ROLES OF THE TRADITIONAL INSTITUTIONS AND REGULATIONS IN RESOURCE MANAGEMENT OF THE HMONG COMMUNITY

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With 558,035 inhabitants the largest ethnic group in the mountainous areas is the H'mong people which is the 8th populous group in Vietnam. The main residential areas of the H'mong people are: Ha Giang, Tuyen Quang, Lao Cai, Yen Bai, Cao Bang, Lai Chau, Son La, and Nghe An.

The specific features of the areas of the H'mong people are the high mountain with an average altitude varying from 800m to 1700m or even higher. The topography is complex, difficult to be access even in some areas there were no roads to villages. For they inhabited in the very remote areas and had very limited communication with outside, the H'mong people still keep a lot of their distinguished traditional institutional features and were not influenced much my the neighboring groups.

In some areas such as Dong Van, Meo Vac (Ha Giang), Sa Pa, Bac Ha, (Lao Cai) Moc Chau (Son La)... the H'mong people have settled for long time and had a fairly appropriate way to survive by creating land use systems suitable to the server climate conditions of the high areas. In other hand in some areas like the north-west, and the western part of the Nghe An province a considerable number of the H'mong people were living mostly on shifting cultivation. The specific feature of this way of cultivation is to use soil (forest). until it becomes exhausted and left it for other place. In result of that, forest has been seriously destroyed, soil has been deteriorated and eroded, floods gave bad consequences to production environment and living of the population both lowland and highland. However forest destroying has caused by not only shifting cultivation and the H'mong people themselves but also by others who are living in the northern part of the country and even by some enterprises of wood exploitation and traders.

With the above mentioned land use systems the H'mong people used to move to far places and relied on forest to find their production areas. Due to the fact that the H'mong people usually migrated with a whole clan from East to West so it was very difficult to control. Meanwhile, the urgent issue for the H'mong people as well as for others who lived on shifting cultivation now is to be settled and that is a rather hard task.

Before, the H'mong people were considered the one who grew most opium in Viet Nam. Opium is a high economic valuable species that used to be grown in the best soil fields. However opium produces heroin that the whole world prohibited to grow, transfer and consume. However, which species to be replaced here is a difficult question that requires lots of studies.

At present, the distinguished features of the H'mong people are high birth rate, early fertility age and having many children. The average fertility rate of the H'mong people is over 4%. Probably, the fertility rate of the H'mong people is rather high among the population groups in Vietnam. According to some populists, the average fertility rate of the H'mong people is 7.9 - 8.3 persons. Average, in a small family in Ta Phenh village of Tan Lap commune there are about 7-8 persons. The similar size of the family we've found in some other areas such as Pa dong (Mai son, Son la), Huoi Le, (Huoi Tu, Ky Son, Nghe An). That means that right now we should have an urgent & effective measures to assist the H'mong people to dealt with their family planning.

Those problems cannot be solved today or tomorrow. That requires an overall look and a combination of various measures of which the roles of the traditional institutions and regulations of the H'mong people in their socioeconomic and cultural life as well as community management should be taken in consideration.

In this particular article we would concentrate our ideas on 2 basic traditional social systems only. They are "Jiao" and "xenh" family clan. The rest will be dealt with in the coming articles.

1. Village's institution: "Jiao". In the tradition of the H'mong people, "Jiao" was a grassroots social system. Each "Jiao " had its own name that rarely changed. Name of "Jiao" had been usually called after name of person or family who established village like Ta Giang Phinh, Ly Lao Chai, Hang Ta Chai, ...Name of the "Jiao " had also been called after name of natural features of the inhabited areas such as "Xinh phinh" (plateau), "Can ty" (dried area), "Cu de sang" (forest of palm trees), "Ta de" (stone), "Pakhen" (reed trees). Some others bore names of other groups such as Muong Long (Ky son Nghe An) there were 13 communes of the white H'mong called after names of the Thai (Nhat Khong, Muong Long, Long Keo, Tham Pang, Huoi Khun, Sam Xom, Tham Huoc, Tham Hang, Xa Lay, Mo Nung, Tham Luc, Tha Lang, Pa Khau. It could be explained that before these areas belonged to the Thai’s areas and were first reclaimed by the Thai.
"Jiao" of the H'mong consisted of the houses made by soil usually located in the high hill sides or in narrow valleys. In the plateau areas where people could make terrace fields the density of houses and population were relatively high (Dong van - Ha Giang, Bac ha Sa pa (Lao Cai). In the areas where people practiced seeding into holds of the rocky sides or cultivated on the steep land, the density of houses distribution was low, each village had some clusters each of that had 3 - 5 houses based on their own fields.

In the northern Borden part village of the H'mong had been fenced by stony walls which was quite strong and had a wooden entry gate. Border of each family as well as cluster had also its own walls. In Ky son (Nghe An) fence was made by bamboo instead of stone. "Jiao "of the H'mong in the North West was always back to the mountains. To which direction houses usually faced varied according to the topographical conditions of the site, there were no fence around "Jiao" as well as entry gate like in Ha Quang, Bao Lac (Cao Bang) and there was no hall room for village activities like in Ky son. In the population composition of the H'mong people there were pureblooded H'mong people, meaning that there was no mixed residence like in villages of the Thai, the Tay and the Nung. "Jiao" of the H'mong people usually combined from some clans that had an original one and sometimes there was only one clan a "Jiao". We could have a look at the population composition of the following communes:

**H'mong village in Van ho commune, Moc chau, Son la:**

<table>
<thead>
<tr>
<th>Name of villages</th>
<th>No of H.H</th>
<th>Population including children</th>
<th>Women including children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoa lap</td>
<td>32</td>
<td>300</td>
<td>155</td>
</tr>
<tr>
<td>Bo Nhang</td>
<td>81</td>
<td>626</td>
<td>323</td>
</tr>
<tr>
<td>Pa Che</td>
<td>43</td>
<td>355</td>
<td>182</td>
</tr>
<tr>
<td>Pacop</td>
<td>41</td>
<td>273</td>
<td>141</td>
</tr>
<tr>
<td>Chieng Di</td>
<td>72</td>
<td>507</td>
<td>262</td>
</tr>
<tr>
<td>Pa Phach</td>
<td>50</td>
<td>355</td>
<td>183</td>
</tr>
<tr>
<td>Thung Cun</td>
<td>47</td>
<td>373</td>
<td>192</td>
</tr>
</tbody>
</table>
Muong Long commune (Ky son district, Nghe an province).

<table>
<thead>
<tr>
<th>No</th>
<th>Names of villages</th>
<th>Names of clans</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nhat khong</td>
<td>Lau</td>
</tr>
<tr>
<td>2</td>
<td>Long keo</td>
<td>Va</td>
</tr>
<tr>
<td>3</td>
<td>Tham pang</td>
<td>Lau</td>
</tr>
<tr>
<td>4</td>
<td>Hoi khun</td>
<td>Va</td>
</tr>
<tr>
<td>5</td>
<td>Muong Long</td>
<td>Ly, Vu, ho, Song, Lau</td>
</tr>
<tr>
<td>6</td>
<td>Pa khau</td>
<td>Song, va, Ho, Vu</td>
</tr>
<tr>
<td>7</td>
<td>Sam xom</td>
<td>Va, Tho, Ho</td>
</tr>
<tr>
<td>8</td>
<td>Tham hooc</td>
<td>Ly, Ho</td>
</tr>
<tr>
<td>9</td>
<td>Tham hang</td>
<td>Lau, Song</td>
</tr>
<tr>
<td>10</td>
<td>Mo nung</td>
<td>Lau, Cu</td>
</tr>
<tr>
<td>11</td>
<td>Xalay</td>
<td>Cu, Lau</td>
</tr>
<tr>
<td>12</td>
<td>Tham luc</td>
<td>Ly, Lau</td>
</tr>
<tr>
<td>13</td>
<td>Tha lang</td>
<td>Lau, Va, Vu</td>
</tr>
</tbody>
</table>

Some H'mong villages of Go ma commune, Thuan Chau district Son la province.

2. Cha lai village: Vang clan - 32 households
3. Lao ha village: Vu clan - 13 households
8. Xa Nha village: Sung clan - 1 0 H.H, Lau clan - 5 H.H, Vu clan - 4 H.H.

Relating to management issue before 1954 a head of any "Jiao" used to be called "sep phai", who had the best reputation. In any "Jiao" Seopai" had a task to maintain general order of the "Jiao" through village meeting once or twice a year to assign some common activities to "Jiao" like: allocation of forest land to each family clan to avoid land conflict; regulation on appropriate time for cattle grazing; regulation on prohibited forest; young forest for house making; dealing with conflict internal Jiao; fining anyone who broke Jiao regulations; dealing with cases of thieves, sex out of marriage; monitoring households, number of mouths, heads of the families, recovering land of village's member who moved to other places and determination land use right on that piece of land.
Assistants to "Seophai" were "seophao" who usually were relatives of "Seophai" and assistants to "seophao" were "ty sung" who were also relatives of "seophai". Oftenly each "ty sung" was responsible for a particular job. One "ty sung" was responsible for inviting population to meeting, the other - for tax, the third one - for security of the village, the fourth may be responsible for supporting "Seophao" in different activities.

Whenever any problem relating to member of any clan happened, "Seophai" used to discuss with the head of that clan to find solutions. If there was anything relating to the whole "jiao" the head of the "jiao" usually invited heads of clans to be involved in the discussion where their voices seemed to be very strong even decisive in some cases.

In any "Jiao" of the H'mong people long ago existed regulations, specific rules relating to management and maintaining community's friendship. Any official in jiao used to base on those rules to operate activities and the member of the jiao used those rules as bases for their living organization.

More distinguishing was a feast "nao song" or "n ao cong" meaning festival sign of that we could find somewhere in the H'mong areas even now. The "nao song" used to be organized within a "jiao" in some places was held at the beginning of the new year (according to Tet of the H'mong people) in some others was later. The H'mong considered Dragon day the good day for that type of feast. Organizer of this feast in this place was head of the "jiao" but in other place was the one who by turn was assigned and his termship lasted from day of feast of this year to that day of the year later.

Participants of "nao song" consisted of heads of households in "Jiao". Women and children were not allowed to participate due to the fact that the H'mong considered them the ones who had no decisive ideas in the family, in the society and had fewer knowledge than men. However if head of the household was absent or sick his wife or son could replace.

After praying to God of the soil ("thu ti"), representatives of the households started to sit around the trays, organizer of the feast talked about general rules of the "Jiao". Head of the "Jiao" said: "Today is "nao song" day. Each family has its own head to participate here. All the official are presented here. Listen to my stories and then when you come home please tell to all others in "Jiao" in order that everyone know and implement correctly.

Since now, maize is going to be harvested, rice has just been sown, trees, crops are everywhere in the fields in the forests. The whole population is to be observed the following rules:

"cattle is to be grazed, not to be free released until 15th October (lunar calendar) this is harvest season, cattle can only be released after harvest. Over this time the one who has cattle eating rice of the one who has not yet finished harvest do not have to be fined.

During the harvest time of rice and maize only the owner of the field can enter his her fields; In case rice or maize would be stolen the one who enters the field has to pay fine for lost no matter he takes or not.

No one is allowed to steal a single melon, a bean, a leave of squash of other. No one is allowed to open water from paddy or upland field of other.

Anybody who has no bambooshoot in the field but has bambooshoot to be sold meaning he/she has stolen from other, will be fined.

Which clan to whom timber or bamboo forest belong is able to use these forests. Exploitation of other forests will be regarded as stealing. Anyone who wants to cut trees should ask for permission of the head of the clan. No one is allowed to cultivate in the prohibited forest.

People in one "Jiao" should not steal from each other, should not fight each other or burn house of each other.

Married man should not carry on other girl, married woman should not carry on other man. The one who did not follow this will be fined..."

The H'mong believed that those rules have been witnessed by God, the one who don't follow will get angeriness from God.

After speeches of the organizer people started to discuss and come to final conclusions. These activities used to taken place during or after meals. They discussed the 4 following issues:
Firstly, the security, stealing and control and prevention: everyone had a task to maintain security of the "Jiao", preventing robbing. Whenever robbing happened everyone had to cooperate with others to keep property. Each household appointed a strong brave man to participate in the force and that person had to make his weapon by himself (broadsword, knife, firelock), 3 dried torches and horns or wooden fish to announce people.

Whenever there was thief or rob entering village, the discoverer blew horn or beat wooden fish to alarm people. Men gathered and assigned a commander and divided groups to fight. The assignment and division were not made before because not all of the people could be presented at the moment of necessity. The commander was on duty only during the fight after that he was resigned. The one to be chosen to be commander is the one who was clever and courageous, having good knowledge of areas, able to deal with the situation and had an ability to lead people to fight against robbers. The specific alternative could be discussed such as being in all roads not to allow robber to release; warning other groups to be able to deal with. In case the robber had taken things and been running away, all members should chase for. The one who lost thing should head until thing had been given back or he accepted to loose thing the group then could come back.

Based on the idea of assisting each other to protect village, anyone who was injured mainly will have to take care after himself, the group could support with some food, medicine if unfortunately died will be supported with coffin and enjoyed good funeral. The family which had been robbed could also support the family of the victim. In case the injured person was lying inside the area of the robbers the members of the group had to rescue him anyhow by fighting with the robbers or paying ransom.

All the members had to keep secret of the plans of robbing prevention, force organization, weapon capacity of his group. People had also responsibilities to discover robber and the ones who had suspicious signs. The one who received guest from other places to stay with were responsible to the group for anything happening relating to that guest.

The one who dodged responsibility will be regarded as traitor and had to be fined and to compensate all the cost (wine, meat) for party and prepare other party to apologize village. But, due to the nature of that reason they did not have to pray to God of the soil.

The second issue was related to cattle grazing to protect crops harvest

This issue was to be discussed in detail during the feast. In any place existed always different rules, oftenly including the followings:

During the seeding season any household had to graze their cattle carefully or release them into the common grazing area of the village, not to free cattle and seriously prohibited households to burn to cultivate. The households who reared pigs near the fields had to keep them. Domestic poultry had to be kept until the harvest had been completed. Anyone who violated to let animal to break crops will be fined as one of the 2 followings:

Compensating lost by new planting, paying seed & products according to harvest of each crop.

As mentioned, within the residential area of a "Jiao" the families were free to cultivate, hunt, collect products but still had to observe the general regulations. In the forest if someone had marked his area the other cannot touch. If someone did not know about this and still cut, this piece of land will be divided into 2 halves. If the later had known already but still continued to cut the piece of land will belong to the first one who marked. If anyone wanted to cultivate in the land of the other who had officially reclaimed that land he should ask for a permission of the owner including some gift such as a bottle of wine. Particularly the fields for opium plantation used to be utilized for long term and was inherit from father to son so most of families did not charge or lend to other. During the fallow period this piece of land, still belonged to the old owner. The H'mong in Ky Son had a saying " chi thi ua mua cho tu va" (if father did not use he will transfer to his son), custom regulated that the inherited right of the opium field belonged to the eldest or the youngest son of the family (when parent got old they often stayed with their eldest or youngest son). If a member from this "Jiao" wanted to cultivate in the territory of the other "Jiao" he had to ask for permission of the head of that "Jiao" and bring him a bottle of wine. Since he got permission every year after harvest he had to pay fee to that village and could cultivate there within 3 years. If over this term the land borrower had to pay fine and products will be recovered.

The third issue is forest protection and plantation:

The community forest managed by the village or the forest under use of individual had been discussed about very in detail during the feast and there were many prohibited issues.

No one had a right to cut, burn or collect bamboo - shoot in the forest which belonged to one or some villages.
Any one who needed wood for house making or even for community activities had to ask for permission of the village. Before if any one who without permission cut trees in the prohibited forest had to compensate a pig, now he has to pay from 50,000 to 100,000 vnd.

Each household had its own pieces of forest, in the feast day one had to report to the village which forest he had planted or maintained, in case of approval of the village the rest should respect the property right of this family. In case being violated by the other the owner of that forest could ask "head of the village" for solution

Any one who did not respect the regulations on forest protection had to be fined as regarded for cattle breaking crops.

The fourth issue is assistance to each other in everyday life:

The members of a group usually had rules to assist each other in activities such as house making, funeral... It depended on circumstances of each villages, they used to have different rules such as if any one wanted to make house the members could assist in making walls, roofing or supporting with material. In funeral each household assisted funeral's family with a faggot of fuelwood, some maize corns or some bottles of wine, provided service during the funeral... In addition to that the households no matter of being rich or poor gave an equal contribution to the main actor (the one who built house or had funeral).

The H'mong people had a great concern with water source. In Ky Son (Nghe An) at the beginning of the new year "chu de " (head of the village) led the reparation of the water source each household sent one member to participate in boundaries making, fence making, putting new wooden cover... Yearly in the night of 30th of the Tet (H'mong Tet) the H'mong in Ky son had a tradition to compete to take water in the upstream (hua de xia). After the warble of cocks each household sent one person carrying bamboo line or wooden barrel to the upstream for water. Arriving, they shot firecracker or gunfire and then all of them together said: The old year passed, the new year comes, let's all the illness, diseases go with the old year. The new year comes with the best luck". Then, each used his tool to carry water home. Some people even balanced that water; they did like followed: took 3 water drops of the old year and 3 others of the new year and put them on the mini balance. If the drops of the new year were heavier, it meanted that the new year would have lot of rains, lucky year. If the bar was balanced this year would have lots of mishap. The H'mong consider water getting at the beginning of the new year was pure clean, expressing goodness. The H'mong people had got quite good regulations on water sources. Violator used to be fined depending on level of violation.

Prohibition on bath, wash, killing pigs, cattle, chicken... at watershed areas (upstream) (ho de) and source of clean water (pa de). The first violator used to be educated by the head of the village; If he continued to violate, he had to bring a chicken, an egg and a bowl of rice to the head of the village. The head of the village was responsible for bringing these things to the water source and said: "here is the place where the whole village got water for living, he (she) had come here to bath, wash to make water dirty, that's why we had this worship to God of the Water".

The water violator used to be fined according to 2 levels:

If he released poison to kill fish to the water source that was under use of some village he had to be fined with "xa lo o" (= 7,2 tael of white silver). As resulting of personnel conflict, releasing poison to water source in order to harm other had to pay "co o" (= 12 taels of white silver).

Paying fine by white silver had been used to all villages of the H'mong people in Ky son. Nowadays it changes into cash and levels are various from village to village, for ex, in Thang lam village the one who releases poison to stream (cho sua lo de) will be fined 200,000 - 300,000 vnd; but in Truong son the fine for the same violation is only 50,000 vnd.

In each village there was a specific area for cattle grazing that called "lut xa xia" and was carefully fenced around; The owner of the field had a right to shoot to death cattle which entered to destroy his fenced crops (chu te mlua xi tua chia no cong). After shooting, the shooter invited head of the village to come to evaluate value of the destroyed crops. If that value of those crops was exceeded value of the cattle the 2 involved persons divided that cattle into 2 equal parts. In case value of the crops was more than that of the shot cattle, the owner of the cattle had to compensate all destroyed crops and could bring his shot cattle home.

In each "Jiao" existed also fine applied for stealing. Some one stealing pig had to pay 50 taels of silver if pig had not yet been killed he could give back to owner and did not have to pay.

For having sex intercourse without marriage: In case a girl and a man had sex with each other, if the girl got
pregnant and the man refused to marry he had to pay 3 ingots of silver and a pig to offer the village. If the girl died when she gave birth to her child, that man had to work for her family for one year and her family regarded him a slave who had to do everything.

The man who committed adultery besides being beaten had to be fined ingots of silver and a pig to offer the village.

In case of divorce: If the husband left his wife he did not have to pay wedding fee, properly will be divided into two halves, children can follow either of them. If the wife left her husband she had to pay wedding fee and she could return to her parent house if someone wanted to marry her he had to pay wedding fee to the former husband. The wife could bring her marriage portion home. Property made by both could be divided into two halves. Son stayed with his father. Daughter could stay with either of them.

In case of killing people. Anyhow someone killed somebody no matter of innocence or deliberateness had to pay 50 - 100 white silver taels. Besides having to be in prison that killer also had to be a slave for some years as required by that victim family.

The custom regulation of the H'mong people long ago had been considered criteria for viture standard of each person, that contributed to maintaining order in the traditional society. Those regulations have also contributed to soil improvement and protection of forest, crops, and consolidation of community of each “Jiao”.

2. Families clan “xenhv”

In traditional as well as modern H'mong society existed a kind of social system based on blood relation, the clan "xenhv". People of one "xenhv" can be categorized into two:

Large scale: Included all the people of one clan no matter where he/she inhabited. That's why when the H'mong people first met each other they always asked names to know if new friend had the same blood. The bloody people had their own prohibited regulations that only members of that clan could know. The one who released those regulations will be treated with by very strict fine like being asked out of the clan or his land had to be recovered. Thus, people of one clan were considered as bloody relatives. They were not allowed to marry each other, the violators used to be fined very strictly. It could be said that the relation at a large scale based not on families blood criteria but just on clan and prohibited regulations.

Relation at a small scale: In a village of the H'mong people there were living some clans. Each of them was considered as a father-based - bloody unit. Members of that clan were closed to each other and all were originated from one ancient. Ancient was the one who died already and the oldest man of the clan had still remembered him. Usually if we started from son generation to ancient, there were 3 or 4 lives: Son-father-grandfather-great-grandfather. The great-grand father who was still remembered by the grand father was ancient of the clan.

When the H'mong people wanted to accept relatives of the same ancient they always asked carefully about prohibited regulations of the clan, the way to worship ghost (house ghost, room ghost...) especially the way to organize a funeral for the death. Each member of the clan should know and implement fully those regulations, and the head of the clan was responsible for explanation all of those to each member. Some of these regulations were not to eat some animals or parts of some animals like clan Ho in Ky Son never ate monkey, Siang clan never ate heart, Ly clan never ate spleen, the same Thao - cucumber, Sung - squash... The other prohibited regulations in living and production like Va clan in Ky son never carried vegetable to their field, Lau clan never allowed daughter -in-law to clean kitchen. The interesting thing was each clan had its own way of worship. It varied in numbers of bowls, ways of arranging them, ways of dividing meat, place of worship and place of meals.

For ex, in worship of thank to parent of the H'mong in Ky Son, the Va clan used 33 bowls and gave meat left to right. The same to Sung clan but there were only 13 bowls. Giang clan 33 bowls in round arrangement, Ma clan used 19 bowls but arranged in a straight way. In funeral there was a very distinguishing feature in ways of putting dead body inside house, whether putting dead body into coffin at home or in the graveyard, the location of grave (one clan puts grave in the same direction with mountain ridges, head faced east and put no stone around grave, the other fenced bamboo around grave). The H'mong had also other notes to recognize clan, for instant, for some reasons member of the clan had to leave each other they usually gave thing to each other so based on that later they could recognize each other : one clan used two halves of a stone each kept one and the other used a drum, a sword.

According to studies of some researchers and of ourselves, each H'mong clan had its own name that usually
related to animals or trees, things or colour like: Sung (bear), Ma (horse), Siang (goat), Lung (dragon), Ho (monkey), Cu (drum), Then (barrel), Thao (pearl), Ly (plum), Hoang (yellow), Lu (green), hung (red). However meaning of name of some clan had yet been defined even now like Vang, Chau, Tan, Trang...

Before a clan of the H'mong people used to resident in a certain area that reclaimed by head of the clan and heads of households. In some areas we found there is only one clan in one village. However, predominantly different clans were living in the same village, but households of the same clan usually live in one or close clusters.

In the traditional society of the H'mong people, the economic unity of a clan was expressed in common property right of land, forest. Paddy and upland fields legally belonged to clan but cultivation and cropping was done by individual household. For the allocated field household had only use right. If a household moved to other place or had no one to inherit land belonged to clan. Head of the clan decided to allocate these land to the one who lacked. The difficult family could lend land's field firstly to relatives, priority was given to the closest. If no one from-the clan wanted to receive that land, the owner could lend it to outsiders. In case of necessity land owner or anyone of the clan could pay ransom and asked for land back. There was also a regulation: a clan if moved to other place but still brought dead body back and buried in the former area still had a right to use land there. If the dead body was buried in the new area, that meant they left former land already and that piece of land later belonged to the community and anyone could cultivate and did not have to ask-for permission of the former owner. Traditional land use systems of the H'mong people had been defined specifically: Leadership of a clan managed land of the clan at places where the members of the clan were living. Thus, there was no concept of relation between village's land and villagers. It was completely acceptable if someone from this village came to other village to inherit land of his relative or expand cultivation area. Differently in villages of the Kinh people, besides community land or land for worship... the individual land property have been confirmed but still at the same time managed by the village administrative organization. A village manages its land, however there were some cases of encroachment. Individual land is part of village property and the highest property right belongs to the State.

Forest, stream before belonged to management of the clan. Any member could cultivate and collect forest products. Outsiders could come to collect fuel wood or mushrooms but had to ask for permission of the management clan if he wanted to cultivate.

Before in Ky Son a clan used to organize cultivation together. When the season came, head of the clan together with some experienced went to choose site. At a good day the whole clan went to cultivate. The cultivated area used to be divided to each household. Criteria for portion were based not on the number of the participants in cultivation but on the numbers of the mouths of each family. Boundaries between the allocated plots used to be marked by unburned tree branches. Presently due to increasing population and limited land availability only group of bloody relatives cultivate together.

Before in some areas like Bac Ha (Lao Cai) a clan had its own graveyard like graveyard of Giang clan in Lao Diu Phau, of hang clan in Sen Sui, no one from the clan was allowed to plant tree or crop on that area. The H'mong considered the selection of the location of the graveyard of the clan influenced very much to the later generations. Thus, if the members of the clan especially the competent ones were buried in places where the clan faced many mishap or difficulties (illness frequently, disease...) it was necessarily to choose another place. The unity of the clan was expressed at a worship of thank to parent (ma bo-"nhu da"). All members of the clan had to attend this feast. Even daughter of this clan who got married already (belonged to ghost of her husband family) could not be absent from this feast. Worship things were arranged in a right way of the clan. In the "nhu da" feast in Ky son the worship bowls had been arranged like following: The first bowl offered ancient, the second one was to parent, the third one was to dead uncles. One of the 3 last bowls was used to offer dead sisters. The organizer of the feast was head of the clan.

The spiritual, unity of the clan had also been expressed through the yearly organization of the "tu su" feast meaning turning out bad ghosts and praying happiness to the whole clan. The Mua clan held on 20th September. The Giang-on 29th September. The place of this feast moved from family to family of the clan. The feast lasted within a morning.

At a day of "tu su" feast, in every family head of the household put on head of each member a red and a white thread and tied them with a reed that had only 3 leaves left at a top. Head of the household burnt a piece. of clothe holding reed, walking around house and said: "If go without "tu su" with, a knife cuts and lot of blood will flow. if go with "tu su" a knife cuts and no blood will be flown" Then he turned round the reed once at central kitchen and other time at the second kitchen. Reaching door he stooped fire and took the reed to the feast house. Here they tied all reeds into one tree, the Hmong called "ndangz", 2m length, 3 branches at a top.

Burnt cloths of the families had also been tied and put in the center of the tree. The participants appointed a
chairman of the feast "Thxi su" who knew how to organize the feast. "Thxi su", burning bundle of cloth, holding bag of maize & bean, walking around house, throwing maize and said: "All the worst gone, all the best stay. People go everywhere do not be fall to mountain creek, not be eaten by snack or tiger". Reaching front door he threw all maize and bean toward forest. Then they put "ndang" at the center of the yard. In the yard there were available 2 baskets with rice in one and "pa" seed in the other. A cook was put on the table. The participants gathered in one place. Thxi su used a thread to hold around all of them meaning symbol of unity of the clan. Then thxi su used a knife to cut top of the reed. The knife was sharpened so carefully that he had to cut only once. It needed two times the H'mong thought mishap would come that year. At the same time another person held a crossbow and shot an arrow over head of everybody toward west. The cut top of the reed they regarded a symbol of evil so they did not allow cattle to eat. The "thxi su" put the knife on the ground, put the crossbow cross "ndang tree" and everybody one by one stepped over that meaning putting back the worse and coming to the good. After that the participants joy a party. Thxi su was given the basket of maize and the cock. The crossbow shooter was given the basket of "pa" next to that the head of the clan asked which family wanted to organize that feast next year. The one who accepted will be invited a cup of wine by the standing organizer and the news of place of the next year's "tu su" then were announced to everybody.

Every family of the clan should have its representative to attend: "tu su" feast. Through that feast people knew how many persons of his clan this year by calculating numbers of threads tied in the reed of each family. The people outside the clan could not attend the "tu su ".

Any clan of the H'mong people used to have its leader who was called "ho pau"(a root), "ua thau" (a head) or "chu sung" (head of the clan). That person was the one who had a profound understanding of the regulations or worships texts of his clan, he used to know job of a magician; understanding of traditional customs; good at justification. It was not by chance in many places a head of a clan was called "trang ke" (lawyer) of the clan. In addition to that head of the clan should have ability to organize production and have lots of experience, be honest, equal, reliable for members of his clan and respectable for the outsiders. Thanked to good reputation and rich knowledge the voice of the clan leader was very strong and powerful sometimes stronger than of the officials. Clan leader used to be given honor to sit at the first edge of the table backing the praying - worship - shed and facing to front door during feast or worships. Clan leader used to be the first who studied legs of the chicken but be the one who last gave words.

Head of a clan was responsible for maintaining common activities of the clan like taking care of ancient worships. He also had to report to ancient whenever children get married or birth to another son had been given. When somebody of the clan died, the leader had to discuss with heads of the families to deal with the funeral. He also participated in solving problems relating to marriage, inherit, house building of the families of the clan, mobilizing members to assist each other in difficult circumstances. On behalf of the clan he had to settle conflicts between families within his clan or between his clan with others, resolving conflict within the clan relating to land, property, dealing with violations of regulations of the clan, responsible to the clan for transferring all the regulations and the production experiences to the members of the clan, organizing feast of ghost turning out and blessing to all members of the clan, deciding whether to move to other place or to stay. In case somebody of the clan had a mistake, he had to chair the discussion with the members to deal with and find a suitable fine. Before head of the clan was the one who organized and led the members to fight against oppression of the feodialists and the occupants.

Generally speaking head of the clan of the Hmong was a very important person. Level of influence of different clan leaders were not the same. The clan leader who had literacy who knew jobs of a magian had better reputation the one who had no literacy and did not know how to pray had a limited influence. All the members of the clan had to follow orders of the clan leader. Clan leader was also the one ho was responsible for all. The old men in the clan were the ones who monitored the activities and behavior of the clan leader. If the clan leader did not fulfill his duty he could be resigned. However, clan leader must not decide everything by himself without discussion with the old men and the uncles of the clan, the ideas of the clan leader were most decisive. The clan leader had to work like other members and had no other benefit.

Besides the clan leader the "nhangx" (sister of father) had also an important role for the H'mong people. After marriage, the "nhangx" became member of her husband family but still had responsibility for children of her brother. She had a right to contribute ideas on decision of marriage of her nephew, wedding fee. If mother of the grandchild died, the "nhangx" was on behalf of the nephew's family to discuss with the head of the clan to decide how to organize funeral. After parent of the grandchild died the "nhangx" together with the clan had to take care of the life of the nephew and decide his/her marriage.

If the clan wanted to change way of organizing funeral they had to ask for opinion of the "nhangx" and they couldn't change unless she agreed.

As we knew in the H'mong society the "Jiao" was a basic social system. head of the village had a very
important role in administration of the village though he had few benefit. Any "Jiao", any clan of the H'mong people had its own regulations. Those regulations had been discussed and established and agreed upon by the members of the clan through "nao song" feast; All of the people had responsibilities for implementation of these regulations. The one who had most powerful strong voice in the H'mong community was head of the clan. Within a clan, the head was reliable respectable and followed by the members. The "nhangx" was the one who could change the way to organize a funeral and monitor the members to implement the regulations of the clan. Thus, we need to study more on the customs, regulations, roles of village's leader and head of clan of the H'mong people to contribute to more effective management and dealing with some remaining issues under existing circumstances. We would think, the studied on how to cooperate the "commune" administrative system with the traditional system "Jiao" will contribute to improvement of the resources management of the H'mong communities.