

# *The Role of the Press in the Construction of a Legitimate State in Vietnam Today*

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## *Introduction*

The construction of state legitimacy has been for a long time now an inevitable trend in democratic politics in the modern world. Vietnam is not an exception to this general trend. In Vietnam's revolutionary reality, especially since the beginning of the renovation process in 1986, the question of how to construct a socialist and legitimate state of the people, by the people and for the people has been a regular issue, simultaneously a political objective and an urgent requirement of societal practice. The Vietnamese Communist Party is theoretically aware of the necessity to develop legitimate state patterns. It has led and mobilized many resources to enhance state legitimacy, including the press in particular, because it is "a sharp tool in attitude and culture of Party and State, and social and political organizations; both a voice of the party, the state, organizations and the people's forum."

An important characteristic of Vietnam's political system is the existence of only one ruling party. Therefore the establishment and development of legitimacy are under the leadership of the Communist Party which deeply influences the Vietnamese state: the party determines the principles of the state's organization and leads the entire governmental structure on a strategic level. The state at the same time is an agency of people's power which is led by the Party through basic principles for policies, but also by defining directives and conceptualizing laws. All these elements of the party's policies, including the further development of a socialist legitimate state of the people, by the people

and for the people, are communicated to the Vietnamese population mainly through mass media, especially through media like the Party's newspapers. In this article, we summarize the results of a survey we conducted on important official gazettes: People Newspaper, Communist Magazine, and Electronic Newspaper of the Vietnam Communist Party, from January to August 2014. These eight months anteceded the XI Congress term, an important period of time during which the issue of socialist legitimate state construction was intensively covered by the media. The first half of 2014 was also part of a so called "speeding-up-year" in order to achieve the goals of the Five-Year-Plan (2011–2015) and the first year to apply the Amended Constitution of 2013.

Let us briefly characterize these official gazettes. People Newspaper is

*"a voice of the Party, the State; an honest voice of the Party and State within the country and in world opinion, etc.; simultaneously a people's forum, reflecting thoughts, needs, proposals and initiatives and experiences of the people and organizations, etc.; a political and ideological flag of the Party in the press arena of the country, the daily communication bridge of the Party, State with the masses."*<sup>1</sup>

Communist Magazine is a theoretical and political agency of the Center of the Vietnamese Communist Party. Electronic Newspaper of the Vietnam Communist Party is

*"a voice of the Party, State and Vietnamese people on the internet; an electronic information source of Center of Vietnamese Communist Party; a center integrating and exploiting information from the electronic information page of the Departments of Center Party, Center Office, Provincial committee of the Party, City committee of the Party, Party committee under Center; an information and communication portal between the Party and People."*<sup>2</sup>

People Newspaper, Communist Magazine, and Electronic Newspaper of the Vietnam Communist Party belong to three different types of gazettes but they are significant for the Communist Party's and Vietnam's press agencies in general. Both, official party documents and the Constitution, assure that the Vietnamese State is a contract of its citizens as a socialist legitimate state of the people, by the people and for the people. In this state, all power belongs to the people. This means that democracy is the core of state-legitimacy in Vietnam. To develop it further a process is encouraged to institutionalize people's power

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<sup>1</sup> Vietnamese Communist Party (2007), 398.

<sup>2</sup> [http://dangcongsan.vn/cpv/Modules/News/gioi\\_thieu.aspx](http://dangcongsan.vn/cpv/Modules/News/gioi_thieu.aspx).

by laws in the state apparatus. The goal is to provide maximum benefits for the people. All activities of the state apparatus must abide by the Constitution and laws and must be guided by the spirit of the law. Every staff officer who is working in the state apparatus is required to be a man of “morals” and “talent” to meet the need of the task of socialist legitimate state construction. These issues are fundamental contents of articles writing about the legitimate state in Vietnam.

The paper uses both qualitative methods and quantitative methods, such as the participant observation and statistical methods. We collected 766 articles writing about the construction of a legitimate state in Vietnam from People Newspaper, Communist Magazine and Electronic Newspaper of the Vietnam Communist Party from January to August 2014, then classified and analyzed three main roles of the press First, the press on extending democracy, promoting the voice of the people; second, the press on the renovation and improvement of the state apparatus; and third, the press on improvements of staff, cadres and civil servants.

### *The Press on Extending Democracy, and Promoting the Voices of the People*

In a democracy power belongs to the people and is exercised by it. This power is expressed in various areas of which the possession and control of state power is a central one. Democracy and law are two parts of a whole, as democracy is under the provision of law and an integral part of the entire legal framework. Legitimate state power belongs to the people; its exercise is a way of democratic expression itself. Democracy is only possible under the legality and humanity of a legitimate state. History has proven that “no legitimate state, no democracy”. Democracy is based on laws as a fundament of democracy and tools to further improve it. The process to expand and implement social democratization is a process of developing and perfecting laws. To improve the legitimacy of the state is therefore directly related to the process of democratization.

In Vietnam, state power is delegated by the people, therefore, the nature of the relation between people’s and state’s power is the key issue of democratization. Under the Vietnamese Constitution the people decides about areas, purposes and ways of how state power is exercised. There are various ways of state

power control, depending on location, function and task of each governmental organization. The control of state power by the mass media plays a decisive role. On the one hand the Vietnamese population is constantly provided with information about the government, as the state must publicize its activities. The 4<sup>th</sup> President of the United States of America James Madison once said: “A popular government, without popular information, is but a prelude to a farce or tragedy, or perhaps both.”<sup>3</sup> On the other hand, the mass media create forums for the people to express their demands and thoughts.

Reporters and journalists with modern facilities are highly capable of detecting and reflecting people’s expectations regarding state and society. Due to the starting process of further democratization in Vietnam, the above mentioned gazettes have begun to provide more information about governmental activities (reflected in the People’s Daily newspaper by providing more information about activities of the leaders of party and state). They have also published/uploaded more articles than previously on democratic theory, and about opinions and expectations from the public. From January until August 2014, all three newspapers have posted a total of 162 articles on democratic theory and public opinion: People Newspaper has posted 96 articles (accounting for 60.5 %), Communist Magazine with 6 articles (accounting for 3.7 %) and Electronic Newspaper of Vietnam Communist Party with 58 articles (accounting for 35.8 %).

On behalf of the Communist Party’s Theoretical Agency, Communist Magazine has always published profound research by scientists and politicians on democratic theory in Vietnam, such as “The leadership of the Communist Party of Vietnam – the decisive factor for democracy in our country today” (February 2014), “Enhancing the Party’s leadership for the people to participate in building the Party, a clean and strong government” (April 2014). People Newspaper and Electronic Newspaper of Vietnam Communist Party have also given special importance to post articles on democracy: for example “Democracy” or “Anti-democracy” (People Newspaper, 10 June), or “Meditations on all Abnormal Phenomena” (Electronic Newspaper of the Vietnam Communist Party, 19 August). As can be seen from these articles, in terms of perception, the current cadres and civil servants and the different social classes have increasingly understood the relevance of the democratic issue, particularly

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<sup>3</sup> Tran Ngoc Duong (2011), 368.

expressed in expanding freedom of speech, and thought, thereby, improving the democratization process of the society.

The press not only transmits theoretical information on democracy, but also is a public forum. Through the press, for example People Newspaper, the people can raise their voices on diverse problems. From January to August 2014, People Newspaper has posted 94 articles containing opinions and messages of its readers. The articles' contents reflect opinions about national policies regarding the state apparatus and its democratization: "Delayed enforcement, civilian damages" (14 August), "Government fails, people suffer" (1 August), "Ill management in medication" (5 July), "The people are thirsty for clean water beside the abandoned waterworks" (20 June), "Must choose officers for reception of citizens" (31 May).

Electronic Newspaper of the Vietnam Communist Party is an e-paper and therefore another "young" newspaper in the system of Vietnam's revolutionary press. From January to August 2014, it posted 54 articles containing opinions and messages of the people: "Reception of citizens and '4-imploration' story" (25 July), "A story about the mirror at 'One-door Department'" (24 April), "Clarifying the 'allegations' about bidding" (24 April). Published opinions about the implementation conditions, unreasonable aspects when making policies or shortcomings in the operation of state agencies play an important role. For management agencies this is a step forward to adjust and improve policies and activities of the state soundly and effectively.

As can be seen from the press, democratic awareness of all social classes in Vietnam has been improved. The articles represent opinions of the people about all aspects of life, but especially in political life they introduce new values in political culture: further democratization by enhancing communication and behavioral skills in a democratic sense. The Vietnamese citizens have realized that democracy today not only is expressed through methods of work itself, but also through a bilateral style and behavior: public officers and party members to citizens and vice versa.

The growing relevance of the press as a common public forum has clearly demonstrated that there is an increase in political participation and democratization in Vietnam. The population nowadays is more aware of its rights and responsibilities as citizens under law. Simultaneously, it also indicates that the freedom of speech which is guaranteed by the constitution is increasingly exercised in reality. This all proves that power increasingly belongs to the people.

*The Press on Renovation and Improvement of the State Apparatus*

One basis of renovation policies is the improvement of the governmental structure, an issue which is connected with the implementation of legitimate administrative procedures. The entire governmental structure and each of its measures must follow the Vietnamese Constitution and the laws. In this sense 2014 was an important year, because the Amended Constitution of 2013 was put into effect. In this process the mass media played a key role, as they not only provided information about the Amended Constitution but also mirrored opinions about the reform process. The mass media can help to discuss and improve legal regulations and can enhance awareness of civic responsibility, and improve general knowledge about the renovated legal system. As a bridge between people, party and state, gazettes like People Newspaper, Communist Magazine and Electronic Newspaper of the Vietnam Communist Party dealt intensively with the Amended Constitution and its content. From January until August 2014, a total of 112 articles on legal topics were published in these newspapers: People Newspaper posted 36 articles (accounting for 32.1 %), Communist Magazine 8 articles (accounting for 7.2 %) and Electronic Newspaper of Vietnam Communist Party 68 articles (accounting for 60.7 %).

The gazettes predominantly published treatises which presented deeper analysis about the content of the Amended Constitution to improve common knowledge about the changes occurring, such as: “Continuously build and perfect the socialist legitimate state under the spirit and contents of the new constitution” (Communist Magazine, March 2014), “Congress on the Constitution (Amended)” (People Newspaper 12 March), “Some new points of the Constitution (Amended) about Government” (People Newspaper 25 March), “Enforcement of human rights in the Constitution” (Electronic Newspaper of Vietnam Communist Party 28 March). Besides, the press focused on observing critically the activities to implement or reform specific state agencies, an important part of the entire reform process. In this way, the press played an important role to bring the Amended Constitution into real life.

As information about the previously prevailing legal norms as well as the changes in the Amended Constitution, the gazettes created favorable conditions and presented a platform for the readers to discuss the ongoing renovation process including specific laws on Thrift Practice, Combat of Waste, Dis-

aster Management, Land, Health Insurance etc. Besides, the press was also a channel for people to raise their voices about the inadequacies of the current legal system. For example, the article “Soon ‘remove’ the inadequacies in wrong compensation” (People Newspaper 12 February), dealt with large inadequacies in the Law on State Compensation Liability – persons claiming compensation had to identify the officers responsible for the damage already at the beginning of the compensation request. Law enforcement in fact demonstrated that these regulations were a big obstacle to the implementation of the new liability law, especially for ordinary people. Another article “Breaking ‘barriers’ in administrative implementation of investment” (People Newspaper 26 February) demonstrated the inadequacies in the implementation process of administrative procedures for investment projects which are stipulated by the Law on Investment. This is another example for the continuous efforts of state and party to improve law enforcement through publications by gazettes.

Considering the different branches of state power, legislative, executive, and judiciary, the Vietnamese press has always reported intensively about the holder of legislative power, the National Assembly News about the National Assembly is conducted regularly by the press. Due to the specific activities, members of the National Assembly mostly work concurrently; activities mainly take place when the National Assembly convenes, which is also the period of most of the press’ publications.

During the sessions of the National Assembly, its Standing Committee and other Committees of the National Assembly, many press agencies and journalists were mobilized to report. According to our survey, from January until August 2014, all three newspapers published 277 articles about activities of the National Assembly. In which, People Newspaper posted 90 articles (accounting for 32.5 %); Electronic Newspaper of the Vietnam Communist Party has conducted 185 articles (accounting for 66.8 %) and Communist Magazine has posted 2 articles (accounting for 0.7 %). Therefore, reporting about the National Assembly is not the main content of the magazine. Its task is rather to provide the members of parliaments with information. Through transmitting information the press agencies have drawn the attention of the public to the activities of the National Assembly. Especially, information published about the daily sessions of the National Assembly helped the people to understand the ongoing political changes., and enabled the Vietnamese citizens to monitor these, and to ascertain opinions which were posted. During the sev-

enth session of the National Assembly XIII (20 May to 24 June 2014), People Newspaper and Electronic Newspaper of Vietnam Communist Party published 35 typical comments of citizens about the content of the sessions. These comments on the one hand created more public awareness of the National Assembly's activities, and helped to improve the law making process of the parliament on the other hand.

The administrative function of state agencies covers nearly every area of the society. Therefore it is an urgent task to promote the reform of Vietnam's administration and of its administrative procedures in particular. The latter are currently given a lot of attention, as administrative procedures as well as any other legal provisions are not only implemented to manage the administration but must create conditions for citizens, and organizations to exercise their rights and obligations. Until now, for many reasons, administrative procedures have always been causing much inconvenience as cumbersome and complex regulation has been one of the reasons for corruption, and authoritarianism. Therefore, posting articles related to the reform of administrative procedures has always been emphasized by the press since the beginning of the reform process in Vietnam. From January until August, 2014, People Newspaper and Electronic Newspaper of Vietnam Communist Party released 41 articles on this problem. Some striking ones are: "Remove difficulties in settling administrative procedures" (People Newspaper 3 January), "Publicize the whole process of settling administrative procedures" (People Newspaper 8 February), "Administrative procedures, easier said than done" (Electronic Newspaper of the Vietnam Communist Party 20 February), "Enhance responsibilities of the head in controlling administrative procedures" (Electronic Newspaper of the Vietnam Communist Party 15 August). The articles highlighted the inadequacies in enforcing the current administrative procedures, and proposed solutions for further reform such as reducing the number of administrative levels, improving the cooperation between different state agencies, creating a more favorable environment for production and business and for the citizens to claim their legal rights.

To defend justice, and to protect human rights, an objective requirement is to improve the judiciary in Vietnam. Judicial reform is necessary, as with the ongoing changes many new challenges for the Vietnamese court system have emerged, for example in the areas of market economy, international integration, and economic relations. Vietnam must undergo on the one hand a reform

process to ensure favorable legal environments for economic activities, for the protection of property rights, and business freedom, and generally for the legal interests of investors, business and citizens. In addition, on the other hand, law enforcement must be improved to fight crime and law violations more effectively. Therefore, the press agencies have always focused on the publication of information on judicial reforms. From January to August, 2014, the gazettes published 27 articles on judicial reform, in which, People Newspaper posted 7 articles, Electronic Newspaper of Vietnam Communist Party posted 19 articles and Communist Magazine posted 1 article. The main contents throughout these articles were the objectives of the judicial reform to build a strong, democratic, systematic and clean judiciary in order to protect justice and human rights.

With a total of 457 articles published in the operational information on many aspects of the reform process from January to August 2014, People Newspaper, Electronic Newspaper of Vietnam Communist Party, Communist Magazine – the important press agencies of Vietnam's revolution press – provided information on the activities of the state to citizens. The press became a forum to transmit public opinion to the state, thereby contributing to promote innovative activities.

### *The Press on Human Resources*

Human resources in the state apparatus have an important role in determining its effective and efficient operation. President Ho Chi Minh said:

*“Staff is persons who bring the policies of the government and its organizations to the people. If staff is bad, good policies can not be done”.*<sup>4</sup> “Staff is the line of the machine. If the line is not good, no matter how good the engine is running, even running the whole machine, it is still paralyzed.”<sup>5</sup>

Human resource management plays a significant role in building a socialist legitimate state of the people, by the people and for the people. Therefore, staff and civil servants must meet the requirements associated with it, and possess professional capacities for their mission. They must be dedicated and hard-

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<sup>4</sup> Ho Chi Minh (2011), 265.

<sup>5</sup> Ho Chi Minh (2011), 68.

working; responsible and possess a work ethic while performing duties in their assigned tasks; comply with the provisions of the law with self-awareness and strict discipline; have respect for citizens and their legal rights; be citizen-centered; listen to opinions and aspirations of the people and learn from the people in a modest manner, etc. Creating human resources for the civil service is not only a task of the political system, but an outcome of their interaction with the masses.

As a medium of information between party, state, and people, the press has always focused on reflecting activities of staff work, and have been a forum of expression of popular opinion about human resources of party and state. From January to August, 2014, People Newspaper, Communist Magazine and Electronic Newspaper of the Communist Party published 147 articles on staff and work-related issues. In which, People Newspaper posted 107 articles (accounting for 72.8 %), Electronic Newspaper of Communist Party posted 37 articles (accounting for 25.2 %), and Communist Magazine posted 3 articles (accounting for 2 %).

First of all, we must affirm that the press plays a significant role in detecting and posting information about positive examples of “Servants of the people.” People Newspaper greatly emphasized this matter, and gave many examples of positive voices about good public officers. From January to August, 2014, at the beginning, with the column “People’s servants” and then after “The jobs for the people”, it published articles about 28 typical examples of staff. Some outstanding articles namely “Take the good to remove the bad” (16<sup>th</sup> May) about the head of a small village – Nguyen Hoang Khanh at Phu Thanh, Mai Dam town, Chau Thanh District, Hau Giang Province – who is always at the forefront of building mass movements to protect national security, “a staff who has always earned the people’s trust.”<sup>6</sup> The article: “The son of the mountain village” (12<sup>th</sup> June) about Le Hong Thanh, lieutenant-colonel, captain of the criminal police of Yen Chau district, who is a typical example of “a citizen-centered style, having the same food, the same house, and working and producing with compatriots”<sup>7</sup> of a people’s police.

We can conclude that that many articles mention the positive sides of cadres and civil servants. These human resources are well trained, and retrained

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<sup>6</sup> Thanh Phong (2014), 8.

<sup>7</sup> Duc Tuan (2014), 4, 8.

both in political theory and professional knowledge regarding policies and laws, they meet certain levels of assigned work. A part of the contemporary human resources in Vietnam's administration quickly adapt to the new requirements and challenges in the process of the state reform. The articles describe the majority of human resources in public service as of high political quality, with good work-ethics, citizen-centered, and abiding by guidelines, policies and laws.

However, in comparison with the requirements for human resources in the socialist legitimate state of the people, by the people and for the people, the cadres and civil servants today also revealed many weaknesses and inadequacies. Both are reflected in the mass media by the popular voice. From January to August 2014, People Newspaper published 27 articles which reflected people's opinions about the shortcomings of cadres and civil servants in a special column: "troublesome jobs in the eyes of the people". Some remarkable articles such as: "It is such a lack of responsibility to the people" (published 12<sup>th</sup> June) about the shirking of responsibilities by staff at General Hospital in Quang Nam area and Da Nang Eye Hospital where five patients suffered infections after eye surgeries. Article "Lack of responsibility towards the people" (4 July) about insensitivity, irresponsibility of some officials of Nam Hung commune, Nam Truc District, Nam Dinh Province in the treatment policy for people with meritorious services who fought in the country's armed forces.

Through the common reflections via forums of the press it can be seen that many weaknesses and shortcomings exist among the current cadres and civil servants: professional qualifications are still incommensurate to meet the job requirements; the initiative and sense of responsibility for assigned work is still low, lax discipline; limited management and operating skills. A number of cadres and civil servants are incapable, fraudulent, corrupt, harassed, lacking in impartiality and objectivity in handling affairs, irresponsible towards the people's work; a number of key officials at the local level seem to be confused, embarrassed, passive with weak skills and spirit when problems arise.

Besides posting assessments of public human resources, the press has also emphasized reporting about staff work in order to reflect existing disadvantages, but also to detect innovation in administration and its procedure, especially assessment of work on the local level and job rotation for officers. From January to August 2014, People Newspaper published 31 articles

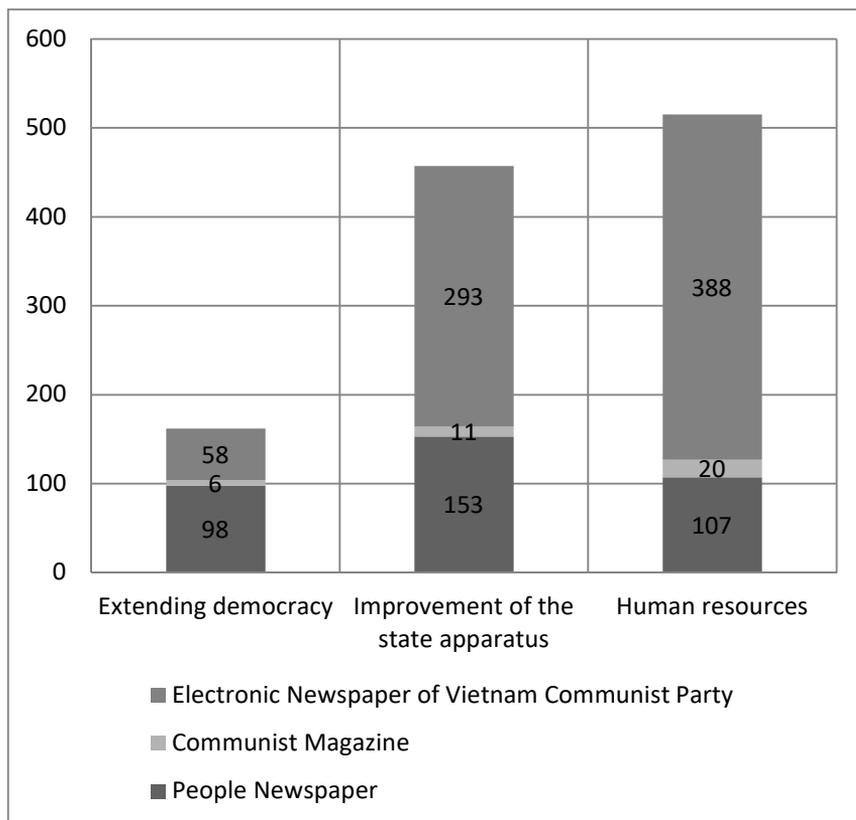
on staff work, which mainly reflected innovation on the local level. However, many shortcomings of staff work are still existing in general. Typical articles are: “Identifying expressions of “Group’s Benefits” in staff organization work and solutions” (Communist Magazine, May 2014), “good and bad in staff rotation” (People Newspaper October 2014), “How to make personnel work reasonable/sensible” (People Newspaper 28 June), “The paradox in the management and use of cadres and civil servants in Hanoi” (People Newspaper 30 August), “Is it true that talents are like autumn leaves?” (Electronic Newspaper of the Communist Party 28 April).

In these articles the shortcomings of local committees, branches and units are decried: they do not really care for human resources, do not actively plan their development or if only in a perfunctory way, especially not for leaders and managers, do not properly consider job rotation from the central to local levels. Structures of the administrative service including the organization of personnel is often irrational.

It can be seen from the chart that from January to August 2014, People Newspaper, Communist Magazine and Electronic Newspaper of the Communist Party published a total of 766 articles on issues of the legitimate state in Vietnam today (People Newspaper with 358 articles, Communist Magazine 20 and Electronic Newspaper of Communist Party 388 articles published). Electronic Newspaper of Communist Party has the highest number of articles because it is a daily online newspaper. Communist Magazine has the lowest number because it is a theoretical monthly magazine.

The number of articles on human resources is the highest, expressing the importance of this issue, while the number of articles on extending democracy, promoting the voices of the people is at least comparable to other ones. It is not easy to write on theoretical issues in daily newspapers. The number of articles on renovation and improvement of the state apparatus is high, including all typical divisions of power such as the legislature, executive and judiciary.

*Table 5: Selected Newspapers on Improvements of the Legal State*



*Source: Own data analysis*

### *Conclusion*

It can be seen that there are three main roles of the press in the construction of a legitimate state in Vietnam today. First, the press gives information in order to help people understand the concept of the legitimate state, and especially the characteristics of the socialist and legitimate state of the people, by the people and for the people in Vietnam. Second, the press advocates the general line and policies of party and state, and mobilizes citizens to participate in

building the legitimate state. Third, the press is a forum for people to express their opinions, and to monitor the state apparatus as well as the staff and civil servants in the process of building the legitimate state in Vietnam.

However in the entire reform process, the press in Vietnam has some limitations. Firstly, information about the rule of law is plentiful today, but not really presenting the full picture. The difficulties and challenges in building the legitimate state has not been analyzed sufficiently. Besides, although the press has often been reflecting the negative sides of the state apparatus, it has not dared to speak out some problems. Moreover, the mistakes mentioned in the press mostly come from low-level officials, less from high-level ones. It is a requirement for the press to broach the issue of administrative reform more intensively, as well as to communicate more the values of the rule of law. The central goal is to mobilize citizens and to engage them in the construction of a socialist and legitimate state of the people, by the people and for the people in Vietnam.

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