

One-Party Rule and the Challenge of Political Civil Society in Vietnam

Carlyle A. Thayer



Presentation to
Seminar of the Like-Minded Donor Countries,
Royal Norwegian Embassy, Hanoi, December 3, 2008

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Introduction

This paper attempts to advance the discussion of civil society in Vietnam beyond contemporary academic preoccupation with so-called development 'non-governmental organisations' and state-affiliated research centres and institutes to political movements and religious groups that have become advocates of human rights, democratization and religious freedom. These groups have been largely marginalized by mainstream academics who study civil society in Vietnam. This paper will focus on the roles of Bloc 8406 and associated nascent 'political parties' and trade unions that are currently mounting challenges to the political hegemony of the Vietnam Communist Party. This paper will also analyze the role of external agents, such as the Viet Tan Party, in providing material, financial and human resource assistance to political civil society groups.

In the past, the activities of human rights, pro-democracy and religious freedom groups were relatively compartmentalized from each other (Thayer 2006a). Due to increasing networking between politically active civil society groups cross-fertilization is taking place and a nascent movement is gradually taking shape despite state repression. This development is occurring when the legitimacy of the Vietnam Communist Party is coming under challenges due to public discontent with endemic corruption, rising inflation, environmental pollution, traffic jams and other social ills. The paper concludes by noting that Vietnam may face the risk of domestic instability if the one-party state fails to address adequately the challenge of political civil society.

This paper is divided into four parts. Part one addresses the changing nature of Vietnam's one-party system. Part two discusses the question: what is civil society in a Vietnamese context? Part three analyzes the rise of political civil society primarily through a focus on the activities of Bloc 8406 and the Viet Tan. And finally, part four offers some observations on the challenge these political developments pose for Vietnam's one-party system.

Part 1. Vietnam's Changing One-Party Political System

Prior to the era of *doi moi*, western political scientists had no difficulty in classifying Vietnam as a Leninist political system (Porter 1993 used the term 'bureaucratic socialism'). The Vietnam Communist Party (VCP) was viewed as an elitist hierarchical organization that exercised virtually unchallenged power. The structure of the VCP was similar to that of other communist political systems. In Vietnam, VCP membership never stood more than about three per

cent of the total population. The party was organized into cells and branches that rose upward through territorial and functional structures to the national level. Regular congresses of party delegates selected the ruling party elite or Central Executive Committee. In Vietnam's case the size of this body varied over time but was usually less than two hundred full time members. The Central Committee, which generally met less than three times a year, selected the ruling Political Bureau, a body that generally comprised less than twenty members. The party structure was headed by a Secretary General (formerly first Secretary), the most powerful individual in the country.

The term 'mono-organizational socialism' has been used to describe Vietnam's political system (Thayer 1995). The party exercises hegemonic control over state institutions, the armed forces and other organizations in society through the penetration of these institutions by party cells and committees. Senior party members form the leadership nucleus of the state apparatus, National Assembly, the People's Armed forces and the Vietnam Fatherland Front (VFF, Mat Tran To Quoc).

The Vietnam Fatherland Front is an umbrella organization grouping twenty-nine registered mass organizations (women, workers, peasants, youth) and special interest groups (professional, religious etc.). The Vietnam Women's Union is the largest mass organization with a membership of twelve million and a staff of three hundred across the country. It is funded by the state and plays a leading role as a member of the statutory National Council for the Advancement of Women. Other mass organizations include the Ho Chi Minh Communist Youth Union and the Vietnam Youth Federation, with 3.5 million and 2.5 million members respectively. The leaders of these mass organizations regularly serve on the party Central Committee. Table 1 below sets out the list of organizations affiliated to the VFF.

The Vietnam Union of Friendship Associations is the official agency in charge of 'people-to-people diplomacy'. It controls the People's Aid Coordinating Committee that regulates and monitors all international non-government organizations (INGOs) working in Vietnam. INGOs work with line ministries, technical agencies, local authorities, local governments and mass organisations for women, farmers, workers, youth (central to commune level) to deliver various forms of development assistance.

The Vietnam Chamber of Commerce and Industry (VCCI) is a semi-governmental organization that represents the private sector that emerged following the adoption of *doi moi*. The VCCI's membership is composed of state-owned enterprises and private companies and trade associations in equal numbers. The VCCI is not funded by the state yet it is a member of the VFF.

The International Labour Organisation (ILO) estimates that Vietnam's private sector contributes sixty per cent of Gross Domestic product (GDP) and employs more than ninety per cent of the work force. It is estimated that there are over two million private sector enterprises in Vietnam of which 26,000 are registered as companies. The VCCI is one example of the growth of an organization outside the confines of the party. Nevertheless, it is policy that party committees must be established in all private enterprises.

Table 1
Organizations Comprising the Vietnam Fatherland Front

Vietnam Communist Party	Chamber of Commerce and Industry
People's Armed Forces	Association of Historical Science
General Confederation of Labour	Association for Art and Culture
Farmers Union	Red Cross
Youth Union	Oriental Medicine Association
Women's Union	Medical Association
Veterans' Union	Acupuncture Association
Association for Buddhism	Association for the Blind
Committee for Catholic Solidarity	Association to Support Handicapped and Orphans
Protestant Association	Association for Family Planning
Union of Science and Technology Associations	Association for the Promotion of Education
Cooperative Alliance	Association for the Elderly
Union of Friendship Organizations	Gardening Association
Lawyers' Association	Association for Ornamental Plants
Journalists' Association	

A brief consideration of the National Assembly will illustrate how the party attempts to exercise hegemonic control over state and society. Since 1992, when a new state constitution was adopted, Vietnam has attempted to end the 'chaotic overlap' between party and state by more clearly delineating the role of the National Assembly with the objective of developing a 'law-governed state'. The National Assembly has emerged as a vibrant body where ministers are questioned and subject to votes of confidence and government legislation is amended. Proceedings of the National Assembly are broadcast on radio and television and voting results are made public.

In 1992, Vietnam reformed its electoral process and permitted both non-party and independent candidates to nominate for election. Four general elections have been held (1992, 2007, 2002 and 2007). But the Vietnam Fatherland Front has carefully managed these reforms through a highly contrived system of candidate selection that involves three rounds of 'consultations'. The VFF determines in advance the ideal structure and composition of the National Assembly in terms of the number of central officials, women, religious dignitaries, ethnic minority and independents to be elected.

In May 2007, in the most recent elections, 1,130 nominations were received initially. This included record numbers of non-party (154) and self-nominated (130 independent) candidates. After vetting, 254 nominees were disqualified. Of the 876 approved candidates, 165 were officials who held posts in the central party and/or state bureaucracy. When the election results were announced ninety per cent of the deputies were members of the VCP and the other ten per cent were VFF-endorsed. Deputies to the National Assembly are elected as individuals and are not allowed to form political caucuses. The VCP maintains its hegemonic control as the highest offices of the National Assembly are held by members of the Central Committee or Political Bureau.

At the other end of the spectrum, the party has attempted to carry out political reform through what is known as 'grassroots democracy'. In 1998, in light of widespread peasant disturbances in Thai Binh province the previous year, the party Central Committee issued Directive 30/CT that established the policy basis for strengthening participation of communities at local level (commune, agency and state-owned enterprise). Under the slogan 'the people know, people discuss, people execute, people supervise', Decree 29/1998/ND-CP aimed to improve transparency and accountability of local government. Article 4 directed local officials to disseminate information concerning policies, law, long-term and annual socio-economic development plans, land-use policy and annual draft budgets (Bach Tan Sinh 2001:4). Citizens were to be kept informed and then involved in discussing, deciding and monitoring the actions of local government. Finally, Decree 79, 'On Grassroots Democracy' (2003), approved the participation of communities and local organizations in development activities at the commune level (Sabharwal and Than Thi Thien Huong 2005:4).

The term 'mono-organizational socialism' merely describes the organizational structure of Vietnam. It does not tell us much about the dynamics of public policy formulation and implementation or 'everyday politics'. A consideration of these aspects is beyond the scope of this paper. What is important to note, as we shall see below, is that the all-encompassing matrix of party hegemonic control over society has been continually challenged from below.

Part 2. What is Civil Society in a Vietnamese context?

With the adoption of *doi moi* in the 1980s Vietnamese society began to change and so too did state-society relations. As Vietnam opened up to the outside world, foreign donors and government aid agencies, as well as International Non-Governmental Organizations (INGOs), rushed to assist Vietnam by applying their own models of development. These models incorporated the view that supporting counterpart NGOs was the best way of carving out space for civil society activity in authoritarian political systems (Salemink 2003:1). In practice this meant forming partnerships with domestic NGOs and pursuing 'bottom up' approaches that stressed participatory development and gender and ethnic equality.

By the early 1990s it quickly became apparent that there was an explosion of organizational activity at all levels in Vietnam. Mark Sidel (1995) developed one of the first typologies to capture the complexity of this development. Sidel classified these groups into nine categories: (1) newer, more independent policy

research and teaching groups; (2) Ho Chi Minh City and other southern social activism and social service networks; (3) quasi-public/quasi-private and private universities and other educational institutions; (4) senior leader-supported patronage groups supporting training and research projects; (5) professional and business associations; (6) peasant associations and collectives; (7) state-recognized and unrecognized religious groups, temples, and churches; (8) traditional Party-led mass organizations and trade unions; and (9) political activism groups challenging the Party and state. Sidel explicitly rejected the use of NGO as a collective term to describe these groups; instead he classified them as 'new policy and development-orientated groups'. An empirical survey conducted in Hanoi and Ho Chi Minh City recorded more than seven hundred 'civic organizations', most of which had been established after 1986 (Wischermann and Nguyen Quang Vinh 2003:186).

Tables 2 and 3 set out the classification schemes of these new Vietnamese associations and organizations developed by other scholars.

Table 2

Classification Schemes for Vietnamese Organisations

Thayer (1995)	Wischermann and Vinh (2003)	Vasavakul (2003)
Political	–	Political-social-professional organizations
Mass organisation	Mass organisations	Mass organisation
Business, commercial and professional	Professional association	Popular associations
Science and technology	Business association	Non-state research institutes and centres
Arts and culture	Issue-oriented organisations	Non-governmental organizations
Social welfare/NGO		
Religious		
Friendly associations		
Public affairs		

The above tables that set out the classifications for different types of organizations obscure the rapid growth of non-government voluntary (or non-profit) associations at grassroots level. These groups are sometimes collectively referred to by foreign scholars as 'community-based organizations' (CBOs). They took the lead in managing natural resources, combating environmental pollution, promoting development for a sustainable livelihood, income generation, and disseminating knowledge. Examples of community-based organizations include: water users group, small savings and credit associations, user groups, farmers

cooperatives, other special purpose cooperatives, medical volunteers, village development committees, and committees for the protection of street children. In July 2005, it was estimated that there were 140,000 CBOs, in addition to 3,000 cooperatives (agriculture, fisheries, construction, sanitation, and health care), 1,000 locally registered 'NGOs' and 200 charities. The growth of CBOs put strains on Vietnam's legal system as it struggled to develop a regulatory framework that was relevant to such a diversity of groups. What resulted was a patch-work of ad hoc regulations and laws that did not add up to a comprehensive legal framework to govern the establishment, registration and operations of CBOs.¹ Some CBOs operated relatively independently of the state but their ambiguous legal status always put them at risk due to political sensitivities.

Table 3

Main Categories of Civil Society Organizations (Nordlund 2007:11)

Table 1. Main categories of civil society organisations

Category	Types of organisations included in category	Relations to state	Vietnamese definition
Mass Organisations	1. Women's Union 2. Farmers' Association 3. Youth Organisation 4. War Veterans Association 5. Worker's Organisation (VGCL)	Fatherland Front	Socio-Political Organisations
Professional Associations and Umbrella Organisations	1. Umbrella organisations like Red Cross, VUSTA, VUAL, Cooperative Alliance, etc. 2. Professional Associations	1. Fatherland Front 2. Registered with an umbrella organisation. Central or provincial organisations	1. Socio-Professional Associations 2. Social and professional associations; some belong to the NGOs
VNGOs	Charity Research NGOs Consultancy NGOs Educational NGOs Health NGOs	VUSTA, Line Ministry, Provincial or District People's Committees	Social Organisations; NGOs
Community-Based Organisations	Service and development or livelihoods-oriented Faith-based organisations Neighbourhood groups Family clans Recreative groups	Indirect affiliation to other organisation or Civil Code Many are not registered	Rural collaborative groups Faith-based organisations Neighbourhood groups Family clans

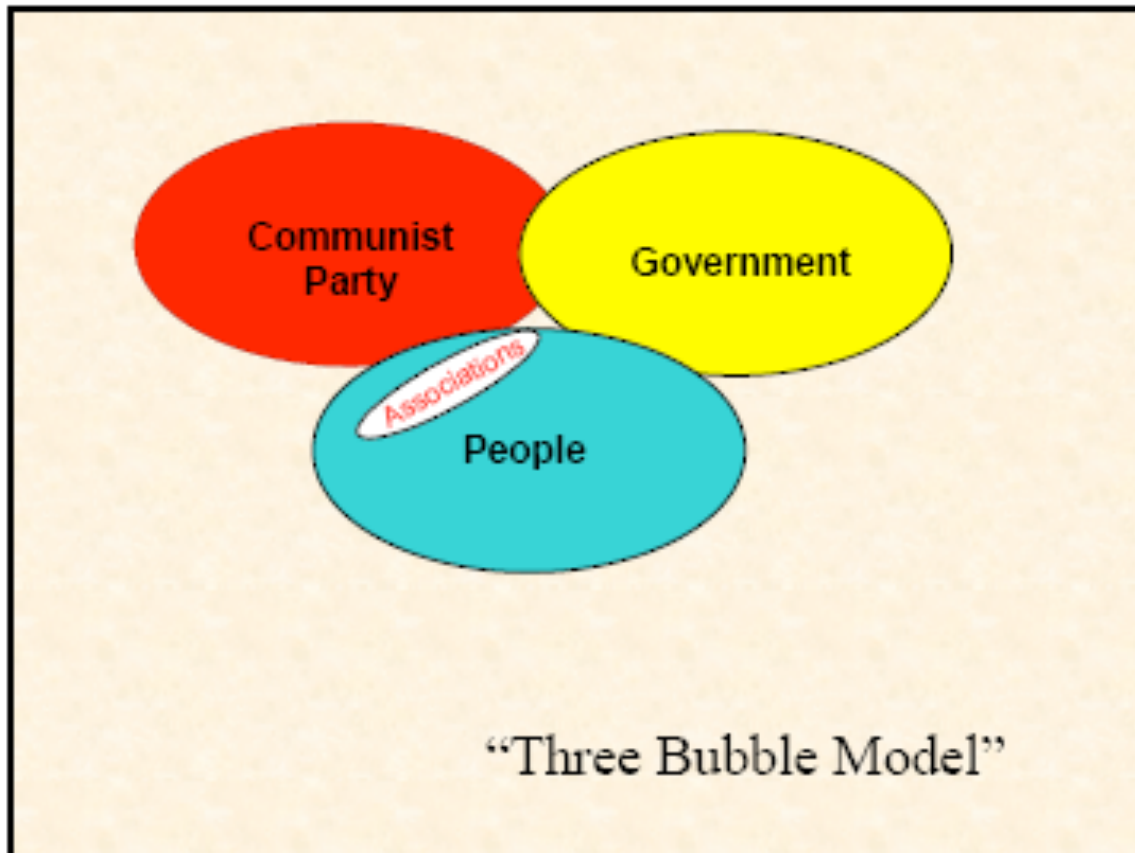
The United Nations Development Program (UNDP) and the World Bank came to Vietnam with the explicit aim of supporting civil society through partnerships with local counterparts. INGOs also included the promotion of civil society as part of their mission statements in order to attract government funding for their

¹¹Key legal documents included: Decree 35/CP (1992) 'On Some Measures to Encourage Scientific and Technological Activities'; Decree 29/1998/ND-CP (May 11, 1998); Decree 71/1998/ND-CP (September 8, 1998); Decree 07/1999/ND-CP (February 13, 1999); Decree 177 (1999) on charity and social funds; and Law on Science and Technology (2000).

overseas activities. In sum, organizations that were part of the UN system, as well as foreign aid donors and INGOs, quickly engaged at various levels with mass organizations and their affiliates even through these organizations were not true NGOs in the western sense of the term (Salemink 2003:5-6).

Table 4.

Marxist-Leninist View of People's Associations (Hannah 2003:3)



According to Joseph Hannah (2003), the Marxist-Leninist model of society comprises three parts: party, government and the people (see Table 4). A well-known Vietnamese slogan states: ‘the party leads, the people rule/govern, the government manages.’ In the official view, Vietnamese citizens are permitted to form their own associations, such as home village societies, surname associations, pigeon racing clubs, and sports teams. These groups are viewed as ‘of the people’ and are officially termed ‘popular associations’. Nonetheless, both Vietnamese authorities and Vietnamese mass organizations, eager to attract funding and support from abroad, began to describe themselves as NGOs (Salemink 2003:14).² This has effectively dovetailed with the focus of foreign

²The term Vietnamese NGO is used advisedly in the text. I would prefer to preface it with the words ‘so-called’ or put NGO in quotation marks. But for stylistic reasons I have limited these descriptors.

donors and INGOs to create civil society in Vietnam by narrowly focusing on local so-called development NGOs.

The approach adopted by UN agencies, INGOs and foreign aid donors produced a huge demand for civil society-type organizations in Vietnam. Despite the fact that Vietnamese domestic organizations were state-sponsored and funded, and formed part of the VFF organizational matrix, they were termed 'non-governmental organizations' by their foreign counterparts. Vietnamese officialdom shies away from using the term NGO for domestic organizations because, when literally translated into Vietnamese (*to chuc phi chinh phu*) it sounds very much like the Vietnamese word for anarchy, *vo chinh phu* (Salemink 2003:6). In other words, in Vietnamese the term NGO implies estrangement if not opposition to the state.

Vietnamese NGOs view their role quite differently from their foreign counterparts. First, they see themselves as partners working on development projects in support of state policy. Second, they view themselves as advocates for improved state services. And finally, they view themselves as representative of marginalized groups and lobby the state for change in policy. In this role Vietnamese NGOs attempt to negotiate and educate state officials rather than confront them as a tactic to bring about change. In other words, their activities were in direct support of existing government programs or in support of larger state-approved policy goals (national development or poverty alleviation). For example, the leaders of Vietnamese NGOs were frequently in contact with foreign companies that operated in Vietnam, local and foreign companies that owned and ran factories, and the workers that were employed. Vietnamese NGOs sought to advance the health and well-being of the workers in a manner that avoided confrontation or militant tactics. As Hannah (2003:6) has observed, 'there is no social space for anti-sweat shop movements coming from local organizations'. Vietnamese NGOs kept their activities within the letter of the law.

These research centers are formed and managed by academics who are affiliated with universities, provincial departments or professional associations such as the Association of Ethnologists or the Association of Folk Lore Studies (Salemink 2003:15). Nevertheless, these research centers have a weak legal status.

There are estimated thirty plus centers offering their services to assist with development projects or applied research.³ These centers are not membership NGOs. Most centers are registered as sub-associations under Decree 35/CP (1992) which covers science and technology associations (Hannah 2003:8).⁴ These centers are essentially non-profit organizations that engage broadly in socio-economic development in cooperation with foreign donors. These centers are able to operate because of the personal relations between their leaders and

³Examples include the Rural Development Services Centre established in 1994; Social Development Research and Consultancy (SDRC) and Research and Training Centre for Community Development formed in 1996 (RTCCD).

⁴Decree 35/CP was entitled 'Some Measures to Encourage Scientific and Technological Activities'.

government officials (Kathrin Pedersen quoted by Salemink 2003:15). Another category of NGO comprises the local staff of international NGOs that perform services similar to a research centre (Gray 1999:698). Because they are not officially registered they have a dubious legal status.

The Vietnamese mono-organizational state has been in retreat since the 1990s (Salemink 2003:16), as many state services have been commercialized. It was in this context that so-called Vietnamese NGOs began to emerge to deliver services that were no longer provided by state. Increasingly, this space has been occupied by INGOs at expense of local development NGOs.

The explosion of associational activity in Vietnam in the 1990s not only quickly spilled over the confines of the mono-organizational socialist model but outpaced Vietnamese legal statutes relating to popular organizations. In 1992, at the initiative of international donors, the Ministry of Home Affairs began drafting legislation on non-profit groups to govern the rapidly expanding private associational activity that was taking place. This proved a vexed matter and after seven years no agreement could be reached.⁵ In 1995, Vietnamese authorities began drafting a law on non-profit groups, by early 1996 the draft had been revised more than twenty times (Salemink 2003:16).

In 2002, Vietnamese officials attempted to draft a Law on NGOs. By July 2005 the draft had been revised at least ten times and re-titled Law on Associations (Hannah 2003:7; and Sabharwal and Than Thi Thien Huong 2005:4). This draft law does not cover so-called Vietnamese NGOs. The adoption of the Law on Associations has been delayed by spirited lobbying by national professional and business associations to amend its provisions.

In 2002, one hundred and eighty-one INGOs officially operated in Vietnam and through their sheer presence quickly dominated the space for civil society (Salemink 2003:5). It became commonplace among foreign aid donors and INGOs to refer to 'civil society' in Vietnam and to identify so-called Vietnamese NGOs as key building blocks. As noted above, this is misleading because Vietnamese groups that interacted with foreign counterparts were invariably extensions of the state or state-run/controlled mass organizations and special interest groups.

There is no agreed definition of civil society in the academic community.⁶ One common definition of civil society refers to ostensibly autonomous non-political groups, associations and organizations that conduct their affairs in the 'space' between the state and society. Some academics insist that civil society should include organizations that represent the interests of the bourgeoisie – commercial and business groups such as craft associations, guilds, and chambers of

⁵Hannah (2003:7) writes that attempts to draft a Law on NGOs was a fifteen-year closed door effort.

⁶There is a vast literature on this subject. For a quick overview consult: Alagappa (2004a-c); Beaulieu (1994); Kerkvliet (2003b); Kumar (1999); Landau (2008); Rodan (1997); Sidel (1995) and Thayer (1992c).

commerce and industry (see Table 5). Mary Kaldor has identified five different conceptions of civil society (summarized in Bach Tan Sinh 2001):

1. *Societas Civilis* – rule of law, political community, peaceful order, zone of civility.
2. Bourgeois Society – arena of ethical life in between state and the family; linked to the emergence of capitalism, markets, social classes, civil law, and welfare organizations.
3. Neo-liberal version – post-1989, laissez-faire politics, a kind of market in politics, civil society consists of association life, non-profit voluntary sector that restrains state power but provides a substitute for many functions performed by the state – charities and voluntary associations.
4. Activist version – Central Europe in 1970s and 1980s. Civil society refers to active citizenship, growing self-organization outside formal political circles, expanded space in which individual citizens can influence the conditions in which they live both directly through self-organisation and through pressure on the state.
5. Post-Modern version – an arena of pluralism and contestation, a source of both civility and uncivility of which NGOs are only one component.

There is general agreement, however, that the word ‘civil’ refers to civility or non-violence. But there is disagreement about whether non-violent activity should conform to the law because in authoritarian states, such as Vietnam, the law is explicitly used to suppress such activity.

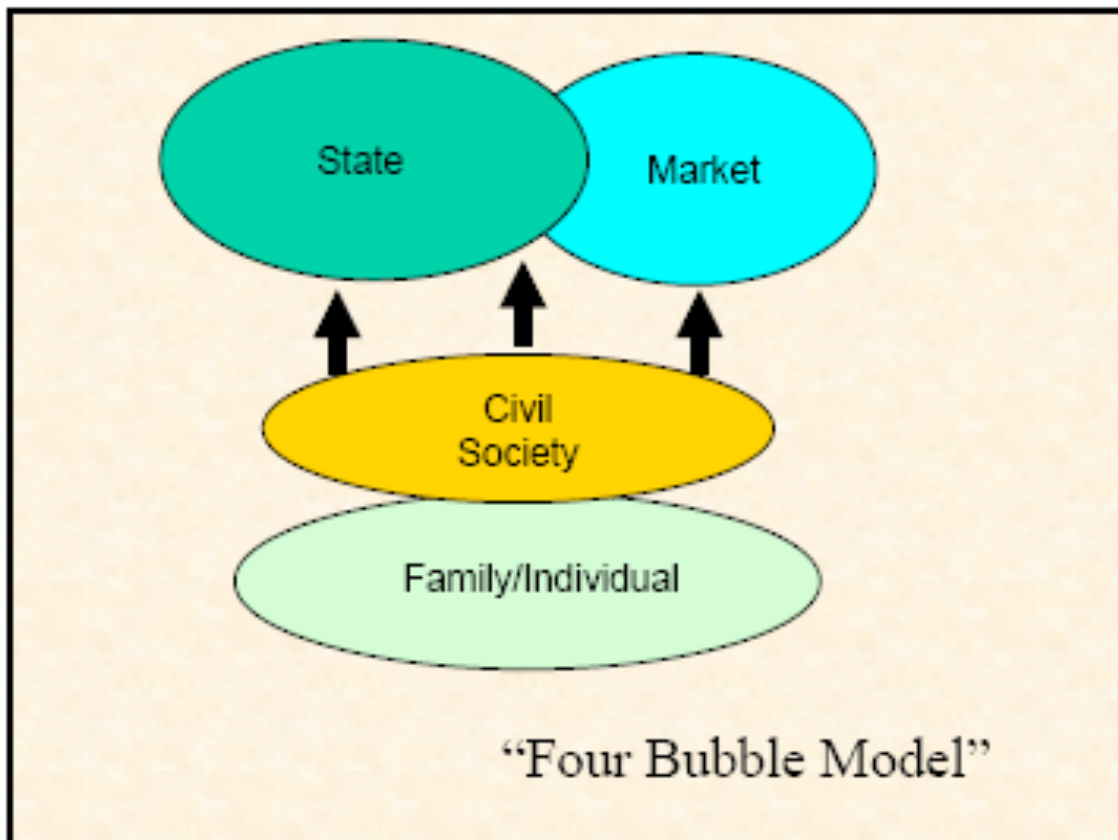
Can civil society truly exist in a country that lacks democratic structures and processes (Hannah 2003:1)? The concept of what might be termed ‘political civil society’ was revived with collapse of socialism in Eastern Europe through the efforts of *Charta 77* in Czechoslovakia and *Solidarity* in Poland. In this context, civil society was promoted as the means to advance democracy and freedom, balance the power of the state and private sector, and enhance the efficiency, accountability and good governance of the state (Salemink 2003:2). As will be noted below, overseas Vietnamese pro-democracy groups advocate the development of ‘civil society’ as part of their strategy to end authoritarian communist one-party rule in Vietnam.

What does civil society mean in a Vietnamese context? North American scholars, members of the Vietnam Studies Group affiliated with the Association of Asian Studies, after debating how civil society should be translated into Vietnamese, concluded there was no exact equivalent. These scholars further noted that several of the approximate equivalents that were being used had quite different connotations from their western meaning (Salemink 2003:4).

The term civil society is not widely used in academic and official discourse in Vietnam. Two Vietnamese expressions - *xa hoi dan su* and *xa hoi cong dan* - are commonly used as equivalents for civil society. However, the Ministry of Home Affairs is currently studying how the terms NGO and civil society should be officially translated. Neither term is used in official documents when referring to Vietnamese domestic organizations; groups that foreigners refer to as NGOs are

classified as popular associations. There is evidence that grassroots Vietnamese NGOs are contesting this interpretation.

Table 5
Classical Depiction of Civil Society (Hannah 2003:2)



The term civil society has two distinct meanings in the current Vietnamese context (Salemink 2003:2-3). The first is an economic meaning that views civil society in terms of service delivery by local development NGOs. In this context the promotion of civil society is viewed as being closely linked to international benefactors and their agendas. This is so because in Vietnam's mono-organizational system there is no domestic civil society sector that is independent or autonomous from the direct control of the state.

The second meaning of civil society in a Vietnamese context is political (this section draws on Salemink 2003). Here civil society is viewed as a means for the promotion of liberal democracy. Civil society in this context refers to the creation of public space where Vietnam's one-party state can be challenged by the non-violent political mobilization of ordinary citizens. Political activist Lu Phuong (1994) argues, for example, that 'the campaign to raise a civil society will also become a campaign for law, freedom and basic human rights'.

In sum, civil society in its political sense refers to the struggle for democracy in Vietnam. The notion of political civil society is not held widely in Vietnam

(Salemink 2003:18). When the term civil society is used in discussions with foreigners it generally refers to Vietnamese organizations closely linked to the state. These organizations try to pass themselves off as 'genuine' civil society groups out of self-interest. The so-called NGOs sector in Vietnam is a site of struggle over normative ideals between foreign donors and the one-party State. As noted above, INGOs have largely taken up the space by Vietnam's receding one-party state.

Part 3. The Rise of Political Civil Society

Over the past four to five years there has been a marked change in the nature of political civil society in Vietnam. Previously, political dissidents and religious activists acted individually or in small cliques isolated from each other (Thayer 2006a). But in recent years there has been a concerted effort to form explicitly political organizations dedicated to the promotion of democracy, human rights and religious freedom. An unprecedented number of political organizations have been formed. These groups are considered illegal by the state and therefore have no standing in Vietnam's one-party political system. Among the new political organization are:

- People's Democratic Party of Vietnam (PDP) founded in secret in 2004 after five-years of clandestine internet networking by Cong Thanh Do, a Vietnamese-American living in California. Do used the pseudonym 'Tran Nam'. The PDP's network included leaders of the UWFA (see below). Do was arrested on 14th August 2006 in Phan Tiet and charged with plotting to blow up the US Consulate in Ho Chi Minh City. This charged was later amended to disseminating ant-government leaflets. Do served one month in jail before he was deported. Shortly after Do's arrest, six Vietnamese-based PDP members were arrested. They were tried by the People's Court in Ho Chi Minh City. Party Chairman, Le Nguyen Sang, MD, journalist Huynh Nguyen Dao, and lawyer Nguyen Bac Truyen, were sentenced to five, four and three years respectively.
- Vietnam Populist Party (VPP, *Dang Vi Dan*) or For the People's Party (FPP). Originally a group of Vietnamese exiles in the United States who later adopted the name VPP/FPP. The VPP/FPP was founded in Houston by Nguyen Cong Bang.

During 2005 members of the VPP/FPP were in contact with the UWFA (see below) and advised them to keep a low profile while building up an underground network. Bang argued that a more proactive stance would invite repression and dampen recruitment. At least three members were arrested in 2007: Rev. Hong Tung, the party's representative in Vietnam (February); journalist Truong Minh Duc arrested in Kien Giang (May); and student Dang Hung, arrested in Binh Duong (July). In 2007, the FPP and VPP joined to form the Lac Hong Group.

- Democratic Party of Vietnam (DPV) was founded 1st June 2006 as a political discussion group by Hoang Minh Chinh. Also known as the Twenty-first Century Democracy Party (DP XXXI).

The Democratic Party of Vietnam claims that it is the reactivated Vietnam Democratic Party (VDP) founded in 1944, which was one of two non-communist parties to be represented in the National Assembly, until it was dissolved in 1985. Chinh was the Moscow-trained former head of the Institute of Marxist-Leninist Philosophy. He was accused of being a pro-Soviet revisionist, imprisoned and then released in 1967. He continued to advocate political change and was jailed again in 1981 and 1995.

Chinh had been Secretary General of the VDP from 1951-56. He sought to revive the legacy of the VDP by appealing to Ho Chi Minh's brand of nationalism. This stance alienated younger dissidents. The DPV may have had about a dozen members mainly in Hanoi and Ho Chi Minh City. Chinh was given permission to travel to the United States in 2005 for medical treatment. While in the States he testified before the House International Relations Committee and strongly criticized the regime's handling of religious and political dissent. On return to Vietnam he was publicly vilified and attacked by pro-regime supporters. Lawyer Bui Thi Kim Thanh was detained in Ho Chi Minh City in the crackdown surrounding the APEC Summit and forcibly committed to Bien Hoa Central Psychiatric Hospital. Hoang Minh Chinh passed away on 7th February 2008.

- Committee for Human Rights in Vietnam founded by lawyer Nguyen Van Dai.

In June 2007, Truong Minh Nguyet (and two other activists) was arrested for distributing 'reactionary propaganda' in violation of Article 258 of the Penal Code. Nguyet was sentenced by the Dong Nai province court to two years imprisonment for spreading anti-state propaganda. Nguyet, a member of the Committee for Human Rights in Vietnam, had used the internet to express her views on Vietnam's economic and political situation.

- Free Journalists Association of Vietnam (FJAV) was set up by a group of Viet-kieu and includes an underground network of bloggers and dissident journalists inside Vietnam.

This network gathers and disseminates news that is censored in Vietnam. In 2006, the FJAV attempted to establish an independent online news publication based in Vietnam with funds from the U.S. National Endowment for Democracy. Vietnamese security officials detailed and interrogated many FJAV activists and have barred at least one member from traveling abroad to attend an international conference focused on freedom of expression.

- Bloc 8406 was founded on 8th April 2006 (see discussion below)
- Vietnam Progression Party (VPP) was founded in 8th September 2006 by Le Thi Cong Nhan, Nguyen Phong, Nguyen Binh Thanh and Hoang Thi Anh Dao. Father Nguyen Van Ly was named adviser.

Le Thi Cong Nhan was an English-speaking lawyer hired by the British Embassy to defend a Vietnamese-British woman accused of drug smuggling. Cong Nhan was a signatory of the Bloc 8406 appeal. The other founders of the VPP were all based in Hue. The VPP represented a younger generation of political dissidents who rejected Ho Chi Minh's legacy. The VPP issued an Interim Political Platform on 8th September 2006 that called for a multi-party democracy, religious freedom,

general elections, and protection of private property. In 2007, the VPP joined with the For the People Party and formed the Lac Hong Group.

- Alliance for Democracy and Human Rights for Vietnam was formed on 16th October 2006 between Bloc 8406 and the Unified Buddhist Church of Vietnam. The Alliance was modeled on Daw Aung San Suu Kyi's National League for Democracy in Burma/Manmar. This was reputedly 'the biggest dissident movement seen in Vietnam since the unification of the country in 1975'.
- Independent Labour Union of Vietnam (ILUV) was founded on 20th October 2006 reportedly Vietnam's 'first independent trade union.' Nguyen Khac Toan was identified as president of the interim executive committee consisting of eleven commissioners: Nguyen Cong Ly, Ngo Cong Quynh, Nguyen Thi Huong, Tran Hoang Duong, Pham Sy Thien, Nguyen Xuan Dao, Tran Huyen Thanh, Luong Hoai Nam, Le Chi Dung, Tran Khai Thanh Thuy⁷, and Tran Quoc Thu. The ILUV listed three broad purposes: to protect the legitimate rights of Vietnamese workers; to provide assistance to needy workers who become sick or disabled; and to promote solidarity among all workers.
- United Workers-Farmers Association (UWFA) was founded on 30th October 2006 by Nguyen Tan Hoanh and Tran Thi Le Hang. Both already had reputations as labour strike activists. During its organizational phase, members of what became the UWFA, had contact with the Houston (US)-based For the People Party (FPP, *Dang Vi Dan*). After differences emerged over tactics, the UWFA developed ties with another US-based group, People's Democratic Party, and adopted a more proactive stance modeled on the Polish Solidarity movement. However, the tactic of going public invited repression. By mid-December 2006, after the APEC Summit in Hanoi, ten of the UWFA's leading officials were placed in detention. By 2007, the UWFA had been forced to go underground.
- Lac Hong Group, formed in February 2007 as a coalition between the Vietnam Populist Party/For the People Party and the Vietnam Progression Party.

Generally the political groups mentioned above lacked a large geographically dispersed membership base. In 2006, Vietnam's network of pro-democracy activists and groups coalesced into an identifiable political movement, marking a new development in Vietnamese politics (Thayer 2007b). This network issued a number of political statements that called upon the Vietnamese state to respect basic human rights and religious freedom and to permit citizens to freely associate and form their own political parties.⁸ On 6 April 2006, 116 persons

⁷On 11th October 2006, novelist Thanh Thuy, was forced by police to take part in a public 'People's Court' held at an open stadium at Duc Giang municipal village, Long Bien district, Hanoi. She was vilified by local residents and army veterans for selling her country to the American imperialists.

⁸Human Rights Watch, 'Vietnam: Fledgling Democracy Movement Under Threat', 10 May 2006.

issued an Appeal for Freedom of Political Association that they distributed throughout Vietnam via the Internet.⁹ On 8 April, 118 persons issued a Manifesto on Freedom and Democracy for Vietnam.¹⁰ These pro-democracy advocates became known as Bloc (*khối*) 8406 after the date of their founding manifesto.

Members of Bloc 8406 produced a fortnightly publication, *Tu Do Ngon Luan* (Free Speech) which first appeared on 15th April. A typical issue comprised thirty pages of text. *Tu Do Ngon Luan* was published in A4 format in both hardcopy and electronically. The on-line version was published as a portable file document (pdf) that facilitated its dissemination. *Tu Do Ngon Luan* was edited by three Catholic priests, Nguyen Van Ly, Phan Van Loi and Chan Tin.

Bloc 8406 represents a diverse network of professionals widely dispersed throughout the country. Among the signers of the manifesto 31% were teachers and lecturers, 14% were Catholic priests, 13% were university professors, 7% were writers, 6% were medical doctors, with the remaining 29% composed of intellectuals, engineers, nurses, Hoa Hao religious leaders, businessmen, army veterans, technicians, ordinary citizens and a lawyer.

Bloc 8406 is predominately an urban-centred network, with the over half the signatories residing in Hue (38%) and Saigon/Ho Chi Minh City (15%), with additional concentrations in Hai Phong, Hanoi, Da Nang, and Can Tho. These four nodes account equally for thirty percent of the signatories.¹¹ The remainder of Bloc 8406 members are geographically dispersed throughout Vietnam in six locations: Bac Ninh, Nha Trang, Phan Thiet, Quang Ngai, Vung Tau and Vinh Long.

Vietnam was scheduled to host the Asia Pacific Economic Cooperation (APEC) forum in November 2006. This summit included a leadership meeting of heads of state and government. Because world attention was focused on Hanoi the response by security officials towards Bloc 8406 was initially circumspect. The police harassed several of the more prominent signatories of the 8th April manifesto. Their home phones were cut off and they were placed under surveillance. Others were picked up for interrogation and detained for varying periods. Employers were pressured to terminate their employment. Police also

⁹In May 2007 it was estimated that there were 15.8 million Internet users in Vietnam or nineteen per cent of Vietnam's population. This figure is higher than the world average of 16.9% per cent. Since 1997 when connections were made to the global computer network, usage has risen at an annual rate of thirty-six per cent. By 2010, 25-35% of population will use Internet. Of Vietnam's 15.8 million users, 4.4 million are subscribers including 677,000 on broadband. The Ministry of Public Security does its best to block political sites that cover such issues as democracy, human rights, religious freedom and the China-Vietnam border. Curiously, sites featuring pornography are unaffected. Currently there are 1.1 million bloggers in Vietnam, according to Le Doan Hop, Minister of Information and Communications (*Thanh Nien*, 7 August 2008, 3).

¹⁰Tuyen Ngon Tu Do Dan Chu Cho Viet-Nam Nam 2006', 8 April 2006. One signatory to the 6th April appeal withdrew, and three new signatories were added for a total of 118.

¹¹Fourteen Catholic priests in Hue signed the manifesto. The nine signatories from Hanoi included lawyer Nguyen Van Dai, long-time dissident Hoang Minh Chinh, three former army officers (including the former editor of the *Military History Review*), the wives of two dissidents a writer and an academic.

raided the homes of other prominent dissidents and seized computers, cell phones and personal files.

Police actions provoked a public protest by democracy advocates. On 30th April, Bloc 8406 issued a letter condemning police actions signed by 178 supporters. By 8th May, the number of persons subscribing to the manifesto grew to 424; and by year's end foreign observers were reporting that the support base for Bloc 8406 had expanded to over two thousand, many under the age of thirty.¹²

Bloc 8406 members have attempted to evade detection by utilizing digital telephone and encryption technology on websites provided by Voice Over Internet Protocol providers such as PalTalk, Skype and Yahoo!Messenger.¹³ These websites have been utilized to organize chatroom discussions within Vietnam as well as overseas.

On 22 August 2006, Bloc 8406 publicly announced a four-phase proposal for democratization including the restoration of civil liberties, establishment of political parties, drafting of a new constitution, and democratic elections for a representative National Assembly.¹⁴ And on 12 October 2006, members of Bloc 8406 issued an open letter to the leaders of the APEC leadership summit asking their help in promoting democracy in Vietnam. Four days later, Bloc 8406 attempted to transform itself into a political movement by uniting with the Unified Buddhist Church of Vietnam in the Viet Nam Alliance for Democracy and Human Rights. The Alliance drew inspiration from Burma's National League for Democracy.

Prior to the APEC summit, police sealed off the homes of leading Bloc members and restricted their movements. At the same time, members of the United Workers-Farmers Association were arrested and later put on trial. After the APEC summit, Vietnam began a concerted effort to repress Bloc 8406. Seven members of Bloc 8406, including lawyers Nguyen Van Dai and Le Thi Cong Nhan, were arrested, tried and convicted in March-April 2007. Their sentences were slightly reduced in December.

Other political activists were arrested and put on trial during the year, most notably Catholic priest Father Nguyen Van Ly. Bloc 8406's leadership appears to have been effectively decapitated by Vietnam's security apparatus. Many of the signatories of the Bloc 8406's appeal, manifesto and petitions have been silent in the face of regime repression. This was especially notable on the 2007 and 2008 anniversaries of Bloc 8406's founding which passed without notable incident.

In June-July 2007, farmers primarily from Tien Giang province ('Victims of Injustice') conducted a protracted public protest over land grievances. They gathered in Ho Chi Minh City near the local offices of the National Assembly. They were joined by supporters from seven other Mekong Delta provinces. Several aspects of these events were unprecedented: the large numbers involved,

¹²Voice of America, 18 October 2006.

¹³Kay Johnson, 'Voices of Dissent', *Time Asia*, 18 September 2006.

¹⁴Radio Free Asia, 30 September 2006.

the diversity of provinces represented and the length of time they were permitted to demonstrate and display their banners in public.

The Tien Giang demonstration received real time coverage through an overseas dissident network. Several of the protesters gave live interviews over their mobile phones to foreign journalists in Hanoi and New Horizon Radio operated by the Vietnam Reform Party (see below). Photos of the banners held by the peasants were available via the Vietnam Reform Party's website. Eventually the protracted Tien Giang peasant demonstration was ended when security officials rounded up and bundled off the protesters in the middle of the night. What was new about these protests was that they attracted the moral support from a leader of Bloc 8406 and were publicly addressed by Thich Quang Do of the banned Unified Buddhist Church of Vietnam.

On the face of it Bloc 8406 and the associated political civil society organizations that emerged in 2006 (political parties, trade unions, Human rights group, former political prisoners, free journalists etc.) appear to have suffered the same fate as political dissidents in the 1990s. However, an additional element must be added to this analysis – the role of overseas Vietnamese pro-democracy activists who have begun to reach out to their countrymen to provide finance, political support and a range of new tactics to confront the one-party state. The key – but by no means only - organization in this new development is the Vietnam Reform Party (*Viet Nam Canh Tan Cach Mang Dang*) or Viet Tan.

The Viet Tan claims it seeks to promote democracy in Vietnam by non-violent means, while the Vietnamese media has depicted it as a terrorist organization. Both the Vietnamese state-controlled media and the Viet Tan are in agreement about the basic history of the Viet Tan. The founder of the Viet Tan was Hoang Co Minh, a former Republic of Vietnam Navy Admiral. Minh founded the National United Front for the Liberation of Vietnam (NUFLV) on 30 April 1980. He later established the Viet Tan on 10 September 1982. Both the NUFLV and the Viet Tan aimed to overthrow the Vietnamese communist government through violent means.

Both Vietnamese authorities and Hoang Co Minh supporters agree that the NUFLV carried out acts of armed subversion in Vietnam by infiltrating its members through Laos and Cambodia. A member of the Vietnam Reform Party has also indicated that during the period of clandestine activity (1982-94), members of Viet Tan living in Vietnam carried weapons. Vietnam charges that the Viet Tan was engaged in armed violence as late as 2002 when it hired criminals to assassinate government officials.¹⁵

On 19 September 2004, it was announced that the NUFLV had been disbanded and that the Viet Tan would now conduct its activities in public.¹⁶ Leaders of the

¹⁵The Vietnamese media also alleges that the Viet Tan later murdered these assassins to hide their connections with the Viet Tan.

¹⁶On 28 October 2003, Australia's ABC TV Foreign Correspondent program aired an interview with a member of the Viet Tan and claimed this was the first public acknowledgement of the group in Vietnam.

Viet Tan released a program that stressed that peaceful means would be used to achieve democracy in Vietnam in cooperation with other like-minded groups. Since 2004, the Viet Tan has become active in lobbying members of parliament in Australia and Europe as well as congressmen in the United States.

During the final quarter of 2006, the Viet Tan members in the United States actively lobbied the Bush Administration to raise human rights issues at the APEC Summit in Hanoi in November. A member of Viet Tan addressed the Congressional Human Rights Caucus. Viet Tan also lobbied international donors to link transparency and accountability with their aid programs in Vietnam. In March 2007, Viet Tan organised international rallies to protest the wave of political repression then underway in Vietnam.

In late March and early April 2007 a barrage of articles appeared in the Vietnamese state-controlled press that described the Viet Tan as a terrorist organization. But these articles only carried details of NUFLV activities before it was disbanded and provided no details of Viet Tan activities after September 2004.¹⁷ Indeed, when the Vietnamese media turned to current developments the Viet Tan was charged with setting up law firms, businesses, and micro-credit programs to generate funds to finance its activities in Vietnam. Viet Tan was also charged with calling for a boycott of Vietnamese commodities and air services. All of these alleged activities were distinctly non-violent in nature.

Vietnamese security officials deliberately conflate all acts of political protest against the Vietnamese state, including peaceful protest and political violence, and labelled them terrorism. It is also unclear when Vietnamese authorities designated Viet Tan as a terrorist organisation.¹⁸ In August 2008, Vietnamese security officials held a conference in Ho Chi Minh City to review twenty-eight years of their efforts to suppress the Viet Tan.¹⁹

The events of 2006-07 demonstrate that political civil society groups in Vietnam are growing in size and number and are becoming increasingly networked. Political dissent is taking on a greater organizational form with the appearance of nascent political parties and trade unions as well as special interests groups representing independent journalists, human rights advocates and former political prisoners. The still born alliance between Bloc 8406 and the Unified

¹⁷Vietnam experienced a number of acts of political violence throughout the 1980s and 1990s. Its security forces have also uncovered groups of anti-communist activists allegedly plotting to carry out acts of political violence during the same time period. While there may be personal connections or associations between Viet Tan and the individuals and organisations involved, existing evidence does not provide any substantiation that Viet Tan directed these acts of violence or plots.

¹⁸Since 9/11 Vietnam has begun to employ the term terrorist in its propaganda. Initially the U.S. Government was put in a difficult position because Vietnam charged that Vietnamese-Americans in the United States were plotting and carrying out 'terrorist acts' against the Vietnamese Government. The Free Vietnam Movement/Government of Free Vietnam has come under scrutiny as a result and it would appear that the FBI and perhaps other agencies are taking steps to curtail and prevent such activity from taking place.

¹⁹*Lao Dong*, 11 August 2008.

Buddhist Church of Vietnam, and the formation of the Lac Hong Group (Vietnam Populist Party/For the People Party and the Vietnam Progression Party) represents evidence that the compartmentalization between dissident groups of the past is now breaking down.

However, there is no discernable evidence that the pro-democracy movement is gaining traction or coalescing into a significant force able to mount a major challenge to Vietnam's one-party state. The leadership of Bloc 8406 and associated political civil society organisations has been decapitated by Vietnam's public security apparatus and its members driven underground. Nonetheless these developments are harbingers of the future. The emergence of the Viet Tan (and other overseas-based groups), and Viet Tan's pursuit of non-violent change, has resulted in the provision of training, funds and other resources for political civil society groups in Vietnam. In December 2006 and November 2007, for example, the arrest and trial of Viet Tan activists was evidence that the Viet Tan was able to conduct activities in Vietnam.

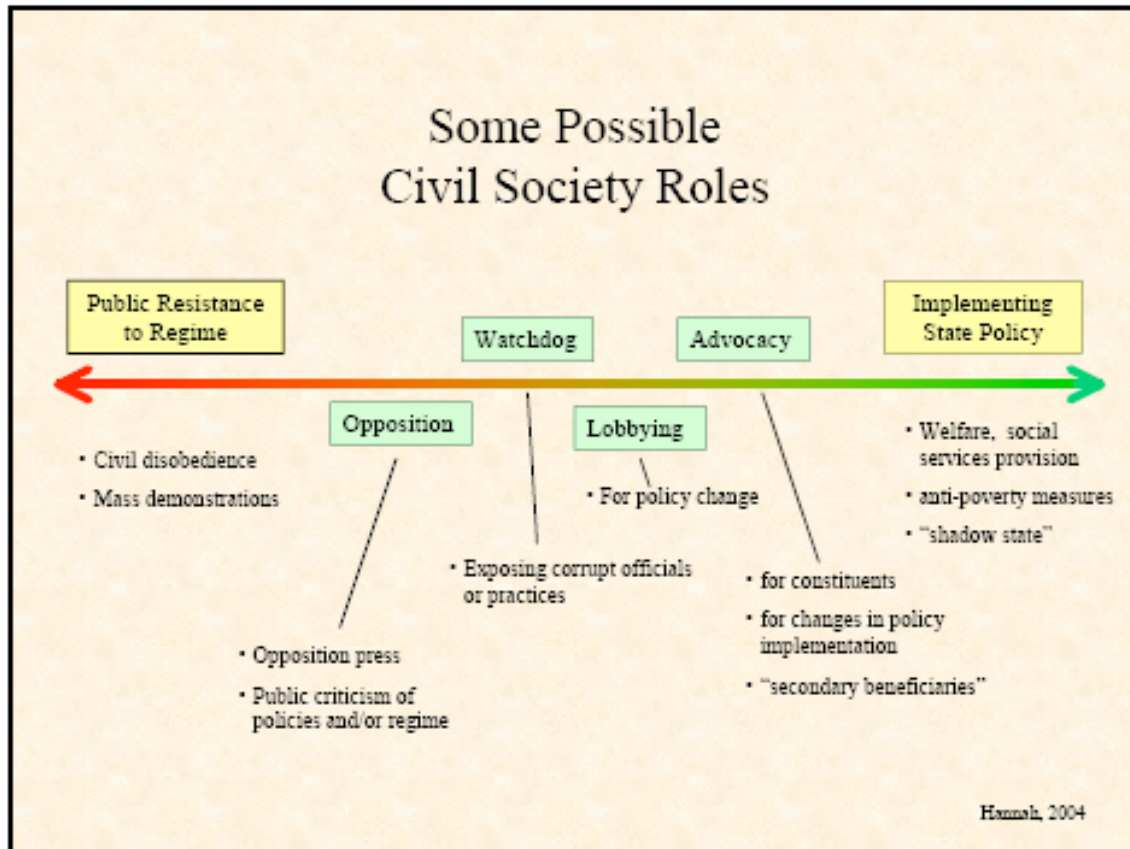
Part 4. Civil Society Challenges to Vietnam's One-Party System

Table 6 below sets out a schema that identifies civil society roles for groups and organizations that are currently active in Vietnam. The vast majority of civil society groups identified in this paper are clustered on the right side of the arrow. Most Vietnamese groups and organizations that have been identified as forming civil society are in fact closely linked or attached to the one-party state. They work as partners in implementing state policy in the provision of welfare, social services and poverty alleviation measures. Over time these groups have also expanded their role to acting as advocates for their constituents by suggesting changes in how policy is implemented. And most recently, several of these so-called civil society groups have become active in lobbying for policy change, as the discussion on Law on Associations noted.

Vietnam has not yet developed civil society groups that act as watchdogs to expose corruption by party cadres and government officials. The exposure of corruption has largely been in the hands of intrepid journalists who work for what might be term progressive newspapers, such as *Thanh Nien* and *Tuoi Tre*. The Vietnamese media played a prominent role in exposing a corruption scandal by a Project Management Unit (PMU) in the Ministry of Transport on the eve of the tenth national party congress in 2006. But senior officials soon intervened and called a halt to unfettered media reporting. In June 2008, after the exoneration of the deputy minister of transport in March, two reporters associated with *Tuoi Tre* and *Thanh Nien* attempted to raise the PMU scandal again. In May the two journalists and their police informants were arrested, charged and convicted of abuse of power. In August, there was further crackdown on the press, when the credential of seven journalists and editors from four newspapers were revoked. In October two editors working for *Dai Doan Ket* were dismissed.

Table 6

Spectrum of Civil Society Roles (Hannah 2003:9)



Generally, foreign scholarship on Vietnam has shied away from researching the activities of civil society groups depicted on the left hand side of the arrow in Table 6 (Abuza 2000 and 2001 is an exception). Because Vietnam does not permit privately owned newspapers or other media, Vietnam does not have an opposition press that criticizes both government policies and the one-party political system (Nguyen Ngoc Giao 1994). Such criticism is largely confined to limited circulation newsheets distributed by pro-democracy dissidents. In recent years, the internet has served as the most important conduit for opposition views. In addition, the Viet Tan operates New Horizon Radio that beams Vietnamese-language broadcasts into Vietnam.

This paper documented the emergence of political civil society groups on the left hand side of the arrow in Table 6. These groups have not yet engaged in direct civil disobedience or mass demonstrations against government. To date these groups have confined themselves to public criticism of Vietnam's one-party state for not permitting political and religious freedom as well as human rights.

The main question for the future is what impact will the emergence of political civil society have on Vietnam's one-party state?

Vietnam's accomplishments after twenty-two years of *doi moi* are undeniable. Vietnam has achieved remarkable economic growth accompanied by notable success in reducing rates of poverty. Vietnam has maintained internal stability throughout its transition process through a stable transfer of power to a younger

generation at each national party congress. The process political change has been both gradual and measured.

Straight-line extrapolations of continued high economic growth and political stability, however, must take into account the cross currents of political dissent and economic grievance that have emerged in recent years. In addition to peasant protests over land issues and public concern over endemic corruption, Vietnam's current inflationary spiral has generated measurable discontent among the public at large, particularly in urban areas. Vietnam's textile and garment industries have experienced a rising number of wildcat strikes.

Since the late 1980s, Vietnam has experienced an explosive growth of associational activity particularly at grassroots level by community-based organizations. These associations can be expected to play even greater roles in the coming years. In recent years, in urban areas especially, Vietnam has witnessed the creation of an increasing number of political advocacy groups on such issues as human rights, democracy and religious freedom.

In 2006 pro-democracy groups began to coalesce into an identifiable movement, Bloc 8406. It is evident that not only has a political network developed, but that there is growing cross-fertilization on some issues. This trend is likely to continue in the future as the pro-democracy agenda of political civil society expands to embrace peasant grievances, labour issues, human rights, religious freedom and ethnic minority rights. Vietnam's domestic activists can expect to receive increased support from their compatriots and other pro-democracy groups abroad.

Over the next few years Vietnam faces the prospects of a slowdown in growth rates after a decade of considerable success. The legitimacy of Vietnam's one-party state largely rests on 'performance legitimacy', that is, success in delivering economic growth to society at large. Vietnam's current economic woes (as well as endemic corruption) are undermining performance as the basis of regime legitimacy. Other forms of political legitimacy, such as nationalism and charismatic leadership, have receded with time. Vietnam's one-party state lacks popular sovereignty (through free and fair democratic elections) as the basis of its legitimacy.

Vietnam's one-party system is likely to be heavily challenged in the future to make good its goal of creating a 'law governed state'. Political civil society groups will press the party-state to make good on constitutional provisions providing for 'freedom of opinion and speech, freedom of the press, the right to be informed, and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law' (Article 69) as well as provisions of Article 70 that provide for freedom of religion.²⁰ The future is likely to witness multiple sites of contestation – in the National Assembly,

²⁰Article 70 states: 'The citizen shall enjoy freedom of belief and of religion; he can follow any religion or follow none. All religions are equal before the law. The places of worship of all faiths and religions are protected by the law. No one can violate freedom of belief and of religion; nor can anyone misuse beliefs and religions to contravene the law and State policies'.

Vietnam Fatherland Front and Vietnam Communist Party itself - as political civil society groups press their agenda.

Five patterns of political change may provide useful frameworks for considering what may lie ahead:

- Status quo: Elements of the ruling elite fight to remain in power through repressive measures and foot dragging. Maintaining the status quo appears untenable in light of socio-economic change now underway.
- Authoritarian rule: Economic downturn coupled with political instability could lead to a reversion of authoritarian rule. But past patterns of political and social change strongly suggest that this will be impossible. and could well result in a split within the Vietnam Communist Party.
- Replacement: Opposition groups take the lead. This pattern appears least likely because the opposition at present is miniscule and does not have widespread public support.²¹ The opposition is also vulnerable to state repression.
- Transformation: The elite in power initiates change. The evidence suggests that Vietnam's leaders are negotiating among themselves the pace and scope of change. Vietnam is clearly liberalizing but not democratizing.
- Transplacement: Joint action by elements of the power elite and elements of the opposition. This pattern seems unlikely in the short-term due to the weakness of the opposition but could well be a viable pattern over the long-term.

²¹The latter three patterns of political change have been adapted from Huntington (1991:109-163).

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