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Public Policy and the Idea of the Vietnamese State: The Cultural Political Economy of Domestic Water Supply

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Abstract: *Using Rural Water Supply (RWS) policy practices as a case study, this article shows that the disjunction between implementation as formally conceived and informally practised is not a question of ineffective policy cycle dynamics, but rather an inherent feature of Vietnam's Cultural Political Economy. Drawing on critical realist approaches to social and state theory, we argue that formal and informal RWS policy practices, as a set of two interconnected spheres, serve as key, separate but connected, mechanisms for reproducing the distribution of material resources (primarily through the informal sphere) and the hegemony of ideas (primarily through the formal sphere) in Vietnamese society. We conclude that the formal, administrative practices of RWS policy are primarily to be understood in their function of reproducing the idea of the state and state legitimacy. RWS administrative practices function to sustain the core social and political order in Vietnam as institutionalised in "the state", rather than being primarily oriented to improving rural water supply. The findings raise questions for donor-supported programs that focus on formal administrative institutions and practices for improving the performance of the water sector.*

Keywords: *Vietnam, Cultural Political Economy, public policy, policy practices, water supply, state theory, critical realism*

This paper contributes to a Cultural Political Economy (CPE) analysis of the Vietnamese state, using Rural Water Supply (RWS) policy processes as a case study. In

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contrast to orthodox political economy, CPE recognises the role of discourse in the constitution of state power, and is concerned with "the co-evolution of semiotic and extra-semiotic processes and their conjoint impact on the constitution and dynamic of capitalist formations" (Jessop and Oosterlynck, 2008, p. 1157). Based on a critical realist ontology, CPE aims to identify the mechanisms that determine the co-evolution of both discursive and material structural properties of political economy (Jessop, 2008, p. 236). We show that CPE provides a fruitful approach for the investigation of state power in Vietnam, "highlighting the complex interactions between meanings and practices" (Jessop, 2008, p. 236), with "the production of intersubjective meaning ... crucial to the description, understanding, and explanation of economic and political conduct" (Jessop, 2008, p. 236).

Specifically, this paper analyses the role of bureaucratic administrative practices in the production of state legitimacy in contemporary Vietnam, where political order continues to be controlled by the Vietnamese Communist Party (VCP). Our analysis of Rural Water Supply policy practices in Vietnam's Mekong Delta proceeds at two levels. At the first, empirical level, our analysis produces three main findings.

(1) Purportedly, decision-making in RWS is based on an extensive formal bureaucratic-administrative process that is driven by the demands of the local population. In fact, actual policy implementation and decision-making on RWS infrastructure deployment is unrelated to the formal bureaucratic-administrative process.
(2) The implementation of RWS policy has a singular focus on piped water supply systems (to the exclusion of other water supply technologies).
(3) The construction of the piped water supply systems is the "business field" of the RWS implementing agency officials as (formally illegal) private entrepreneurs, under the auspices of the Communist Party leadership.

These findings form the basis for the second, theoretical, level of analysis. Even when summarised so briefly, they suggest that the disjunction between implementation as formally conceived and informally practised is not just a question of ineffective policy cycle dynamics. "Imperfect implementation" has been analysed in the policy analysis literature on Vietnam as a "conflict" over the establishment of a "good governance" agenda, pursued by a part of the state and resisted by another part that indulges in illicit side activities. We argue that this conception of state behaviour inadequately represents the structure of the Vietnamese state and the practices that reproduce it. We suggest that the formal and informal[1] parts of the policy process are better understood as two interconnected spheres. On the one hand the formal bureaucratic-administrative sphere of the state performs the planning process on a day-to-day basis, but its primary function is not mere "implementation", but state legitimisation. On the other hand resource allocation decision-making and RWS system building are facilitated in and by the informal sphere of the state, which is controlled by the political and economic elite. The informal sphere is thus key to the material-structural basis of social and political order. The two spheres have a mutually reinforcing connection rather than a contradictory one. Drawing on Archer's critical realist approach to social theory, we propose that formal and informal policy practices, as a set of two interconnected spheres, serve as key, separate but connected, mechanisms for reproducing the distribution of resources

and the hegemony of ideas in Vietnamese society. Social organisation in Vietnam can be considered as a "conjunction between structural morphostasis and cultural morphostasis" (Archer, 1995, p. 309) – i.e. a situation that involves a heavy and enduring concentration of material resources with one elite, in combination with the persistent hegemony of a specific state idea, as performed in bureaucratic-administrative practices.

To develop this argument, we first give an overview of the rural water supply setting in the study area and the Mekong region (section 2). In section 3 we contrast formal RWS planning processes with informal implementation practices, and suggest that explanations of this discrepancy as a good governance "conflict" are inadequate. To show the inherent logic and mutual reinforcement of the existence of two spheres of state activity we make use of Archer's morphogenetic approach in section 4, before we draw some conclusions for the theorisation of the Vietnamese state in section 5.

Analysis is based on one year of fieldwork (April 2008 – March 2009). Methods were primarily qualitative, and field notes were written regularly. Ninety-five semi-structured interviews were conducted on the four administrative levels in the Vietnamese political system (commune, district, province and national government), adhering to interview guidelines based on research plans.[2] In addition to and in combination with interviews, "Influence Network Mapping" (INM) (Schiffer and Waale, 2007) was used for assessing decision-making processes in the bureaucracy. As a participatory mapping tool deriving from social network analysis, INM was applied to assess the flows/lines of reporting, decision-making, support/advice and funding between actors in the network of decision-making for water supply. Moreover, interviewees were asked to build "influence towers" on each actor when the mapping was finished. The maps that the interviewees constructed were put up for discussion.[3] Interviews were also conducted with rural households (55), and staff of international donor agencies (14) and research institutes (3). Most interviews were conducted with the aid of an interpreter. A large amount of secondary data was collected, such as government statistics and plans, donor reports and local newspaper articles. The data was coded and analysed using qualitative data analysis software.

Water Supply in Can Tho: Overview

The study region Can Tho City is located on the Hau River, one of the two major tributaries of the Mekong River. With a population of 1.2 million in 2009 (GSO, 2009a), Can Tho City is the largest city in the Mekong Delta. Notwithstanding its administrative status of "city", many areas remain peri-urban or rural, with a large share of the population depending on agriculture for their livelihoods. Can Tho is densely populated with 836 people/km^2 (GSO, 2009b).

Domestic water supply in the rural areas of the naturally water abundant Mekong Delta region uses a diversity of sources. Until recently, rural households, living in settlements along the Delta's dense network of rivers and canals, almost exclusively used rain and river water for domestic purposes. Rainwater, however, is not available during the dry season (December to April). Commonly, river water is collected in buckets, transported to the house and stored in jars. Since the 1980s, surface water has increasingly been polluted through the intensifying of agriculture, the establishment of growing industrial parks, rising industrial fish production and population growth. In recent

years drilling private wells has become increasingly popular, but drilling is expensive because the groundwater lies at depths of 60–100m, and is affordable only for relatively wealthy households. The government agency responsible for managing water supply in the rural areas, CERWASS (Centre for Rural Water Supply and Environmental Sanitation), focuses exclusively on the construction of small-scale piped water supply schemes that abstract groundwater. This approach has thus far been unable to solve the problems faced by the rural population. Year-round clean water supply is problematic for one-third to half of the rural households.[4] This is related, firstly, to the problematic economic viability of the piped water systems (explained below), which prohibits the comprehensive coverage of all areas with water supply stations and the connection of all households to the networks (Reis, 2012, p. 90 et seq.). Secondly, the use of groundwater is ecologically not sustainable due to the fast depletion of the deep lying, on a human time scale very slowly recharging aquifer. Very likely, the stations will start suffering water shortages within five to ten years (Nuber et al., 2008; MONRE, 2009). Although now acknowledged within the Vietnamese media, authorities still put all efforts into the construction of groundwater extraction stations for supplying the rural population.

The "Schizophrenia" of Policy Practices

Retracing policy-making in RWS in Can Tho suggests that policy practices, at face value, are "schizophrenic": policy images, set within the formal sphere of the Vietnamese state, significantly deviate from actual practice, which takes place within the informal sphere of the Vietnamese state.

Formal planning: Bureaucratic-administrative processes in rural water supply

Vietnam's political system is rooted in the tradition of a socialist one-party state that collectively owns and plans production processes. Policy is managed in the "old-style" way, based on ten-year, five-year and yearly plans involving a system of bottom-up reporting of demands and top-down decision-making. Planning for rural water supply is carried out in a similar fashion, with numerous agencies on all four administrative levels (commune, district, province and national government) involved.[5] For defining short, medium or long-term planning targets, the state apparatus collects detailed numbers about socioeconomic development in all parts of the country. Local authorities submit data on RWS to higher authorities, for instance the number of households having access to wells and public water supply stations. Provincial and national authorities base planning targets on these numbers. The production and processing of statistical data is at the heart of the Vietnamese planning system; available data ranges from the number of chickens, fishing boats, and harvested coconuts to the number of drug addicts and passengers on public transport.

Benedikter (2009), based on fieldwork in the Can Tho region, describes a Vietnamese bureaucracy that takes on increasingly monstrous dimensions, having continuously expanded since 1980. State institutions have steadily increased in number and size, while districts and communes have been subdivided. The number of state employees increased by 19 per cent between 1990 and 2008. This expansion of

bureaucracy has produced a "growing complexity of state management structures and bloated decision-making processes" as more and more actors are involved (Benedikter, 2009).[6]

State agencies expound a discourse in which the single purpose of the massive bureaucratic apparatus is to "serve the needs of the people", by collecting data on "people's demands" purportedly used for decision-making. The emphasis on "service" is one of four new "governance cultures" in Vietnam, deriving from the Public Administration Reform (PAR) approved in 2001 (Vasavakul, 2006).[7] In the PAR "public officials have to transparently and accountably provide services to citizens as customers" (Vasavakul, 2006, p. 150). CERWASS officials seem to have internalised the idea of public service provision at least discursively.

> Annually, local areas send their plans. Based on this, we make a survey and choose the most urgent areas (Head of Office, CERWASS, Can Tho, 6 January 2009).

CERWASS interviewees put strong emphasis on the duty to serve the people, and the administrative procedure of planning for water supply stations is formally based on the bottom-up reporting of people's demands.

The Practice of RWS policy implementation

In fact, policy practices do not follow the official demand-oriented approach. Firstly, field research showed that, contrary to the official discourse, "choosing the most urgent areas" based on people's demands is not the primary criterion according to which the location of new water supply stations is decided. Other considerations play a major role in the decision-making process.

> The local authority sends a petition to CERWASS, CERWASS considers whether this area is populated or not (Director, Department of Agriculture and Rural Development (DARD), Can Tho, 1 December 2008).

> We prioritise areas with high population density to connect as many people as possible (Head of Office, CERWASS, Can Tho, 18 July 2008).

As authorities pointed out, local areas and hamlets have to fulfil certain conditions in order to qualify for piped water supply from CERWASS.

> CERWASS will send officials to the local areas to make a survey about the location. If the location meets CERWASS requirements, CERWASS will make a document and send it to DARD… CERWASS is important because it is the investor. It goes to the local areas to find the locations. After making a survey, only if the hamlet meets the requirements of CERWASS, they will construct (Vice President, People's Committee Phong Dien district, Can Tho, 3 March 2009).

The conditions that local areas have to fulfil are primarily conditions of potential economic viability. Piped water supply in the rural areas of the Mekong Delta is an economically very tight business, which is mainly due to "competition" from other water sources. Moreover, CERWASS has a very low budget which does not allow it to permanently subsidise a loss-making business.[8] Hence every water supply station needs to serve enough fee-paying households to ensure financial viability. Furthermore these households must be located in near proximity to each other in order to limit the costs of pipe construction. According to the Vice President of Thanh Quoi commune, the respective thresholds for viability are 100 households within a distance of 1,500 metres between network ends. Therefore raw numbers and distances rather than need or demand determine decisions about locating new water supply stations. This lesson is borne out by a study of newly planned projects for 2009 in Can Tho. According to CERWASS data, Co Do district had the lowest coverage rate in Can Tho, with only 19 per cent of households connected to a water supply station. Yet, projects planned in Co Do – apart from one project which is a water supply system in Co Do town – rank behind projects in Vinh Thanh, Phong Dien, Cai Rang (a district classified as urban) and Thot Not on the priority list (DARD and CERWASS, 9 October 2008). Thot Not district has the highest coverage rate with already 45 per cent of households connected to piped water supply.[9] The statements of local authorities and local households also illustrate the primacy of economic viability.

> In Thoi Hoa C area, there are more than 10 Khmer households which live in rural areas. Constructing a water supply station would be a waste of money, because the number of households is low. We already sent officials to CERWASS many times to ask for constructing a water supply station in this area, but they have not approved it. They say the pipe system would be too long, it would be too expensive, and the water quality would not be good (President, People's Committee Thoi An ward, O Mon district, Can Tho, 3 February 2009).

> Nearly 50 per cent use river water, they fill it in jars and use it. [NR: Why are they not connected to the water supply networks?] According to the CERWASS regulations, the radius around the stations is not longer than 1 km. In sparsely populated areas, it is difficult to construct stations. Thoi An is a large area. We wrote a petition to CERWASS, but CERWASS said it is too expensive to construct the stations, because there is not much profit, they cannot get the money back… They choose a location where many families are located and do not have hand pump wells (President, People's Committee Thoi An ward, O Mon district, 15 September 2008).

> In 2008 CERWASS made surveys here, but they have not approved our suggestions yet. Inhabitants sent some petitions to the commune People's Committee, because the need for clean water is very high. But CERWASS said that it is too expensive to construct a station in a sparsely populated area, it is a waste of money. We also suggested something about the electricity, but the City has not approved it yet. It seems that in the city, they do not care much about these

suggestions (Representative, People's Committee Truong Xuan commune, Co Do district, Can Tho, 20 October 2008).

Because many people have a well and only a few want to access the station, they do not extend the network. The households do not have money, so they do not ask to extend the network (Household member, Truong Xuan commune, Co Do district, Can Tho, 14 January 2009).

An official from a wealthier commune relates the high connection rate in her area to the good economic situation of the households.

[NR: What is the reason that so many households in this commune are connected to the water supply stations?] The households have needs and CERWASS takes care of this. The economy is developed in this area (Poverty Alleviation Manager, People's Committee Truong Long commune, Phong Dien district, Can Tho, 29 October 2008).

In contrast to the official discourse, planning is not "service-oriented". It is virtually rolled up from behind in that it is not oriented to the demands of the people, but "supply-oriented": There is a sole focus on a technology which – under the given economic conditions – only works in certain areas. Areas that are not eligible for water supply stations are left to themselves without any identifiable strategy for "serving the needs of the people". Hence, the massive bureaucratic apparatus regularly produces a vast amount of statistical data,[10] compiled in reports and processed into planning targets, which are, however, not decisive when it comes to decision-making.

The second aspect of RWS policy practices significant for this analysis is the organisation of the construction of the piped water supply systems, and the implications of this for the choice of technology. Legally, the code of conduct for public service employees does not allow the "manager of a public organisation or agency, his or her deputies, and their immediate families" to "make capital contributions to private enterprises that operate in the same field that the manager and his or her deputies have state management responsibilities" (McCarty, 2001, p. 17). The Vietnamese Communist Party (VCP) long ago enjoined its members[11] from "[engaging] in capitalist economic activities", but as Porter (1993, p. 71) anticipated in the early 1990s, "it may have difficulty in reversing the sociological trends already under way". In the course of the economic liberalisation and privatisation process in Vietnam, originating in the 1986 *doi moi* reforms, the planned economy of state-owned enterprises was taken over by a "new form of state-interventionism" (Gainsborough, 2009, p. 258). Evers and Benedikter (2009, p. 16), based on fieldwork in Can Tho, describe the phenomenon as "growing connection of politics (bureaucracy) and business through coalition and even hybridization". For the irrigation sector in the Mekong Delta, Benedikter (2009) notes that state cadres have sought to maintain their social standing as the most powerful group in society, accessing the monetary resources that the "free market" released by using their position as a strategic resource to embark on a parallel career as private entrepreneurs.[12] Between 2006 and 2010, the government carried out 13 large-scale hydraulic infrastructure projects in the Mekong Delta, valued at 35 million US$ (Evers

and Benedikter, 2009, p. 17). A sophisticated system of "collective corruption" (McCarty, 2001, p. 18) has become institutionalised in tendering procedures. For example, within World Bank projects, access to consulting or construction contracts tendered via the Ministry of Construction is only granted with a "profit participation" of involved officials of up to 30 per cent of the project budget, depending on the number of government agencies involved as "project partners".[13]

Benedikter (2009) found that these "new state business interests" also exist in the RWS sector in Can Tho City. "Dai Loi company" was founded by cadres of the Department of Agriculture and Rural Development (DARD), including several officials from CERWASS, and is specialised in water supply technology transfer, consulting and construction. Given legal constraints, shares are owned by relatives of the Party cadres. The company is related to a similar company in Hau Giang province, which was established by the son-in-law of the former director of CERWASS Can Tho. In this context, an interviewee with close relations to the political leadership in Can Tho explains that

> Nowadays, the people in high government positions all become very rich... [At CERWASS] the director, vice director, all have their own companies that implement the constructions.

Rural water supply and sanitation is the "business field" of CERWASS cadres. This explains the exclusive focus on constructing piped water supply systems – and the concomitant lack of interest in addressing surface water pollution, a key factor in the quality of rural domestic water supply (see above). Focusing policy on tackling surface water pollution is not in the interest of CERWASS staff. First, it would undermine the business opportunities for the companies that construct the water supply stations; secondly, water pollution is another "business field" – namely, that of the Department of Natural Resources and Environment (DONRE).[14] The strong linkage between state bureaucracy and private business and the distribution of business fields across different government agencies explains why policy-making in the RWS sector is almost entirely geared to the construction of piped water supply schemes.

Two findings and a question

RWS policy practices in Can Tho are characterised by coexistence of a formalised, service-oriented bureaucratic system and informal mechanisms, which serve the private gain of public officials and undermine the fulfilment of official policy goals. Decisions on where piped water supply systems are constructed do not derive from the formal bureaucratic-administrative process that identifies "demand", notwithstanding this being the stated purpose of the statistics collection and planning process. Moreover, there is an exclusive focus on one technology option, piped water supply, while the issue of surface water pollution, a key aspect of the quality of domestic water supply, is left unaddressed. Hence, neither the type of policy chosen, nor how this policy is implemented, is decided based on formal planning procedures. Rather, *informal* practices are decisive.

These findings would seem to fit with scholarly assessments of recent political developments in Vietnam, which have emphasised the notion of "conflict" among the political elite on the nature and extent of the necessary internal political change.

Assessments have focused on the already mentioned 2001 Public Administration Reform (PAR), which pursues the aims of "ensuring more efficient state management, a reduction in corruption and a new 'public service' orientation in dealing with citizens" (Painter, 2003, p. 260).

> The rhetoric and instruments of the Public Administration Reform reflect the conflicting aims of those seeking to centralize and regularize, while the pace of change is affected by the resistance of those who would lose materially (Painter, 2003, p. 262).

Vasavakul (2006) claims the existence of forces within the Vietnamese state that push for a reform of public administration as a necessary follow-up of the breakdown of central planning at the end of the 1980s, and observes a "clash" between old and new "governance cultures". Our study of RWS policy-making in Can Tho confirms the notion of two "spheres of existence" of policy practices in Vietnam. However, is it correct to conceive these two spheres as opposing forces competing for control over political processes "within the state"? We will argue that it is not. The next section will show that there is an inherent logic to the coexistence of these two spheres. This argument involves a consideration of how to understand "the state" in relation to "society", which we discuss in the subsequent section.

Policy Practices, Producing Legitimacy and Morphostasis

What has been perceived as a "new governance culture" (Vasavakul, 2006) is better understood as the (successful) attempt of high-level Party cadres to keep the VCP ship on course by constructing and sustaining a new form of state legitimacy. In contrast to widespread arguments emphasising that political change is occurring in Vietnam, we agree with those pointing out that continuity predominates (Gainsborough, 2005b; Beeson and Pham, 2012). The relationship between the formal and informal spheres of the state, rather than representing a governance conflict, serve to reinforce stability (morphostasis).

Figure 1 schematically displays the functioning of RWS policy practices for the reproduction of social order, drawing on Archer's (1995) critical realist social theory. In Archer's theorisation of "morphogenesis", social process involves, over time, structural and cultural conditioning (as emergent or aggregate consequences of past actions), social interaction, and structural and cultural elaboration or reproduction, with elaboration/transformation labelled as morphogenesis, and reproduction as morphostasis.

Within this framework, the functioning of the Vietnamese state can be considered as "conjunction between structural morphostasis and cultural morphostasis" – i.e. a situation that involves "a monolithic form of social organization with a superimposition of elites and heavy concentration of resources" (the right column) in combination with "the hegemony of systematization or syncretism" at the level of cultural structure "accompanied by the Socio-Cultural (S-C) reproduction of ideas amongst a unified population" (the left column) (Archer, 1995, p. 309).
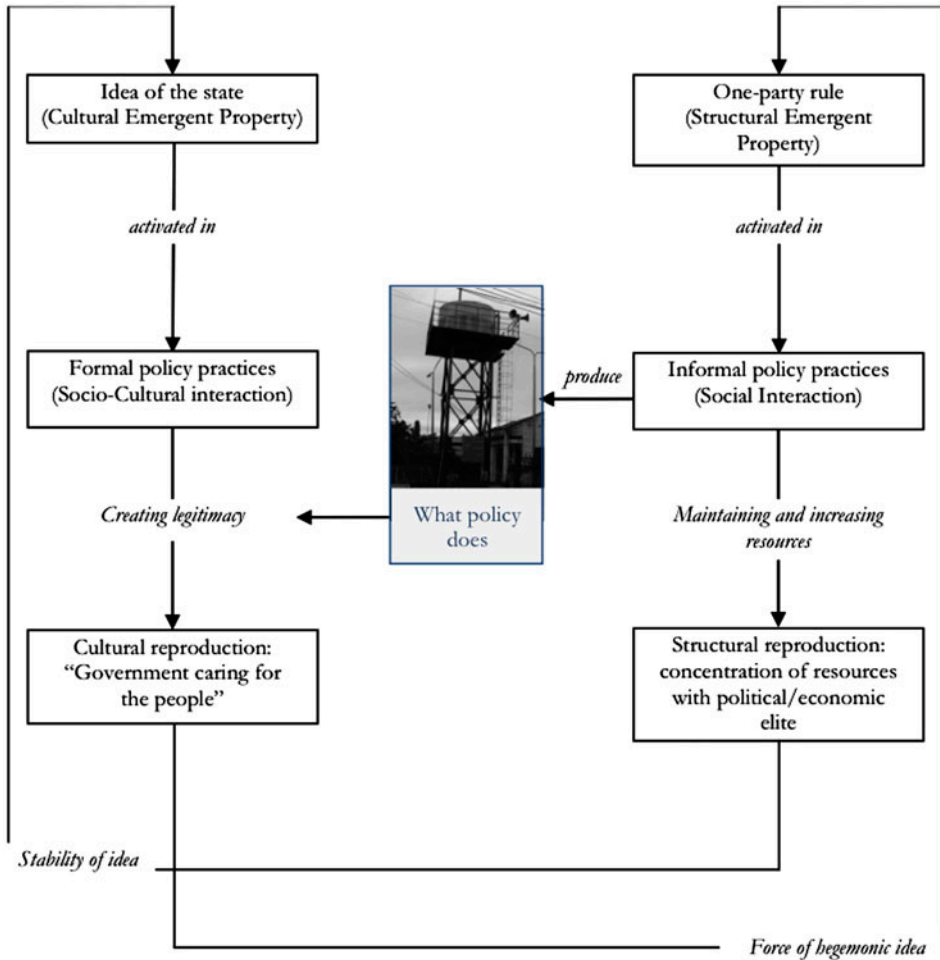
Figure 1. The Functioning of RWSS Policy Practices for Morphostasis in Vietnam

> Turning … to the mutual influences of the two domains upon one another, these display complete reciprocity. The force of hegemonic ideas imposes itself on stable social groups and the fortune of the dominant groups reinforces the stability of ideas, the two thus working together for maintenance of the status quo (Archer, 1995, p. 310).

In concrete terms, the idea of the Vietnamese state as "serving the needs of the people", a historical product of past interactions, is activated in formal RWS policy practices (left column), in the daily interactions of bureaucrats that produce statistics, reports and plans, in the name of demand-based decision-making on RWS. Figure 1 shows that these practices do not generate material policy outcomes (the water supply station drawn in the middle); rather, they performatively reproduce the idea of the elite acting legitimately in the interest of the people.

Not formal (left column), but informal (right column) policy practices produce RWS policy's material outcomes, as depicted by the arrow towards the water supply station in the middle. The structural property of one-party rule is activated to foster the "project" of the VCP political elite: promoting their vested interest of retaining hegemony and control of political and economic resources. Since the economic reforms, political power has provided access to abundant sources of money. This is effectuated in the parallel entrepreneurship of state officials as discussed above, sanctioned by the VCP.

As Archer points out, "nothing *determines* that agents act to promote their vested interests, but costs are involved in not doing so" (1995, p. 205, original emphasis). In the transformation from planned to market economy, with economic growth generating a large volume of new resources, the emergence of a new party-independent economic elite could constitute a high risk for maintaining the status quo by challenging "Cultural System conditioning" – i.e. the idea of the Vietnamese state and one-party rule. The political elite has avoided this by making use of the resources that it controls – e.g. policy decision-making power, control over allocation of public funds in tendering processes, and knowledge, a strategy that London (2009) described as "market-Leninism".[15]

The increasing volume of available resources (in monetary terms but also in terms of knowledge acquired through education) has also increased the number of individuals who access them. Crucial for the stability of the overall system until now has been that the VCP (upon utilising its resources as an organised interest group) has so far managed to embrace them. Only from this perspective does it make sense that the number of state employees has sharply increased at a time when the centrally planned economy was abandoned (cf. for whole Vietnam: Benedikter, 2009, p. 7; for Ho Chi Minh City: Gainsborough, 2005a, p. 374).[16] In Archer's terms, "primary agents" have joined the dominant group of "corporate agents" which "shapes the *context* for all actors" together and strategically (1995, p. 260, original emphasis). This is one of the reasons why, contrary to widespread theory,[17] economic growth did not generate (powerful) democratic movements in Vietnam.

The material outcomes of "informal policy practices" link to the cultural domain in an important way because they contribute to cultural reproduction. The need for a certain level of material performance for the maintenance of the system derives from the specificity of the Party ideology, which does not endow the elite with *arbitrary* power.

In spite of the (persisting) repressive nature of the political system, the VCP's rule has never been based on radical violence towards the people. The VCP's power has always relied on its ability to appear to be the *legitimate* tenant of political leadership. It is a form of power that "presume[s] the consent of those over whom it is exercised" (Hindess, 1992, p. 153). From the independence of the Democratic Republic of Vietnam in 1954, through the reunification and foundation of the Socialist Republic of Vietnam in 1976 and continuing to some extent even today, the major source of legitimacy for the VCP (and its authoritarian rule) has been to unite the Vietnamese people against external intervention and suppression. The increasingly critical socioeconomic situation in the mid-1980s, and the collapse of the Soviet Union and the Socialist Parties in Eastern Europe in the early 1990s, presented severe challenges to the VCP. Within the Party, critics stated that Marxist-Leninist ideology was outdated and national unity lost (Thayer, 2010, p. 428), and called for the abandonment of socialism and the liberalisation and democratisation of the political system. The VCP remained "adamant

about retaining its grip on power" (Thayer, 2010, p. 441), but the political elite realised that the system had to be adapted if the Party was not to face the same fate as other Socialist parties in the world. With the belief in Marxism-Leninism shaken to the core by global events, the VCP's legitimacy to rule could no longer draw merely on its power to unite the people against foreign domination (Womack, 2006, p. 75). In response, Marxist-Leninist ideology was largely replaced by "Ho Chi Minh thought", symbolising that Vietnam would have to find its own, new interpretation of socialism and leave behind the old Soviet and Chinese paradigms.

The main change in the VCP's approach to legitimacy, however, took place elsewhere. Thayer (2009; 2010) characterises the change as a shift from "regime legitimacy"[18] to "performance legitimacy". He argues that since 1986, the Party has increasingly rested its legitimacy to rule on its performance – i.e. the promotion of economic growth, poverty reduction, the maintenance of political stability, and international recognition. Woodside (2006, p. 84) observed a trend towards "remandarinisation" since the 1990s – a strong belief in science and technology and the manageability of society, stimulating "something like a higher moral authority of the democratic kind without all the risks of political democracy". This suggests that the image of an instrumental-rational, effective administrative system that functions to serve the needs of the people is now a crucial source of political legitimacy for the VCP.

Based on the case of Yugoslavia, Rothstein (2009, p. 311) makes the general argument that legitimacy is "created, maintained, and destroyed ... at the output side of the political system" rather than at the "input side" of democratic elections.

> One could say that the public administration is the political system – as citizens concretely encounter and experience it. The character of the administration, therefore, is decisive for the way in which the political system is viewed (Rothstein, 2009, p. 325).

We would stress this point and add that the image of public administration is a crucial aspect in shaping the perception of the political system, and thus an essential basis for the legitimisation of power.

The fact that something material is produced in the policy process (water supply stations are constructed) has so far successfully prevented the emergence of a group of "developed marginal groups or powerful malcontents" striving for "Socio-Cultural disorderliness" (Archer, 1995, p. 310) – the formation of new "corporate agents" out of a mass of deprived. Moreover, it is questionable whether polluted water, the big unsolved problem in rural water supply (Reis and Mollinga, 2012), has the capacity to trigger social unrest in Vietnam. Health risk awareness regarding drinking polluted water is not very high among the rural population, even if many feel uncomfortable with drinking river water (Reis, 2012, pp. 59–65; Kotsila, 2013).

Primary agents such as deprived sections of the population, however, are not to be understood only in terms of their passiveness as "objects to whom things happen" (Archer, 1995, p. 260). They are analytically distinct from corporate agents in not articulating their shared interests and organising for collective action, but are still *agents* in that their passiveness produces effects as aggregate responses. It is important to bear in mind that purely rationalist explanations for the "recipients' side" of state legitimacy, where individuals obey and conform based on calculated interest, fall short:

People obey, too, "because their personal identities are inextricably tied to the existence of a bigger unit"; "obedience and conformity are integral to establishing and maintaining one's identity" (Migdal, 2001, p. 256).

A more rationalist perspective on the "recipients' side" of legitimacy finds support in the strong quest for "modernity" in the sense of technological progress. This quest is not only guiding the aspirations of the Vietnamese government, but also those of the population (Ehlert, 2012). In this sense, the government does serve the "needs" of the people. This emic concept of modernity of the rural population expresses itself in several ways. Firstly, as documented in Reis and Mollinga (2012), the "modernity" factor is key in the implementation of sanitation microcredit programs in the Mekong Delta. Not hygienic considerations, but having a "beautiful and modern toilet" is the major incentive for rural households regarding the construction of a new latrine. Septic tank latrines, as opposed to simpler and much cheaper (though still hygienic) latrine types, play the role of a status symbol, which is why this is the only latrine model for which there is demand in the microcredit scheme.

For water supply, it expresses in the disconnect between main cause and preferred solution for safe water access. Local people clearly recognise the increase in and severity of surface water pollution.

> In the past, the river water had no pesticides. Today, there are a lot of pesticides. [NR: How do you know the water is polluted by pesticides?] Because we also live on farming (Household member, Truong Xuan commune, Co Do district, Can Tho, 22 October 2008).

> [NR: Has the river water quality changed in the last years?] [All are laughing] Previously it was dirty, now it is very dirty, from fish farming. Previously, it was polluted by pesticides, dead animals and human waste... Now it is much more polluted because of the factories in Tra Noc. The water is also polluted because many households breed fish in Dong Thap, Vinh Long, Thoi An, Thoi Long, Phuoc Thoi (Members of People's Committee and Women's Union in Thoi An ward, O Mon district, Can Tho, 25 November 2008).

Yet the solution first mentioned for securing safe water supply tends to be the construction of more water supply stations, rather than questioning the processes generating surface water pollution.

> In this area, there are some poor Khmer households. They do not have other water to use than canal water, although it is very polluted. [NR: What is the reason that the water is polluted?] Because of the pesticides, fish farming and breeding ducks. The people have diseases. When the canal water is low, there is no water. The people have to use boats to get water in the big river. This is agricultural land far away from the big river. The pollution cannot flow out to the big river, so it is very polluted. [NR: What could be the solution?] It would be better if there were supporting organisations that constructed water supply stations (Manager of Thoi Hoa C area, Thoi An ward, Can Tho, 26 November 2008).

The perceptions and responses of the local population would have to be documented in greater depth and detail – but it is challenging to access unbiased data on people's perceptions of policy practices due to government restrictions and surveillance of household interviews.[19] Our research nevertheless suggests that the combination of an instrumental-rational bureaucracy and the material outcome of policy practices, resonating with primary agents' emic conception of modernity, does create legitimacy.[20]

RWS Policy Practices: Implications for Theorising the Vietnamese State

In Vietnam, policy practices are officially oriented on Marxism-Leninism. The VCP has ruled North Vietnam (the Democratic Republic of Vietnam) since 1954 and the reunified Socialist Republic of Vietnam since 1976. The political system is formally based on centralised decision-making controlled by the Party apparatus.[21] Provincial, district and commune-level Party organs are "supposed to translate Party lines and policies into concrete implementation" (Porter, 1993, p. 71). The Vietnamese term "*chinh sach*" that is commonly translated as "policy" means a "document of the government authority"; *chinh sach* is first of all a mechanism for implementing the intentions of the Party (Fforde, 2008, p. 6).

Although some have argued that political change in Vietnam since the 1986 Sixth Party Congress derives from forces "within the state" (Porter, 1993; Painter, 2003; Vasavakul, 2006), others have discerned "independent sources of political power" (Beresford, 1989, p. 118), and identified "individuals, groups, and social forces outside official channels" as drivers of change (Kerkvliet, 2001, p. 269). From the latter perspective, economic reforms were the consequence of "everyday politics" (Kerkvliet, 1995, p. 67) – i.e. pressure for reform from certain societal interest groups "negotiated through the mediation of the state apparatus" (Beresford, 2001, p. 217). Some Vietnam scholars have recently expressed discomfort with the prevailing search for the "state-society relationship" (Kerkvliet, 2001; Jönsson, 2008, p. 37) and its failure to "tell us ... how power is actually exercised in Vietnam" (Gainsborough, 2005b, p. 12).

> The assumption that the state exists as source of policy and developmental agency leads to problems. What, for instance, are the relationships between these structures and the rest of Vietnam? The problem may centre on the attempt to apply a state-civil society model. That is perhaps the inherent problem in conceiving of the party/state apparatus as having some boundary (Fforde, 2009, p. 141).

Our case study suggests that this discomfort is warranted, and that the problem with the search for the "state-society relationship" may be that it conceives of the state as ontologically and analytically separate from society. This separation is problematic because it is based on an essentialist understanding of "the state":

> [W]hile statal operations are most concentrated and condensed in the core of the state, they depend on a wide range of micro-political practices dispersed throughout society. States never achieve full closure or complete separation from society (Jessop, 2008, p. 9).

Statehood depends on socially produced and reproduced legitimacy, which is institutionalised and expressed differently in different settings. The political functions of the state are not naturally given, but socially acknowledged – i.e. "their precise content is constituted in and through politically relevant discourses" (Jessop, 2008, p. 10).[22] "State" and "society" are not two different ontological and analytical entities since the existence of the state depends on a socially contingent idea (Abrams, 1988, p. 68; Englebert, 2000, p. 74). The idea of the state "has a significant political reality" (Abrams, 1988, p. 68) since it is both constitutive of the state and an emergent property of state practices.

We argue that what has made the Vietnamese state since 1954, and held the political community together, is the idea of a political elite acting in the interest of the collective. This idea is captured in the notion of "democratic centralism", one of the core doctrines of the "socialist political-legal canon" (Gillespie, 2005, p. 47), based on Lenin's belief that the democratic rights of the working class can only be secured by "proletarian dictatorship" (Gillespie, 2005, p. 48; Duong, 2004, p. 5). The persistence of that idea is illustrated in banners at local People's Committee offices with slogans such as "The Party is the people, and the people are the Party" or "The Party leads, the people rule, the government manages" (Hannah, 2005, p. 103). This worldview is precisely the reason why, in Vietnam,

> the very notion of an oppositional sphere, or a domain outside of the state, remains an anathema – an affront even ... the idea of an oppositional sphere simply does not fit with the philosophical underpinnings in which the Communist Party of Vietnam is rooted and still draws. To suggest otherwise is insulting because it is to question the party's commitment to the people (Gainsborough, 2005b, p. 37).

While "claims about the general will or common interest are a key feature of the state system" in general (Jessop, 2008, p. 9), the question is which particular mechanisms and practices are at work to construct the belief in this claim. As emphasised by Migdal (2001, p. 15), states are shaped by both image and practices, and these "can be overlapping and reinforcing, or contradictory and mutually destructive". Based on our study of RWS policy practices in Vietnam, we propose that the image of a bureaucratic apparatus, in which the demands and needs of the people are systematically recorded and constitute the basis for decision-making, is a core principle for the construction of that belief in Vietnam. It is the alleged performance of instrumental rationality in decision-making that is mobilised for claiming political legitimacy.

This analysis also suggests that it is a misunderstanding to conclude from the lack of political control exerted through the formal bureaucratic apparatus – i.e. the lack of top-down control exerted in policy implementation – that centralised power does not exist in Vietnam (as argued by Fforde, 2010). Power is precisely not effective through "the state" as pre-existing, centralised and all-embracing superiority, but becomes effective in concrete, local practices, where it is productive (Foucault, 1978a, p. 81; Foucault, 1978b, p. 39). This is related to the point made by Hindess that "even a power based on consent must depend on rather more than the obligations of its subjects if it is to be able to operate efficiently" (Hindess, 1992, p. 154). Inasmuch as the state is not an object existing independently from society, but an effect produced by

everyday practices, hegemonic power works from within and is reproduced at the level of detail (Mitchell, 1991, p. 93). Power is located within the everyday practices that produce "the state". In Vietnam, it is still centralised, because it is effected through one group of corporate agents, institutionalised in the Vietnamese Communist Party. It produces what Archer (1995) termed a "unified population": it incorporates all individuals into a collective entity, in which there is no access to truth beyond the limits of the party (Lefort, 2001).[23]

Conclusion

Our analysis supports a conception of the state that stresses the importance of the dialectic of discursivity and materiality. The cultural and social structures that constitute the Vietnamese state are not settled eternally, but are continuously shaped and reshaped through practices in which resources and ideas are activated by agents. "It is the continuing interaction between the semiotic and extra-semiotic in a complex co-evolutionary process of variation, selection, and retention that gives relatively successful economic and political imaginaries their performative, constitutive force in the material world" (Jessop and Oosterlynck, 2008, p. 1157).

This paper has shown that formal and informal policy practices as working in the RWS sector are, in combination, mechanisms that support the reproduction of the ideas and materialised social relations that make up the one-party state. The one-party state is the basis of Vietnam's Cultural Political Economy, and is made up of both a hegemonic idea (the idea of the state) and a material-structural domain (the domain of the distribution of resources in society). The idea of the legitimate rule of a political elite serves as hegemonic discourse, which has a reciprocal effect upon the material-structural domain. Our case study suggests that formal and informal policy practices are, in combination, key mechanisms for the reproduction of the cultural and structural properties of one-party rule, and thus a medium for making the state.[24] While formal policy practices reproduce the idea of an elite acting in the interest of the people, informal policy practices are key to the material basis of social and political order. The two sets of practices thus function "for the maintenance of the status quo" (Archer, 1995, p. 310) – the situation can at present be considered to be "morphostatic".

What happens if civil society actors start to challenge the prevailing hegemonic idea? Is the ever-further spreading modern idea of a state formed by the will of free and equal individuals likely to destabilise the Vietnamese system in the near future? Cultural systems are structural conditions, not determinants, and the exercise of their causal powers is dependent upon their activation by people (Archer, 2005, p. 25): society is an open system. It is crucial to note that the concentration of resources with one elite, and its strong interdependence with a long-established state-idea, creates a strong incentive for closing off the system against alternative ideas. The idea of equality has to be suppressed because it is subversive to the core features of social order. Hence, the prevailing cultural system is protected, most notably, by hindering or closing off information sources, restricting civil society activity, anti-pluralist propaganda, and finally, physical violence against political dissidents.[25] To this day, civil society actors contribute to the reproduction of social and political order rather than to democratic transformation (Reis, 2014).

We have concluded that the formal, administrative practices of RWS policy must primarily be understood in their function of reproducing the idea of the state. Finally, this also suggests that focusing projects and activities for performance improvement of the RWS sector on enhancing the managerial and governing capacity of the bureaucratic-administrative apparatus may be misguided.[26] This casts doubt on donor-supported programs that focus on the formal existence of concepts, regulations and institutions that constitute "good governance" and aim to eliminate informal activities in the administration, often referred to as "corruption". In Vietnam, it seems that informal policy practices are not failures within the state that can be eliminated by introducing rational policy. One possible consequence would be that donors try to shape the way water business is done. This, however, raises new questions regarding the prospects of "social entrepreneurship" and market-based approaches for fulfilling basic human needs.

Notes

1. In using "formal" and "informal" we follow an approach from organisational theory, defining the informal as "undecided" expectations within an organisation, which are not formulated as a condition for membership but have been established based on regular practice (Kühl, 2010, pp. 3–4).

2. Researching as a foreigner within a bi-lateral research project in the Mekong Delta encountered several government restrictions. For every interview or action planned in the field, an application for a research permit had to be prepared about two weeks in advance, containing the name of the government agency/the number and kind of households to be interviewed, the date and time of the interview, and the rough content of the interview. It was thus not possible either to specify particular persons as interview partners or to influence how many people were present during the interview. During household interviews, one or more officials from the local People's Committee or a mass organisation were always present (cf. Reis, 2012, pp. 26–31 for a discussion of the practicalities of field research in Vietnam). Reliability and validity were pursued within the spaces of trust and informality that nevertheless occurred in interview and observation situations, and in the context of the larger project, by comparison with and discussion about findings of Vietnamese and non-Vietnamese colleagues.

3. Cf. Reis (2012, pp. 104–07) for a detailed description.

4. It is difficult to assess how many people have access to clean water, as available data show substantially different results. Based on available official data and our own assessments, we estimated that access to clean water is problematic for around 30–50 per cent of the rural population in Can Tho City.

5. For a description of Vietnam's political and administrative system, see Waibel (2010, pp. 9–14).

6. Cf. Note 16.

7. The other three are "the recognition of the rule of law", "sharing governance between public administrative units" and "the culture of meritocracy" (Vasavakul, 2006, p. 150).

8. Cross-subsidisation by the more profitable urban water supply is not possible as this is privatised.

9. Based on CERWASS data and data of the water operator for urban areas, Can Tho Water Supply and Sanitation Company (CTWSSC).

10. See Reis (2012) on the questionable reliability of RWS statistics.

11. Party membership is a prerequisite for higher-level government officials (Gainsborough, 2005b; McCarty, 2001; Gillespie, 2002; Beeson and Pham, 2012).

12. Gainsborough (2005a) found the same phenomenon when conducting research in Ho Chi Minh City and two provinces in North Vietnam. McCarty (2001) notes that in Vietnam, the "correlation of wealth with official positions (or with relations in official positions) is remarkable".

13. Interview with staff of an international engineering and consulting company working in Vietnam (interviewee known to authors).

14. Benedikter (2009) describes how high-ranking cadres of DONRE in Can Tho, when environmental problems became increasingly pressing in the early 2000s, sensed the future business opportunities in the sector and established a company specialising in a wide range of environmental and water management services. It may be hypothesised that "business fields" coincide with agency domains as the commissioning of projects depends on agency permission and involves the same social network. For entrepreneurs to become active in a different agency's domain would require finding ways to get permissions from another agency than the one one is part of as a bureaucrat. A less speculative account of the dynamics of establishing, securing and expanding "business fields" would require additional research.

15. For detailed discussion of "state-related accumulation" and the emergence of a "New Class" in Vietnam, see Cheshier (2010, pp. 91–145). For discussion of the continuity of direct state involvement in the Vietnamese economy despite decentralisation and "equitisation", see Gainsborough (2007) and Beeson and Pham (2012).

16. Benedikter (2009) and Gainsborough (2005a) base their statements on data compilations from statistical yearbooks from various years (1990–2008).

17. For discussion of the connection between economic growth and democratisation, see Bueno de Mesquita and Downs (2005).

18. On "regime legitimacy", involving the role of the VCP as a vanguard party in the Marxist-Leninist sense, Confucianism, and the presence of external threats to the nation, see Tai (1992, pp. 262–63), Porter (1993, p. 4) and Gillespie (2002, p. 183).

19. Cf. Note 2.

20. The "formal sphere" of the Vietnamese state creates not only internal but also external legitimacy. Vietnam is the number one recipient of World Bank IDA funds and is considered a "best practice" case in international "development" (Cling et al., 2009, p. 4). Vietnam's formal policy practices resonate with the instrumentalist approaches of international organisations and donors. Ironically, international donors thus help to reproduce an authoritarian political regime under an agenda of democratic governance reform (Reis, 2012).

21. Article 4 of the Constitution of the Socialist Republic of Vietnam says: "The Communist Party of Vietnam, the vanguard of the Vietnamese working class and loyal representative of the interests of the working class, the working people and the whole nation, who adheres to Marxism-Leninism and Ho Chi Minh's thought, is the force assuming leadership of the State and society".

22. State power, accordingly, has to be investigated based on an understanding of "power as right" rather than "power as quantitative capacity" (cf. Hindess, 1996).

23. Cf. London's (2009) assessment of authoritarianism in Vietnam.

24. Based on our general knowledge on Vietnam, there seems no ground to assume that the RWS sector is an exceptional case. However, this needs to be established in future research.

25. On the suppression of free speech and government repression in Vietnam, see Thayer (2012) and Pham (2013).

26. See, for instance, the international donors' framing of Vietnam's RWS problem: "The key institutional challenge remains the provision of practical support; training and capacity building of implementation units at provincial level to assist operationalize guidelines" (Governments of Vietnam, Australia, Denmark and The Netherlands, 2009, p. 5).

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