

The Persistence of a NonResponsive Political Regime in Vietnam

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This article attempts to explain the persistence and adaptability of Vietnam's political system that has been described in the conventional literature as an oppressive and a nonresponsive political regime. The analysis, supported by two case studies, shows that the regime may have survived and buttressed its grip on power because it has relied on both coercion and consent, which allowed the regime to flexibly adapt to real-life politics; to avoid and minimize conflict between state and society; and to suppress any challenge to its power emerging from the civil society. The article finally observes that the future survival of the regime depends on how the ruling party fixes its inherent "system fault" and sustains public trust.

Key words: coercion and consent, Communist Party of Vietnam, peasant protests, system fault, Vietnam

越南“不回应”政治体制的持续性

本文阐述了越南政治体制的持续性和适应性，该体制一直以来在传统文献中被描述为一种压迫性、不回应的政治体制。本文通过两例案例研究表明，通过依靠体制的“强制”(coercion)和“同意”(consent)概念，这种体制有可能得以存活并强化其对权力的掌控。这种“强制”和“同意”允许体制灵活地适应现实政治，避免或将国家与社会之间的冲突最小化，同时压制任何来自公民社会的权力挑战。本文结论认为，未来体制的存活依赖于执政党如何修补其内部的“体制缺陷”(system fault)，同时维持公众信任。

关键词: “强制”与“同意”，越南共产党，体制缺陷，农民抗议，越南

La persistencia de un régimen político no receptivo en Vietnam

Este artículo explica la persistencia y adaptabilidad del sistema político de Vietnam que se ha descrito en la literatura convencional como un régimen político opresivo y no receptivo. El análisis, respaldado por dos estudios de caso, muestra que el régimen pudo haber sobrevivido y reforzado su control del poder al depender tanto de la coerción como del consentimiento, lo que permitió que el régimen se adaptara con flexibilidad a la política de la vida real; para evitar y minimizar los conflictos entre el estado y la sociedad; y para suprimir cualquier desafío a su poder que emerge de la sociedad civil. El artículo finalmente observa que la supervivencia futura del régimen depende de cómo el partido gobernante arregle su "falla del sistema" inherente y mantenga la confianza pública.

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Palabras clave: coerción y consentimiento, Partido Comunista de Vietnam, falla del sistema, protestas campesinas, Vietnam

Conventional scholarship holds that authoritarian regimes do not survive long and would eventually transform into democracy (Brzezinski, 1989; Friedrich & Brzezinski, 1965; Kornai, 1992).¹ This illusive assumption was illustrated in Samuel Huntington's *The Third Wave: Democratization in the Late Twentieth Century* (1991) and through the collapse of communism in the former Soviet Union and Eastern and Central Europe in the late 1980s which inspired the American thinker Francis Fukuyama to proclaim *The End of History* (1989) on the eve of the fall of the Berlin Wall. More recently, it was further consolidated into truism by the removal of dictatorships in the Middle East and West Africa during the Arab Spring in 2011. However, the resurgence of many authoritarian regimes, especially the continued resilience of the communist regimes in Vietnam and China, has made many people in the Western world ponder how these regimes not only have survived crises but also thrived economically.

Over the past three decades, Vietnam has transformed from a war-torn country suffering chronic famine to one of the "East Asian Miracles," moving up to middle-income status. This transformation was considered a myth by many Western policy makers, development experts, and students of democratization theory based on two aspects. First, the country's political development contradicts common thinking that economic liberalization would lead to political liberalization. Even though Vietnam could potentially become the next economic dragon in East Asia (Welle-Strand, Vlaicu, & Tjeldvoll, 2013), its political system remains unchanged. The Communist Party of Vietnam (CPV) remains the only ruling political party, intensifying its monopoly of power and bypassing internal calls for a multiparty system. Its government has shown more tolerance to opposition voices and has given expanded space for civil society participation. Second, though the ruling CPV faces what Svobik has argued to be *the problem of authoritarian control*, which is the threat from the masses against its rule (2012, pp. 123–202), the regime is persistent. Some analysts radically attribute this persistence to the party's use of the iron fist on its people, labeling the regime as an oppressive government (for a sampling, see: Mesquita & Downs, 2005). This view has been further supported by anecdotal reports which were often inaccurate in their interpretation of the clashes between the authorities and peasants over land use and management and the state crackdown on dissidents (Human Rights Watch, 2017a; 2017b). Such narratives illustrate how the regime is nonresponsive to the people's wishes and cries for justice; that while it is liberalizing the economy, it remained politically oppressive and nonresponsive. This simplified view is far behind the factual developments in Vietnamese polity which can account for the persistence of the CPV.

Since 1986, there have been efforts to define the political regime in Vietnam, whether it be repressive and nonresponsive, or not democratizing. Some analysts have attempted to characterize the political system of contemporary Vietnam. For instance, Thayer (1992, 1995, 2009, 2010) has named the system as "mono-organisational socialism," "soft authoritarianism" based on his observation of the

country's power structure and state-society relations. Kerkvliet (2010) branded the regime as "responsive-repressive" on the premise of his categorization of clusters of examples showing the state's responsiveness and repressiveness. The author of this article has also argued that the regime embraces three characteristics: "smart authoritarianism," wherein the CPV is responsive to public demands and puts in place mechanisms to absorb and manage civic outrage; "competitive authoritarianism," wherein competitive spaces are somehow permitted and democracy is practiced within the CPV; and "full authoritarianism," wherein political opposition is not entirely tolerated (Hài, 2016a, 2016b). This article attempts to offer another modest contribution to the study of the persistence of the CPV.

The key to understanding the CPV's survival and continued grip on power is to investigate the tactics used by the CPV to keep itself in power and sustain its political regime. This would then help explain the nonresponsive political regime in Vietnam. It could be argued that the CPV and its regime could have survived and buttressed its grip on power because it has relied on coercion and consent,² which allowed the regime to flexibly adapt to real-life politics; to avoid and minimize conflict between the state and society; and to suppress any challenge to its power emerging from civil society. "Coercion" in this context, means the government using its power to stifle dissent on sensitive topics and to repress any opposition deemed to challenge the CPV's rule and political orthodoxy. "Consent" means the agreement between government officials and local populations made through dialogues when dealing with an incident to avoid violence that could lead to social instability and political crisis. It also means compromise on the part of the government, as long as it does not pose a threat to CPV's power. Two case studies are used to illustrate coercion and consent in this context. The article concludes that the survival of the CPV depends on how it keeps and nurtures public trust in the regime. This assertion is not unique to Vietnam but may carry considerable political weight for other authoritarian regimes and one-party states.

Party, State, and the Governance System in Vietnam

Since mid-1976, Vietnam has been under the rule of the CPV which was founded in 1930 in Kowloon, Hong Kong of China (CPV, 1980; Khanh, 1982; Pike, 1979). The unchallengeable rule of the CPV is prescribed in the national constitution and reiterated in the party's statutes, allowing the party to be the leading force of the state and in society.³ In effect, the CPV embodies the state or government, and vice versa the state/government means the party.

In the first decades of its existence, the CPV vowed to undertake "a bourgeois democratic revolution with the aim of overthrowing imperialism and feudalism, realizing land reforms" (CPV, 2000, pp. 2–3); and to implement the slogan "arable land to the tillers" (*người cày có ruộng*) (CPV, 1951) to gain support from peasants who constituted the nucleus of the party. The CPV committed to building a society imbued with universal principles, such as equality, justice, and democracy. More recently, the party has set out to pursue an ambitious political agenda of "building a strong country with a prosperous people and a just, democratic, and advanced society" (*dân giàu, nước mạnh, xã hội công bằng, dân chủ, văn minh*)

(CPV, 2011). However, as one well-known and outspoken civil society activist said, in the context of a capitalist market economy, the party has been turning away from its original revolutionary ideas and placing a priority on keeping its power (Mai, 2017).

In ruling the country, the CPV established a regime that allowed it to control all three branches of a modern state system—legislature (national assembly), executive (government), and judiciary (legal courts). The governance structure is virtually duplicated at four levels: National, provincial, district, and commune. While the state might not be truly “an ideological thing” as defined by Philip Abrams (Abrams, 1988) in other cases, but the state in Vietnam is arguably like the one in China, which is ubiquitously an ideological entity (Pirie, 2013). In addition, the CPV operates a separate system running in parallel with the government, which in theory has oversight and inspection functions, but in practice plays a final role in decision making. This parallel political system, which is further reflected through the combination of state and party symbolisms—the national and party flags and anthems – in public ceremonies, the dominant state media, and public buildings, makes the country more like a modern party-state. Within this party-state, similar to what was described by Vivienne Shue, “the ideal government preserves a stable social order in which people enjoy the benefits of economic progress and development, share a nationalist spirit, and live in social harmony” (Shue, 2004).

Under CPV rule, state-society relations are governed by a mechanism that is prescribed thus: “the party is the leader, the state is the manager, and the people are the masters” (*đảng lãnh đạo, nhà nước quản lý, nhân dân làm chủ*) (Trọng, 2011). This Soviet-era mechanism was initiated in the 1980s and remained in effect up to the present day.⁴ The CPV proclaimed its regime “of the people, by the people, for the people.” Government employees were defined as public servants of the people (Hải, 2014). The servant-master relations were once described by a satirical take-off like this:

The servant drives in the Volga
 The families of the masters wait at the station for a train
 The servant has a nice villa
 The families of the masters use oil paper to keep out the rain
 The servants attend banquet, noon and night
 The families of the masters eat greens and pickles every night⁵

A renowned Vietnamese scholar observed that the abovementioned mechanism has facilitated the enjoyment of absolute power and the marginalization of the peasantry by local party secretaries, who also tend to be heads of the local governments (Phong, 1995). In most cases, these local officials abused their power for personal gain and alienated themselves from the poor peasants (Hải, 2014, 2016a). The decay of the political system at the local level and the failure of macroeconomic policies at the national level between the mid-1970s to mid-1980s, placed the party-state at risk of facing “a comprehensive social crisis.” This could be labeled as “crisis 1.0” wherein the citizens’ trust in the regime declined and which threatened the survival of the CPV (1991, 1996, 2005).

The party, and its regime, was able to survive the crisis after it introduced an institutionalized reform policy known as *Đổi Mới* in 1986. The economic progress and development that ensued in the span of a decade helped restore public trust in the regime and intensified CPV's monopoly of power. However, the party-state soon faced another social crisis, which could be labeled as "crisis 2.0." Crisis 2.0 was regarded as persistent and more critical and characterized by protests of peasants who constitute the majority support for the CPV's legitimization. These protests, which were often linked with land confiscation for nonagricultural purposes and coercive eviction and corruption by local cadres, could potentially cause instability in local society and in fact posed a direct threat to CPV's power.

Peasant Protests and Rice-Roots Democracy

Peasant protests emerged as a common societal phenomenon in the party-state in the 1990s. Data collected by several Vietnam scholars revealed that between 1988 and mid-1990s there were approximately 200,000 written complaints and 120 acute "hot spots," of which 40% was categorized as "smouldering," 49% as "tense," and 11% as "very fierce" (Kolko, 1997, p. 93; Kerkvliet, 1995, p. 74). These protests involved government officials' corruption linked with agricultural land management. The peasants felt that their loyalty to the party was abused and that the revolutionary slogan "arable land to the tillers" raised by the CPV to gain their support was merely rhetoric. In some cases, the peasants' outrage turned into violence when local governments mobilized the police and military to coercively evict them from their land. The CPV once acknowledged:

The apparatus of the Party, State, and mass organizations was moving slowly in reorganizing, streamlining and improving performance quality. There remained many instances of bureaucratism and serious infringements on democratic rights of the people. (CPV, 1996, pp. 22–23)

The party also pointed out the root causes of the protests:

Local authorities in some places had demonstrated negative practices and violations; in using loopholes in the transition of the mechanism, governmental agencies in various places abused the land sales, tendering, and project execution to mobilize excessive contributions from the people for infrastructure construction or to set up illegal funds or to use public funds irregularly; they committed corruption and gave bribes in pursuit of personal benefits; and they practised mismanagement, causing loss of public funds. In the meantime, demands by the people for justice, democracy, and transparency were not met. People were not virtually invited to participate in discussions, deliberations and making decisions on matters that were closely related to their lives, thus causing a discontent and radical reaction from the people. (Hiên, 2004, p. 27)

In 1997, the ruling party was shocked by peasant disturbances in Thái Bình, a coastal agricultural province which is 110 km away from the capital city of Hà Nội. In brief, five of the seven communes and towns in the province experienced protests involving tens of thousands of peasants. The crisis escalated to violence when the peasants' demands were not met. Villagers stormed into the people's

committee headquarters to vandalize and destroy some of the regime's immortal symbols like the statue of Hồ Chí Minh and the national and party flags. They also attacked the private houses of the commune's leaders and chief accountant, burning and destroying all household appliances and violently clashing with members of the leaders' family. One local accountant committed suicide by hanging himself as a result of pressure from the villagers. The province-wide crisis continued for four months and only ended through the central government's intervention. The CPV realized that the crisis threatened its power and legitimacy, deepened the decay of its state apparatus at the local level, and caused disconnect in the state-peasantry relations.

In response, the CPV prosecuted local officials and selected culprits and put in place institutions that aimed to absorb and manage civic outrage. One such institution was established to promote democratic practice at the grassroots level, popularly known as *grassroots democracy* (GRD). The GRD aimed to empower the peasants and thus kept the situation stable in the countryside and to hold the local authorities accountable and responsive to local society's demands. The CPV stressed that GRD's purpose was "to bring into full play the democratic rights of the people; to engage the people in state management, in supervising and monitoring the state apparatus; to eradicate the decay, red-tape, bureaucratism, authoritarianism, democratic deficit, and corruption" (Hiền et al., 2004).

Some scholars have questioned the actual significance of GRD. For instance, Mattner observed GRD "as a mechanism through which the political center is attempting to assert more coherent control over local society by allowing only narrowly circumscribed space for local-level negotiations" (2004, p. 126). For him, GRD was a political tactic of the CPV to absorb "popular discontent into the formal structures of the party-state" and manage this popular discontent "through established political channels provided by the state, instead of resulting in unrest or even wholesales rejection of the political system" (2004, p. 126).

While partly concurring with Mattner, this author argues that GRD is a process that mutually empowers both the CPV and citizens and should be considered as a "sincere" political reform of the CPV (Hài, 2016a, p. 40). More specifically, GRD is a space in which the ruling party can link citizen demands to state power as well as minimize citizen dissatisfaction with the regime's performance. Moreover, it provides the citizens a certain space for free expression, allowing them to directly elect leaders in their neighborhoods and to hold the CPV members accountable.

Since GRD was implemented as an experimental political project in 1998 and had been compulsorily undertaken nationwide in the last 10 years, empirical studies have indicated its success and failure.⁶ In locations where GRD was unsuccessful, communication between local people and authorities was almost nonexistent. Police used coercive power in the form of violence and thugs used physical attacks to force the people to follow local policies. However, this coercive approach was deeply resented by the local populations.

The central government took a different approach. It accused the local government in places where saw peasant protests of not implementing the policies correctly, causing public outrage and instability. In addition, it emphasized the need for dialogue and consultations, which are embedded in the spirit of GRD,

to reach an agreement between the state and society. The next two case studies will demonstrate these dynamics.

The “Bomb” Đoàn Văn Vươn

This refers to the actual resistance of Đoàn Văn Vươn, a shrimp farmer, and the members of his family against the coercive confiscation of his agricultural land and shrimp-raising farm by the authorities in Tiên Lãng district in Hải Phòng, a port city in Northeastern Vietnam and 120 km away from Hà Nội., Đoàn Văn Vươn used to serve in the army and graduated from the agricultural engineering program at the Hà Nội Agriculture University.

In 1993, Tiên Lãng district people’s committee leased 21 hectares of coastal land area to Đoàn Văn Vươn for aquacultural production. The lease period was 14 years. Mr. Vươn started the business using funds from selling private property, getting loans from friends, relatives, and the bank. He worked hard to expand the land area to the sea and even lost his 8-year-old daughter who drowned when following her parents to the shrimping lagoon. By 1995, he had built an embankment and grew thousands of mangrove trees along the dike, creating a massive lagoon for fishing and shrimp raising to earn a living.

In March 1997, Mr. Vươn sought the district authorities’ approval to lease an extra land area of 19.3 hectares and was granted a lease for an extra 14 years. The dike constructed by Mr. Vươn to protect his shrimp lagoon was connected to the public dike and helped prevented floods during the storm season. However, when local authorities claimed to have built the dike, they were criticized and contradicted by the local population.

One important note that should be mentioned here is that the first handover of land to Mr. Vươn happened 10 days before the Land Law of 1993 became effective. The said law governs *inter alia* “the rights and obligations of land users,” purposes and duration of land use. According to this law, land to be used for purposes like those of Mr. Vươn should have a lease period of 20 years. Hence, according to the Ministry of Natural Resources and Environment, the central agency in charge of land administration, Mr. Vươn should have been given a 20-year lease for the first 21 hectares that should have expired in 2013 instead of 2007 (Võ, 2012). Similarly, the lease on the second lot should have expired in 2017 instead of 2011. Nevertheless, in 2009, the authorities of Tiên Lãng undertook procedures to take back the entire 40.3 hectares of land. Mr. Vươn complained about this action and filed a case in the district court, which was ruled favorably for the authorities. On appeal at the Hải Phòng Municipal People’s Court, the court asked Mr. Vươn to sign a “Memorandum of Agreement” (*Biên bản Thỏa thuận*) (MoA) with the condition that he would be allowed to use the land if he withdrew. Three days after he withdrew his appeal or on April 19, 2010, the Hải Phòng Municipal People’s Court issued a decision to hold off the review of the district court’s decision. Nevertheless, the Tiên Lãng district people’s committee did not honor the MoA and repeatedly demanded the turnover of the land. Due to Mr. Vươn’s refusal to return the land, the Tiên Lãng district people’s committee issued on November 24, 2011, Decision No. 307/QĐ-UBND to coercively confiscate 19.3 hectares of land from Mr. Vươn. This decision was accompanied by an implementation plan with No.104/KH-UBND.

Mr. Vưon and his family responded to this coercion by erecting fences and laying self-made landmines on the ground covered by rice straws and preparing improvised shotguns in an attempt to deter and prevent security forces from entering his land. On the morning of January 5, 2012, Tiên Lãng authorities mobilized more than 100 policemen and military soldiers armed with guns and professionally trained dogs to forcefully confiscate the land. Mr. Vưon was not on the site, but his brothers resisted with landmines and improvised shotguns. Though no one was killed, four policemen and two soldiers were wounded. Immediately Mr. Vưon and five members of his family, including his wife, were arrested. Within two days, Mr. Vưon's two-storey house and all the other structures on the land were bulldozed. The Hải Phòng city chief of police even described to the media the coercive confiscation as an "exciting collaboration of fighting tactics" between the police and military, which could have been written in a book (BBC, 2013).

The Tiên Lãng incident was likened to the Thái Bình peasant crisis that happened 14 years ago. But, unlike the Thái Bình crisis, which was not reported in the mass media due to strict state censorship, the Tiên Lãng incident was shown real time on the state media and social networks, capturing the attention of society. The former president of Vietnam, Lê Đức Anh, fiercely criticized the incident and bluntly pointed out that "the government at both the district and commune levels were wrong" when they coercively confiscated land from Mr. Vưon and engaged the military in this incident. He then appealed that "this is a lesson to learn for all levels of government nationwide" (Vietnamnet, 2012a). Likewise, former Deputy Prime Minister Vũ Khoan emphasized the state-society relations, saying that the conduct of the government in Tiên Lãng "was out of law and lacked empathy" (*vừa thiếu lý, vừa vô tình*) (Vietnamnet, 2012b). A military general and former charismatic and outspoken member of the National Assembly, Nguyễn Quốc Thước, lamented that the incident "was a massive political loss" for the regime (Vietnamnet, 2012c).

Facing the mounting public outcry and severe critiques from the former high-ranking party and government officials, then Prime Minister Nguyễn Tấn Dũng, whose constituencies included Tiên Lãng, requested the leader of Hải Phòng municipal government to report on the incident (Vietnamnet, 2012d). He then decided to chair a multi-agency consultation to make the final verdict on the incident (VnExpress, 2012a). On 7 February, Hải Phòng Municipal Party Committee announced through a press conference its decisions to criticize the collective of Tiên Lãng district standing party committee; and to order the deputy party secretary cum chairman and the vice-chairman of the people's committee of Tiên Lãng district (Hai Phong Municipal People's Committee, 2012) to temporarily discontinue their jobs due to public pressure, the Hải Phòng Municipal Police also initiated a legal case against those individuals allegedly intentionally destroying Mr. Vưon's property (VnExpress, 2012b). The public also called for the examination of the Hải Phòng's chief policeman's responsibility in the incident (VnExpress, 2013a). On 10 February, 2012, Prime Minister Nguyễn Tấn Dũng declared the actions of the local authorities in Tiên Lãng as entirely wrong (VnExpress, 2012c).

Following the prime minister's decision, five former officials of Tiên Lãng government were arrested and criminally charged for "intentionally destroying the property of citizens" and "lack of responsibility causing serious consequences" (VnExpress, 2013b). However, the penalty imputed on these officials was considered "lighter" than what was prescribed by law for their offenses (BBC, 2013). In relation to this incident, 50 cadres of Tiên Lãng district were criticized and subjected to different types of discipline; the Party Caucus of Hải Phòng Municipal People's Committee was reprimanded (Đô & Thê, 2012). Mr. Vươn and five other family members were charged with "intentionally killing other people" and "resisting people on public duties" (Đô & Thê, 2013). After being detained in jail for two years, Mr. Vươn and his brother were granted amnesty (VnExpress, 2015).

Đông Tâm Disturbance

In mid-April of 2017, "Đông Tâm," a traditional agricultural commune in Mỹ Đức district which is a two-hour drive away from the center of Hà Nội, emerged to be in the center of media attention due to a confrontation between "poor but honest and straightforward" peasants and the local authorities and police. The way the peasants reacted to the authorities' repression made the disturbance comparable to the political turmoil in Wukan, China in 2011 (BBC, 2017a)⁷ and the peasants' revolts during the "Paris Commune" in 1871 (Dũng, 2017).

The civil disturbance stemmed from issues of land management and land grabbing in Đông Tâm. On April 1980, Deputy Prime Minister Đỗ Mười, through an executive decision, allocated and transferred 208 hectares of agricultural land in the Mỹ Đức district to the Ministry of National Defence (MND) to be managed by the Military Brigade No. 28. The land would be used for the Miếu Môn military airbase as a part of a national security project. Of the 208 hectares, 47.36 hectares belonged to Đông Tâm. Sometime in 2007, when the Miếu Môn military airbase construction project was determined to be infeasible, 47.36 hectares of land were returned to Đông Tâm. On July 30, 2007, the Đông Tâm people's committee published a document indicating the demarcation between the military and agricultural lands.

In 2014, while most Đông Tâm peasants were still waiting to receive back their land plots, Brigade No. 28 applied for a land-use rights certificate at the Hà Nội Municipal Department of Natural Resources and Environment over an area of 236.7 hectares; this was 28.7 hectares larger than the original area allocated in 1980 and apparently included portions of the 47.36 hectares to be returned to Đông Tâm peasants. On March 27, 2015, the General Staff Department, instead of MND, issued a land acquisition decision allocating 50.03 hectares of land, most of which were on Đông Tâm commune, to telecommunication corporation Viettel for "military purposes."

What further made a majority of Đông Tâm peasants furious and incomprehensible was that though they had not yet received back their land for production, a few other individuals in the commune "possessed" thousands of square meters of land on which they built permanent houses for sale and transfer. Among these individuals were notably Mr. Trần Ngọc Viễn and Mr. Nguyễn Văn Toán, each of them "possessed" 12,000 and 11,000 square meters of land, respectively.

Đông Tâm peasants' complained that Mr. Viễn and Mr. Toán were using portions of land outside the area demarcated for national defense. In response, Brigade No. 28 insisted that both individuals were constructing their houses on the land it is managing. Due to the unfair treatment and unclear explanation from both Mỹ Đức district people's committee and Brigade No. 28 of MND, the Đông Tâm peasants relentlessly lodged collective complaints and organized protests to demand the return of their agricultural land.

Three things should be recalled prior to the civil disturbance. First, the construction of the Miếu Môn military airbase on the disputed land did not push through as per the Prime Minister's directive in 1980. Second, Brigade No. 28 had not yet been granted a land-use rights certificate. Third, a dialogue between Đông Tâm peasants, local authorities, and MND was never organized.

Since late 2016, the complaints and protests by hundreds of Đông Tâm peasants intensified. Organized demonstrations staged on the disputed land prevented local authorities and the MND from entering the area land. Đông Tâm peasants staged more vociferous protests since mid-February 2017 when Viettel Corporation conducted the demarcation of the boundary between military and local land. The peasants stormed into the area, ejected "military zone" signboards, and started carrying out agricultural production activities. In the first week of March 2017, hundreds of Đông Tâm peasants protested in front of the commune people's committee which led to clashes between the villagers and security forces. On March 10, 2017, Đông Tâm peasants erected tents on the disputed land to establish their ownership and to protect vegetation. On March 30, 2017, the Hà Nội Municipal Police promulgated a decision against some Đông Tâm peasants including an 83-year-old respected village elder, Mr. Lê Đình Kinh, for their attempts to "destabilize the public order"; at the same time, the Criminal Investigation Department under MND issued a decision to prosecute these individuals for "preventing and resisting persons undertaking public duties" (Huyền, 2017).

The confrontation between Đông Tâm peasants and local authorities reached its height on April 15, 2017, when some villagers, invited to witness the demarcation of military and agricultural land, were forcefully arrested and transported away by riot police. Among the arrested villagers was Mr. Kinh, who was said to be hospitalized for his broken legs as a consequence of beating and violent pushing by riot police (BBC, 2017b). Responding to this coercive arrest, hundreds of Đông Tâm peasants attacked the riot police and local cadres and captured and detained thirty-eight people. The captives were held hostage in exchange for the freedom of the arrested villagers (VnExpress, 2017a). The peasants then barricaded all roads leading to the commune to prevent people from coming in or out. Unconfirmed reports said that Đông Tâm peasants even prepared firewood and petrol to set themselves and the police captives on fire if they were attacked. The peasants called for the release of the arrested peasants and for a dialogue with the Hà Nội municipal government.

On 17 April, Đông Tâm villagers released eighteen police officers in exchange for the release of the arrested peasants. Despite the release of the captive police officers and informal talks via telephone between the chairman of Hà Nội Municipal People's Committee, Nguyễn Đức Chung, and Đông Tâm peasants,

the situation in *Đông Tâm* remained extremely tense. The peasants continued to set up new barriers and conducted checkpoints to search every passerby on the main road.

On 20 April, the chairman of the *Hà Nội* Municipal People's Committee and government officials and representatives, including two members of the National Assembly, met with a few peasant representatives at the district people's committee headquarters. The absence of most *Đông Tâm* peasants at the meeting reflected their profound mistrust and cautious reaction to the government's conduct. At this brief meeting, the peasant representatives expressed their frustration of the meeting location and conveyed a request from all *Đông Tâm* peasants to the Hanoi government chairman that they wanted him to hold the dialogue within the village rather than at the government headquarter.

On 21 April, *Đông Tâm* villagers released a local cadre and submitted to *Hà Nội* leadership a written petition containing eight issues. In the said letter, the villagers acknowledged the illegal nature of the capture and detention of police officers and called for the criminal charges against the villagers to be dropped (Huyền, 2017). On 22 April, taking into consideration the concessions made on both sides, the chairman of the *Hà Nội* Municipal People's Committee had a dialogue with 50 *Đông Tâm* peasants which resulted in a handwritten commitment by the chairman to spare the villagers engaged in the disturbance from criminal prosecution. The chairman also directed relevant agencies in *Hà Nội* to review the land history in *Mỹ Đức* and to report the outcome of the investigation within 45 days. All the riot police held as captives were released (VnExpress, 2017b), ending the confrontation between the state and local society.

The repercussions of the *Đông Tâm* disturbance have been widely in the political arena. President *Trần Đại Quang* was quoted saying "if the local government had listened to the people, there would be no *Đông Tâm* incident" (VnExpress, 2017c). Even Prime Minister *Nguyễn Xuân Phúc* pointed out that "in *Đông Tâm* disturbance, the local government was wrong and did not follow correctly the law" (Đức, 2017). The fire that the *Đông Tâm* incident created was temporarily extinguished, but the remaining embers can be stoked at anytime if the authorities' commitments are not honored.

In effect, the challenge for any government in *Ha Noi* is to address the land issue in *Đông Tâm*, or in any locations nationwide, in a fashion that does not undermine the state's power and at the same time satisfies the local population's needs, recognizes the peasants' ownership of their land, and demonstrates the state's sincere behavior and transparent conduct. These require systematic political reform.

Coercion, Consent, and System Fault

The two case studies of *Tiên Lãng* and *Đông Tâm* have shown the dynamics of coercion and consent in the context of Vietnam's local and national governance. The case studies support this author's preliminary observation that local governments tend to use coercion to handle crises, while the central government relies on consent to restore public order and to win public trust. Both studies also support CPV's argument that in dealing with local crises, state law and policies

are correct, and that civil disturbance happens due to poor implementation of laws and policies by local governments.

Since the CPV came to power beginning in mid-1976, and especially over the past three decades, coercion and consent have been used as “push and pull factors” by the government in Vietnamese politics to keep the regime in balance and forestalling regime collapse. Of course, not in all cases would the central government agree with emphasizing the consent approach. It never tolerates or accepts, at least for now, a political opposition challenging its monopoly of power.

The two case studies also raised a question about the role of GRD, which the author has argued as a mechanism that mutually empowered the peasants and the state (Hải, 2016a). In effect, the GRD was regarded as a small-scale political tool with a limited scope of regulation. For instance, it only empowered local people whenever they were requested to contribute to a project that has a potential impact on their lives. Consequently, even if the construction of a village road running through their gate and if the villagers were not required to make any contributions such as labor power or money, GRD would not apply and the villagers themselves even did not care about the construction (Hải, 2016a, p. 102).

At the national level, the GRD, although not compulsory, is used as an approach for reaching consensus between the government and the people, thus reducing the risk of conflict between state and society. In this sense, GRD generates a dialogue framework that fosters mutual understanding and is conducive for achieving consent.

That said, it could be argued that GRD failed in Tiên Lãng and Đồng Tâm crises not because of the GRD itself but due to the fact that the local governments deliberately bypassed it. The question would then be how the local governments could have ignored GRD, a compulsory state policy and CPV-promoted legal institution? More importantly, why was the “bomb” Đoàn Văn Vươn or the Đồng Tâm disturbance seemingly a local but very common problem across the country as lamented by former Deputy Prime Minister Vũ Khoan (Vietnamnet, 2012b)? Some ex-high ranking officials including the former chairman of Vietnam’s National Assembly, Nguyễn Văn An, have implied it was due to “system fault” (*lỗi hệ thống*).

“System fault” is the term used by Mr. An, who was also a member of the CPV Politburo, to indicate the inherent problems of Vietnam’s political regime (Vietnamnet, 2010). Broadly speaking, system fault includes a lack of democracy, inappropriate public land ownership which is described in a nuanced and vague phrase as “land is owned by the entire population” (*đất đai thuộc sở hữu toàn dân*), and the concentration of power. In order to fix this fault, Mr. An recommended doing the following: “Legalizing private land ownership; denouncing public ownership of production materials; replacing the one-party rule; establishing a political regime with three independent branches of power; and implementing democracy guided by the principles of competitive elections, openness and transparency” (Vietnamnet, 2010). However, the CPV elite did not accept these recommendations and they did not prosper at the outset (Đức, 2012).

The link between system fault and the crises in Tiên Lãng, Đồng Tâm, and other cases⁸ is ubiquitous. In other words, it is like a “cause and effect” model in which the decay of the system leads to the peasant outrage.

System fault is also the source of hundreds of “bombs” like the one in Đoàn Văn Vươn (Văn, 2017). The CPV leaders have always emphasized the importance of consent, which is achievable through dialogues between the state and society, and between local cadres and peasants. They also called on local governments and cadres across the country to learn lessons after each crisis. Nevertheless, the two case studies have shown that dialogue was effective and enabled the government to manage crises, but it was used as a band-aid measure.

Conclusion

This article has attempted to explain the persistence and adaptability of Vietnam’s political system that is described in the conventional literature as oppressive and nonresponsive. The argument advanced here is that the CPV has been able to stay in power because it relies on coercion *and* consent. The two case studies regarding the crisis at the local level, the “bomb” Đoàn Văn Vươn in Tiên Lãng – Hải Phòng, and the Đồng Tâm disturbance in Mỹ Đức-Hà Nội, were used to illustrate and support this argument. The article also looked into the reason for coercion and consent, which was linked with what has been described as “system fault” inherently associated with the political regime created by the ruling CPV.

Although the CPV has emphasized that comprehensive reforms are necessary to adapt itself to real-life politics, the biggest challenge to its survival and power does not come from a political opposition but on gaining and maintaining public trust in the regime. Coercion was shown as an ineffective measure to keep the CPV in power. Furthermore, it can be considered a double-edged sword for the regime. Repression will cause the regime to lose support from the public and eventually lose its legitimacy (O’Kane, 1993), whereas consent consent through dialogues seems to assist the government to gain public trust. However, public trust is an unsustainable variable when the system fault remains. In other words, the political regime in Vietnam faces a dilemma: Fix the system fault and lose the monopoly of power or do not fix the system fault and face a public trust crisis. Võ Văn Thường, a member of the CPV Politburo and Chairman of the Central Propaganda and Education Commission, has acknowledged that “it would be most dangerous when the people lose their trust in the government” (VnExpress, 2017d). Thus, the future survival of the political regime under the rule of the CPV in Vietnam lies in how it nurtures and retains public trust, and more fundamentally how it fixes permanently the “system fault” inherently associated with its regime.

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Notes

¹This view is predominantly popular among scholars in the Western world.

²For discussions on this model, see a sampling: Hall (1994) and Pirie (2013).

³See: Vietnam’s constitution (amended in 2013) and the Party’s statutes 2015.

⁴This mechanism was first initiated at the 6th National Congress of the CPV in 1986 and has since then been reaffirmed in all the party's political documents. See a discussion: Duong (2016).

⁵Cited in Abuza (2001).

⁶See case studies in my monograph cited in note 2 above.

⁷There are some discussions about the Wukan protests such as Lagerkvist (2012); but the best description of the event is by He and Xue (2014).

⁸Recent violent clashes between peasants and local police include, for example BBC (2017c).

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