kim Định also revised the Swiss scholar’s theory along the way. Where Bachofen evoked the age of the mothers as a cultural stage that has passed, Kim Định saw Vietnamese antiquity as both historical and eternal: A world that is forever out of reach to Bachofen is to Kim Định a part of the collective unconscious, which is always present as a resource to transform human personality.<sup>223</sup> Merging Bachofen with Jung, Kim Định saw the Vietnamese primordial mother as an image laid down in the collective unconscious of every man, and as a force for self-development and redemption. If through Jung Kim Định had detected a psychological disorder in the modern Vietnamese, it was then in Bachofen that he found an ethno-historical vocabulary to prescribe a cure and restore health to the Vietnamese.

“Mẹ Trong Lòng Người Đi” evokes the same set of symbols to capture the essence of this prehistory. In the first few pages, there is a scene set in some remote past [*ngày xưa*], where a grandmother, mother, and daughter are brought together. They are shown moving past each other as if “every woman extends backwards into her mother and forwards into her daughter.”<sup>224</sup> In this self-contained world, mother and daughter share what Nguyễn Mộng Giác describes as “lessons on being a mother” [*bài học làm mẹ*]. Before long, he merges these three figures into the singular “Vietnamese mother” [*bà mẹ Việt Nam*], the central archetype symbolizing the totality of the Vietnamese psyche. Within the political climate of the 1980s, “Mẹ Trong Lòng Người Đi”

---

<sup>218</sup> Bachofen, 79.

<sup>219</sup> Ibid., 109.

<sup>220</sup> Joseph Campbell, “Introduction,” in *Myth Religion and Mother Right*, lvi.

<sup>221</sup> “phục hoạt nguyên lý mẹ để tìm lại thế quân bình.” Kim Định, *Kinh Hùng Khai Triết*.

<sup>222</sup> Kim Định believed that fragments of this matriarchal past can still be found in the culture of the *lạc Việt*: “Văn hóa lạc Việt còn duy trì được nhiều yếu tố mẹ hơn các nơi khác.” *Kinh hùng khai triết*.

<sup>223</sup> See Lionel Gossman, “Orpheus Philologus Bachofen versus Mommsen on the Study of Antiquity,” *Transactions of the American Philosophical Society*, 73, no. 5 (1983), 1-89; and Erich Neumann, *The Great Mothers: An Analysis of the Archetype* (Princeton: Princeton University Press, 2015).

<sup>224</sup> “The Psychological Aspects of the Kore,” in Carl G. Jung and Karl Kerényi, *Science of Mythology: Essays on the Myth of the Divine Child and the Mysteries of Eleusis*, trans. R.F.C. Hull (New York: Psychology Press, 2002), 191.

does not so much construct a “feminist family romance”<sup>225</sup> as call up the archetypal image that could give direction to a people afflicted by a “split personality.”<sup>226</sup> This condition, which Kim Định describes as “a rupture between intelligence and feeling” [*chê đôi tâm trí*], first presses in on the individual [*đợt cá nhân*], causing him to act “incoherently.” At the level of the family [*đợt gia đình*], when the elements of pathology are so deeply rooted, such psychosis breeds disorder, setting the ground for “despotism” [*độc quyền chuyên chế*] when it crosses into national politics.<sup>227</sup>

“Mẹ Trong Lòng Người Đi” throws into relief the effects of this psychological disorder. Apart from the scene of maternal unity, the story is very much about specific people and events. There is a naval officer who is sent time and again to labor camps; a former pilot, recently released from camp, tries to flee the country, is caught, escapes, only to be hounded out of society. Another, also failing to take flight, has to go into hiding. And then there is what feels like the core of the story—a description of the narrator’s state of mind when he is held in a dark cell [*xà lim*]. These images, recurring often throughout the stories in the collection, convey a sense of the human-scale terror that Nguyễn Mộng Giác associates with a society run by “men mad with reason.” The author depicts this society unfolding as a result of having “repudiated the mother” [*làm tan hết ước vọng đơn sơ của mẹ*].<sup>228</sup> Kim Định, in much the same way, saw postwar Vietnam casting aside “the mother kingdom” [*Vương quốc của mẹ*]<sup>229</sup> to make way for a doctrine that “leaves no place for religion” [*vô tôn giáo*].<sup>230</sup> Here, Kim Định is using religion in the Jungian sense, as a “conscientious regard for the irrational factors of the psyche,” or “as the careful observations and taking account of certain invisible and uncontrollable factors, [which] is an *instinctive attitude* peculiar to man.” By this measure, religion is a “natural function” which does not cease to exist with scientific rationality, but “reappears—evilly distorted—in the deification of the State.” The Vietnamese seized by psychosis—“man mad with reason”—is the Jungian mass man who has “deliver[ed] himself up to [the state] psychologically as well as morally.”<sup>231</sup>

If the communist state increases its power by “cut[ting] the ground from under his [mass man] feet psychically,” Kim Định and Nguyễn Mộng Giác believed that the only way forward for the Vietnamese is to find the archetypal mother. This, they thought, would restore a kind of psychological unity and help the Vietnamese cut loose the state’s hold on them. Though images of the mother appear here and there in “Mẹ Trong Lòng Người Đi,” often in faraway places, they come to the fore in the final moment when the narrator is in solitary confinement. Adjusting to the darkness of the cell at last, he finds marks of graffiti and some writing on the walls. There are dates and names. And in the corner are prayers to the Virgin Mary and the Bodhisattva Quán Thế Âm—“two portraits of maternal compassion that have found their place in this

<sup>225</sup> Marianne Hirsch, *The Mother-Daughter Plot: Narrative, Psychoanalysis, Feminism* (Bloomington: Indiana University Press, 1993), 130.

<sup>226</sup> Kim Định, *Thái Bình Minh Triết*, 19.

<sup>227</sup> Kim Định, *Thái Bình Minh Triết*, 19-20.

<sup>228</sup> Nguyễn Mộng Giác, *Ngựa Nẵn Chân Bon*.

<sup>229</sup> Kim Định, *Thái Bình Minh Triết*, 35.

<sup>230</sup> “mối tình cao quý giữa đồng bào cũng vô luôn để dành chỗ cho quốc tề, nhưng đó chỉ là cái tên trừu tượng rỗng tuếch được dùng để dầy dọa con người . . .” Kim Định, *Thái Bình Minh Triết*, 20.

<sup>231</sup> Jung, *The Undiscovered Self*, 18-20 (emphasis in the original); Volodymyr Walter Odajnyk, *Jung and Politics: The Political and Social Ideas of C. G. Jung* (New York: iUniverse, 2007).

prisonhouse” [*hai hình ảnh tuyệt vời của tình Mẹ giữa cảnh ngục tù*]. “I root about,” the narrator confides, “but could not find the name of a leader, of a hero, or a slogan. In despair, we are each reduced to a child who only knows to call on his mother.”<sup>232</sup>

The narrator has been speaking all this while to his young listener—the imaginary child. According to Jung, the child motif, much like the mother, arises during “an agonizing situation of conflict from which there seems to be no way out.”<sup>233</sup> Such a conflict comes to pass because “the inevitable one-sidedness and extravagances of the conscious mind” build up a “debt which has to be paid off from time to time in the form of hideous catastrophes.”<sup>234</sup> It was in 1980, not long before Nguyễn Mộng Giác’s short stories hit local bookstands, that Kim Định alerted his readers to this moment of danger: “now, more than fifty thousand descendants of Lạc Hồng, not least those held in re-education camps, feel at the depth of their being what it is like to be ‘motherless.’”<sup>235</sup> Reinterpreting Jung’s psychology as a “response to modernity,” Christopher Hauke points out that psychological processes could impact the world beyond the individual.<sup>236</sup> To explain this, he evokes the “shadow”—Jung’s term for “the sum of all personal and collective psychic elements” which everyone carries but disavows.<sup>237</sup> According to Jung, the less the shadow “is embodied in the individual’s conscious self, the blacker and denser it is.”<sup>238</sup> Hauke suggests that in times of chaos, “when a culture or social formation cannot contain its Symbolic, its dominant conscious ordering of the world, . . . then the unconscious shadow will burst through, like the semiotic and find in a charismatic leader a new form of order.”<sup>239</sup> The rise of Hitler and the Third Reich, he explains, was a “historical moment of European culture not being able to supply any other symbols for the projection of shadow contents which resulted in them being projected onto the state and its leader.”<sup>240</sup> Insofar as postwar Vietnam amounted to a period of great upheaval that could have triggered the shadow, the exiled intelligentsia looked to build a cult of the superman to draw in any displaced psychic energy. Trần Văn Ân, for instance, drew

---

<sup>232</sup> “Tôi dò tìm mãi vẫn không thấy trên vách tù một lãnh tụ nào, một anh hùng nào, một khẩu hiệu nào. Lúc đầu đốn, mọi người như đứa trẻ thơ chỉ biết cầu cứu đến Mẹ.” On the significance of the Virgin Mary and the Bodhisattva Quán Thế Âm for Vietnamese refugees, see: Alexander Soucy, “A Reappraisal of Vietnamese Buddhism’s Status as ‘Ethnic,’” *Journal of Vietnamese Studies* 12, no.2 (2017): 20-48; Thien-Huong T. Ninh, “Global Chain of Marianism: Diaspora Formation among Vietnamese Catholics in the United States and Cambodia,” *Journal of Vietnamese Studies* 12, no.2 (2017): 49-82; Janet Alison Hoskins, “Sacralizing the Diaspora: Cosmopolitan and Originalist Indigenous Religions,” *Journal of Vietnamese Studies* 12, no.2 (2017): 108-140.

<sup>233</sup> Carl G. Jung and Karl Kerényi, *Science of Mythology*, 103.

<sup>234</sup> *Ibid.*, 97.

<sup>235</sup> “nay hơn năm chục triệu con cháu Lạc Hồng nhất là những người ở trong các trại cải tạo đang hiểu tận tâm can thì phê thê nào là ‘mât mẹ.’” Kim Định, *Kinh Hùng Khai Triết*, 41.

<sup>236</sup> Christopher Hauke, *Jung and the Postmodern: The Interpretation of Realities* (New York: Routledge, 2013), 1.

<sup>237</sup> Carl G. Jung, *Memories, Dreams, Reflections*, ed. Aniela Jaffé (New York: Vintage Books, 1989), 398.

<sup>238</sup> Carl G. Jung, *The Collected Works of C. G. Jung: Psychology and Religion* (New York: Pantheon Books, 1989), 79.

<sup>239</sup> Hauke, 135-136.

<sup>240</sup> *Ibid.*, 136.

up a description of the ideal leader as a strongman who bears the ethnic unconscious, the spirit of a hero, and the magnetism of a movie star.<sup>241</sup> If the mother and child in “Mẹ Trong Lòng Người Đi” are projections of wisdom and solicitude, outside the text, the historical-archetypal mother and the new Vietnamese invented by exiled intellectuals can be understood as symbols to transform, in some way, the collective shadow. Harnessing the collective psychology just so could bring about an evolution of the Vietnamese psyche to achieve what Kim Định describes as “progress without revolution” [*triển diễn mà không cách mạng*].<sup>242</sup>

“Mẹ Trong Lòng Người Đi” evokes both the mother and the child as symbols of redemption, showing how crisis, or pathology, may be a creative force for the Vietnamese to rediscover himself. This is because in crisis, the child archetype has a compensatory relation to consciousness and manifests, sometimes with the mother, to signify “a higher stage of self-realization.”<sup>243</sup> Always and everywhere, it “represents the strongest, most ineluctable urge in every being, namely the urge to realize itself.”<sup>244</sup> The child motif does not therefore refer to a real child, but man’s instinctive drive to create from within a superior self. In “Mẹ Trong Lòng Người Đi,” the character of the child is the narrator’s unconscious other, in a moment, crossing over to consciousness. It is a literary image of the new Vietnamese in that “the child is a potential future”:

Hence the occurrence of the child motif in the psychology of the individual signifies as a rule an anticipation of future developments, even though at first sight it may seem like a retrospective configuration. . . . [T]he “child” paves the way for a future change of personality. In the individuation process, it anticipates the figure that comes from the synthesis of conscious and unconscious elements in the personality.<sup>245</sup>

What the imaginary child in “Mẹ Trong Lòng Người Đi” shares with the new Vietnamese is its futurity. Both point to an end state of personality cultivation, when Vietnamese “all over the world” [*khắp năm châu, bốn bể*] will have become “the ideal beings that their ancestors had tried to bring about” [*con người lý tưởng của tổ tiên Lạc Việt đã cố thực hiện*].<sup>246</sup>

## Conclusion

Nguyễn Mộng Giác’s fiction has brought into view two conceptions of Vietnamese humanism that were in conflict with each other: on one side, the socialist man, a specimen of biotechnological ingenuity, and on the other, the new Vietnamese, cultivated with “the intelligence that comes from afar.”<sup>247</sup> Each side reaches for a higher level of humanity, for a class of supermen that would outlive any single being. Each stood for a certain conception of the ideal human, and through him, an ideal future for the Vietnamese. The eugenic child in “Về Nguồn”

---

<sup>241</sup> Trần Văn Ân, “Nói về lãnh đạo,” *Đấu sĩ Cách mạng-Văn hóa*.

<sup>242</sup> Kim Định, *Kinh Hùng Khai Triết*, 40.

<sup>243</sup> Jung, *Science of Mythology*, 103.

<sup>244</sup> Jung and Kerényi, *Science of Mythology*, 89.

<sup>245</sup> *Ibid.*, 83.

<sup>246</sup> Phạm Kim Vinh, 251.

<sup>247</sup> Denis Donoghue, *We Irish: Essays on Irish Literature and Society* (Berkeley: University of California Press, 1988), 143.

is thought to inherit the biological fitness of his revolutionary father. His genetic signature will be a template for the Vietnamese “ten or twenty generations” [*thế hệ thứ 10, thứ 20*] down the line.<sup>248</sup> In his own way, the new socialist Vietnamese embodies the belief in rationality and self-transcendence, so much so that he is given the name “Man of Great Mind” [*Con người đại trí*].<sup>249</sup> He represents the promise of social biology, which won over Vietnamese bureaucrats in the 1970s–1980s. It was in this spirit that high school students were asked as part of their graduate exam to “discuss the function of labor in man’s evolution from gibbons.”<sup>250</sup> Lamarckian inheritance had its appeal, as it did in Soviet Russia in the 1920s, when experiments to change the biological makeup of the Russian population were undertaken with great zeal.<sup>251</sup> That fervor soon died down when Soviet geneticists found that “if acquired characters are inherited, then, obviously, all representatives of the proletariat bear in themselves the traces of all the unfavorable influences.”<sup>252</sup> The Vietnamese eugenic child is the product of one idea—human agency at the forefront—taken to its logical end.

Opposite him stands the new Vietnamese, self-cultivated according to the pattern of ideas already there before him. He was brought into being by a population keenly aware of its fall, and afraid that one day “exiled Vietnamese would vanish among the masses of men, unnamed and without a history, drifting about with no roots.”<sup>253</sup> His inventors provided a descriptive psychology to tie him to a collective unconscious. Their effort grew out of “a resilience founded on the very embrace of defeat,” as Jing Tsu might say, while he was their only guarantee of Vietnamese survival.<sup>254</sup> They believed that if he dug deep enough, every Vietnamese would recover a link to the primordial mother he once shunned. She would guide him in his development so that he could move closer to the sacred goal of self-rule to one day, when brought together with those like him, overturn communism in his homeland.

To Kim Định and Nguyễn Mộng Giác, the mother is the collective unconscious, the mythopoetic source of consciousness, the Vietnamese inner character. She came to represent the very ideals of natural rights, which went against the SRV’s state-centered definition of human rights. As early as 1977, representatives of the SRV defended the claim that human rights only

---

<sup>248</sup> Nguyễn Mộng Giác, *Ngựa Nằn Chân Bon*.

<sup>249</sup> Lê Sĩ Thắng, 293.

<sup>250</sup> “Vai trò của lao động trong quá trình chuyển biến từ vượn thành người. Vượn người ngày nay có thể chuyển biến thành người được không? Tại sao?” “Học sinh lớp 10 tiếp tục thi tốt nghiệp phổ thông,” *Hà Nội Mới* (June 8, 1975).

<sup>251</sup> See, for example, Alberto Spektorowski, “The Eugenic Temptation in Socialism: Sweden, Germany, and the Soviet Union,” *Comparative Studies in Society and History: an International Quarterly* 42, no.1 (2004): 84-106; Mark B. Adams, “The Politics of Human Heredity in the USSR, 1920–1940,” *Genome* 31, no.2 (1989): 879-884; Pat Simpson, “The Nude in Soviet Socialist Realism: Eugenics and Images of the New Person in the 1920s-1940s,” *Australian and New Zealand Journal of Art / Art Association of Australia and New Zealand* 5, no.1 (2004): 113-137.

<sup>252</sup> Quoted in Adams, 881.

<sup>253</sup> “Nếu không có phá trình này thì chỉ trong một vài thế hệ nữa, người Việt lưu vong sẽ tan biến vào những đoàn người vô danh, vô sử, bồng bênh nổi trôi không gốc rễ.” Phạm Kim Vinh, 253.

<sup>254</sup> Jing Tsu, *Failure, Nationalism, and Literature: The Making of Modern Chinese Identity, 1895-1937* (Stanford: Stanford University Press, 2006), 223.

work in the long run when they are backed by a government. They tied human rights to national self-determination, and in that way, dismissed the kind of “human rights diplomacy” [*ngoại giao nhân quyền*] that Jimmy Carter had tested.<sup>255</sup> Instead, keepers of the party-state reiterated the Soviet Union’s view that only the socialist state is designed to enable every man to be all he can.<sup>256</sup> But just as the socialist man must be created gradually, human rights can only be developmental, not pre-given. The very measures condemned by the international community as human rights abuse—persecution, re-education, new economic zones—were explained away as part and parcel of building an eventual utopia. And just as it happened in mid-twentieth century Europe, difference in class and biological makeup often showed up as justifications to include some and keep out others.

In the 1970s–1980s, some intellectuals in the diaspora rejected this conception of human rights as at odds with Vietnamese tradition. This community placed faith neither in a state nor in the human rights documents which proclaim natural equality of all mankind. Following Kim Định, they located in the Vietnamese past a loftier model of human fellowship based on the culture of the mother and a notion of psycho-biological sameness. In due time, they presented this higher ideal—Vietism—as a model not only for their kin, but also for people of the third world to “establish peace on which all races could flourish.” The Vietnamese believed they were poised to lead this universal crusade for freedom,<sup>257</sup> and in that belief, they opened the way for something approaching “messianic universalism.”<sup>258</sup>

---

<sup>255</sup> Nguyễn Xuân Lương, "Chiến dịch 'bảo vệ nhân quyền' của đế quốc Mỹ không che giấu được những hành động của họ vi phạm quyền cơ bản của các dân tộc và của con người," *Luật Học (LH)*, no. 4 (1977): 50-61. Also see Bà Ngô Bá Thành, "Chính nghĩa Nhân quyền ở phía chúng ta," *LH*, no. 3 (1979): 30-34; Ngô Bá Thành, "'Bào vệ nhân quyền' hay chính sách can thiệp vào công việc nội bộ các nước của Carter?" *LH*, no. 4 (1979): 67-74.

<sup>256</sup> Nguyễn Ngọc Minh, "Hội nghị khoa học về nhân quyền: Chủ nghĩa xã hội là chế độ ưu việt nhất để bảo vệ phát triển các quyền con người," *LH*, no. 4 (1979): 61-66.

<sup>257</sup> “Dân tộc Việt Nam xứng đáng lãnh vai trò trong hàng ngũ các nước tiên phong . . . thực hiện cách mạng của nhân loại.” “Vào đề,” 15.

<sup>258</sup> Hunt, 183.



Image 1: Insignia of the Provisional Government of Vietnam [Chính phủ quốc gia Việt Nam lâm thời] (PGV). Since its founding in 1990, the PGV has steadily set up its headquarter in California, planted representative offices around the world, and elected its first prime minister.<sup>259</sup> Đào Minh Quân, the runaway winner and “heir” [truyền nhân] to Kim Định,<sup>260</sup> was sworn in on February 16, 1991. Under his leadership, this government-in-exile has gradually fanned out its reach. Its offices scatter the globe to forge the kind of transnational alliance that will continue to shore up its legitimacy. Then as now, it claims to be “the rightful government of sovereign Vietnam,” and in that capacity, has negotiated plans to develop offshore oil deposits with some in the Republican Party.<sup>261</sup> More recently in February 2017, after nearly two decades of gestation, its executive branch set in train a referendum calling for “free and democratic elections in Vietnam,” long its stated goal.<sup>262</sup> There is no knowing as yet what this move will yield, but its insignia is now seen among Vietnamese communities the world over. It bears an image of the Vietnamese mother, her feet trampling a portrait of Hồ Chí Minh while to her side is the SRV

---

<sup>259</sup> “Brief history of Vietnam’s established New Government,” *Provisional National Government of Vietnam*, <http://www.chinhphuquocgia.com/169176499> (accessed January 10, 2017).

<sup>260</sup> Hoàng Vạn Lý, “Tiền sử của thủ tướng Đào Minh Quân,” *Chính phủ quốc gia Việt Nam lâm thời, Bộ Tư Pháp (CPQGVNLT)*, April 22, 2016, <https://waymy0778.wordpress.com/2016/04/22/tie%CC%89u-su%CC%89-cu%CC%89a-thu%CC%89-tuong-dao-minh-quan/> (accessed January 10, 2017).

<sup>261</sup> “Bài Diên Văn của Thủ Tướng Chính Phủ Quốc Gia Việt Nam Lâm Thời đọc trước các thành viên cao cấp của Đảng Cộng Hòa ngày 15 tháng 10 năm 2010 tại thư viện Richard Nixon,” *CPQGVNLT*, October 15, 2010, <http://www.cuutuchinhtri.org/CPOGVNLT/CPOGVNLT.htm> (accessed January 10, 2017).

<sup>262</sup> “Trung cầu dân ý,” *CPQGVNLT*, February 8, 2017, <https://waymy0778.wordpress.com/2017/02/08/trung-cau-dan-y/> (accessed March 10, 2017); “Phiêu trưng cầu dân ý,” *CPQGVNLT*, February 12, 2017, <https://waymy0778.wordpress.com/2017/02/12/phieu-trung-cau-dan-y/> (accessed March 10, 2017).



flag nailed down by a sword. And in her arm, wrapped in the flag of South Vietnam, rests the eternal child.

## Archival Sources and Bibliography

### Vietnamese Periodicals

*An Ninh và Xã Hội*  
*An Ninh Thủ Đô*  
*Báo Mới*  
*Báo Văn Hoá Xã Hội*  
*Công An Nhân Dân*  
*Đại Đoàn Kết*  
*Giải Phẫu*  
*Hà Nội Mới*  
*Hà Nội Tia Sáng*  
*Hà Thành Ngọ Báo*  
*Học Tập*  
*Lao Động*  
*Người Lao Động*  
*Nhà Nước và Pháp Luật*  
*Nhân Văn*  
*Pháp Chế Xã Hội Chủ Nghĩa*  
*Pháp Luật Thường Thức*  
*Quân Đội Nhân Dân*  
*Sài Gòn Giải Phóng*  
*Sông Hồng*  
*Tạp Chí Công Sản*  
*Tạp Chí Luật Học*  
*Tạp Chí Nghiên Cứu Lý Luận*  
*Tạp Chí Quân Đội Nhân Dân*  
*Tạp Chí Quốc Phòng Toàn Dân*  
*Tạp Chí Triết Học*  
*Tạp Chí Văn Học*  
*Tạp San Tòa Án Nhân Dân*  
*Tạp San Tư Pháp*  
*Thông Tin Pháp Lý*  
*Tia Sáng*  
*Tiền Phong*  
*Tòa Án Nhân Dân*  
*Trung Bắc Tân Văn*  
*Tuổi Trẻ*  
*Văn Nghệ*  
*Văn Nghệ Giải Phóng*  
*Văn Nghệ Thành Phố Hồ Chí Minh*

### Overseas Periodicals

*American Việt Press*  
*Chân Trời Mới*  
*Chiến Hữu*  
*Chính-Nghĩa*  
*Đặc San Bắc Texas*  
*Đặc San Đất Việt*

*Đặc San Lửa Thiêng*  
*Đặc San Việt Đạo*  
*Dân Quyền*  
*Dấn Thân, Nguyệt San Tranh Đấu Cho Tự Do và Hòa Bình*  
*Dân Việt*  
*Diễn Đàn, Tạp Chí Thời Sự*  
*Đuốc Việt*  
*Hành Trình Mới*  
*Hồn Việt*  
*Hồn Việt Nam*  
*Hương Việt*  
*L'Esperance, Viet Nam*  
*Lạc Hồng, Tiếng Nói Người Việt Tại Châu Âu*  
*Lạc-Việt*  
*Liên Hoa*  
*Nguồn Đạo, Tạp Chí Văn Hóa Phật Giáo*  
*Người Việt Hải Ngoại*  
*Nguyệt Báo Độc Lập*  
*Nội San Bất Khuất*  
*Quật Khởi: Tiếng Gọi Đấu Tranh*  
*Que Me Magazine*  
*Quốc Hận, Hội Việt Kiều Sherbrooke*  
*Revue Juridique, Tạp Chí Luật Học, Hội Luật Gia Tại Pháp*  
*Tạp Chí Quê Mẹ*  
*Tạp San Phục Vụ*  
*Tạp San Văn Hóa*  
*Thăng Mỗ, Nam Cali*  
*Thông Luận, Nguyệt San Thông Tin Nghị Luận*  
*Thống Nhất Thời Báo*  
*Tiên Rồng*  
*Tiếng Gọi Phục Quốc*  
*Tin Việt*  
*Tuần Báo Trắng Đen*  
*Tuyển Tập Chuyên Kháng Chiến*  
*Văn Học Nghệ Thuật*  
*Việt Nam Hải Ngoại*  
*Việt Nam Tự Do*  
*Việt Nam, Tạp Chí Quang Phục Dân Tộc*

### Digital Databases

Cơ Sở Dữ Liệu Quốc Gia Về Văn Bản Pháp Luật, Trung Ương [Central  
Committee]  
Cơ Sở Dữ Liệu Văn Bản Quy Phạm Pháp Luật, Bộ Nội Vụ [Ministry of Interior]  
Cổng Thông Tin Điện Tử, Bộ Công Thương [Ministry of Industry and Trade]  
Hệ Thống Văn Bản Quy Phạm Pháp Luật, Bộ Tư Pháp [Ministry of Justice]

Hệ Thống Văn Bản Quy Phạm Pháp Luật, Văn Phòng Quốc Hội [Office of National Assembly]  
Sở Khoa Học Và Công Nghệ Đồng Nai [Department of Science and Technology, Đồng Nai]  
Thư Viện Pháp Luật, Hồ Chí Minh City  
Thư Viện Văn Bản Pháp Luật, Cổng Thông Tin Điện Tử Thừa Thiên Huế  
Vietnam Center and Archive: Virtual Vietnam Archive, Texas Tech University

### Libraries

Bibliothèque Nationale de France, Paris  
Southeast Asian Archive, University of California, Irvine  
State Library of New South Wales, Sydney  
Thư Viện Quốc Gia [Vietnam National Library], Hà Nội  
Thư Viện Khoa Học Tổng Hợp [General Sciences Library], Hồ Chí Minh City  
Thư Viện Khoa Học Xã Hội [Social Sciences Library], Hồ Chí Minh City  
Thư Viện Việt Nam, Garden Grove, California

### Articles and Books

Abuza, Zachary. *Renovating Politics in Contemporary Vietnam*. Boulder: L. Rienner Publishers, 2001.

Adams, Mark B. "The Politics of Human Heredity in the USSR, 1920–1940." *Genome* 31, no.2 (1989): 879-884.

Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Stanford: Stanford University Press, 1998.

Alemann, Ulrich, Detlef Briesen, and Lai Q. Khanh. *The State of Law: Comparative Perspectives on the Rule of Law in Germany and Vietnam*. Düsseldorf: Düsseldorf University Press, 2017.

Altehenger, Jennifer. *Legal Lessons: Popularizing Laws in the People's Republic of China, 1949-1989*. Cambridge: Harvard University Press, 2018.

Ames, Roger T. "New Confucianism: A Native Response to Western Philosophy." In *Chinese Political Culture*. Edited by Shiping Hua. New York: M.E. Sharpe, 2001.

An, Deming, Lihui Yang, and Jessica Anderson Turner. *Handbook of Chinese Mythology*. Oxford: Oxford University Press, 2005.

Anker, Elizabeth S. and Bernadette Meyler. *New Directions in Law and Literature*. New York: Oxford University Press, 2017.

- Ashwin, Sarah. "Introduction: Gender, State and Society in Soviet and Post-Soviet Russia." In *Gender, State and Society in Soviet and Post-Soviet Russia*. Edited by Sarah Ashwin. London: Routledge, 2000.
- Bachofen, Johann J. *Myth, Religion, and Mother Right: Selected Writings of J.J. Bachofen*. New Jersey: Princeton University Press, 1967.
- Balibar, Etienne. *Masses, Classes, Ideas: Studies on Politics and Philosophy Before and After Marx*. Translated by James Swenson. New York: Routledge, 1994.
- Bảo Ninh, *Nỗi Buồn Chiến Tranh [The Sorrow of War]*. Hà Nội: Hội Nhà Văn, 1991.
- Bélanger, Danièle and Magali Barbieri. *Reconfiguring Families in Contemporary Vietnam*. Stanford: Stanford University Press, 2009.
- Berman, Larry. *Perfect Spy: The Incredible Double Life of Pham Xuan An*. New York: Harper Collins, 2007.
- Bernstein, Frances. *The Dictatorship of Sex: Lifestyle Advice for the Soviet Masses*. DeKalb: North Illinois University Press, 2011.
- Biber, Katherine. "The Spectre of Crime: Photography, Law and Ethics." *Social Semiotics* 16, no. 1 (2006): 133-149.
- Bland, Lucy and Laura Doan. *Sexology Uncensored: The Documents of Sexual Science*. Chicago: University of Chicago Press, 1998.
- Bloom, Rori. *Man of Quality, Man of Letters: The Abbé Prévost between Novel and Newspaper*. Lewisburg: Bucknell University Press, 2009.
- Bolsinger, Eckard. *The Autonomy of the Political: Carl Schmitt's and Lenin's Political Realism*. Westport: Greenwood Press, 2001.
- Borenstein, Eliot. *Overkill: Sex and Violence in Contemporary Russian Popular Culture*. Ithaca: Cornell University Press, 2008.
- Boudarel, Georges. *Cent fleurs écloses dans la nuit du Vietnam: Communisme et dissidence, 1954-1956*. Paris: J. Bertoin, 1991.
- Bousquet, Gisele. *Behind the Bamboo Hedge: The Impact of Homeland Politics in the Parisian Vietnamese Community*. Ann Arbor: University of Michigan Press, 1991.
- Bowen-Struyk, Heather. "Sexing Class: 'The Prostitute' in Japanese Proletarian Literature." In *Gender and Labour in Korea and Japan: Sexing Classes*. Edited by Ruth Barraclough and Elyssa Faison. London: Routledge, 2012.
- Bradlow, Paul A. and Stanley J. Coen. "Mirror Masturbation." *The Psychoanalytic Quarterly* 53, no. 2. 1984, 267-285.
- Britto, Karl Ashoka. *Disorientation: France, Vietnam, and the Ambivalence of Interculturality*. Hong Kong: Hong Kong University Press, 2004.

- Buck-Morss, Susan. *Dreamworld and Catastrophe: The Passing of Mass Utopia in East and West*. Cambridge, Mass: MIT Press, 2000.
- Burczak, Theodore. *Socialism after Hayek*. Ann Arbor: University of Michigan Press, 2006.
- Burkhardt, Richard W. Jr. *Patterns of Behavior: Konrad Lorenz, Niko Tinbergen, and the Founding of Ethology*. Chicago: University of Chicago Press, 2005.
- Buruma, Ian and Avishai Margalit. *Occidentalism: The West in the Eyes of its Enemies*. New York: The Penguin Press, 2004.
- Burwick, Frederick and Walter Pape. *Reflecting Senses: Perception and Appearance in Literature, Culture, and the Arts*. New York: Walter de Gruyter, 1995.
- Các Văn Bản Pháp Luật Về Luật Hôn Nhân Và Gia Đình*. Hồ Chí Minh City: Pháp luật, 1992.
- Cai, Rong. *The Subject in Crisis in Contemporary Chinese Literature*. Honolulu: University of Hawai'i Press, 2004.
- Carruthers, Ashley. "National Identity, Diasporic Anxiety, and Music Video Culture in Vietnam." In *House of Glass: Culture, Modernity, and the State in Southeast Asia*. Edited by Yao Souchou. Singapore: Institute of Southeast Asian Studies, 2001.
- Chances, Ellen. "The Superfluous Man in Russian Literature." In *The Routledge Companion to Russian Literature*. Edited by Neil Cornwell. New York: Routledge, 2001.
- Chan, Anita and Jonathan Unger. *Transforming Asian Socialism: China and Vietnam Compared*. St Leonards: Allen & Unwin, 1999.
- Chang, M.C. "Mao's Strategem of Land Reform." *Foreign Affairs* 29, no.4. July 1951, 550-563.
- Chen, Jianguo. *The Aesthetics of the Beyond: Phantasm, Nostalgia, and the Literary Practice in Contemporary China*. Newark: University of Delaware Press, 2009.
- Chin, Kim. "Recent developments in the Constitutions of Asian Marxist Socialist States." *Case Western Reserve Journal of International Law* 13. 1981: 483-499.
- Chen, King C. *China's War with Vietnam, 1979: Issues, Decisions, and Implications*. Stanford: Hoover Institution Press, 1987.
- Clark, Katerina. "Not for Sale: Russian/Soviet Intelligentsia, Prostitution, and the Paradox of Internal Colonization." *Stanford Slavic Studies*, Vol. 7 (1993): 189-205.
- \_\_\_\_\_. *Petersburg, Crucible of Cultural Revolution*. Cambridge: Harvard University Press, 1995.
- \_\_\_\_\_. *The Soviet Novel: History as Ritual*. Indianapolis: Indiana University Press, 2000.
- Clark, Roger J.B. Introduction to *La Dame aux Camélias*. Oxford: Oxford University Press, 1972.

- Coates, Peter. "Can Nature Improve Technology?" In *The Illusory Boundary: Environment and Technology in History*. Edited by Martin Reuss and Stephen H. Cutcliffe. Charlottesville: University of Virginia Press, 2010.
- Collins, Rebekah Linh. "Vietnamese Literature after War and Renovation: The Extraordinary Everyday." *Journal of Vietnamese Studies* 10, no.4. Winter 2015: 82-124.
- Comaroff, Jean and John L. Comaroff. *Law and Disorder in the Postcolony*. Chicago: University of Chicago Press, 2006.
- Coser, Lewis A. "Some Aspects of Soviet Family Policy." *American Journal of Sociology* 567, no.5. March 1951: 424-437.
- Cover, Robert M. *Narrative, Violence, and the Law: The Essays of Robert Cover*. Ann Arbor: University of Michigan Press, 2010.
- Đào Tùng. *Thanh niên với đạo đức Cộng sản*. Hà Nội: Thanh Niên, 1964.
- Davis, Deborah S. "On the Limits of Personal Autonomy: PRC Law and the Institution of Marriage." In *Wives, Husbands, and Lovers: Marriage and Sexuality in Hong Kong, Taiwan, and Urban China*. Edited by Deborah S. Davis and Sara L. Friedman. Stanford: Stanford University Press, 2014.
- De George, Richard T. *Soviet Ethics and Morality*. Ann Arbor: University of Michigan Press, 1969.
- DeCaroli, Steven. "Boundary Stones: Giorgio Agamben and the Field of Sovereignty." In *On Agamben: Sovereign and Life*. Edited by Matthew Calarco and Steven DeCaroli. Stanford: Stanford University Press, 2007.
- Deichmann, Ute. *Biologists Under Hitler*. Harvard University Press, 1996.
- Dever, Carolyn. *Death and the Mother from Dickens to Freud: Victorian Fiction and the Anxiety of Origins*. Cambridge: Cambridge University Press, 1998.
- Dolin, Kieran. *Fiction and the Law: Legal Discourse in Victorian and Modernist Literature*. New York: Cambridge University Press, 1999.
- Donoghue, Denis. *We Irish: Essays on Irish Literature and Society*. Berkeley: University of California Press, 1988.
- Douzinas, Costas, and C. A. Gearty. *The Meanings of Rights: The Philosophy and Social Theory of Human Rights*. New York: Cambridge University Press, 2014.
- Dowdle, Michael. "Heretical Laments: China and the Fallacies of 'Rule of Law.'" *Cultural Dynamics* 11, no.3. 1999: 287-314.
- Dror, Olga. *Cult, Culture, and Authority: Princess Liễu Hạnh in Vietnamese History*. Honolulu, University of Hawai'i Press, 2007.
- Drucker, Peter. *The End of Economic Man: The Origins of Totalitarianism*. Ann Arbor: Routledge, 2017.

- Dur Tử Lê and Võ Văn Hà. *Quê Hương: Tuyển Tập Văn Chương Việt Nam*. Costa Mesa: Gòn Vàng Giữ Ngọc, 1977.
- Dumas, Alexandre  *fils*, *La Dame aux Camélias*. Translated by David Coward. Oxford: Oxford University Press, 1986.
- Dương Thu Hương, *Những Thiên Đường Mù [Paradise of the Blind]*. N.p: Việt Nam, 1990.
- Dutton, George E., Jayne S. Werner, and John K. Whitmore. *Sources of Vietnamese Tradition*. New York: Columbia University Press, 2012.
- Duy Lap Nguyen. *The Postcolonial Present: Redemption and Revolution in Twentieth-Century Vietnamese Culture and History*. PhD dissertation, University of California, Irvine, 2012.
- Eckel, Jan and Samuel Moyn. *The Breakthrough: Human Rights in the 1970s*. Philadelphia: University of Pennsylvania Press, 2013.
- Elliot, David. *Changing Worlds: Vietnam's Transition from Cold War to Globalization*. New York: Oxford University Press, 2012.
- Eng, David, David Kazanjian, and Judith Butler. *Loss: The Politics of Mourning*. Berkeley: University of California Press, 2002.
- Fairbank, John K. "From the Ming to Deng Xiaoping: The Search for Modern China." *The New York Review of Books* (May 31, 1990).
- Fall, Bernard B. *The Two Viet-Nams: A Political and Military Analysis*. London: Pall Mall, 1965.
- \_\_\_\_\_. "Crisis in North Vietnam." *Far Eastern Survey* 26, no. 1. Jan. 1957: 12-15.
- \_\_\_\_\_. "North Viet-Nam's New Draft Constitution." *Pacific Affairs* 32, no.2 (1959): 178-186.
- Favarel-Garrigues, Gilles. *Policing Economic Crime in Russia: From Soviet Planned Economy to Privatization*. Translated by Roger Leverdier. New York: Columbia University Press, 2011.
- Feldman, Jan. "New Thinking about the 'New Man,': Developments in Soviet Moral Theory." *Studies in Soviet Thought* 38, no. 2 (1989): 147-163.
- Field, Deborah A. "Irreconcilable Differences: Divorce and Conceptions of Private Life in the Khrushchev Era." *The Russian Review* 57, no.4. October, 1998, 599-613.
- \_\_\_\_\_. "Irreconcilable Differences: Divorce and Conceptions of Private Life the Krushchev Era." *Russian Review* 57, no. 4 (1998): 599-613.
- \_\_\_\_\_. *Private Life and Communist Morality in Khrushchev's Russia*. New York: Peter Lang, 2007.
- Firpo, Christina. "Sex and Song: Clandestine Prostitution in Tonkin's A Đào Music Houses, 1920s-1940s." *Journal of Vietnamese Studies* 11, no. 2 (Summer 2016): 1-36.



- Fitzpatrick, Sheila. *Everyday Stalinism: Ordinary Life in Extraordinary Times: Soviet Russia in the 1930s*. New York: Oxford University Press, 1999.
- Floud, Robert, Robert W. Fogel, Bernard Harris, and Sok Chul Hong. *The Changing Body: Health, Nutrition, and Human Development in the Western World Since 1700*. New York: Cambridge University Press, 2012.
- Francoeur, Robert T. and Raymond J. Noonan. *The Continuum Complete International Encyclopedia of Sexuality*. New York: Continuum, 2004.
- Frizsche, Peter and Jochen Hellbeck, "The New Man in Stalinist Russia and Nazi Germany." In *Beyond Totalitarianism: Stalinism and Nazism Compared*. Edited by Michael Geyer and Sheila Fitzpatrick. New York: Cambridge University Press, 2009.
- Gasiorowska, Xenia. "Two Decades of Love and Marriage in Soviet Fiction." *Russian Review* 34, no.1. Jan., 1975, 10-21.
- Gelinas, Andre. "Life in the New Vietnam." *The New York Review of Books* (March 17, 1977).
- Gheith, Jehanne. "The Superfluous Man and the Necessary Woman: A 'Re-Vision.'" *The Russian Review* 55, no. 2 (Apr., 1996), 226-244.
- Giải Đáp Một Số Điểm Về Luật Hôn Nhân Và Gia Đình*. Hà Nội: Vụ Tuyên Giáo, Bộ Tư Pháp, 1960.
- Gillespie, John and Pip Nicholson. *Asian Socialism & Legal Change: the Dynamics of Vietnamese and Chinese Reform*. Canberra: Australian National University Press, 2005.
- \_\_\_\_\_. *Transplanting Commercial Law Reform: Developing a 'Rule of Law' in Vietnam*. Aldershot: Ashgate Pub. Co, 2006.
- Ginzburg, Carlo. *Clues, Myths, and the Historical Method*. Translated by John and Anne C. Tedeschi. Baltimore: John Hopkins University Press, 1986.
- Glass, Becky L. and Margaret K. Stolee, "Family Law in Soviet Russia, 1917-1945." *Journal of Marriage and Family* 49, no.4. Nov. 1987:893-902.
- Goldman, Wendy Z. *Women, the State and Revolution: Soviet Family Policy and Social Life, 1917-1936*. New York: Cambridge University Press, 1993.
- Gong, Haomin. *Uneven Modernity: Literature, Film, and the Intellectual Discourse in Postsocialist China (Critical Interventions)*. Honolulu: University of Hawaii Press, 2012.
- Goodman, David. "The Chinese Political Order after Mao: 'Socialist Democracy' and the Exercise of State Power." *Political Studies* 33. 1985: 218-235.
- Goodwin, Barbara. *Using Political Ideas*. Chichester: Wiley, 1987.
- Goscha, Christopher E. "'The Modern Barbarian': Nguyen Van Ninh and the Complexity of Colonial Modernity in Vietnam." *European Journal of East Asian Studies* 3, no.1. 2004: 135-169.

- \_\_\_\_\_. *Historical Dictionary of the Indochina War (1945-1954): An International and Interdisciplinary Approach*. Hawai'i: University of Hawai'i Press, 2011.
- Goscilo, Helena. *Dehexing Sex: Russian Womanhood During and After Glasnost*. Ann Arbor: University of Michigan Press, 1996.
- Gossman, Lionel. "Orpheus Philologus Bachofen versus Mommsen on the Study of Antiquity." *Transactions of the American Philosophical Society*, 73, no. 5 (1983), 1-89.
- Greenblatt, Stephen. "Me, Myself, and I." *The New York Review of Books* (April 8, 2004).
- Greenhalgh, Susan and Edwin Winckler. *Governing China's Population: From Leninism to Neoliberal Biopolitics*. Stanford: Stanford University Press, 2005.
- Gribanova, G. V, K. S. Lebedinskaya, and M. M. Raiskaya. "Clinico-psychological Analysis of Behavioral Disorders in Adolescents." *Soviet Psychology*. 1985, 24, no.1, 61-74.
- Groopman, Jerome. "The Body and Human Progress." *The New York Review of Books* (October 27, 2011).
- Habermas, Jürgen. *The Structural Transformation of the Public Sphere: An Enquiry into a Category of Bourgeois Society*. Translated by Thomas Burger. Cambridge: Polity Press, 2015.
- Hauke, Christopher. *Jung and the Postmodern: The Interpretation of Realities*. New York: Routledge, 2013.
- Hayek, Friedrich. *Individualism and Economic Order*. Chicago: University of Chicago Press, 1948.
- Hazard, John N. "Development and 'New Law.'" *The University of Chicago Law Review*, Vol. 45 (1978): 637-652.
- Hazard, John N. *Communist and Their Law: A Search for the Common Core of the Legal Systems of the Marxian Socialist States*. Chicago: University of Chicago Press, 1969.
- Heinzelman, Susan Sage. *Riding the Black Ram: Law, Literature, and Gender*. Stanford: Stanford University Press, 2010.
- Heinzen, James W. "Informers and the State under Late Stalinism: Informant Networks and Crimes against 'Socialist Property,' 1940-53." *Kritika: Explorations in Russian and Eurasian History* 8, no. 4 (Fall 2007), 789-815.
- Heonik Kwon, *Ghosts of War in Vietnam*. New York: Cambridge University Press, 2008.
- Hesse, Carla. "Enlightenment Epistemology and the Laws of Authorship in Revolutionary France, 1777-1793." *Representations*, no. 30. Spring 1990, 109-137.
- Hirsch, Marianne. *The Mother-Daughter Plot: Narrative, Psychoanalysis, Feminism*. Bloomington: Indiana University Press, 1993.
- Hồ Chí Minh. *Con Người Xã Hội Chủ Nghĩa*. Hà Nội: Sự Thật, 1961.
- \_\_\_\_\_. *Những Lời Kêu Gọi Của Hồ Chủ Tịch*. Hà Nội: Sự thật, 1960.

\_\_\_\_\_. *Nhà Nước và Pháp Luật*. Hà Nội: Pháp Lý, 1985.

\_\_\_\_\_. *Hồ Chí Minh Toàn Tập*. Chính trị quốc gia, 2000.

Ho Tai, Hue-Tam. “Duong Thu Huong and the Literature of Disenchantment.” *Vietnam Forum*, no.14. November 1994: 82-91.

\_\_\_\_\_. *Radicalism and the Origins of Vietnamese Revolution*. Cambridge: Harvard University Press, 1992.

\_\_\_\_\_. *The Country of Memory: Remaking the Past in Late Socialist Vietnam*. Berkeley: University of California Press, 2001.

Hooker, William. *Carl Schmitt's International Thought: Order and Orientation*. New York: Cambridge University Press, 2009.

Horate, Esther. *Trading in Uncertainty: Entrepreneurship, Morality and Trust in a Vietnamese Textile-Handling Village*. [Place of publication not identified]: Palgrave Macmillan, 2019.

Hoskins, Janet Alison. “Sacralizing the Diaspora: Cosmopolitan and Originalist Indigenous Religions.” *Journal of Vietnamese Studies* 12, no.2 (2017): 108-140.

Hu, Ying. *Tales of Translation: Composing the New Woman in China, 1899-1918*. Stanford: Stanford University Press, 2000.

Huang, Chun-chieh. *Humanism in East Asian Confucian Contexts*. New Brunswick, NJ: Transaction Publishers, 2010.

Hugo, Graeme and Charles Stahl, “Labor Export Strategies in Asia.” In *International Migration: Prospects and Policies in a Global Market*. Oxford: Oxford University Press, 2004.

Humphrey, Caroline. “Rituals of Death as a Context for Understanding Personal Property in Socialist Mongolia.” *The Journal of the Royal Anthropological Institute* 8, no. 1 (March, 2002), 65-87.

Hunt, Lynn. *Inventing Human Rights: A History*. New York: W.W. Norton & Company, 2008.

Hutchings, Peter J. *Criminal Spectre in Law, Literature and Aesthetics: Incriminating Subjects*. London: Routledge, 2016.

Huy Đức, *Bên Thắng Cuộc* [The Winners]. US: OsinBook, 2012.

Imbach, Jessica. “Variations on *Gui* and the Trouble with Ghosts in Modern Chinese Fiction.” *Asia* 70, no. 3 (2016): 865–880.

Jung, Carl G. and Karl Kerényi, *Science of Mythology: Essays on the Myth of the Divine Child and the Mysteries of Eleusis*. Translated by R.F.C. Hull. New York: Psychology Press, 2002.

\_\_\_\_\_. *Memories, Dreams, Reflections*. Edited by Aniela Jaffé. New York: Vintage Books, 1989.

\_\_\_\_\_. *The Collected Works of C. G. Jung: Psychology and Religion*. New York: Pantheon Books, 1989.

\_\_\_\_\_. *The Collected Works of C. G. Jung: The Development of Personality*. Edited by Herbert Read, Michael Fordham, and Gerhard Adler. London: Routledge & Kegan P, 1977.

\_\_\_\_\_. *The Collected Works of C.G. Jung: Complete Digital Edition*. New Jersey: Princeton University Press, 2014.

\_\_\_\_\_. *The Collected Works of C.G. Jung: West and East*. Translated by R.F.C. Hull, Vol. 11. New Jersey: Princeton Univ. Press, 1969.

\_\_\_\_\_. *The Undiscovered Self*. Florence: Routledge, 1957.

Kaier, Christina and Eric Naiman. *Everyday Life in Early Soviet Russia: Taking the Revolution Inside*. Bloomington, Indiana University Press, 2008.

Kamenka, Eugene and Alice Tay. "Marxism, Socialism and the Theory of Law." *Columbia Journal of Transnational Law*, Vol. 23 (1985): 217-249.

Kamm, Henry. *Dragon Ascending: Vietnam and the Vietnamese*. New York: Arcade Publishing, 1996, 14.

Kang, Liu. *Politics, Ideology, and Literary Discourse in Modern China: Theoretical Interventions and Cultural Critique*. Durham: Duke University Press, 1993.

Kasibhatla, Jaya Nandita. *Constituting the Exception: Law, Literature and the State of Emergency in Postcolonial India*. PhD dissertation: Duke University, 2005.

Katherine Verdery, *The Vanishing Hectare: Property and Value in Postsocialist Transylvania*. Ithaca: Cornell University Press, 2003.

Kim Đình. "Con Nguời." *Newvietart*, <http://newvietart.com/index4.347.html>.

\_\_\_\_\_. "Nhân chủ." *Việt Văn Mới*, December 31, 2014, <http://newvietart.com/index4.1913.html> (accessed March 1, 2016).

\_\_\_\_\_. "The Role and The Conditions of 'JU' in Our Present Age." Presented at The First World Conference of Chinese Philosophy, Taiwan, 1984. *Vietnam Missionaries in Taiwan*, April 5, 1997.

\_\_\_\_\_. "The Vietnamese Cultural Heritage towards Contemporary Life." *Vietnam Missionaries in Taiwan*, April 17, 1997.

\_\_\_\_\_. *Hồn Nước Với Lễ Gia Tiên*. San Jose: Nam Cung, 1979.

\_\_\_\_\_. *Kinh Hùng Khai Triết*. San Jose: Thanh Niên Quốc Gia, 1982.

\_\_\_\_\_. *Nguồn gốc văn hóa Việt Nam*. Sài Gòn: Nguồn Sáng, 1973.

\_\_\_\_\_. *Pho Tượng Đẹp Nhất Của Việt Tộc*. Sunnyvale, Calif. : H.T. Kelton, 1984.

\_\_\_\_\_. *Tâm Tư*. Sài Gòn: Khai Trí, 1970.

- \_\_\_\_\_. *Thái Bình Minh Triết*. N/A: Thời Điểm, 1997.
- \_\_\_\_\_. *Vấn đề Nguồn Gốc Văn Hóa Việt Nam*. Sài Gòn: Nguồn Sáng, 1973.
- \_\_\_\_\_. *Văn Lang Vũ Bộ*. Sunnyvale: H.T Kelton USA, 1982.
- Kim, Sharon. "Lamarckism and the Construction of Transcendence in 'The House of Mirth.'" *Studies in the Novel*, 38, no.2 (summer 2006), 187-210.
- Kinkley, Jeffrey C. *Chinese Justice, the Fiction: Law and Literature in Modern China*. Stanford: Stanford University Press, 2000.
- Klopfer, Peter H. *Politics and People in Ethology: Personal Reflections on the Study of Animal Behavior*. Bucknell University Press, 1999.
- Klumbyte, Neringa. "Soviet Ethical Citizenship: Morality, the State, and Laughter in Late Soviet Lithuania." In *Soviet Society in the Era of Late Socialism: 1964-1985*. Edited by Nearing Klumbyte and Gulnaz Sharafutdinova. Lanham: Lexington Books, 2012.
- Kon, Igor S. and James Riordan. *Sex and Russian Society*. Indianapolis: Indiana University Press, 1993.
- \_\_\_\_\_. *The Sexual Revolution in Russia: From the Age of the Czars to Today*. New York: The Free Press, 1995.
- Kwon, Heonik. "Rethinking Traumas of War." *South East Asia Research* 20, no. 2 (2012): 227–237.
- \_\_\_\_\_. *Ghosts of War in Vietnam*. Cambridge: Cambridge University Press, 2008.
- Ladkin, Sam. "The 'Onanism of Poetry.'" *Angelaki* 20, no.4. 2015: 131-156.
- Lapidus, Gail Warshofsky. *Women in Soviet Society: Equality, Development, and Social Change*. Berkeley: University of California Press, 1978.
- Laqueur, Thomas Walter. *Solitary Sex: A Cultural History of Masturbation*. New York: Zone Books. 2003.
- Laughlin, Charles. *Chinese Reportage: The Aesthetics of Historical Experience*. Durham: Duke University Press, 2002.
- Luật Lệ Về Tư Pháp* [Judicial Documents]. Hà Nội: Phòng Tuyên Truyền, Tạp San Tòa Án Nhân Dân Tối Cao, 1964.
- Le Vietnam et la Paix*. Hà Nội: Comité Vietnamien de Défense de la Paix Mondiale, Éditions en Langues Étrangères, 1986.
- Leschkovich, Anne Marie and Christina Schwenkel, "How is Neoliberalism Good to Think Vietnam? How is Vietnam Good to Think Neoliberalism." *Positions* 20, no. 2. Spring 2012: 379-401.
- Li, Lin. *Building the Rule of Law in China*. Cambridge: Chandos, 2017.

- Lih, Lars T. *Lenin Rediscovered: What Is to Be Done? in Context*. Boston: Brill, 2006.
- Lin, Qingxin. *Brushing History against the Grain: Reading the Chinese New Historical Fiction (1986-1999)*. Hong Kong: Hong Kong University Press, 2005.
- Lin, Tongqi. "A Search for China's Soul." *Daedalus* 122, no.2 (Spring 1993), 171-188.
- Lintz, Bernadette C. "(Re)Writing a Classic: La Dame aux Camélias and Manon Lescaut." *Dalhousie French Studies*, vol. 83. Summer 2008, 25-41.
- \_\_\_\_\_. "Concocting 'La Dame aux camélias': Blood, Tears, and Other Fluids." *Nineteenth-Century French Studies* 33, no.3/4. Spring Summer 2005: 287-307.
- Liparulo, Steven P. "'Incense and Ashes': The Postmodern Work of Refutation in Three Vietnam War Novels." *War, Literature & the Arts: An International Journal of the Humanities* 15, no. 1-2 (2003): 71-94.
- Liu, Lydia. "Shadows of Universalism: The Untold Story of Human Rights around 1948." *Critical Inquiry* 40 (Summer 2014).
- Lockhart, Greg. "Nguyễn Huy Thiệp and the Faces of Vietnamese Literature." Introduction to Nguyễn Huy Thiệp. *The General Retires and Other Stories*. Translated by Greg Lockhart. Singapore: Oxford University Press, 1992.
- Lockhart, Greg. "Nguyễn Huy Thiệp's Writing: Post-Confucian, Post- Modern?" In *Vietnamese Studies in a Multicultural World*. Edited by Nguyễn Xuân Thu. Melbourne: Vietnamese Language and Culture Publications, 1994.
- London, Jonathan. "Viet Nam and the Making of Market-Leninism." *The Pacific Review* 22, no. 3. July 2009: 375-399.
- Lorenz, Konrad. *On Aggression*. New York: Routledge, 1966.
- Löwy, Michael. "Naphta or Settembrini? Lukács and Romantic Anticapitalism." *New German Critique*, no. 42 (Autumn, 1987), 17-31.
- Lu, Yonghong. *The Legal System and Criminal Responsibility of Intellectuals in the People's Republic of China, 1949-82*. Baltimore: School of Law, University of Maryland, 1985.
- Mao Tsetung. *Selected Works of Mao Tsetung*, Vol. 5. Peking: Foreign Languages Press, 1977.
- Marcus, Steven. "A New Beat." *New York Review of Books* (June 1, 1963).
- Marcuse, Herbert. "Socialist Humanism?" In *Socialist Humanism: An International Symposium*. Edited by, Erich Fromm. Garden City, NY: Doubleday, 1965.
- Markovits, Inga. "Socialist vs. Bourgeois Rights: An East-West German Comparison." *The University of Chicago Law Review* 45, no. 3 (Spring, 1978), 612-636.
- Marr, David G. *Vietnamese Tradition on Trial: 1920-1945*. Berkeley: University of California Press, 1984.

- \_\_\_\_\_. *Postwar Vietnam: Dilemmas in Socialist Development*. Ithaca, NY: Cornell University, Southeast Asia Program, 1988.
- Martin, Earl. "The New Vietnam: An Opposing View." *The New York Review of Books* (May 12, 1977). p
- Marwah, Inder. "Bridging Nature and Freedom? Kant, Culture, and Cultivation." *Social Theory and Practice* 38, No. 3 (July 2012): 385-406.
- McGrath, Jason. *Postsocialist Modernity: Chinese Cinema, Literature, and Criticism in the Market Age*. Stanford: Stanford University Press, 2010.
- Millar, James. "The Little Deal: Brezhnev's Contribution to Acquisitive Socialism." *Slavic Review* 40, no. 4. Winter 1985: 694-706.
- Montoya, Alfred. "From 'the People' to 'the Human,': HIV/AIDS, Neoliberalism, and the Economy of Virtue in Contemporary Vietnam." *Positions* 20, no. 2. Spring 2012: 561-91.
- Moulds, Alison. "The Female Witness and the Melodramatic Mode in Elizabeth Gaskell's *Mary Barton*." *Victorian Network* 5, no. 2. Winter 2013: 67-88, 67.
- Moyn, Samuel. *The Last Utopia: Human Rights in History*. Cambridge: Harvard University Press, 2010.
- Müller, Jan-Werner. "'An Irregularity that Cannot be Regulated': Carl Schmitt's Theory of the Partisan and the 'War on Terror.'" Princeton: Princeton University, 2006.
- Naiman, Eric. *Sex in Public: The Incarnation of Early Soviet Ideology*. Princeton: Princeton University Press, 1997.
- Neilson, William A.W. "Vietnam's Doi Moi Foreign Investment Policy Framework: The 'Third Way'" (draft version). Victoria: University of Victoria, 1996.
- Neizen, Ronald. *The Origins of Indigenism: Human Rights and the Politics of Identity*. Berkeley: University of California Press, 2003.
- Neumann, Erich. *The Great Mothers: An Analysis of the Archetype*. New Jersey: Princeton University Press, 2015.
- Ng, Andrew. "Visitations of the Dead: Trauma and Storytelling in Bảo Ninh's *The Sorrow of War*." *Storyworlds: A Journal of Narrative Studies* 6, no. 1 (Summer 2014): 83-100.
- Nghia M. Vo. *Legends of Vietnam: An Analysis and Retelling of 88 Tales*. Jefferson, NC: McFarland & Company, Inc., 2012.
- Nguyễn Mộng Giác. *Nghĩ về văn học hải ngoại: tiểu luận*. California: Da Màu, 2004.
- \_\_\_\_\_. *Ngựa Năn Chân Bon*. Westminster: Người Việt, 1984.
- Nguyen Ngoc Bich. *War and Exile: A Vietnamese Anthology*. Springfield: Vietnamese PEN, 1989.
- Nguyễn Ngọc. "An Exciting Period for Prose." Translated by Cao Thị Như-Quỳnh and John C. Schafer, *Journal of Vietnamese Studies* 3.1. Winter, 2008: 193-219.

Nguyễn Sỹ Nguyên. *Trà Hoa Nữ*. Glendale, Ca: Tinh Hoa Miền Nam, 1980.

Nguyễn Tuấn Cường, “The Promotion of Confucianism in South Vietnam (1955-1975) and the Role of Nguyễn Đăng Thục as a New Confucian Scholar.” *Journal of Vietnamese Studies* 10, no.4 (Winter 2015): 30-81.

Nguyễn Văn Sáu. “Phát huy nhân tố con người trong đổi mới quản lý kinh tế” [Promoting Human Agency in Renovating Economic Management]. PhD dissertation, Học Viện Nguyễn Ái Quốc, 1992.

Nguyen Vo, Thu-Huong, “History Interrupted: Life after Material Death in South Vietnamese and Diasporic Works of Fiction.” *Journal of Vietnamese Studies* 3, no.1 (2008).

\_\_\_\_\_. *The Ironies of Freedom: Sex, Culture and Neoliberal Governance in Vietnam*. Seattle: University of Washington Press, 2008.

Nguyen, Lien-Hang T. *Hanoi's War: An International History of the War for Peace in Vietnam*. Chapel Hill: The University of North Carolina Press, 2012.

Nguyen, Phuong-Khanh T. “Criminal Code of the Socialist Republic of Vietnam.” *Review of Socialist Law* 13, no. 2 (1987): 121-198.

\_\_\_\_\_. “The Criminal Code of the Socialist Republic of Vietnam.” *Review of Socialist Law* 13, no. 2 (1987): 103-120.

Ninh, Kim. *A World Transformed: The Politics of Culture in Revolutionary Vietnam, 1945-1965*. Ann Arbor: University of Michigan Press, 2002.

\_\_\_\_\_. “Renovating in Transition?” *Southeast Asian Affairs*. 1990, 383-395.

Ninh, Thien-Huong T. “Global Chain of Marianism: Diaspora Formation among Vietnamese Catholics in the United States and Cambodia.” *Journal of Vietnamese Studies* 12, no.2 (2017): 49-82.

Odajnyk, Volodymyr Walter. *Jung and Politics: The Political and Social Ideas of C. G. Jung*. New York: iUniverse, 2007.

Ong, Aiwah. *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty*. Durham: Duke University Press, 2006.

Palmer, Michael. “Transforming Family Law in Post-Dung China: Marriage, Divorce, and Reproduction.” *The China Quarterly*, no.191. Sept. 2007: 675-695.

Paul, Diane. "Eugenics and the Left." *Journal of the History of Ideas* 45, no.4 (October-December 1984), 567-590.

Percival, R.S. “Is Jung’s Theory of Archetypes Compatible with Neo-Darwinism and Sociobiology?” *Journal of Social and Evolutionary Systems* 16, no.4 (1993): 459–87.

Pettus, Ashley. *Between Sacrifice and Desire: National Identity and the Governing of Femininity in Vietnam*. New York: Routledge, 2004.



- Peycam, Philippe. *The Birth of Vietnamese Political Journalism: Saigon, 1916-1930*. New York: Columbia University Press, 2015.
- Phạm Kim Vinh, *Văn Hóa Dân Tộc và Văn Hóa Luru Vong*. Westminster: PKV, 1986.
- Phạm Như Cương. *Về vấn đề xây dựng con người mới*. Hà Nội: Khoa học xã hội, 1978.
- Phạm Thị Hoài, *Thiên Sứ [The Crystal Messenger]*. Hà Nội: Hội nhà văn, 1990.
- Pham Van Bich, *The Vietnamese Family in Change: The Case of the Red River Delta*. [Place of publication not identified]: Curzon Press, 1999.
- Pham, Vu. "Antedating and Anchoring Vietnamese America: Toward a Vietnamese American Historiography." *Amerasia Journal* 29, no. 1 (2003): 137-152.
- Quigley, John. "Socialist Law and the Civil Law Tradition." *The American Journal of Comparative Law*, Vol. 37 (1989): 781-808.
- Quigley, John. "Viet Nam's First Modern Penal Code." *New York Law School Journal of International and Comparative Law* 9, no. 2-3 (1988): 143-193.
- \_\_\_\_\_. "Vietnam at the Legal Crossroads Adopts a Penal Code." *American Journal of Comparative Law*, Vol. 36 (1988): 351-357.
- Rato, Matiro. "Land Reform in Vietnamese Literature." *Asia Review* 17. 2004: 1-24.
- Read, Jason. "A Genealogy of Homo-Economicus: Neoliberalism and the Production of Subjectivity." *Foucault Studies*, no. 6. February 2009: 25-36.
- Reichman, Ravit P.-L. *The Affective Life of Law: Legal Modernism and the Literary Imagination*. Stanford: Stanford Law Books, 2009.
- Rensma, Ritske. "Analytical Psychology and the Ghost of Lamarck: Did Jung Believe in the Inheritance of Acquired Characteristics?" *Journal of Analytical Psychology* (2013): 258-277, 259.
- Robin, Corey. "Eric Hobsbawm, the Communist Who Explained History." *The New Yorker* (May 9, 2019).
- Robinett, Jane. "The Narrative Shape of Traumatic Experience." *Literature and Medicine* 26, no. 2 ((2007): 290-311.
- Rose, Carol. "The 'New' Law and Development Movement in the Post-Cold War Era: a Vietnam Case Study." *Peace Research Abstracts* 36, no. 4. 1999.
- Rosemary Coombe, *The Cultural Life of Intellectual Properties: Authorship, Appropriation, and the Law*. Durham: Duke University Press, 1998.
- Roversi, Corrado and Enrico Pattero. *A Treatise of Legal Philosophy and General Jurisprudence: Volume 12: Legal Philosophy in the Twentieth Century: The Civil Law World, Tome 1: Language Areas, Tome 2: Main Orientations and Topics*. Netherlands: Springer, 2016.
- Ruskola, Teemu. "Law, Sexual Morality, and Gender Equality in Qing and Communist China." *The Yale Law Journal* 103, no. 8 (June 1994), 2531-2565.

Savelsberg, Joachim. "Contradictions, Law, and State Socialism." *Law & Social Inquiry* 25, no. 4 (Autumn 2000): 1021-1048.

Schafer, John C. "The Trịnh Công Sơn Phenomenon." *The Journal of Asian Studies* 66, No. 3 (August 2007): 597-643.

\_\_\_\_\_. *Võ Phiến and the Sadness of Exile*. Northern Illinois: Humboldt University Press, 2016.

Schlesinger, Rudolf. *Soviet Legal Theory: Its Social Background and Development*. London: Routledge, 1998.

Schmidt, Stephan. "Mou Zongsan, Hegel, and Kant: The Quest for Confucian Modernity." *Philosophy East and West* 61, no.2 (April 2011): 260-302.

Schmitt, Carl. *Constitutional Theory*. Translated by Jeffrey Seitzer. Durham: Duke University Press, 2008.

\_\_\_\_\_. *The Concept of the Political*. Translated by George Schwab. Chicago: University of Chicago Press, 2007.

\_\_\_\_\_. *The Theory of the Partisan: A Commentary/Remark on the Concept of the Political*. Translated by A. C Goodson. East Lansing: Michigan State University Press, 2004).

Scholar, Angela. Introduction to *Manon Lescaut*. Translated by Angela Scholar. Oxford: Oxford University Press, 2004, xvii.

Schramm, Jan-Melissa. *Testimony and Advocacy in Victorian Law, Literature, and Theology*. Massachusetts: Cambridge University Press, 2000.

Scott, Charlotte. *Shakespeare's Nature: From Cultivation to Culture*. Oxford: Oxford University Press, 2014.

Segal, Naomi. *The Unintended Reader: Feminism and Manon Lescaut*. New York, Cambridge University Press, 1986.

Sharlet, Robert. "Reinventing the Russian State: Problems of Constitutional Implementation." *The John Marshall Law Review* 28. 1994: 775-786.

\_\_\_\_\_. "Soviet Legal Reform in Historical Context." *Columbia Journal of Transnational Law* 5. 1990: 5-17.

\_\_\_\_\_. "Stalinism and Soviet Legal Culture." In *Stalinism: Essays in Historical Interpretation*. Edited by Robert C. Tucker. New York: Norton&Company Inc., 1977.

Shih, Chih-Yu. "China's Socialist Law under Reform: The Class Nature Reconsidered." *American Journal of Comparative Law* 44, no. 4. 1996: 627-646.

Sidel, Mark. *The Constitution of Vietnam: A Contextual Analysis*. Oxford: Hart Pub., 2009.

\_\_\_\_\_. *Law and Society in Vietnam: The Transition from Socialism in Comparative Perspective*. Cambridge: Cambridge University Press, 2010.

\_\_\_\_\_. "The Re-Emergence of Legal Discourse in Vietnam." *International and Comparative Law Quarterly* 431 (1994): 163-174.

Sikor, Thomas. "Property and State in Vietnam and Beyond." In *State, Society and the Market in Contemporary Vietnam*. Edited by Mark Sidel and Hue-Tam Ho Tai. New York: Routledge, 2012: 201-211.

Simpson, Pat. "The Nude in Soviet Socialist Realism: Eugenics and Images of the New Person in the 1920s-1940s." *Australian and New Zealand Journal of Art/ Art Association of Australia and New Zealand* 5, no.1 (2004): 113-137.

Skinnell, Ryan. "The Literature of Trauma: Reading the Sorrow of Love in Bảo Ninh's *The Sorrow of War*." In *Thirty Years After: New Essays on Vietnam War Literature, Film and Art*. Edited by Mark Herberle. Newcastle upon Tyne: Cambridge Scholars Pub, 2009.

Slaughter, Joseph. *Human Rights Inc.: The World Novel, Narrative Form, and International Law*. New York: Fordham University Press, 2007.

Smale, Catherine. *Phantom Images: The Figure of the Ghost in the Work of Christa Wolf and Irina Liebmann*. London: Modern Humanities Research Association, 2013.

Smith, Curtis D. *Jung's Quest for Wholeness: A Religious and Historical Perspective*. New York: SUNY Press, 1990.

Soucy, Alexander. "A Reappraisal of Vietnamese Buddhism's Status as 'Ethnic.'" *Journal of Vietnamese Studies* 12, no.2 (2017): 20-48.

Spektorowski, Alberto. "The Eugenic Temptation in Socialism: Sweden, Germany, and the Soviet Union." *Comparative Studies in Society and History: An International Quarterly* 42, no.1 (2004): 84-106.

Starosolsky, George V. "Basic Principles of Soviet Criminal Law." *North Carolina Law Review* 28, no. 4 (1950): 359-374.

Steiner, George. *Antigones*. New York: Oxford University Press, 1984.

Taylor, Keith W. *A History of the Vietnamese*. New York: Cambridge University Press, 2013.

Taylor, Philip. *Fragments of the Present: Searching for Modernity in Vietnam's South*. Honolulu: University of Hawai'i Press, 2001.

Tetsusaburo, Kimura. *The Vietnamese Economy, 1979-86*. Tokyo: Institute of Development Economies, 1989.

Thayer, Carlyle. "Vietnam's Sixth Party Congress: An Overview." *Contemporary Southeast Asia*. Institute of Southeast Asian Studies 9, no. 1. June 1987: 12-22.

Thiem Bui, "Deconstructing the 'Socialist' Rule of Law in Vietnam: The Changing Discourse on Human Rights in Vietnam's Constitutional Reform Process." *Contemporary Southeast Asia*. 36.1 (2014): 77-100.

Tiefenbrun, Susan W. "On Civil Disobedience, Jurisprudence, Feminism and the Law in the Antigones of Sophocles and Anouilh." *Cardozo Studies in Law and Literature* 11, no. 1. Summer 1999, 35-55.

Tracol-Huynh, Isabelle. "Between Stigmatisation and Regulation: Prostitution in Colonial Northern Vietnam." *Culture, Health, and Sexuality*, Vol. 12 (2010): 573-587.

Trần Đình, *Đền cù: Số phận Việt Nam dưới chế độ cộng sản*. Westminster: Người Việt Books, 2014.

Tran, Ben. *Post-Mandarin: Masculinity and Aesthetic Modernity in Colonial Vietnam*. New York: Fordham University Press, 2017.

Tran, Nu-Anh. "Contested Identities: Nationalism in the Republic of Vietnam (1954-1963)". Ph.D. dissertation, University of California, Berkeley, 2013.

Trịnh Đức Thảo. *Tư Tưởng Hồ Chí Minh Về Pháp Luật, Pháp Chế Và Sự Vận Dụng Trong Xây Dựng Nhà Nước Pháp Quyền Xã Hội Chủ Nghĩa*. Hà Nội: Chính trị-Hành chính, 2009.

Trịnh Thị Bích Liên. "Phóng sự Việt Nam trong môi trường sinh thái văn hóa thời kỳ Đổi Mới" [Vietnamese Reportage Đổi Mới's Cultural Ecology]. PhD dissertation, Trường Đại Học Sư Phạm Hà Nội, 2006.

Trường Chinh. *Chủ nghĩa Mác và văn hóa Việt-nam*. Hà Nội: Sự Thật, 1974.

Tsu, Jing. "Extinction and Adventures on the Chinese Diasporic Frontier." *Journal of Chinese Overseas* 2, no.2 (November 2006), 247-268.

\_\_\_\_\_. *Failure, Nationalism, and Literature: The Making of Modern Chinese Identity, 1895-1937*. Stanford: Stanford University Press, 2006.

Tuan Hoang, "From Reeducation Camps to Little Saigons: Historicizing Vietnamese Diasporic Anticommunism." *Journal of Vietnamese Studies* 11, no. 2 (Spring 2016): 43-95.

Tung, Rowen R. *Fables for the Patriarchs: Gender, Politics in Tang Discourse*. Lanham: Rowman & Littlefield, 2000.

Tương Lai. *Chủ động và tích cực xây dựng đạo đức mới*. Hà Nội: Sự Thật, 1983.

*Văn Kiện Đại Hội Đảng Thời Kỳ Đổi Mới* [Đổi Mới Party Documents]. Hà Nội: Chính trị quốc gia, 2005.

*Văn Kiện Đảng Toàn Tập* [Complete Volume of Party Documents]. Hà Nội: Chính Trị Quốc Gia, 2006.

Văn Phát. *Nhân tính, Đảng tính, Cá tính* [Human character, Party character, and the Individual]. Hà Nội: Thanh Niên, 1958.

Vanaik, Achin. "Leninism, Socialist Democracy, Contemporary Problems." *Economic and Political Weekly* 30, no. 48. Dec. 2, 1995, 3075-3084.

Vanderbilt, Tom. "How Biomimicry is Inspiring Human Innovation." *Smithsonian Magazine* (September 2012).

Verdery, Katherine. "Theoretical Afterword: The Property Regime of Socialism." *Conservation and Society* 2, no. 1 (2004): 189-198.

\_\_\_\_\_. *What was Socialism, and What Comes Next?* Princeton, N.J.: Princeton University Press, 1996.

*Vietnam: Which Human Rights? Dossier.* Hà Nội: Vietnam Courier, 1980.

Viet Phan, "Vietnam." In *Intellectual Property in Asia Law, Economics, History and Politics*. Edited by Goldstein, Paul, Joseph Straus, Peter Ganea, Tanuja V. Garde, and Ashley Isaacson Woolley. Berlin: Springer, 2008.

Vĩnh Phúc. *Đổi Thời: 13 văn thi sĩ nói về mình và văn học.* California: Văn Nghệ, 2001.

Vladiv-Glover, Slobodanka M. "From Bread Dolls to Prostitutes: A Cultural Diagnosis of Post-Soviet Russia." *Georgetown Journal of International Affairs* 8, no. 1 (Winter 2007): 87-94.

Vo, Alex-Thai. "Nguyễn Thị Năm and the Land Reform in North Vietnam, 1953." *Journal of Vietnamese Studies* 10, no. 1. March 2015: 1-62.

Vũ Khiêu. *Đạo đức mới.* Hà Nội: Viện triết học, 1974.

Vũ, Tuong. *Vietnam's Communist Revolution: The Power and Limits of Ideology.* Cambridge: Cambridge University Press, 2017.

Wall, Thomas Karl. "Au Hasard." In *Politics, Metaphysics, and Death: Essays on Giorgio Agamben's Homo Sacer*. Edited by Andrew Norris. Durham: Duke University Press, 2005.

Walter, John. "Law as an Instrument of Economic Regulation: Economic Crime in Czechoslovakia 1947-1987." *Review of Socialist Law* 14, no. 3 (1988): 209-239.

Wang, David Der-Wei. "Crime or Punishment? On the Forensic Discourse of Modern Chinese Literature." In *Becoming Chinese: Passages to Modernity and Beyond*. Edited by Wen-Hsin Yeh. Berkeley: University of California Press, 2000.

Wang, David Der-Wei. *The Monster That Is History: History, Violence, and Fictional Writing in Twentieth-Century China.* Berkeley: University of California Press, 2004.

Whitmore, John K, and Keith W. Taylor. *Essays into Vietnamese Pasts.* Ithaca: Cornell University Press, 1995.

\_\_\_\_\_. "Communism and History in Vietnam." In *Vietnamese Communism in Comparative Perspective*. Edited by William S. Turley. Boulder: Westview Press, 1980.

Wimpfheimer, Barry S. *Narrating the Law: A Poetics of Talmudic Legal Stories.* Philadelphia: University of Pennsylvania Press, 2011.

Woiak, Joanne. "Designing a Brave New World: Eugenics, Politics, and Fiction." *The Public Historian* 29, no.3 (Summer 2007), 105-129.

Wolin, Richard. *Walter Benjamin: An Aesthetic of Redemption.* Berkeley: University of California Press, 1994.

Wood, Elizabeth A. "Prostitution Unbound: Representations of Sexual and Political Anxieties in Postrevolutionary Russia." In *Sexuality and the Body in Russia Culture*. Edited by Jane T. Costlow, Stephanie Sandler, and Judith Vowles. Stanford: Stanford University Press, 1993.

Woodside, Alexander. "The Struggle to Rethink the Vietnamese State in the Era of Market Economics." In *Culture and Economy: The Shaping of Capitalism in Eastern Asia*. Edited by Timothy Brook and Hy V. Luong. Ann Arbor: University of Michigan Press, 1999.

Wurfel, David. "Doi Moi in Comparative Perspective." In *Reinventing Vietnamese Socialism: Doi Moi in Comparative Perspective*. Edited by William S. Turley and Mark Selden. Boulder: Westview Press, 1993.

Wynn Wilcox, "Women and Mythology in Vietnamese History: Le Ngoc Han, Ho Xuan Huong, and the Production of Historical Continuity in Vietnam." *Positions* 13, no.2 (2005): 411-439.

Yeh, Catherine V. *Shanghai Love: Courtesans, Intellectuals, and Entertainment Culture, 1850-1910*. Seattle: University of Washington Press, 2006.

Yiching, Wu. *The Cultural Revolution at the Margins: Chinese Socialism in Crisis*. Cambridge: Harvard University Press, 2014.

Zamperini, Paola. *Lost Bodies: Prostitution and Masculinity in Chinese Fiction*. Leiden: Brill, 2010.

Zinoman, Peter. "Declassifying Nguyễn Huy Thiệp." *Positions* 2. Fall 1994: 294-317.

\_\_\_\_\_. "Nguyễn Huy Thiệp's 'Vàng Lửa' and the Nature of Intellectual Dissent in Contemporary Vietnam." *Viet Nam Generation* 14. Spring 1992.

\_\_\_\_\_. "Nhân Văn Giai Phẩm on Trial: The Prosecution of Nguyễn Hữu Đang and Thụy An." *Journal of Vietnamese Studies* 11, no. 3-4 (December 2016): 188-215.

\_\_\_\_\_. "Nhân Văn-Giai Phẩm and 'Vietnamese Reform Communism' in the 1950s: A Revisionist Interpretation." *Journal of Cold War Studies* 13, no. 1. Jan. 2011: 60-100.

\_\_\_\_\_. *Vietnamese Colonial Republican: The Political Vision of Vũ Trọng Phụng*. Berkeley: University of California Press, 2014.