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What Drives Vietnam's Tightened Public Sphere?

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*A woman uses her smartphone while waiting atop her scooter along a street in Hanoi on 10 July 2020.
Photo: MANAN VATSYAYANA/AFP.*

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EXECUTIVE SUMMARY

- Since 2016, the Vietnamese government has tightened its grip on traditional media, the online sphere, and civil society.
- This tightening of the public sphere is part of the effort by the conservative faction within the Communist Party of Vietnam to increase the Party's control over the state and society. This has been made possible by the Vietnamese state's improved capability in managing cyberspace and its increased leverage in negotiations with Western partners.
- The weaponization of laws and regulations has become the strategy of choice for Vietnamese authorities, who have become increasingly adept at exploiting economic leverage to strong-arm Big Tech into compliance.
- The intensified crackdown has created an increasingly subservient and fear-filled atmosphere around both mainstream media and cyberspace, unnerving the civil society community.
- This trend is likely to persist until 2026, when a new generation of leadership emerges. However, if the Vietnamese leadership continues to suppress online discussions and curtail press freedom, they risk losing a vital channel of feedback. Over time, this could create a widening gulf between the public and its political leaders, leading to instability.

INTRODUCTION

Since 2016, Vietnam's public sphere has come under increasing scrutiny and control by the government, with traditional media, the online sphere, and civil society being the primary targets. This conservative shift in the one-party state is a departure from the relatively lenient period that followed the nation's admission to the World Trade Organization in 2007 and until the 12th National Congress of the Communist Party of Vietnam (CPV) in 2016.

The tightening of civil society has been particularly evident in recent years, with various restrictions being imposed through both legal and extra-legal means on the activities of non-governmental organizations (NGOs) and social movements.¹ This was made clear in 2022, when numerous prominent NGO leaders were charged and arrested.² The traditional media landscape has also been subject to greater controls, with journalists and editors cowed by increasingly comprehensive censorship and stricter regulations. As the new main platform for propaganda, the cybersphere has been subject to new restrictive regulations, more targeted punishments, and legions of pro-government trolls tasked with countering negative discussions about the regime.

This article explores three major factors contributing to Vietnam's increasingly restrictive public sphere since 2016. First, we argue that this is part of an effort spearheaded by the conservative faction of the CPV to increase their control over the state and society after the 12th CPV Congress in 2016. Second, while Vietnamese officials started recognizing the potential for collective action against the regime in the late 2000s and early 2010s, it was not until the late 2010s that they had the necessary capacity to respond effectively. Finally, Vietnam's growing significance in the context of great power competition has enabled Hanoi to withstand external pressure from the United States and European Union regarding human rights and democratic practices. The article concludes by discussing the implications of this trend for Vietnam's future.

VIETNAM'S "HUNDRED FLOWERS" MOMENT

In the early 2010s, Vietnam's public sphere was characterized by a sense of relative optimism. Traditional media were blossoming, and journalists were granted some freedom to perform their jobs. Although there were occasional setbacks, such as the unprecedented state-sanctioned crackdown on the press in 2008,³ investigative journalism⁴ and media coverage of official corruption⁵ were largely tolerated by the authorities. The early 2000s saw the launch of online versions of established newspapers, with major tech companies entering the fray in the mid-2000s, accelerating the development of Vietnam's online media space.⁶

The nascent civil society was also emerging, exemplified by the rise of non-state social organisations, such as Vietnamese NGOs (VNGOs), community-based organizations (CBOs), and independent movements connected via the Internet. Facebook became the preferred platform among Vietnamese netizens after its launch in 2008, enabling online activism to thrive.⁷ After a series of failed attempts to exert greater control over social media, the Vietnamese government ultimately conceded to Facebook's popularity in 2015.⁸

This more open public sphere created a positive feedback loop within the previously rigidly-controlled political system. This was a rare time when people could make their grievances heard and addressed through popular mobilisations, both online and offline. For instance, in 2015, a government plan to fell 6,700 trees in Hanoi spurred Vietnamese netizens to form an online movement on Facebook to protest it.⁹ This backlash led the government to scrap the plan and punish the officials responsible.¹⁰ A year later, environmental concerns unified Vietnamese Facebook users in a protest against a major marine pollution incident caused by a steel plant of Formosa, a Taiwanese investor, in Ha Tinh Province.¹¹ The newly established government after the 12th Congress felt the need to demonstrate responsiveness to public demands, forcing Formosa to accept responsibility and pay US\$500 million in compensation to the affected fishermen.¹²

THE CONSERVATIVES STRIKE BACK

However, for the one-party state, particularly the conservatives, these effective cases of activism posed a great threat, especially in the wake of the Arab Spring uprisings in late 2010.¹³ To them, the media, the Internet, and civil society had the potential to mobilise protests¹⁴ and empower the public to challenge the legitimacy of the CPV.¹⁵ Nonetheless, during the leadership of Prime Minister Nguyen Tan Dung, who was in office from 2006 to 2016, economic development was prioritized over social controls, and the country was willing to loosen its grip on the public sphere in exchange for advantageous trade agreements with Western partners.

The crackdown only began after the 12th CPV Congress, when the conservative faction emerged victorious with the re-election of General Secretary Nguyen Phu Trong while his main rival, Nguyen Tan Dung, retired. As a staunch communist apparatchik, Trong sought to address the ideological and moral decay of some elements in both the party and society, which had caused corruption and other social ills.¹⁶

In one of its earliest actions, the 12th Central Committee under the leadership of Trong issued Resolution 04 – NQ/TW, which identified what the CPV considered to be signs of “self-evolution” and “self-transformation” that could threaten the regime’s survival.¹⁷ One such sign was the presence of civil society. According to CPV propagandist, the West employs “civil society” as a tool to weaken and ultimately destroy communist rule in Vietnam by instigating gradual and non-violent changes within the country.¹⁸ This viewpoint explains the indefinite suspension of the long-awaited Law on Association in late 2016.¹⁹ In 2018, the Politburo issued another important resolution, Resolution 35–NQ/TW, which focused on “strengthening the protection of the Party’s ideological foundation, combating and refuting erroneous and hostile viewpoints in the new situation”.²⁰

These two resolutions laid the foundation for the creation of various institutions dedicated to managing and overseeing ideological work, as well as for establishing a regulatory framework to control the public sphere. In accordance with Resolution 35, a unified “steering committee” was established at all levels of the party hierarchy to “proactively counter hostile opinions” about the party and “closely monitor” the ideological beliefs of party members and citizens.²¹ Although the party has not released the exact numbers of these committees, a report in Quang

Ninh Province revealed that every government/party agency must appoint 5-10 cadres responsible for “combating wrongful views on cyberspace”.²²

The CPV also instructed the establishment of new specialized agencies exclusively focused on fighting ideological battles in cyberspace. These include Force 47 (*Lực lượng 47*), estimated to have at least 10,000 personnel in 2017,²³ and the Cyberspace Operations Command (also known as Command 86), both under the Ministry of National Defense. The Ministry of Public Security, the one-party state’s main repressive institution, has also invested heavily in its cyber capabilities.²⁴

STIFLING PUBLIC DISCOURSE

Mainstream media and cyberspace

Given the CPV’s long-standing concern about collective actions, it is unsurprising that the cybersphere is the first target of its intensified crackdown. Vietnam’s increased control of cyberspace has revolved around three main tactics: blocking and removing content that its authorities deem inappropriate; bolstering its monitoring of social media; and prosecuting online critics.

In tightening the screws in the cybersphere, Vietnam has employed a range of laws and regulations. Decree 72, enacted in 2013, has been widely seen as the legal basis for Meta’s Facebook and Google’s YouTube to limit or remove content at the request of Vietnamese authorities.²⁵ The full-blown weaponization of the decree became evident in 2017, when Google²⁶ and Facebook²⁷ reported the amount of material the Vietnamese government asked them to restrict access to. Growing concerns over social media culminated in the passage and implementation of the Cybersecurity Law in 2018. Said to bear striking similarities to its Chinese equivalent, the Vietnamese law is also characterized by broad and ambiguous provisions that allow officials to control its implementation while perpetuating self-censorship among Internet users. In October 2022, Vietnam enacted Decree 53 to guide the implementation of the 2018 Cybersecurity Law,²⁸ which further empowers Vietnamese authorities to censor online content they disapprove of and strengthen the state’s digital surveillance capability.

Vietnam ranks seventh among the top ten countries with the highest number of Facebook users,²⁹ with the company reportedly generating an annual revenue of more than US\$1 billion from Vietnam’s market of nearly 70 million users.³⁰ According to DataReportal figures, YouTube has 63 million users in Vietnam, and TikTok around 50 million.³¹ As such, by threatening to shut down any social platform deemed not compliant with local laws, Vietnamese authorities have become increasingly adept at exploiting their economic leverage to arm-twist Big Tech into compliance. In 2020, for instance, Vietnam threatened to block Facebook if it did not agree to remove anti-government posts on its platform.³² This brinkmanship tactic seems to have been effective. According to the Vietnamese Ministry of Information and Communications, Facebook complied with 90% of Vietnam’s content removal requests during the first quarter of 2022, while YouTube went along with 93%.³³

The post-2016 era has also seen Vietnamese authorities heavily invest in beefing up online monitoring efforts by mobilizing Force 47³⁴ in a bid to maintain “a healthy cyberspace” and to

protect the regime from “wrong”, “distorting”, or “false news”.³⁵ Additionally, the authorities have enlisted members of society to act as pro-state opinion shapers, creating dossiers on online dissidents or critics who are accused of spreading “false news” about the regime and reporting any possible violations of Vietnamese laws to the authorities.³⁶

State-orchestrated efforts to control the cybersphere have resulted in an increasingly submissive and fearful social media landscape. Big Tech firms have become accustomed to acquiescing to Hanoi’s censorship requests, hoping to appease regulators. Mai Truong argued that by filling the Politburo with staunch defence-security figures, Vietnam has been able to prevent online popular discontent from turning into real-life protests.³⁷

The fear-cloaked dynamic has also permeated the mainstream media. Vietnamese authorities have appeared increasingly emboldened in threatening to revoke the license of news outlets that dare to go against the party line. Nowhere is this strategy more manifest than in a state-orchestrated blueprint enforced in 2019 that seeks to strengthen and centralize state control over the media by axing or merging hundreds of press organizations.³⁸ Accordingly, Hanoi aims to slash around 180 press organisations across the country by 2025,³⁹ citing the need to revamp the bloated bureaucracy and overlapping ownership that have plagued the news industry. While the plan is legitimate to some extent, critics have lamented that authorities are using it as a smokescreen to shepherd news outlets into churning out uniform coverage that promotes official narratives.⁴⁰

Civil society

In a move that seems to be a copy of the Chinese approach,⁴¹ the Vietnamese government has also been relying on weaponizing laws and regulations to crack down on civil society. According to advocacy groups, since 2016, Vietnamese authorities have used tax laws and the Penal Code to go after activists, charging them with “tax evasion”, “anti-state propaganda” or “abusing democratic freedoms”.⁴² In April 2023, The 88 Project, a human rights group, released a report detailing how the “tax evasion” charge has been “arbitrarily applied for the purpose of political persecution”, citing the cases of four prominent Vietnamese environment activists as examples.⁴³ The latest casualty of Vietnam’s crackdown on civil society is Hoang Thi Minh Hong, another prominent environmental activist who headed the now-disbanded environmental NGO Change. Hong was arrested in June 2023, also for alleged “tax evasion”.⁴⁴

In August 2020, a new decree superseding 2012 rules was passed, significantly tightening restrictions on foreign NGOs in Vietnam. The decree narrows the definition of permitted groups and retains expansive prohibitions against activities that violate Vietnamese “national interests”, “social order”, “social ethics”, “national customs”, “traditions”, or “national unity”, among other provisions.⁴⁵ The new decree has been mostly used to impede foreign NGOs’ registration process and narrow their operating space in Vietnam.⁴⁶ This has left the NGO community in the country in suspense, with several organisations having to shut down due to the new restrictions.⁴⁷

The authorities have also targeted high-profile activists who could potentially influence public opinion. According to data compiled by The 88 Project, Vietnam had arrested 361 “activists” between 2016 and the first quarter of 2023⁴⁸ — more than triple the number of arrests (106) made from 2015 to 2003, when the project began collecting data. The most widely reported case was the detention of Nguy Thi Khanh, Vietnam’s best-known environment advocate and the nation’s first recipient of the esteemed Goldman environmental prize in 2018.⁴⁹ Khanh was

arrested in February 2022 for alleged tax evasion, a charge that her supporters have dismissed as fabricated. In June 2022, a Vietnamese court sentenced her to two years in prison, which was reduced on appeal to 21 months. Although Khanh was granted early release in May 2023,⁵⁰ the case caused deep concern among Vietnam's civil society organisations, prompting more than 50 Goldman laureates from 41 countries to sign a letter urging the United Nations Human Rights Council to reject Vietnam's bid to be elected to the body in October 2022.⁵¹

But such pressure did not suffice to prevent Vietnam from getting elected to a three-year term at the UN body.⁵² Indeed, with Vietnam playing an increasingly significant role amidst the great power rivalry, the CPV has enjoyed better leverage in weathering external pressures on its human rights record, particularly from the United States and European Union partners. This dynamic is another crucial factor that has enabled the CPV to continue tightening the public sphere without having to worry about international repercussions.

GEOPOLITICAL LEVERAGE

Both the US and EU have notably softened their approach to human rights issues in recent years, likely due to geopolitical and economic considerations. As the US-China rivalry intensifies, Hanoi has become an increasingly important partner for Washington in Asia. Vietnam has sought to safeguard its sovereignty, territorial integrity, and independence against China's growing strategic ambitions, particularly in the South China Sea, making it a natural security partner for the US in its efforts to contain China's rise. Additionally, Vietnam's emergence as a regional manufacturing hub has been well-received by Washington, given its desire to diversify its international economic ties and reduce its trade dependence on China.

While US Secretary of State Antony Blinken's visit to Hanoi in mid-April this year included some symbolic gestures of support for freedom of religion,⁵³ no public remark was made in response to the Vietnamese court's sentencing of a prominent blogger to six years in prison hours before his visit.⁵⁴ Vietnam arrested another dissident blogger while Blinken was still in Hanoi, yet the US response was muted.⁵⁵ Ultimately, Blinken's visit was the latest testament to Washington's willingness to go the extra mile to upgrade ties with Hanoi in order to counterbalance China's growing influence.⁵⁶

Meanwhile, apart from the shared security concern about China, trade has been another key driver of EU's relations with Vietnam.⁵⁷ Most recent data show that Vietnam has been the EU's most important trading partner in Southeast Asia after Singapore.⁵⁸ Vietnam and Singapore are also the only two countries in the region that have concluded a free trade agreement with the EU.⁵⁹ Even though differences over human rights have caused temporary setbacks, the EU seems to have prioritized economic considerations over human rights issues.⁶⁰ Such pragmatism was on full display in the Union's ratification of the EU-Vietnam Free Trade Agreement in 2020.⁶¹

CONCLUSION

A month before being installed as Vietnam's president in March, Vo Van Thuong stressed the importance of respecting and listening to critical feedback from the intelligentsia.⁶² However, the current conservative trajectory of Vietnamese politics suggests that the public sphere is likely to remain restricted until at least 2026, when the 14th CPV Congress will be held and a new leadership elected. This trend will likely deprive the Vietnamese state of an invaluable online feedback loop.

For a country that prizes political stability above all else, silencing all avenues for the public to express their grievances could cause more instability in the long run. As political scientist Martin Dimitrov aptly noted,⁶³ any regime should be wary when its citizens cease voicing their complaints, as it is indicative of a widespread lack of faith in that state's legitimacy.

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