



*Trung Hòa-Nhân Chính: Constructing a New Urban Center in Hanoi.*  
Photo by Christina Schwenkel



## Neo-Geomancy and Real Estate Fever in Postreform Vietnam

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### Urban Geomancers

*Phong thủy*, the Vietnamese name for feng shui, is the latest fashion in Ho Chi Minh City, Hanoi, and anywhere else that new money turns into the brick, concrete, tile, and plaster homes that increasingly define the pastel cities of postreform-era Vietnam. New construction pulses with the vibrancy of geomancy, as private builders, guided by specially trained architects, phong thủy specialists, and *thầy bói* (diviners), seek to catch the symbolic energies of wind (*phong*) and water (*thủy*). But new buildings that harness the flow of energy in some directions disrupt it just as surely in others. In other words, what you do with your home affects what I do with mine.

Mr. Tuấn<sup>1</sup> is a self-made entrepreneur, a former merchant marine turned antiques dealer turned importer-exporter specializing in the trade in plasma

televisions, electronics, and the occasional Harley-Davidson motorcycle. He explained the phong thủy dilemmas home owners face in Đồng Điều, a new urban neighborhood where he owns a home just across from the Y-bridge in Ho Chi Minh City's newly developing District 8. One must build one's home, he explained, taller than one's neighbor's home. The reason for this is simple: to show proper respect for one's ancestors, one should place their altar in the highest possible location. Of course, if your neighbor's home is three stories tall, you will want (not out of vanity but out of respect for your patriline) to build your home four stories tall. Your neighbors, out of respect for their own ancestors, may then wish to make their house taller with an addition of their own.

The second dilemma is that practicing phong thủy is so complex that it requires a specialist's knowledge. According to phong thủy, the flow of symbolic wind and water through a house can affect one's fortune, health, happiness, and general well-being. Optimal benefits are achieved by balancing the binary poles of *âm* and *dương* (yin and yang) to maintain equilibrium and harmony. This is accomplished by establishing the proper relation between the component parts within a house—the position of doors, windows, furnishings, and decorations within it and the walls surrounding it—and the elements of the landscape surrounding a house. Although the shelves of city bookstores have become filled with phong thủy books dedicated to home design and interior decorating, most people concede that only trained experts can really hope to understand and integrate all of these relationships. As a result, before building or remodeling, homeowners with the means to do so often hire experts to study their plots of land. The problem, and indeed one of the reasons the matter has become so complicated, is that one person's attempts to harmonize his or her environment may very well upset the harmony of another's. Only experts can take the proliferating variables into account.

Geomancy takes place on the private level but impacts, and is constrained by, the larger social landscape. It is in the very nature of phong thủy that one person's quest for order leads to another person's chaos. What Gregory Bateson would have called "schismogenesis"<sup>2</sup> is, in the urban world of wind and water control, nothing less than an arms race of geomancy that pits neighbor against neighbor in an agonistic, never-ending feedback loop of



**Left: Figure 1** Vertical competition and the “arms race of geomancy,” Hanoi, 2008. Photo by the author

**Below: Figure 2** Geomancy from behind the rubble, Hanoi, 2008. Photo by the author



mutually destructive attempts to control the internal order of things (see fig. 1). New wealth produces cycles of “creative destruction” — redesigning, realigning, ripping out rebar, and rebuilding yet again (see fig. 2). Building a home is never complete; it is a process. Private homeowners perform before the audience of their ancestors while business owners build and rebuild in response to the rise and fall of their income receipts and accounting ledgers. Private decisions become dramas between neighbors, directed by astrologers and geomancers and played out in bricks, plaster, and designer flourishes.

Phong thủy’s symbolic competitions accrete in material form. The built space of the city shifts and changes as a collective manifestation of these individual dramas between neighbors in dialogue with their ancestors. But the materiality of these symbolic fights pales in comparison with the contests to gain the very land upon which this social drama plays itself out. Before one can control one’s space, one must have land, property, a house to

call one's own. The ability to own a home is something new in Vietnam, a product of the post-*Đổi mới* (Renovation) generation and a gradual, yet persistently accumulating set of regulations that have thoroughly transformed, and continue to transform, property rights.

On one level, phong thủy appears to be a popular movement that emerged independently of a modernist state largely disdainful of such "superstitions." Nevertheless, the increasingly privatized property relations that open the way for conceiving of one's home as a private space to order and control are more ambiguous. Like phong thủy, privatization is quite personal on the individual level, and again like phong thủy, it has effects that extend beyond the individual to affect the lives of others. But while phong thủy might represent an alternative moral order of space constructed outside the purview of state agendas, the move toward privatization, while seemingly driven by popular attempts to control one's own domain, is not so easily understood as a purely bottom-up movement. For privatization is also linked to top-down relations of multinational capital, state bureaucrats, and an emergent propertied class. The ability to use phong thủy to control one's environment may strike individuals as a liberation of the private domain, but the conditions that make this possible are neither fully produced by individuals nor universally liberating.

### **Neo-Geomancy: A Bottom-Up Change and a Neoliberal Agenda**

Vietnamese geomancy today is guided by experts, yet it emphasizes the agency of private property owners as masters of their own domains; it rests on individual rights to private property but is situated within a political-judicial regime of laws and regulations that extends beyond the individual; it operates in terms of a local cultural idiom but depends on economic relations of rights and responsibilities that are posed in universal terms. In these ways, geomancy produces and tempers some of the effects that scholars have increasingly identified with neoliberalism, which celebrates property rights as a key to self-realization and governance that operates through "freedom," self-regulation, and the proliferation of individual desires.<sup>3</sup> But geomancy isn't Western. And its historical origins clearly precede neoliberal structural adjustment reforms in Vietnam. In this way, as Li Zhang and Aihwa Ong

have noted in describing the Chinese emphasis on self-cultivation as a situated form of neoliberalism, the emphasis on the “powers of the self” and on individualism do not erase preexisting cultural patterns or the political ideology of socialism so much as they extend their reach and infuse them with new meanings. Academic theories of neoliberalism may have originated in the economic thought of Friedrich Hayek, but the forms neoliberalism takes are always localized, producing different effects.<sup>4</sup>

Critiques of neoliberalism have shown how practices that appear to originate on the local level may in fact be connected to larger transformations and economic restructuring. *Neoliberalism* is not a term of self-reference but a description of an ideological brand of governance that claims to speak in the name of individuals. As David Harvey defines it, “Neoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong property rights, free markets, and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices.”<sup>5</sup> Posed as a critique of inefficient states, the glorification of individual rational actors gives neoliberal thought its key rhetorical spin.

This does not, however, mean that all individual action is purely neoliberal. As Donald Nonini has argued with reference to China, describing “socialism with Chinese characteristics” as completely “neoliberal” grossly oversimplifies the policies of the Chinese state. The Chinese state is more intent on preserving its own legitimacy than in promoting neoliberal ideology, and Nonini argues that “the ruling logic of market socialism is that of an oligarchic Communist Party” fixated on “self-reproduction.”<sup>6</sup> Zhang and Ong confirm this when they note that there was no “conscious choice in favor of neoliberalism by the party-state.”<sup>7</sup> Furthermore, as Andrew Kipnis shows, the Chinese state promotes restrictions on global integration at will and regulates subjects in ways that are understood locally not so much as “self governance” as reminiscent of state socialism and a legacy of production quotas. In ways that parallel these observations about China, Vietnam is not neoliberal in its official policies. Vietnam’s unique power relations result from its own genealogy of revolutionary and postwar Marxism, a long history of social mobilization, propaganda campaigns, and local morality-

building projects that sometimes mirror but just as often depart from the traits typically associated with “neoliberal governmentality.”<sup>8</sup> Vietnamese scholars have not even agreed on how to translate *neoliberalism*. The term remains quite rarefied and alien to most citizens.<sup>9</sup>

Vietnamese policies, while not framed in the language of neoliberalism, demonstrate a process quite similar to what Aihwa Ong has called the selective application of neoliberal programs. Ong describes forms of governance that sometimes celebrate the individualism of certain social actors (granting neoliberal policies as an “exception” to actors deemed worthy of them) while negating the individualism of others (creating “exceptions to neoliberalism” for those actors deemed undeserving).<sup>10</sup> As Nguyễn-võ Thu-hương puts it, “Vietnam has two faces when it comes to freedom.”<sup>11</sup> The state selectively deploys different modes of governance to different sectors of the population, parceled out along a matrix of class and gender lines and orchestrated by different sectors of the state. Some of these modes operate by offering middle-class subjects choice and encouraging a form of ideologically laden self-mastery, and others operate through top-down, paternalistic modes of repression and coercion administered by the police onto largely working-class subjects. In describing these seemingly contradictory modes of governing, Nguyễn-võ convincingly shows that both modes coexist and that “neither is deceptive.”<sup>12</sup> In regards to property rights, this double-edged sword appears most clearly in the simultaneous proliferation of new rights to property (which I describe in the second half of this article) and the widespread practices of government-sanctioned land seizure and confiscation. Immediately following reunification, northern cadres were granted valuable real estate in Ho Chi Minh City that had been confiscated from the former regime as well as from “bankers, war contractors, ex-imperialists, investors, and speculators.”<sup>13</sup> More recently, similar forms of land appropriation have been carried out with great force, only now investors and speculators often collude with the state.<sup>14</sup> Instead of blanket neoliberalism, power relations in Vietnam work like a bricolage of neoliberal precepts and classic top-down power; neoliberal celebrations of individual self-mastery combine with nationalist assertions of what’s best for the country, creating a flexible and dynamic approach to power for those with the will and the means to assert their authority over others. Powerful Vietnamese agents selectively



deploy the justifications of neoliberal ideology to justify their own assertions of power, regardless of whether the sum total of their actions conforms to the general precepts of neoliberalism itself.

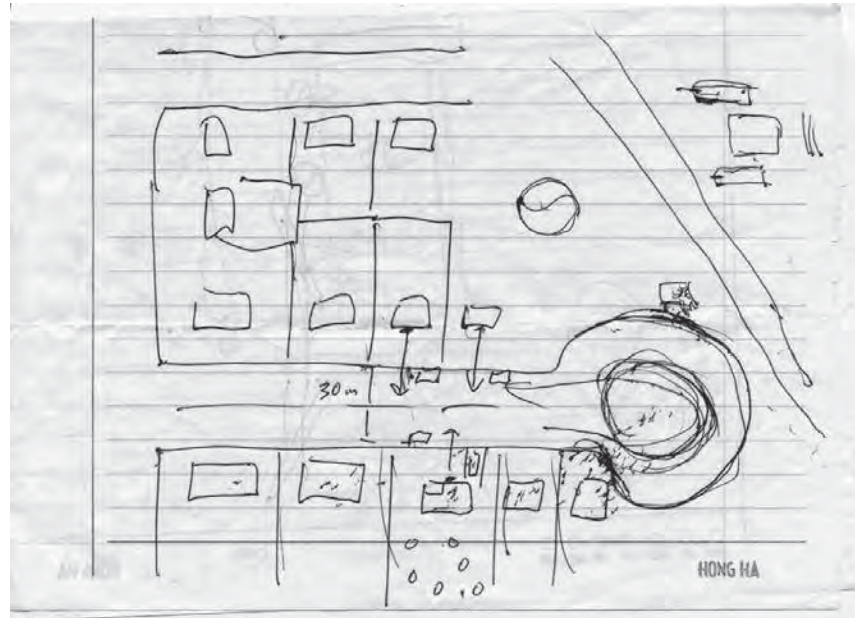
#### Foreign Models, Local Effects, Modern Contexts

The case of phong thủy individualism illustrates quite well how foreign models can be localized as well as connected to larger structural processes emanating from beyond the local framework. Neither the idea of the individual nor of phong thủy can be understood as wholly neoliberal inventions, imposed onto Vietnam by outsiders. Self-cultivation existed well before the introduction of the word *individual* into Vietnamese at the beginning of the twentieth century.<sup>15</sup> The World Bank, while it has a very nice office in central Hanoi, has no geomancers on staff. Nevertheless, the meanings that attach themselves to the practice of phong thủy have been transformed by the kinds of liberalization policies that the World Bank has been so instrumental in developing in Vietnam. Clearly, one might protest that if these new relations defining the Vietnamese body politic are neo-anything, they are more explicitly neo-Confucian or neo-Taoist than neoliberal. Yet, in the same way that Confucianism in Chinese society has long emphasized self-cultivation, the forms of self-cultivation emergent in the context of late socialism mean new things when situated in a dramatically transformed political and economic context.<sup>16</sup> In Vietnam as well, while the general precepts of controlling wind and water have a long intellectual genealogy, the ideological meanings bend with the shifting winds of time.

Alexander Woodside has shown the ways in which Vietnamese have, in various historical moments, borrowed from and reworked classical Chinese models in order to develop the language for articulating a distinctly “Vietnamese civilization.” For example, with the rise of the Nguyễn Dynasty in the nineteenth century, the capital city they built at Huế replicated the “Chinese model” in which architectural features embodied cosmological principles, suggesting the hierarchical relationship between the emperor and his subjects and facilitating the ritual life of the bureaucratic state. But even this external model required modification to fit the Vietnamese social-cultural landscape. “The Sino-Vietnamese imperial dream coexisted

uneasily with the Southeast Asian market town.”<sup>17</sup> The architecture of this “dream” depended heavily on phong thủy, but the use of foreign models also offered a mechanism for the Vietnamese state to assert its authority within the local Vietnamese context. The models may have been Chinese, but the assertion of power they provided was directed toward local subjects. Similar relations seem to hold in Vietnam today, with the mass production and dissemination of countless books on phong thủy, many of which are directly translated from Chinese. But such cultural borrowings do not indicate a wholesale embrace of China. Indeed, anti-Chinese sentiment in Vietnam is, by some accounts, at an all-time high, and the Vietnamese state has recently found itself in the uncomfortable position of suppressing local protesters for being overly nationalistic in their vociferous critiques of Vietnam’s delicate political acquiescence to China in territorial disputes. There is no real contradiction in resisting Chinese territorial claims while practicing phong thủy, even if the concepts are historically Chinese in origin.

Just as Vietnamese nationalists could so famously condemn French colonial power by invoking French concepts of sovereignty and rights gleaned from Rousseau, Montesquieu, and others, Woodside’s work shows that borrowing Chinese idioms actually fostered a specifically Vietnamese anticolonial nationalism in the twentieth century. In this way, Woodside argues that while many Vietnamese ideas may be traced abroad, the process entailed exchange and sharing in a much more “bilateral” fashion than some scholars may have assumed.<sup>18</sup> Imagining this borrowing as “multilateral,” however, is more precise, as Chinese terms for nationalism were appropriated and then redeployed toward the French and the world community by Vietnamese nationalists intent on forging a language of independence that resisted colonialism through subversive mimicry and by borrowing modular forms of nationhood that they could call their own. In similar fashion, the deep history of phong thủy has been inflected by contemporary meanings and must be situated in the political economy and historical relations of the time. The Vietnamese modernist architect, Ngô Viết Thu, for example, famously served both the US-backed Saigon regime, for which he designed the Presidential Palace, as well as later communist regimes following reunification, at which point the Presidential Palace was renamed Reunification Palace. Ngô Viết Thu included elements of phong thủy in his structures in ways



**Figure 3** Mr. Binh's additions to the author's drawing of a North Carolina cul-de-sac. Note the arrows, indicating the flow of symbolic wind, and the accumulation of negative energy at the house on the lower right-hand corner, marked by multiple black dots.

that gave a "Vietnamese" flair to architectural projects that otherwise paid homage to the Internationalist Style to which he was so clearly indebted. Clearly, *phong thủy* can mean many things.

In 2006, on a brief visit to Hanoi, Mr. Binh, a middle-class man who works for a state hospital, taught me precisely how *phong thủy* is imported and localized. Mr. Binh, who had recently purchased a home on the outskirts of Hanoi, grew excited when I told him what Mr. Tuấn had told me in Ho Chi Minh City. Binh explained that many of his friends in Hanoi were also remodeling their homes in accordance with rediscovered principles of *phong thủy*. He himself had been studying books on the subject in order to make renovations to his own home, and he offered to teach me some of the basic principles. To illustrate, he asked me to draw a picture of my neighborhood in North Carolina, to which he added arrows representing the flow

of winds and then peppered with black dots representing accumulations of negative energy (see fig. 3). Noting that dead-end roads like mine risked accumulating bad energy, he was pleased to know that my home was not located at the end of the cul-de-sac. This drawing represented the kind of work he was doing trying to understand his own home. The features of the modern landscape sometimes appeared quite different from the traditional features described in classic phong thủy manuals, which so often referenced mountains and rivers as sites of symbolic energy. But in his personal studies, he “translated” traditional concepts to the modern context.

This art of translating traditional phong thủy concepts to the modern environment is a central feature of many of the popular books in bookstores throughout Vietnam. In *Art in the Design and Building of Homes according to Modern Phong Thủy*, for example, a special inset describes how “in urban settlement areas, high-rise homes are the same as mountains, roads with fast-running cars are riverways, sources pulsing with vital force.”<sup>19</sup> An accompanying diagram illustrates the direct homology by tracing in dotted outline the shape of a stylized mountain around the image of a cityscape. In this way, phong thủy is applied to modern life in much the same way that the Vietnamese nationalists of the early twentieth century looked to Chinese classical texts to find the language to express a distinctly modern condition. (This is also similar to the habit of Western academics to turn to very old Greek words such as *neo* to describe something they construe as very “new.”)

The following day, Binh brought me a photocopy of what he considered the most useful of the books he had been studying, *Phong Thủy and Life Today*.<sup>20</sup> It turned out that the book was published in 1999 by a Vietnamese American real estate company in Garden Grove, California, in the heart of the largest Vietnamese American community in the United States. The book can be read as an attempt by the company and its realtors to portray themselves as experts who will help their Vietnamese customers in Southern California transform the profane landscape of apartment complexes, stucco bungalows, rambling ranch houses, and gated communities into a culturally meaningful “Vietnamese” space. In Hanoi, however, Binh did not need to make the landscape more Vietnamese. Instead, the book’s lessons offered Binh a way to reinscribe his home with meaning in a market-driven landscape that has come to be viewed in the sterile terms of price and value. A

“traditional” manual produced by very modern realtors helped him counter the reductionist economic logic of real estate.

Manuals linking traditional architectural concepts and the deeper meaning of land operate as guidebooks for individual property owners navigating contemporary market relations and rational scientism in a new social context, one that is defined less by sacred geographies than by the differentiated values and prices of commodified land. The pedagogic imperative becomes clear in the popular phong thủy handbooks in Ho Chi Minh City and Hanoi bookstores. One such volume, *Phong Thủy, Architecture, and the Modern Home*,<sup>21</sup> translated from Chinese into Vietnamese, links the traditional study of phong thủy with modern science and building as well as with the importance of ownership. The cover, illustrated with images of high-rise apartment blocks and color photos from a North American apartment complex, indicates the book’s key points with two attention-grabbing arrows:

- Traditional phong thủy knowledge
- Scientific aesthetics — modern technology<sup>22</sup>

The preface speaks in the emergent idiom of homeownership and offers an attempt to intellectualize such ownership, to give it “meaning.” According to the preface, the study of phong thủy is all about dwelling places, or *cư*. The text emphasizes that this Sino-Vietnamese neoclassicism is about much more than the simple notion of a small space within which people live. Rather, *cư* “is all about the sum total of relations between people and people, people and architecture, architecture and architecture, architecture and the environment, the small environment and the larger environment; at the same time it is the relation that unifies Heaven — Human — Earth.”<sup>23</sup> Because they are so all-encompassing, the author explains, a wide range of modern disciplines can be used to understand these relationships:

We can apply . . . scientific knowledge of all fields, ranging from astronomy, geography, the history of the development of human civilization, environmental design, landscape planning, architecture, anthropometry [*nhân trắc học*], interior design studies, philosophy, aesthetics, psychology, behavioral science, literature, law, relationship studies [*quan hệ học*], humanities and history, traditional architectural theory, as well as East-

ern medicine. All of these can all be combined with the practical applications of today in order to better understand the field of architecture.<sup>24</sup>

Furthermore, the meaning of home ownership is linked to the cultivation of “equilibrium” and the development of a harmonious world. Owning property becomes a moral imperative: “Humans are the essential part of architecture, because humans stand between heaven and earth. Because of this, buying a home is in actuality buying equilibrium within the larger environment. The notion of ‘equilibrium’ [*cân bằng*] referred to here is not the localized equilibrium of a house for sale, a garden, or the style of the home . . . to which investors often refer. It is the equilibrium of the supreme world landscape.”<sup>25</sup>

While *phong thủy* has a long history, the social context within which it is now evoked is fully integrated into modern life. One woman I knew who rented out four rooms in the middle two stories of her five-story home in Ho Chi Minh City to foreigners had a habit of rearranging the furniture (and occasionally the walls) in her living room, often at great expense. When I asked her why she did this, she explained that she was trying to maximize the vital forces in the home, which would maximize the profits she earned from foreign tenants. By all accounts her efforts were working; she was accumulating a small fortune from her room rentals. Countless café owners throughout the city also engage in relentless remodeling, equating the success or failure of their businesses less with the quality of the coffee than with the proper alignment of the building. The parameters of modern life in Vietnam since 1986 have been increasingly framed by economic imperatives, and *phong thủy* has been reinterpreted to meet the challenges of this new order.

Understanding the context within which individual actions take place and inscribe meaning on space, then, requires changing the scale, and even the register and voice of ethnographic depiction. In the next part of this article, I move the focus away from individual geomancers to offer another perspective on the conditions within which these individual actions emerge. By rethinking the emergence of private-property relations in postreform-era Vietnam, I argue that the political and economic relations driving private property relations represent more of a top-down impulse to change than a bottom-up act of resistance. My language and source material shift, then,

from an interpretive mode of thick description toward a more expansive mode of political-economic critique, generated primarily from the secondary literature and international newspaper accounts that speak of Vietnam from the viewpoint of international finance. This move, while less ethnographic, remains anthropological; for as Marcel Mauss demonstrated so long ago, individualism is itself a social and historically contingent concept that begs for critical analysis of larger structures of social life.<sup>26</sup> This analytic move demonstrates that individual practices associated with private property in Vietnam, while dressed in the local colors of *phong thủy*, cannot be detached from the structures of finance and investment that generate winds and vital forces of their own.

#### **A Short History of Property Relations since the Fall of Saigon**

In many circles, the incremental move toward privatization has been hailed as a triumph of bottom-up processes, a veritable people's movement that has reversed the direction of power in Vietnam. Since the end of the Vietnam War in 1975 and the official reunification of the country in 1976, the early goal of collectivizing the entire country by 1980 and the attempt to nationalize all land in the 1980 constitution have been systematically rolled back with a series of reforms. These reforms in practice, if not wholly in name, have created a *de facto* system of private property and set the conditions for a vibrant real estate market.<sup>27</sup>

In an attempt to explain these transformations, Vietnam scholars have turned increasingly to "bottom-up" approaches that challenge state-centered views of economic, political, and social processes. From the economist Adam Fforde's work we have learned that government economic policies that culminated in the *Đổi mới* reforms of the 1980s "influenced and were influenced by the pace of change, but they did not control it."<sup>28</sup> Fforde and the Swedish economist Stephan De Vylder go on to argue that economic change is actually "bottom up," and that government reforms must be understood as responses to grassroots agitation. This work has encouraged scholars to focus on the household as a unit of production, and, coupled with improved opportunities for fieldwork-based research, a whole host of studies have demonstrated how local agency on the personal and family level

often drives political and social change in such diverse arenas as ward-level politics,<sup>29</sup> market behavior,<sup>30</sup> the use of urban space,<sup>31</sup> spirit mediumship,<sup>32</sup> and other forms of nonstate social behavior.<sup>33</sup> The most direct summary of the new direction this work has taken emerges in Benedict Kerkvliet's study of Vietnamese decollectivization, a process he summarizes as a clear-cut example of "everyday politics." According to Kerkvliet,

a major reason why the government did a 180-degree policy turn was the weakening and eventual collapse from within of the collective farming cooperatives into which people had been organized. The policy change was less about dissolving collective farming and more about approving what was well under way in many places and had already occurred in some. Put simply, decollectivization started locally, in the villages, and was largely initiated by villagers; national policy followed.<sup>34</sup>

Work like this offers important correctives to a previous generation of scholarship, which, largely because of restrictions on fieldwork access, focused on macro-sociological processes and top-down analyses that assigned inordinate importance to state policies.

Despite the felicity of a turn toward taking local agency seriously, there are dangers to this methodological turn. To put it plainly, the new focus on local actors and individual agency, while important as a corrective to state-centered analysis, risks an uncritical celebration of individualism, the very same viewpoint that forms the theoretical basis of neoliberal thought. As David Harvey notes, "Any political movement that holds individual freedoms to be sacrosanct is vulnerable to incorporation into the neoliberal fold." He adds that the values of individual freedom and social justice are not always compatible.<sup>35</sup> By focusing on individual actions such as "fence breaking" and setting them in binary opposition to a monolithic state that suppresses such actions, scholars risk collapsing notions of action with uncritical philosophies of freedom, in which, as in neoliberal theory, the only freedom imaginable is contained within the single, discrete individual.<sup>36</sup>

To be fair, the directionality of change in Vietnam is far from straightforward, and there is some reason to associate it with agitation from below. The policy changes leading to the right to exchange land-use rights in Vietnam have been traced back to challenges to collectivization that occurred



as early as the late 1970s, and scholars have convincingly demonstrated how popular apathy and government inefficiencies undermined the Party's goal of collectivizing the entire nation.<sup>37</sup> Responding largely to the agricultural crisis of underproduction, the Party initiated the now well-known *Đổi mới* policies at its Sixth Party Congress in 1986. For real estate and land tenure, however, the key legal change first appeared in April of 1988, when the Politburo issued Resolution Number 10, which recognized the existence of state, collective, private, and individual economies. Resolution Number 10 decentralized decision making, established the farming household as the basic unit of production, enabled farmers to conduct transactions with the cooperatives in cash (rather than in products as before), and restructured production and distribution based on market principles. Most importantly, cooperatives and production collectives were redefined as "voluntary economic organizations."<sup>38</sup>

The changes in land tenure meant to spur rural production also led to changes in urban land-ownership rights, which created the basis for the commodification of land and the rise of real estate as an economic force. The 1992 Constitution, which became effective as law in 1993, extended the possibilities anticipated by Resolution Number 10 by allowing the transfer of land-use rights, "making a significant advance toward the formulation of a legal framework for land administration, which is similar to those in the market economies but with continued state ownership of land."<sup>39</sup> The 1993 Land Law granted five rights to the household: "the right to transfer, exchange, inherit, rent and mortgage." Most importantly, the new land law led to the issuance of land-use right certificates and allowed for their transfer, creating the conditions for a real estate market.<sup>40</sup>

Since 1993, the further liberalization of the real estate market has been made possible primarily by amendments to the Land Law, simplification of procedures, and the streamlining of administration. In 1998, amendments to the Land Law "granted further rights by making it possible to sublease land and also allowed Vietnamese entrepreneurs to use such rights as their contribution to a joint venture with a foreign company."<sup>41</sup> In 2001, new "additions simplified procedures in urban areas" and with the New Land Law issued in November of 2003, "the government began issuing certificates at the plot level."<sup>42</sup> The right to buy and sell land-use rights increasingly facilitated a real estate market with each passing set of regulations, and articles 61

through 63 of the 2003 Land Law explicitly recognized real estate markets for the first time since unification.<sup>43</sup>

The changes in real estate have been rapid, unrelenting, and utterly transformative. The economist Vũ Quốc Huy notes that no fewer than twenty-six new policies related to economic liberalization were written into law between 2001 and 2007.<sup>44</sup> Most of these laws, however, came in response to demands for structural adjustment from the World Trade Organization (WTO), to which Vietnam was formally inducted in 2007; other regional trade organizations that Vietnam has joined since entering the Association of Southeast Asian Nations (ASEAN) in 1995; and bilateral trade agreements it has signed along the way. As Dr. Huy explains, these transformations have significantly deepened Vietnam's integration into the world economy, and while this contributes in no small way to job creation, technology transfer, agitation for transparency, and the emulation of international "best practices" of governance, it also puts Vietnam at risk because it forces the country to rely heavily on volatile external markets, subjects the country to demands from external agencies, and mires the country in the "low labor cost trap" in which competitiveness is pegged to low wages and a weak Vietnamese đồng. In more concrete terms relevant to the privatization of property, the dramatic role of foreign direct investment (FDI) has profound consequences for the local real estate market. In fact, in 2005 11 percent of FDI went to real estate and 62 percent went to manufacturing. Just two years later, in 2007, a whopping 48 percent of FDI was directed toward real estate and only 25 percent to manufacturing.<sup>45</sup> Instead of making things in Vietnam, foreign investors are, quite literally, buying the place. In a labor-rich and land-scarce country, foreign investors are doing little to utilize labor and everything to make it harder for laborers to afford a place to live. Vietnam's housing bubble, already fraught with internal problems of land grabbing and speculation by its own propertied elites, has been only aggravated by the continuing flow of FDI into the real estate sector.

There is no denying that the speed of changes in property relations has increased since the turn of the millennium. But does the fact that the Vietnamese government has turned its policies on its head truly indicate that these have been bottom-up changes? As Katherine Verdery has explained in the context of Eastern Europe, the supposed link between political-

economic transformations away from socialism and increased prosperity associated with “capitalism” is often little more than a set of ideological assumptions put forward without evidence.<sup>46</sup> Guided by neoliberal agendas of structural adjustment more than the serious analysis of everyday realities in post–Cold War era economies, the notion that current political economic changes imply a wholly positive transition to capitalism proves to be an intellectual blinder.<sup>47</sup> Indeed, the very assumption that the move toward new relations of property rights is itself a unidirectional “people’s movement” toward something called “capitalism” is misleading and occludes the basic facts of political economy at play.<sup>48</sup> Recent developments in Vietnam indicate that the processes so often described as “bottom up” have favored foreign investors and the upper echelons of Vietnamese society more than anyone else. In recent years, the language used to describe real estate has changed from comparing ownership to a freewheeling ride toward wealth and prosperity to language filled with similes about “fevers” and “bubbles.”

#### Alternatives to the Popular View

The most enduring critiques of postreform-era transformations in real estate focus not on causes but effects. Regardless of the impulses behind it, or the actual actors guiding it, this rush to privatize land has in some ways reproduced the class and social inequalities that the Vietnamese Revolution sought to eliminate.<sup>49</sup> Even World Bank researchers have demonstrated that there is no real evidence to support the consensus view that property rights can be directly correlated to household economic outcomes. Careful analysis of the Vietnam Living Standards Survey shows that, contrary to common belief, there is no statistically significant evidence that access to credit increases with access to land titles.<sup>50</sup>

Furthermore, while Vietnam has made dramatic strides in reducing poverty by approximately one-half in the period 1993–1997, the gap between the rich and the poor is widening,<sup>51</sup> and development opportunities are increasingly divided along regional and spatial lines.<sup>52</sup> Binaries of rural-urban, north-south, and upland-lowland, for example, are all linked to differential and unequal access to resources, educational opportunities, health care, and other basic services.<sup>53</sup> Furthermore, the real estate frenzy, most

often written about from the perspective of capital investment, contributes dramatically to the dispossession of the poorest, who suffer from rapid price increases associated with the bubble and no comparable rise in wages. As an article in the *Thanh niên (Youth)* newspaper points out, “Those wealthy businessmen with an overflowing source of capital and a vast experience of ‘buying at the trough, selling at the peak,’ have surfed through the waves . . . and gained,” becoming “mega-rich” while the poor have suffered.<sup>54</sup> Trần Du Lịch, the chief economist for the Institute for Economic Research, has said that “prices have gone beyond real values because of speculation.”<sup>55</sup> And while these issues affect rich and poor alike, the poor bear the most significant burden.

Foreign newspapers, financial pages, and real estate trade publications admit that the Vietnamese economy has hit a “speed bump,” but they also add that major international investors with deep pockets will likely be able to absorb the shock and continue investing. In fact, some financial analysts argue that “for those who can afford [it], property investment could be a good hedge against inflation if the dong is devalued.”<sup>56</sup> Local small-scale Vietnamese investors, such as Vo Minh Hoang Phat, interviewed by *Business Week*, however, have “hit that speed bump hard”:

On a recent morning the construction consultant sat staring glumly at the sea of red on the trading screen in MHB securities, a brokerage in downtown Ho Chi Minh City. Phat says his \$70,000 portfolio has lost 70 percent of its value since he started buying stock in developers and builders in March 2007, near the peak of the market. “I’m stuck, and want to sell my shares, but there is nowhere to run,” says the 32-year-old.<sup>57</sup>

Despite the deep struggles and financial trials of local Vietnamese squeezed first by the real estate frenzy and later by dropping real estate prices coupled with extraordinary rates of inflation for everyday goods, one thing remains certain and reassuring to foreign investors: “It’s very much a landlord’s market,” says Andrew Brown, head of Jones Lang LaSalle’s Vietnam operation.<sup>58</sup> In the case of Vietnam, then, unless we see landlords as “the bottom” in bottom-up research, the assumption that emerging real estate markets result from populist agitation for reform ignores basic relationships of power and finance.

## Flexible Title as Both Resistance and Mechanism of Control

Assumptions about emerging “capitalism” have also caused many observers to ignore the very basic fact that Vietnamese property rights are not exactly property rights in the true, juridical sense of the term. In Vietnam today, the system for regulating property ownership and land use requires that all homeowners file with the local government authorities and keep copies of two important sets of documents, commonly known as the “red dossier” and the “pink dossier” (derived from the color of the folders in which they are kept). The red dossier (*sổ đỏ*) contains paperwork related to land use. Its full legal title is “*Giấy chứng nhận quyền sử dụng đất*” (Land Use Right Certificate). The “pink dossier” (*sổ hồng*) contains paperwork related to ownership of the physical building itself. Its full legal title is “*Giấy chứng nhận quyền sở hữu nhà*” (Home Ownership Right Certificate).<sup>59</sup>

It is important to note the subtle legal wording that differentiates the official names of the red and pink dossiers. The red dossier, for example, grants the right to *use land*, the pink dossier to *own a home*. These seemingly minor differences represent a fundamental principle enshrined in articles 17 and 18 of the Vietnamese Constitution: the fact that all land is publicly owned and administered by the state. Officially speaking, individual citizens can only be granted the *right to use* land. They do have the right, however, to own physical objects, which can include the physical structure that makes up a home. Technically speaking, then, a Vietnamese person who owns his or her own home only owns the building and has the right to use the land upon which it sits.

Despite this, the real estate market is thriving in Vietnam. Indeed, in some instances, formalized property rights are not particularly relevant to the way property is exchanged in Vietnam’s emerging real estate market. In a study of the language used in real estate advertisements, Annette Kim demonstrates how pragmatic notions of property rights exist in everyday real estate transactions even in cases in which they are not legally formulated or articulated in the juridical code. The notion of the “right” kind of “property rights” is less important than might be imagined and depends on the local context. More important are the ambiguous and less explicit understandings associated with “relationships” and local political authority.<sup>60</sup>

The political economist Martin Gainsborough offers another revealing interpretation of these changes when he argues that real property rights were first introduced in practice (although not in name) by the very socialist bureaucrats so often described in the literature as resistant to land reforms. He describes how the privatization of property in Ho Chi Minh City began behind a veil of secrecy within the government itself, as party and state officials began to treat the state enterprises they controlled as dynamic parts of a quasi-private economy. While official privatization moved slowly, in practice it developed in a clandestine fashion, as elites connected to state enterprises “assumed, gradually, by stealth, greater control over company assets, with the result that they eventually exercised a much fuller set of rights than is consistent with the property regime pertaining to the reformed state enterprise.”<sup>61</sup> State sector companies were understood as “belonging” to controlling institutions affiliated with the state at various levels.<sup>62</sup> Privatization developed first within the state sector, and the emerging form of property rights “rests fundamentally on the application of power, with the outcome depending on the relative strength of clientalist relations between different levels of the party-state.”<sup>63</sup>

This is not to say that nonstate actors have not increasingly embraced market reforms and the economic opportunities offered by private property. But we cannot assume that these propertied interests came into being as a challenge to the state. While the emergence of a strong middle class can *potentially* create pressure for democratization, in Vietnam the emerging middle class has been forming out of groups that maintain close allegiance with the state.<sup>64</sup> That is, the emerging middle class is primarily “of the system,” and we cannot therefore expect them to pose a threat to the state. In the current framework, dramatic changes will most likely take place within the state itself and can’t be expected from some vague space located outside it.<sup>65</sup> The increase in private property is not necessarily bottom up. In fact, much evidence shows that it started at the top, and it reaches the bottom (if ever) more through a trickle-down effect than anything else.

The work of Kim and Gainsborough leads us to a common conclusion, albeit from different directions. Looking from above, Gainsborough shows how property relations emerged not from the bottom up but rather from the top down, and there are vested interests in keeping these rights legally

ambiguous. The ambiguity leaves room for negotiation and slippery juridical spaces that allow for bending already pliable rules. Looking from the viewpoint of the real estate market (which includes the top and middle), Kim shows that full-scale property rights, while certainly valuable in some degree, don't confer as much value on property as one might expect. This is because "Vietnam's transitional institutional context tolerates a range of property rights forms."<sup>66</sup> More importantly, it shows that rights can be construed in many different ways and that the right to occupy land has long been negotiated on the local ward level and amounts to more than possession of "title." Kim argues that "legal title itself is not the most valuable form of property right" and reminds us that real property relations depend on extra-legal social forms of legitimacy.<sup>67</sup> On the one hand, the ability to manipulate social relations and construct pragmatic notions of what property means thwarts state authority. In this way, the "people" have a great deal at stake in maintaining the fluidity of property rights, and they often engage in a complex game of negotiation and bargaining that trumps the ability of the state to fix them in space. On the other hand, such unarticulated relationships can put people without wide networks of influence into vulnerable, marginalized positions. Socially situated, moral economies of property can give wiggle room to a wide range of social actors in various legal and juridical contexts. But the fine line between a wiggle and a shakedown can be hard to distinguish. Some people get wiggled right out of their homes.<sup>68</sup>

#### Competing Supernatural Claims

Despite the vulnerability of unstable land tenure, local actors continue to assert claims to property in ways that do not correspond to strict legal frameworks. In an article that reveals with a keen ethnographic eye the complexity of property rights on the internal margins of Vietnamese cities, anthropologist Christophe Robert describes what he calls the "scavenged shrine" he discovered in a recently Haussmannized quarter of Saigon. Instead of claiming ownership through formal property rights granted by the state, a middle-aged woman appropriated space for herself with another form of rights, one that had accumulated in a shrine salvaged from the ruins of bulldozed homes:

Is this shrine *linh* (supernaturally potent)? “Linh chu!” . . . “Of course it is!” the woman replies without hesitation. She gives examples. She scavenged these two small figurines of the God of the Earth and set up this shrine. Right after that a family which was having construction work done on their house gave her a lot of materials to recycle. There are heroin addicts in the area at night sometimes. She was scared of them, so she prayed and burned incense. And the drug addicts went away.<sup>69</sup>

The woman has no formal land-use right permits, no red or pink dossier. “She’s without resources,” Robert reminds us, “but resourceful.” Her property rights in this case are quite different from, but tied into the same moral framework as, the competitive *phong thủy* geomancers of the new urban districts described at the beginning of this article. Supernatural powers flow through both cases, albeit in different directions. Without money or formal papers, this woman has harnessed supernatural authority to secure her rights to land; the others used money to secure more formal rights to land and to build in a way that harnessed supernatural authority.

Those keen on envisioning Vietnam’s current political economic space as an expressway to unfettered capitalism have no interest in Vietnamese supernaturalism, which wreaks havoc on a more international form of supernatural belief: the assumption that there is an “invisible hand” guiding the market. In the doctrines of the free market, there is no place for a woman like this, framing rights as she does in an alternative moral discourse outside the paperwork empire of legal rules and formalized bureaucratic authority. Unable to command the local, vernacular supernatural world with the skill of a woman such as this, they turn instead to the authority of “title” and the supernatural powers it grants to capital. Private property, formalized in the form of paperwork and land title, also depends on a moral landscape, one where profit trumps social relations, and the “right” to private land trumps all else. Furthermore, the right to make property readily available to multinational interests is framed in the language of human rights, even as it fuels rampant land speculation and appropriation that dispossess great numbers of people from the land that they live on.

This becomes clear in a comment from the *Pacific Rim Law and Policy Journal*, in which Stephanie Strike, a Seattle-based lawyer, reports on the problems United States investors encounter when they consider invest-



ing in real estate in Vietnam. One of the major “complications” with US investment into Vietnam, Strike asserts, stems from “site clearance” and the “humanitarian issues” it raises. While Strike places the moral blame for dispossessing local residents of their land onto the Vietnamese government, and at one point even cites a US State Department report that details the Vietnamese government’s problems with human rights issues, she also insists that the Vietnamese government should deal with “site clearance” so US capital doesn’t have to be burdened by the unsavory difficulties of moving people off the land. Strike writes,

Provinces should strategically implement site clearance and set aside land designated for development in order to increase access to land for real estate investors. Vietnam may be able to ameliorate some of the excessive financial burdens and humanitarian issues associated with investors conducting site clearance by conducting site clearance on its own prior to luring investors. It currently takes an average of 231 days for an investor to acquire land from the government. The length of this process is a result of needing to clear the land of all current occupants and issue compensation to resettle the current occupants. It is likely that this waiting period could be drastically reduced if land were set aside and cleared by the government ahead of time.<sup>70</sup>

Despite beginning with moral condemnation of Vietnamese site clearance as a humanitarian issue, the legal comment reads like a list of demands, urging the Vietnamese to quickly clear sites so that US citizens can invest in land without dealing with the sticky issues themselves.

Strike’s concerns are by no means unique to US investors and are expressed with equal consternation by multinational investors from Korea, Malaysia, Taiwan, Japan, Thailand, Europe, and even Dubai.<sup>71</sup> A recent article describes how “Vietnam’s impending economic problems, highlighted by the media recently, is [*sic*] a source of concern for Malaysian companies involved in property development there.”<sup>72</sup> In response to concerns like this, on Friday, June 27, 2008, a Malaysian law firm organized a seminar in Ho Chi Minh City entitled “Priming for Vietnam Opportunities: Mergers and Acquisitions, Real Estate and Islamic Finance.” At this, and other gatherings like it, top-level Vietnamese state officials emphasized that

Vietnam was still a good place to invest, attempting to assure nervous FDI. Le Dinh Buu Tri, of the Vietnamese government's State Capital Investment Corporation, assured worried financiers, "Given the current pace of development, the property shortage is expected to continue for at least two to three years." While this means that prices will remain high for average Vietnamese citizens looking for housing, this also means that prices will remain high and continue to rise for foreign investors seeking returns on their investments.<sup>73</sup> The concerns of multinational capital are quite real. In June 2008, the *Daily Telegraph* reported, "Property prices, after soaring over the past few years, have tumbled by 40pc in the past five months, as credit-conscious banks have reined in mortgage lending." But the report also added that big players seem unfazed: "Prudential, already the largest insurer in Vietnam having underwritten more than two [million] policies, thinks its prospects are sound." In June 2008, Prudential "injected \$16m into its Vietnamese finance division, allowing it to provide more personal and home loans."<sup>74</sup>

Despite the obvious sources of power behind the privatization of property, the "right" to private property, posed as a radical transformation of the goals of the Vietnamese Revolution, has somehow become associated with a people's movement, a populist challenge to the socialist state. Investors and legal types write about it in the language of rights and freedom. But they collude with the very system they claim to overturn, and their biggest partners are agents of the Vietnamese state, who they press to make land available to them, even as they seek assurances that they will receive returns on their investments. While there are certainly bottom-up forces attempting to harness opportunities from the emergent real estate market, the most powerful forces are decidedly top down.

## Conclusion

There is no denying that the Vietnam of today is dramatically different from the newly unified Vietnam of 1976. The former command economy of actually existing socialism in Vietnam has been transformed into what scholarly shorthand terms "late socialism," journalistic observers simply resort to calling "capitalism," the Vietnamese constitution calls "market-oriented socialism," and what others cannot name but refer to by describing

its contours: a nominally socialist state led by a communist party yet guided by a pragmatically minded, market-driven economy. While everyone can agree that times are changing, observers cannot agree on what Vietnam is changing into.

A great deal of contemporary social life in Saigon and Hanoi's ebullient, individualistic real estate world, marked as it is by the collective actions of individual geomancers, gives the impression that private-property relations have bubbled up from popular resistance to state socialism. In some real ways they have. However, refracting the seemingly individualistic practices of geomancy off the power dynamics associated with the resurgence of private property also shows how people articulate property as not simply a material good but a dynamic entity that needs to be managed within a larger social world. Private acts of geomancy enable homeowners to assert control over their private domain, but geomancy is also linked to structures beyond their control. The resulting practices can be ambivalent and even contradictory. On the one hand, as in the instance of the "scavenged shrine," the attempt to secure cosmological harmony ties individuals into moral relations with others. On the other hand, the attempt to control and possess the property within which cosmological stewardship transpires can pit one against one's neighbors.

The economic transformation away from production to real estate investment, services, and financial speculation may in some ways constitute a return to the household as the primary economic unit. But the aims of individual households do not always contribute to larger social welfare. As we decide what to call this new social formation, the place to look must include, but cannot be limited to, the material, culturally specific manifestations of local action, in which competitive displays of *phong thủy* show how local actors harness these winds and flows of change. It must also, however, move "up, down, and sideways"<sup>75</sup> in order to include the global flows generated by state bureaucrats, Vietnamese-US returnees, lawyers in Seattle, and real estate brokers in Malaysia, Dubai, Japan, Taiwan, and South Korea. The control of winds, waters, and global energy flows might feel like an act of personal agency. But, in the final instance, both local geomancers and international economists agree: the way you channel your energy affects the way I channel mine.

## Notes

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  68. Đoàn Trang, "Giải tỏa trên 3,800 căn hộ" ("Demolish 3,800 Homes"), *Việt báo* (*Viet Daily*), October 28, 2005; Hoàng Tạo, "Bất ổn trong công tác đền bù giải tỏa dự án đại lộ đông tây" ("Instability in Demolition and Compensation Work on the East-West Throughway"), *Việt báo* (*Viet Daily*), originally from *Thanh niên*, September 11, 2005; Huy Thịnh, "Khuất tất đằng sau dự án dọc kênh Nhiêu Lộc — Thị Nghè" ("Dubious Deeds behind the Project along the Nhiêu Loc — Thi Nghe Canal Project"), *Việt báo*, (*Viet Daily*), June 28, 2007.
  69. Christophe Robert, "Scavenged Shrine" (unpublished manuscript, 2008).
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  73. Jeeva Arulampalam, "Investors Get Assurance on Vietnam Fundamentals," *New Straits Times* (Malaysia), June 30, 2008.
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  75. I borrowed this phrasing from a panel at the American Anthropological Association Conference organized in 2006 by Roberto Gonzalez, and building from Laura Nader's call to "study up."