

HAYDON CHERRY<sup>1</sup>

## The State in Vietnam\*

What is the state? In 1651, the English philosopher Thomas Hobbes answered this question in his most famous work, *Leviathan*. When it was published, the book attracted notoriety for its attack on the Anglican ecclesiastical order, but it is better known today for its articulation of a distinctively modern understanding of the state. “By art is created that great Leviathan called a Commonwealth or State,” Hobbes wrote, “which is but an Artificial Man.” Hobbes set out to “describe the nature of this artificial man.” *Leviathan* was “of greater stature and strength than the natural, for whose protection and defense it was intended; and in which the sovereignty is an artificial soul, as giving life and motion to the whole body.” And so, “the magistrates, and other officers of judicature and execution, artificial joints; reward and punishment, by which fastened to the seat of the sovereignty every joint and member is moved to perform his duty, are the nerves, that do the same in the body natural.” The wealth of the people its strength; their well-being, its business; ministers of state its memory; “equity and laws, an artificial reason and will”; peace a sign of health; sedition of sickness; and “civil war, death.”<sup>2</sup>

Hobbes’s understanding of the state emerged from a long period of conceptual innovation among European political theorists. The Latin term *status*—as well as its vernacular equivalents such as *estat*, *stato*, and *state*—can be found in general use in various political contexts as early as the

fourteenth century. It was most often used to refer to the state or standing of rulers themselves. By the end of the fourteenth century, the term *status* had also come to be used to refer to the state or condition of the realm or commonwealth over which a ruler presided. *Status* gradually began to acquire its modern range of reference in the city-states of the Italian Renaissance as its meaning was taken up, modified, and extended by figures such as Vespasiano da Bisticci in his *Le vite*, Niccolò Machiavelli in *Il principe* and his *Discorsi sopra la prima deca di Tito Livio*, and Francesco Guicciardini in his *Dialogo e discorsi del reggimento di Firenze*. *Stato* came to refer not only to the prevailing political regime but also to the institutions of government and the means of coercive control used to organize and defend order within such a regime. The person of the ruler increasingly came to be understood as separate from the office of the ruler. In the early seventeenth century, writers as varied as Jean Bodin, Francisco Suárez, and Hugo Grotius began to argue that for a civil or political association to achieve its ends, a single and supreme sovereign authority must be established, whose power is separate from the people who originally instituted it, and from the office-holders who wield its powers. They called such a political authority a commonwealth, *civitas*, *respublica*, or *république*. But none of these terms rendered their meaning adequately. Instead, they began to write of the *state*. This tradition culminated in the description of the state in the introduction to *Leviathan*, in which Hobbes used the term to refer to an impersonal form of political authority distinct from both those who govern and those who are governed.<sup>3</sup>

The British colonial administrator John S. Furnivall (1878–1960) understood the state in precisely this way. If Hobbes is the preeminent philosopher of the modern state, Furnivall is, perhaps, the most admired student of the modern state in Southeast Asia. Furnivall was educated at Trinity Hall at the University of Cambridge. In 1902, he arrived in British Burma and took up an appointment as Assistant Commissioner and Settlement Officer, first at the port of Moulmein (Mawlamyine) and then at Toungoo (Taungoo). In 1906, Furnivall founded the Burma Research Society, which began to publish a journal in 1910. After twenty years of service, Furnivall retired from the Indian Civil Service in 1923 and returned to Britain in 1931. He studied Dutch colonial administration at Leiden University from 1933 to 1935 and became a lecturer at the University of Cambridge in 1936.<sup>4</sup> In 1939, Furnivall

published a long essay on the beginnings of British rule in Burma, entitled “The Fashioning of Leviathan.” The essay was based on the correspondence of two early British commissioners in Tenasserim and informed by an ironic and occasionally arch reading of Hobbes’s *Leviathan*.<sup>5</sup> It was an attempt to trace “step by step the incorporation in the Indian Empire of newly conquered territory; the building up of a local administrative organization; the gradual adjustment and adaptation of this local organization to the mechanism of the central government; and finally, the assimilation of the new province with the general imperial system.”<sup>6</sup> According to Furnivall, the main goal of the early colonial state in Burma was to create and liberate wealth: “Leviathan had not come to Burma to keep things as they were,” he writes. “He had come intending to make changes, such changes as should develop the natural resources of the country. Normally, society is organized for life,” Furnivall noted, but “the object of Leviathan was to organize it for production. His aim was to turn cities into factories, and villages into workshops.”<sup>7</sup> But Leviathan inadvertently did very much more than that: “While Leviathan was endeavoring with such moderate success to build up a framework of regulations,” Furnivall laments, “he was breaking down, involuntarily but effectually, all those aspects of life which could not be fitted into it.” As Leviathan strode through Burma, he left a trail of wreckage behind him. The people deserted the monasteries and lost their reverence for the sangha. Popular education declined. But, “worst of all,” Furnivall thought, “the substitution of paid officials for the hereditary district headmen, and the influx of aliens were sapping the foundations of society, the normal ties of common life in towns, villages and families.”<sup>8</sup> Leviathan might be well intentioned, but he was also graceless and clumsy.

In considering the fashioning of Leviathan in twentieth-century Vietnam, Hobbes and Furnivall are “good to think” with.<sup>9</sup> In *Leviathan*, Hobbes succinctly described the principle features of the modern state. His political philosophy provides rich theoretical resources for reflecting on issues such as how states are formed; the nature of sovereign power; the rights and responsibilities of subjects; the nature of liberty; the responsibilities of ministers; the origins and nature of law; the causes of crime and the justice of punishment; and threats to the continued existence of the state, among others. Hobbes is best known as an apologist for absolutist government

which makes his thought particularly germane for understanding the authoritarian rule of the Vietnamese Communist Party. Furnivall documented the difficulties of establishing a modern state in British Burma and provides a useful comparison for the early years of French rule in Vietnam. Furnivall lamented that the colonial state, organized primarily for economic extraction, eroded “the normal ties of common life” in Tenasserim. His admonitions might equally apply to the social problems caused by neo-liberal economic policies in contemporary Vietnam.<sup>10</sup>

Leviathan has taken many forms and many names in twentieth-century Vietnam. The French ruled Tonkin in the north and Annam in the center indirectly as protectorates; the protected government of the Nguyễn dynasty had its capital at Huế. They ruled Cochin China directly as a colony. Along with Cambodia and Laos, Tonkin, Annam, and Cochin China formed the Union of Indochina. In March 1945, the Japanese ended French administrative authority and the Empire of Vietnam, led by Trần Trọng Kim, governed until the collapse of the Japanese military structure at the end of August 1945. In early September 1945, Hồ Chí Minh declared the independence of the Democratic Republic of Vietnam, which lay claim to the former territories of Tonkin, Annam, and Cochin China. In 1946, however, French revanchists and Vietnamese favoring a decentralized federal state proclaimed Cochin China an autonomous republic. In 1948, French administrators agreed to let Vietnamese opposed to communism form the Provisional Central Government of Vietnam, which unified Tonkin and Annam with Cochin China, to form the State of Vietnam in 1949. The former emperor Bảo Đại became the head of the new state which lay claim to the same territory as the Democratic Republic of Vietnam. In 1955, Ngô Đình Diệm defeated Bảo Đại in a plebiscite to become the first president of the Republic of Vietnam, which succeeded the State of Vietnam as the government below the seventeenth parallel. The Democratic Republic of Vietnam defeated the Republic of Vietnam in April 1975, uniting the two countries to form the Socialist Republic of Vietnam in July 1976.<sup>11</sup>

The seven essays in this special issue of the *Journal of Vietnamese Studies* document the fashioning of Leviathan in twentieth-century Vietnam, from colonial Tonkin in the late 1930s, to the contemporary Socialist Republic of Vietnam. The first six essays, all written by historians, address three main

aspects of the modern state: the role of institutions; the exercise of sovereignty; and the effects of law and the legal system. A coda by a political scientist concludes this special issue.

## Institutions

Furnivall believed that the institutions of the colonial state were inadequate. “Leviathan has no soul,” he declared. “The things of Caesar are the things of this world.” Because of this, “Leviathan is unaware of any morality that cannot be measured in pounds sterling or pounds avoirdupois. His machinery is regulated by the laws of common sense, and he will grind out bread so long as he can go on grinding at a profit.”<sup>12</sup> Furnivall gave an inventory of this machinery in his essay. It included the implementation of laws and a system of justice, jails, police, roads, buildings, material progress, gambling, opium, drink, the collection of land and other miscellaneous forms of revenue, and the conduct of foreign policy.<sup>13</sup> The state in Britain was increasingly concerned with the provision of public goods and the welfare of its people.<sup>14</sup> But in Burma, Furnivall wrote, “to Leviathan his subjects are no more important than the natural resources which they develop; they are just instruments of production.”<sup>15</sup> The state in French Indochina was just as preoccupied with *mise en valeur*.<sup>16</sup> In its early years, it struggled to raise revenue, and its administration of Cochin China, Annam, and Tonkin was piecemeal and haphazard.<sup>17</sup> The institutions it established—its schools, prisons, and hospitals—were never equivalent in quality to those in France.<sup>18</sup>

Hobbes believed one of the duties of the modern state was to provide for the needy and destitute. “Whereas many men, by accident inevitable, become unable to maintain themselves by their labor,” he wrote, “they ought not to be left to the charity of persons; but to be provided for, as far forth as the necessities of nature require, by the laws of the commonwealth.”<sup>19</sup> But the state in French Indochina did little to aid the needy, feed the hungry, and house the poor.<sup>20</sup> This was evident to the Self-Strength Literary Group [Tự Lực Văn Đoàn] which included the prominent writers Nhất Linh, Khải Hưng, Thạch Lam, and Hoàng Đạo. In 1937, the group established the League of Light [Hội Ánh Sáng or Đoàn Ánh Sáng], a private charitable organization, to remedy the unsanitary housing situation in colonial Tonkin. The League raised funds through membership subscriptions and public fairs;

it built housing in Phúc Xá, a commune outside of Hà Nội; it erected model homes in Bất Bạt and Kiến An; and it built a model village in Bắc Giang. In her essay, Martina Thuchhi Nguyen argues that the leaders of the League of Light had hopes beyond improving the living conditions of poor Vietnamese: they wanted to change the habits and customs of the rural masses by changing their lived environment and they wanted to engender a sense of civic duty and social responsibility among the urban elite who were members of the League of Light. The League was part of an incipient bourgeois civil society in colonial Tonkin. Excluded from taking part in the formal political system, its members formed an institution to provide social services neglected by the colonial state. But the League proved short-lived. After the Hà Nội journal *Vịt Đực* [The Drake] criticized the League for manipulating public sympathy and mismanaging its funds, its membership declined. It disbanded early in the Second World War.

Furnivall thought that it was a weakness of Leviathan that “his servants, the administrators and officials on whom he depends to keep his machinery going, are men, and, being human, cannot live by bread alone.”<sup>21</sup> They were prone to indolence, inefficiency, and cupidity which eroded the institutions of the state. The institutions of the State of Vietnam and its successor, the Republic of Vietnam, were sometimes ineffective, incompetent, or corrupt. Between 1954 and 1955, more than 860,000 people, most of whom were Catholic, migrated from northern to southern Vietnam. In September 1954, the State of Vietnam established the General Commission for Migrants and Refugees [Phủ Tổng Ủy Di Cư và Tị Nạn], a cabinet-level agency responsible for resettling the migrants. Jason A. Picard argues in his important essay that the history of the General Commission reveals four aspects of the southern Vietnamese state. First, the enormous number of migrants overwhelmed the southern state. Unprepared for their arrival, the General Commission settled large numbers of them near Sài Gòn. Malaria, dysentery, pneumonia, and other infectious diseases spread among the migrants who went without the land and financial assistance that the southern state had promised them. Second, the state badly mismanaged the resettlement of the migrants. Corruption was rampant among General Commission officials and vast amounts of money simply vanished, including nine million dollars during the Battle of Sài Gòn in April 1955. Third, because the southern state was

overwhelmed as well as corrupt and incompetent, it had to rely on northern Catholic clergy, such as Bishop Phạm Ngọc Chi, to lead and organize the new migrants. The southern government turned to the Catholic clergy not out of confessional affinity but simple expedience. Finally, Picard argues, the General Commission shaped later state agencies in the southern government, especially those responsible for land reform and development. The General Commission for New Land Development [Phủ Tổng Ủy Dinh Điền], established in April 1957, inherited many of the personnel of the recently dissolved General Commission for Migrants and Refugees. The last chief of that agency, Bùi Văn Lương, became Secretary of State of the Interior and headed the Inter-ministerial Committee for Strategic Hamlets.

In his essay, Picard eschews the historiographical tendency to equate the southern Vietnamese state with its leader Ngô Đình Diệm and his brother Ngô Đình Nhu. By focusing instead on the history of an early institution of that state, Picard reveals its limitations and weaknesses, and provides a partial genealogy for the ill-fated Strategic Hamlet Program.<sup>22</sup>

## Sovereignty

Hobbes wrote in *Leviathan* that a sovereign has by the authority “given him by every particular man in the commonwealth . . . the use of so much power and strength conferred on him, that by terror thereof, he is enabled to form the will of them all, to peace at home, and mutual aid against their enemies abroad.”<sup>23</sup> Sovereignty consists, therefore, in the recognition of the supreme authority of the sovereign in a territory. This authority is necessarily unitary and absolute. But Hobbes was aware that such power could be challenged or contested, even if it could not be shared. In *Behemoth*, his history of the English Civil War, Hobbes wrote of the *de jure* sovereign, Charles I, and the *de facto* sovereign, the army, after the king was captured.<sup>24</sup> A state might have *de jure* sovereignty, even if bandits or strongmen have *de facto* sovereignty in certain areas.<sup>25</sup>

Sovereignty in the State of Vietnam was contested throughout its short history. On July 1, 1949, the Bảo Đại emperor issued decrees that formally established the state. This new state united the colony of Cochin China with the protectorates of Annam and Tonkin. But throughout its short history the State of Vietnam struggled for dominance against the Democratic Republic

of Vietnam, the militia of the Hòa Hảo and Cao Đài new religious groups, the Bình Xuyên, and other armed groups. In an empirically rich and theoretically sophisticated essay, Brett Reilly argues that the State of Vietnam was a product of *bricolage*, assembled from the institutions, ideologies, practices, and personnel it inherited from the Nguyễn government, the French colonial administration, the Japanese-sponsored Empire of Vietnam, and the French-sponsored Autonomous Republic of Vietnam, as well as political parties such as the Vietnamese Nationalist Party and the Đại Việt Party. Leviathan was a chimera of many parts. Expressions of sovereignty in the State of Vietnam were not absolute and indivisible, Reilly argues, but rather part of a contingent repertoire of claims and practices, acquired from diverse sources, meant to extend the recognition of authority.

The Bình Xuyên was among the most important groups to challenge that authority. The Bình Xuyên was an alliance of armed groups that took its name from an infamous hamlet south of the region of Sài Gòn-Chợ Lớn. Gangsters, martial arts masters, and labor overseers led a motley assembly of farmers, laborers, fugitives, and local ruffians who dominated pockets of territory on the edge of the city. By 1947, they comprised seven well-armed detachments of nearly two thousand men. In his detailed and meticulously documented essay, Kevin Li argues that throughout the First Indochina War, the Bình Xuyên controlled or tried to control the same territory from which its leaders and many of its members originated. If the State of Vietnam had *de jure* sovereignty over Sài Gòn-Chợ Lớn, to use the language of Hobbes, the Bình Xuyên briefly achieved *de facto* sovereignty over the region. The leader of the Bình Xuyên, Bảy Viễn, and his henchmen saw their domination of Sài Gòn-Chợ Lớn as part of the broader Vietnamese effort to wrest control of Vietnam from the French. Furthermore, the military strength and ideological flexibility of the Bình Xuyên made them attractive allies to the Democratic Republic of Vietnam and its rivals, the Autonomous Republic of Cochinchina and French military forces. Competition for Bình Xuyên allegiance strengthened the influence of Bảy Viễn and his claims to power in Sài Gòn-Chợ Lớn.

## The Law

“Leviathan is a creature of the Law,” wrote Furnivall. “It is by the law he lives, and laws and regulations are both the substance of his being and the basis of

his power.”<sup>26</sup> But what is the law? Hobbes defined civil law as “those rules, which the commonwealth hath commanded him, by word, writing, or other sufficient sign of the will, to make use of, for the distinction of right and wrong; that is to say, of what is contrary, and what is not contrary to the rule.” According to Hobbes, Leviathan was the source of all law and also above the law. “The sovereign of a commonwealth, be it an assembly, or one man, is not subject to the civil laws,” Hobbes stated. “For having power to make, and repeal laws,” he argued, Leviathan “may when he pleaseth, free himself from that subjection, by repealing those laws that trouble him, and making of new; and consequently he was free before.”<sup>27</sup> Leviathan may act arbitrarily.

A short story in the Vietnamese journal *Văn Nghệ* [Literature and Arts] made this point allegorically. In the story an emperor believed that he had a “mandate to dispense justice throughout his kingdom.” The emperor instructed his servants to hang a bell outside of his palace so that “by ringing this bell, those seeking justice can present their appeals before the emperor” for immediate satisfaction. One night, a stray cow arrived in front of the palace, and mistaking the bell for a block of sugar, began to lick it. The peal of the bell summoned the emperor. But when the emperor discovered that an animal had wrung the bell he decided that “animals in this kingdom are also my subjects and deserve justice.” The emperor saw that the cow was bruised and ordered his guards to find the animal’s owner and beat him. The owner pleaded with the emperor: “I have never beaten this animal. Please ask anyone to testify that they have seen me whip my cow.” The petition infuriated the emperor. “When I deliver judgements,” he declared, “no testimony or evidence is ever needed. My bailiff arrested you. I have convicted you. You are therefore guilty.” The owner of the cow was punished as the emperor retreated to his chambers, content that justice had been served.<sup>28</sup> In this story, the word of the emperor determined what was just or unjust.

The state in the Democratic Republic of Vietnam (DRV) sometimes behaved as though it subscribed to this command theory of law. In the Fall of 1956, a group of prominent artists, writers, intellectuals, and academics in Hà Nội began to publish two critical, oppositional journals: *Nhân Văn* [Humanity] and *Giai Phẩm* [Masterworks]. The journals criticized the increasingly authoritarian and corrupt nature of Communist rule in the

DRV and they called for a number of liberal reforms. The state banned the journals in December 1956 and punished their contributors by smearing them in the press, subjecting them to public self-criticism, dismissing them from their employment, and sending them into exile. In January 1960, the Supreme People's Court in Hà Nội staged a show trial of five individuals linked to the two journals: Nguyễn Hữu Đang, a political organizer and communist theoretician; the writer Lưu Thị Yến, better known by her *nom de plume* Thụy An, who supported the journals; Trần Thiều Bảo, the publisher who printed and distributed them; and Phan Tội and Lê Nguyên Chí, two minor figures associated with the other defendants. In his essay, Peter Zinoman draws on the report of the trial prepared by the presiding judge Nguyễn Xuân Dương. The report detailed the interrogation of Thụy An and Nguyễn Hữu Đang, gave an account of the courtroom trial, and included a number of observations about the case. Zinoman argues that organs of the DRV state, such as the Security Police, the Supreme People's Court, and the Procuracy, viewed the defendants as perpetrators of relatively minor ideological transgressions; the Central Committee of the Vietnam Workers' Party, however, insisted that the defendants were guilty of serious crimes which should be severely punished. That the Central Committee prevailed, Zinoman argues, demonstrates the complete dominance of the party over the state during the early history of the DRV. The report also revealed that both the indictment and sentence were prepared before the trial. Like the emperor in the short story, the state, guided by the party, arbitrarily determined the guilt of the defendants.

The state could also use the law to shape culture, sometimes deliberately, at other times unintentionally. In 1986, the Vietnamese Communist Party began a series of policy reforms, known as *Đổi Mới* or Renovation, to improve the floundering economy of the Socialist Republic. In her innovative and rigorous essay, Trinh My Luu provides a careful, deeply contextualized reading of the novel *Paradise of the Blind* [*Những Thiên Đường mù*] by Dương Thu Hương, first published in 1988. Renovation entailed not only economic reforms but also regulatory and legal reforms and the promulgation of a new body of socialist law. Luu argues that, contrary to conventional accounts of the Renovation period, it was the far-reaching implementation of a new socialist legal culture that promoted the putative artistic freedom of

the Renovation period. Changes in the law loosened the constraints under which journalists, writers, artists, and musicians worked and reshaped prevailing notions of justice, fairness, freedom, and human rights. *Paradise of the Blind*, Luu shows, reflects and reinforces these changing conceptions as its protagonist Hằng travels to Moscow to visit her uncle and recalls her family's experience of Land Reform at the end of the First Indochina War. The law determined not only what was permissible or impermissible, legal or illegal, it also shaped the conditions of what could be thought or not thought, said or not said.

## Coda

In the coda to this special issue of the journal, Tuong Vu considers the role of the Vietnamese Communist Party in fashioning the modern Vietnamese state after 1945. Vu argues that the radical ideology of the party created both opportunities and problems that shaped the development of the state. It affected the ways in which the state proved its legitimacy, established its sovereignty, defined and defended its territory, developed bureaucratically, and exercised its monopoly over the use of violence. The Vietnamese Communist Party has indelibly shaped the modern Vietnamese state: it has domesticated Leviathan for its own ends.

## Conclusion

In the original frontispiece to Hobbes's *Leviathan*, a giant crowned figure emerges from the landscape, holding a sword and crosier, beneath a quote from the Book of Job: "Non est potestas Super Terram quae Comparatur ei" – "Upon earth there is not his like who is made without fear," linking the figure to the monster in that book.<sup>29</sup> In the Book of Job, Leviathan is a monstrous fish: "his teeth are terrible round about, his scales are his pride, shut up together as with a close seal . . . out of his mouth go burning lamps, and sparks of fire leap out. Out of his nostrils goeth smoke, as out of a seething pot or caldron. His breath kindleth coals, and flame goeth out of his mouth . . . his heart is as firm as stone, yea, as hard as a piece of the nether millstone."<sup>30</sup> Hobbes reminds his readers that despite his artifice, Leviathan is a monstrous, fearsome creature.

The modern Vietnamese state is also fearsome for some. The state restricts basic rights, including freedom of speech, opinion, press, association, and religion. In 2015, for example, the police prevented unsanctioned Hòa Hảo groups from commemorating the birth and death of Huỳnh Phú Sổ and the founding of the Hòa Hảo religion. In Hồ Chí Minh City, local authorities prevented an independent Mennonite church from gathering to pray. Those who protest restrictions, such as human rights activists and bloggers, are routinely harassed, intimidated, assaulted, and imprisoned. In 2015, the provincial People's Court of Đồng Nai charged Phạm Minh Vũ, Đỗ Nam Trung, and Lê Thị Phương Anh under Article 258 of the Penal Code for "abusing the rights to freedom and democracy to infringe upon the interests of the state."<sup>31</sup> In Thanh Hóa province, the police charged Đinh Tất Thắng under the same article after he sent out letters critical of the police and provincial leaders. The state deprives cultivators of their land without adequate compensation and forbids workers from forming independent labor unions. The criminal justice system lacks independence and the police use torture and beatings to extract confessions: in the first nine months of 2015, plainclothes agents beat at least forty bloggers and activists. The state also exploits detainees at drug rehabilitation centers to produce goods for local markets and for export.<sup>32</sup> By turning our attention to the fashioning of Leviathan in preceding periods, Peter Zinoman has suggested, historians might better understand the origins of the violent and highly repressive state in Vietnam today.<sup>33</sup> And what historians need to understand, the contemporary Vietnamese state must also try to understand. For as Furnivall warned, "Leviathan himself must fail unless he can adapt himself to human nature. Fashioned by Art, he must be born again by grace beyond the reach of art."<sup>34</sup>

HAYDON CHERRY is an assistant professor in the Department of History at Northwestern University.

### Notes

\* The papers in this special issue of the *Journal of Vietnamese Studies* were first presented at a workshop entitled *The State in Vietnam and the State of Vietnamese*

*Studies* held at Harvard University on April 25–26, 2015. The editors are grateful to Hue-Tam Ho Tai and the Harvard University Asia Center for their generous financial support which made the workshop possible. They would also like to thank Christopher Goscha, who gave the keynote address, and whose extraordinary work of scholarship, *Vietnam: un état né de la guerre* (Paris: Armand Collin, 2011) inspired the theme of the workshop.

1. I would like to thank Mara Caden, Claire Edington, Michael Montesano, Brett Reilly, and Peter Zinoman for their comments on earlier drafts and sections of this introduction. I alone am responsible for its remaining faults and shortcomings.
2. Thomas Hobbes, *Leviathan: Or the Matter, Forme and Power of a Commonwealth Ecclesiastical and Civil*, ed. Michael Oakeshott (New York: Collier, 1962), 19. My understanding of the political philosophy of Thomas Hobbes has been shaped by Richard Tuck, *Hobbes* (Oxford: Oxford University Press, 1989); Alan Ryan, “Hobbes’s political philosophy” in Tom Sorrel ed., *The Cambridge Companion to Hobbes* (Cambridge: Cambridge University Press, 1996), 208–245; and Philip Pettit, *Made with Words: Hobbes on Language, Mind, and Politics* (Princeton, N.J.: Princeton University Press, 2008). The best intellectual biography of Hobbes that I am aware of is A.P. Martinich, *Hobbes: A Biography* (Cambridge: Cambridge University Press, 1999).
3. See Quentin Skinner, “The State,” in Terence Ball, James Farr, and Russell L. Hanson eds., *Political Innovation and Conceptual Change* (Cambridge: Cambridge University Press, 1989), 90–131; *idem*, “The Ideological Context of Hobbes’s Political Thought,” *The Historical Journal* 9, no.3 (1966): 286–317. See also *idem*, *The Foundations of Modern Political Thought*, 2 vols. (Cambridge: Cambridge University Press, 1978).
4. For Furnivall’s biography and intellectual background see Julie Pham, “Ghost-Hunting in Colonial Burma: Nostalgia, Paternalism and the Thoughts of J.S. Furnivall,” *South East Asia Research* 12, no.2 (2004): 237–268; *idem*, “J.S. Furnivall and Fabianism: Reinterpreting the ‘Plural Society’ in Burma,” *Modern Asian Studies* 39, no.2 (2005): 321–348.
5. See J.S. Furnivall, “The Fashioning of Leviathan: The Beginnings of British Rule in Burma,” *Journal of the Burma Research Society* 29, no.1 (April 1939): 3–137. The article was published in Rangoon in the same year as a short book by the Zabu Meitswe Pitaka Press. Furnivall grounded his account in the correspondence of A.D. Maingy, the first British Commissioner at Tenasserim (Tanintharyi), and his successor, E.A. Blundell, which Furnivall had earlier edited for publication while he was Commissioner at Mergui (Myeik). See *Correspondence for the year 1825–1826 to 1842–43 in the Office of the Commissioner, Tenasserim Division* (Rangoon: Office of the Superintendent,

- Government Printing, Burma, 1929), first published in 1915; and *Selected Correspondence of Letters Issued From and Received In the Office of the Commissioner, Tenasserim Division for the years 1825–26 to 1842–43* (Rangoon: Superintendent, Government Printing and Stationery, Burma, 1928), first published in 1918. In this introduction, I have relied upon the republication of “The Fashioning of Leviathan,” edited by Gehan Wijeyewardene: see John S. Furnivall, *The Fashioning of Leviathan: The Beginnings of British Rule in Burma*, ed. Gehan Wijeyewardene (Canberra: Published in association with the Economic History of Southeast Asia Project and the Thai-Yunnan Project, 1991). Furnivall is perhaps most famous for his comparative study of European domination in the “tropical dependencies” of British Burma and the Netherlands East Indies and the development in those places of a “plural society.” See J.S. Furnivall, *Colonial Policy and Practice: A Comparative Study of Burma and Netherlands India* (New York, N.Y.: Oxford University Press, 1956). Unfortunately, Furnivall wrote almost nothing about French Indochina. See Frank N. Trager, *Furnivall of Burma: An Annotated Bibliography of the Works of John S. Furnivall* (New Haven, Conn.: Yale University Southeast Asia Studies, 1963).
6. Furnivall, *Fashioning*, 2. For a provocative commentary on “The Fashioning of Leviathan,” see Danilyn Rutherford, “Laughing at Leviathan: John Furnivall, Dutch New Guinea and the Ridiculousness of Colonial Rule,” in James T. Siegel and Audrey Kahin eds., *Southeast Asia Over Three Generations: Essays Presented to Benedict R. O’G. Anderson* (Ithaca, N.Y.: Southeast Asia Program Publications, 2003), 27–46.
  7. Furnivall, *Fashioning*, 157.
  8. Furnivall, *Fashioning*, 155–156.
  9. The phrase is from Claude Lévi-Strauss, *Totemism*, trans. Rodney Needham (London: Merlin, 1964), 89. I have taken some liberty using the phrase as I have.
  10. See the special issue of *positions: asia critique* 20, no.2 (2012) edited by Christina Schwenkel and Ann Marie Leshkovich on neo-liberalism in contemporary Vietnam.
  11. For a very fine discussion of the states outlined here, see Christopher Goscha, *Vietnam: A New History* (New York, N.Y.: Basic Books, 2016), *passim*.
  12. Furnivall, *Fashioning*, 87.
  13. On the purpose of the colonial state and its institutions, see Robert H. Taylor, *The State in Myanmar* (Singapore: NUS Press, 2009), esp. 67–80.
  14. See Joanna Innes, “Forms of ‘Government Growth,’ 1780–1830,” in David Feldman and Jon Lawrence ed., *Structures and Transformations in Modern British History* (Cambridge: Cambridge University Press, 2011), 74–99. On the transformation of the colonial state in this period, see C.A. Bayly, “The First Age of Global Imperialism, c. 1760–1830,” *Journal of Imperial and Commonwealth*

- History* 26, no.2 (1998): 28–47. I am grateful to Deborah Cohen for drawing my attention to the essay by Joanna Innes.
15. Furnivall, *Fashioning*, 87.
  16. For a concise discussion of colonial economic development, see Pierre Brocheux and Daniel Hémerly, *Indochina: An Ambiguous Colonization, 1858–1954* (Berkeley, Calif.: University of California Press, 2009), 116–180.
  17. See Chantal Descours-Gatin, *Quand l’opium finançait la colonisation en Indochine* [When Opium Financed Colonization in Indochina] (Paris: L’Harmattan, 1992); Paul Doumer, *L’Indo-Chine française (Souvenirs)* [French Indochina: Memories] (Paris: Vuibert et Nony, 1905).
  18. On these institutions, see Gail Paradise Kelly, “Franco-Vietnamese Schools, 1918–1938,” (PhD dissertation, University of Wisconsin, Madison, 1975); Peter Zinoman, *The Colonial Bastille: A History of Imprisonment in Vietnam, 1862–1940* (Berkeley, Calif.: University of California Press, 2001); Laurence Monnais-Rousselot, *Médecine et colonisation, l’aventure indochinoise, 1860–1939* [Medicine and Colonization: The Indochinese Adventure, 1860–1939] (Paris: CNRS Édition, 1999).
  19. Hobbes, *Leviathan*, 255.
  20. See Van Nguyen-Marshall, *In Search of Moral Authority: The Discourse on Poverty, Poor Relief, and Charity in French Colonial Vietnam* (New York, N.Y.: Peter Lang, 2008); Ngo Vinh Long, *Before the Revolution: The Vietnamese Peasants Under the French* (New York, N.Y.: Columbia University Press, 1991), 121–136.
  21. Furnivall, *Fashioning*, 87.
  22. On which see Philip E. Catton, *Diem’s Final Failure: Prelude to America’s War in Vietnam* (Lawrence, Kans.: University of Kansas Press, 2003); Edward Miller, *Misalliance: Ngo Dinh Diem, the United States, and the Fate of South Vietnam* (Cambridge, Mass.: Harvard University Press, 2013).
  23. Hobbes, *Leviathan*, 132.
  24. See Thomas Hobbes, *Behemoth*, ed. Paul Seaward (Oxford: Oxford University Press, 2014).
  25. The distinction between *de jure* and *de facto* sovereignty helps avoid some of the conceptual confusion around “divided sovereignty.” Hobbes solved the “problem of sovereignty” when he first defined it. On this problem see James Sheehan, “The Problem of Sovereignty in European History,” *American Historical Review* 111, no.1 (2006): 1–15.
  26. Furnivall, *Fashioning*, 19.
  27. Hobbes, *Leviathan*, 198–199. Hobbes is very obviously both a command theorist and a legal positivist. On Hobbes’s philosophy of law, see M. M. Goldsmith, “Hobbes on Law,” in Tom Sorrel ed., *The Cambridge Companion to Hobbes* (Cambridge: Cambridge University Press, 1996), 274–304.

28. Hà Vinh, “Công lý của Hoàng Đế” [The Justice of the Emperor], *Văn Nghệ* [Literature and the Arts] (March 26, 1988), 8. I am very grateful to Lưu Mỹ Trinh for furnishing me with this article and her translations of the relevant passages (modified here).
29. On the title page to *Leviathan*, see Keith Brown, “The Artist of the *Leviathan* Title-Page,” *British Library Journal* 4,1 (1981): 24–36.
30. The quotes are from the Authorized Version, Book of Job, Chapter 41.
31. Xét xử 3 bị cáo tham gia kích động, gây rối. [Three Defendants Stand Trial for Agitation and Political Unrest], *Đông Nai*, February 13, 2015, <http://www.baodongnai.com.vn/tintuc/201502/xet-xu-3-bi-cao-tham-gia-kich-dong-gay-roi-2370114/> (accessed: November 16, 2016).
32. “Vietnam: 2015 Trafficking in Persons Report,” *United States Department of State*, 2015, <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243563.htm> (accessed: November 16, 2016); “World Report 2016. Vietnam. Events of 2015,” *Human Rights Watch*, 2016, <https://www.hrw.org/world-report/2016/country-chapters/vietnam> (accessed: November 16, 2016); Claire Edington, “Drug Detention and Human Rights in Post-Doi Moi Vietnam,” in Jyotsna G. Singh and David D. Kim eds., *The Postcolonial World* (New York: Routledge, 2017), 325–342.
33. In a series of reflections at the end of the Harvard workshop, Peter Zinoman suggested that the problem with writing Vietnamese history is, perhaps, not that it is teleological, but that it needs a new *telos*: the repressive contemporary state.
34. Furnivall, *Fashioning*, 160.