

Thayer Consultancy  
ABN # 65 648 097 123



## **Background Brief**

### **Vietnam: Expanded Powers for the President-Secretary General**

**October 4, 2018**

Vietnam is a one-party state led by the Communist Party of Vietnam (CPV). The most senior members of the Politburo hold the four top party-state leadership posts: Secretary General of the CPV, State President, Prime Minister and Chair of the National Assembly Standing Committee. Ministers and their equivalent rank in Cabinet are invariably members of the CPV Central Committee. Every ministry and government agency, the people's armed forces, and mass organisation has an internal party committee.

The centre of political power in Vietnam is vested in the Politburo. Presently this body operates on the basis of consensus under the leadership of the CPV Secretary General who is "first among equals." Dispersing power between the party and the state provides a modicum of checks and balances on an otherwise authoritarian system. In reality, seniority plays an important role among the leadership. Additionally, those leaders holding the posts of state president, prime minister and chair of the National Assembly Standing Committee must first clear major policy decisions in the Politburo and receive endorsement by the Central Committee (that is required to meet at least twice each calendar year).

The decision by the eighth executive session, or plenum, of the CPV Central Committee to nominate Nguyen Phu Trong to simultaneously hold the posts of party Secretary General and State President will weaken if not erode the informal system of checks and balances that has been in place since the adoption of the 1992 Constitution of the Socialist Republic of Vietnam.

While the office of State President is largely viewed as ceremonial, the Constitution does allocate substantial powers to the President. These powers have been constrained as noted above by the way decision-making is conducted within the Politburo.

When the office of State President is combined with that of CPV Secretary General this will result in the unprecedented intrusion of the party leader into state affairs. The President-Secretary General will assume the following duties and powers subject to approval by the National Assembly:

- to request the National Assembly Standing Committee to revise its ordinances;
- to recommend to the National Assembly to elect, suspend or revoke the Vice President, the Prime Minister; deputy prime ministers, ministers and other

members of the Cabinet;

- to recommend to the National Assembly to elect, suspend or revoke the President of the Supreme People's Court and the Head of the Supreme People's Procuracy;
- to appoint, to suspend or revoke judges of the Supreme People's Court, judges of other courts and Chief Justice of the Supreme People's Procuracy, deputy procurators general and procurators of the Supreme People's Procuracy;
- to grant pardons;
- to grant Vietnamese nationality, release from Vietnamese nationality, restore Vietnamese nationality, or deprive of Vietnamese nationality;
- to have overall command of the armed forces and hold the office of Chairman of the National Defence and Security Council;
- to nominate its members of the National Defence and Security Council;
- to decide on conferment, promotion, demotion and deprivation of army rank of general, commander-in-chief, vice commander-in-chief and naval commander-in-chief;
- to appoint, suspend or revoke Chief of the General Staff and Chairman of the Political General Office of Vietnam People's Army;
- to proclaim or retract the decision on the state of war;
- to issue orders on general mobilization or limited mobilization;
- to declare or lift a state of emergency to declare a state of emergency nationwide or in a particular locality;
- to appoint and recall ambassadors;
- to decide on the conferment of titles and ranks at the ambassadorial level;
- to decide on negotiation and conclusion of international treaties in the name of the Socialist Republic of Vietnam;
- to submit to the National Assembly international treaties for ratification and termination to decide on ratification, accession to or termination of other international treaties in the name of the State;
- to attend sessions of the Standing Committee of the National Assembly and sessions of the Cabinet;
- to request the Cabinet to hold meetings to discuss issues that the State President considers necessary to exercise his duties and authorities; and
- to issue orders and decisions for the accomplishment of his duties and the exercise of his powers.

The new Secretary-General/President will have unbridled opportunity to advance protégés into key positions in the government and military and to create a network of loyalists. The constitutional stipulation that the President must seek the approval of the National Assembly will not be an effective bar on the president's powers. Over

ninety percent of National Assembly deputies are party members. Since 1992, with two exceptions, the National Assembly has approved all nominations for ministerial or equivalent level appointment. The two exceptions involved the nomination Governor of the Vietnam State Bank and the Minister for Public Security,

#### Issues

1. What are the pros and cons of combining the posts of state President and party Secretary-General?

ANSWER: The pro side of the case for merger rests on the argument that Vietnam is experiencing a period of malaise caused by rampant corruption and general state inefficiency in attaining long-term socio-economic goals. A strong leader is viewed as an antidote for this situation.

Second, Vietnam is pursuing “proactive active international integration” in a world where the post of party leader has been eclipsed by the head of state and head of government. By combining these two posts Vietnam will be able to interact more efficiently with external partners as well as China.

The con case for opposing merger rests on the concern that there will not be sufficient checks and balances to curb the power of a leader determined to use the powers of both posts to the fullest extent possible. Allied to this is a concern that Vietnam’s political system will be altered by a patron-client network, possibly nepotistic that is more closed to advancement than the present system.

2. How will Nguyen Phu Trong’s power differ from his predecessors?

ANSWER: The base line for this assessment should be the CPV’s Sixth National Party Congress in late 1986 when economic reform (*doi moi*) was first introduced followed by gradual political reform (e.g. the 1992 State Constitution and subsequent Electoral Law). During this period four individuals served as party leader before Nguyen Phu Trong took office. Three never completed two full terms in office: Nguyen Van Linh, Do Muoi, and Le Kha Phieu. Nong Duc Manh completed two terms (2001-2011).

Trong came into office on what one observer has characterized as “an anything but [Nguyen Tan] Dung coalition.” Dung served two five-year terms as Prime Minister and then in an unprecedented move attempted to become party leader in 2016. He was unsuccessful.

Trong came to office with a relatively strong and cohesive power base. He successfully pushed back against the freewheeling decade under Prime Minister Dung when, arguably, the government apparatus became more powerful than the party. Trong has used his powers to tackle corruption in a forceful manner that is without precedent since Vietnam was reunified. Trong has targeted banks, credit agencies and state-owned enterprises, but also high-level government and party officials including those in the Ministry of Public Security and the Vietnam People’s Army.

3. What policies will Nguyen Phu Trong pursue when he occupies both posts? Will his agenda change?

ANSWER: Trong’s agenda is quite clear. He will step up the anti-corruption campaign and continue efforts to weed out incompetent or degenerate members of the CPV and

state institutions. At the same time, he will continue to promote the development of 600 so-called clean officials for future advancement.

Trong will use the constitutional powers as president to carry out the above campaign in a more thoroughgoing and penetrating manner in the period up to the thirteenth national congress scheduled for early 2021.

Trong's agenda will not change but the scope and intensity of his anti-corruption and party-building campaigns will increase.

4. Will the combination of the posts of state President and party Secretary-General lead to a cult of personality?

ANSWER: When Trong assumes the post of state President his public profile in state media will increase. So far he has pursued a self-effacing political style and this is likely to continue when he assumes both posts. So far Trong has refrained from mass mobilization campaigns to attain political ends.

Trong is unlikely to try to create a cult of personality, anecdotal evidence from party members indicate their dislike of Kim Jong-Il's leadership style in North Korea and concerns about the "General-Secretary of everything" in China, Xi Jinping

5. How would you compare the political status and leadership style of Nguyen Phu Trong and Xi Jinping?

ANSWER: When Trong assumes both posts his status will be equivalent to that of President-General Secretary Xi. Trong's leadership style is self-effacing and low key compared to the larger than life persona of Xi Jinping. Xi succeeded in having limits on his term in office removed, essentially becoming China's leader for life. It remains to be seen if 74-year old Trong will attempt to gain a third term in office.

Trong's career has been wholly within the party apparatus whereas Xi has held office at provincial government level before rising in the party to national level. Trong is a party ideological theorist, where Xi has had personal experience at grassroots level during the Cultural Revolution and after. Both Trong and Xi served on their respective Central Party Military Committee/Central Military Commission.

Trong has not yet enunciated his version of Xi's China Dream; given Vietnam's rapid pivot from member of the socialist camp to international integration, Trong cannot borrow Xi's Century of National Humiliation theme.

6. Why hasn't Vietnam combined the posts of state President and party Secretary-General since Ho Chi Minh passed away?

ANSWER: Ho Chi Minh actually held the title of Chairman; others held the posts of state President and party First Secretary (later retitled Secretary General). Because Ho was above party factions he could keep them in check (until his later years). Le Duan and Le Duc Tho emerged as strong leaders after 1969. With their passing, party leaders agreed to disperse power among the leaders to prevent the re-emergence of a party strongman. After reunification as Vietnam underwent a constitutional changes all proposals to combine the office of state President and party Secretary General were rebuffed.

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