



The Rising Tide of Change in Vietnam

Written by **Khanh Vu Duc** and **Duvien Tran**



Malinowski

The US and Vietnam remain at an impasse despite Washington's partial lifting of an arms embargo.

US Assistant Secretary of State Tom Malinowski did not mince words when he urged Vietnam to improve on human rights at the end of his five-day tour of the country late last week.

It may or may not have been a warning to the communist government, but the implication was clear: US–Vietnam relations will likely remain in neutral until Hanoi undertakes much needed reforms. Of particular concern to Malinowski were the Vietnamese government's restrictions on freedom of expression and association.

While not the first time the US has expressed its concerns on human rights in Vietnam, this may be the first time when Washington possesses the necessary leverage to influence Hanoi. From its hoped-for membership in the TPP to maritime security in the South China Sea, Vietnam requires US support.

The US has certainly not lacked in outreach to Vietnam. From extending a hand to join the TPP to announcing the partial lifting of its arms embargo, the US has made its intentions clear on deepening ties with its former foe.

Arguably at an earlier point, such overtures, although significant, would not have carried the same weight. However, for Vietnam, now faced with regional uncertainty and insecurity, the time may have come for it to compromise on issues it once considered off-limits.

Undoubtedly, any talk of reform would drive some members of the Communist Party to believe that the US is attempting overthrow the government in Hanoi. Far from it, but the idea that the *status quo* can endure forever is equally foolish.

If Vietnam desires closer ties with the US, it, too, must be willing and ready to extend a hand, and not simply in the form of symbolic gestures such as the release of a few political prisoners, but concrete reforms with real consequences.

Historical Distrust

For the Vietnamese government, the calculus is not one of human rights reform but rather one of balancing between China and the US, and retaining control – “control” being most important of all.

Although neighbors, relations between China and Vietnam have always possessed an element of distrust rooted in the latter's historic struggle against imperial rule.

This distrust was set aside when Chinese and Vietnamese communists joined together to fight the US and US-backed South Vietnamese during the Vietnam War, only to return shortly after Vietnam's unification in 1975 and leading to the 1979 Sino–Vietnamese War.

From the recent oil rig spat to the ongoing Paracel and Spratly Islands disputes, to say nothing of China's increasing assertiveness in Asia-Pacific, the Vietnamese government finds itself at odds with not only Beijing but fellow Vietnamese citizens.

Fuel was added to the fire when China relocated one of its oil rigs into contested waters off the Vietnamese coast this May, igniting a storm of anti-China sentiment across Vietnam. The matter was finally resolved in July when China withdrew the offending oil rig, but it was too late for the many Chinese-owned factories that were burned and looted, and the thousands of Chinese citizens evacuated from the country.

The incident was particular trying for the Vietnamese government, which, while politically alike to China, ruled over citizens not as attached to their northern neighbors. Between condemning China and keeping a lid on nationalist, anti-China demonstrations, Hanoi was forced to perform a series of political contortions to protect its standing with Beijing while defending the interests of its people.

Schism and Factions

The oil rig dispute exposed not only a schism between the communist government and its people, but within the government as well.

The Communist Party of Vietnam may present itself as a unified monolith, but within its ranks an already existing divide between economic conservatives and reformers is further complicated by the added dimension of pro-China and pro-West factions.

The oil rig incident may have changed the minds of a few pro-China party members, but even among pro-West supporters, a consensus has yet to be reached on how to overcome the greatest obstacle that is political reform.

Although the US does not call for political reform, it is understood that any reform to improve human rights in Vietnam will eventually demand political reform. Any such reform would ultimately lead to the end of Communist rule in Vietnam, a few hardliners might argue.

Just as the US Assistant Secretary of State did not mince words, there should be no glossing over the fact that Vietnam is a simmering cauldron of nationalism ready to burst against China's increasing assertiveness, and the Communist Party would do well to not find itself on the wrong side of history when such a day arrives.

Political Reform is Necessary

For the pro-West supporters fretting over the destiny of the party, reform is not the potential loss of power but the opportunity to shape the country's future. Communism, by and large, has been relegated to the dustbin of failed political ideology.

While capitalism may have seized Vietnam, liberal democracy remains out of reach despite the efforts of democratic activists. Yet, there can be no denying the momentum of history – and the US for that matter – falls squarely on the side of Vietnam's activists. To fight for the *status quo*, as the Communists have done, is to fight against the inevitable.

Given this, Malinowski's words should not be regarded as a thinly veiled threat or obstacle to be avoided, but rather an opportunity to be embraced. As was expressed by the Assistant Secretary of State, the foundations for a sustainable partnership are based on shared values.

Yet, while it is for Hanoi to seize the opportunity to change, the US must leverage its influence and lean hard on Hanoi to take the first step and update its laws. Malinowski issued words such as Vietnam's "international obligations" and "reforms" but it will also rest upon the US, if it is indeed serious about getting Vietnam to change, to assist Vietnam in undertaking these reforms.

Concerns that the US would cast aside its commitment to human rights in Vietnam in pursuit of deeper ties with the country should be shelved. At least for the moment, it would appear that any future progress on economic and security relations between Washington and Hanoi rests upon the latter's willingness to change.

Khanh Vu Duc is a lawyer and part-time law professor at the University of Ottawa. His research covers Vietnamese politics, international relations and international law.
Duvien Tran is a special research associate at VDK Law Office.