BUILDING CIVIL SOCIETIES IN VIETNAM: VIEWED FROM THE EU EXPERIENCES

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Abstract

Judging from historical conditions, civil societies have been considered to be a product or an achievement of development. So, in the recent years, the issue of civil societies has attracted much attention from many countries in the world, in their studies, recognitions and explorations for sound patterns. In Europe, civil societies are often to be the pioneers in solving the socio-political, cultural and economic problems, as related to gender, environment, international debts, HIV prevention, opening world-wide discussions for global policies, social comments, protection of vulnerable groups in the society, social capital building, social-economic governance participation, funds creation, improvement of knowledge and social resources, democracy promotion, and transparentization of social activities... Civil societies also become an issue very attractive to researchers and social activists in Vietnam today. This paper introduces in brief a theoretical framework of EU's civil societies, on the basis of which, addresses some issues arisen in the building of civil societies in Vietnam, and some recommendations.

Keywords: Civil Societies, Democracy, Governance, European Union, Vietnam

INTRODUCTION

A Framework of EU' Theories on Civil Society

The concept "civil society" has been translated into Vietnamese as *"xã hội dân sự"*. In Vietnam, there are some other concepts related to *"xã hội dân sự"*, such as *"xã hội công dân"* (citizens society). This term originated from K. Marx's and F. Englels' classical works in which the German words "Die buger liche Gesellschaft" were described as "citizens society" or "townspeople society".

The concept of and debates on civil society can be seen in other publications of many politicians or philosophers. According to Aristotle, an ancient philosopher, a civil society was formed by the relationship of friends having common thoughts, where they could explore, express their ideas and take the actions for mutual benefits and public life beyond the State.

According to T. Hobbes, a civil society was an on-purpose organization, for ensuring the existence of such values as justice, morality, art and culture that were independent from the State, under which its people/ members could involve in business development in peace and safety. For J. Locker, a civil society had the meaning of people's ability to live in conditions of freely involved in political and economic actions. A civil society was founded on the basis of ownership, production and accumulation, requiring for a rule-based State for social order and freedom protection. According to E. Kant, civil society was an area that must be protected for people to make their own decisions in freedom.

F. Hegel pointed out the position of a civil society, according to which, civil society was sustained by "economic people" – that is the area of moral activity, the network of social relations lying between families and State, and linking independent individuals with each other through an intermediary environment – moral freedom. F. Hegel also expressed his concern about the capacity of self-organization of a civil society and stressed the regulating role of State toward civil societies. He argued that State and civil society were inter-dependent, yet this relationship was often very tense and needed a rule of balance.

Some other ideologists, such as Montesquieu and Voltaire emphasized the role of State toward civil society, according to which a rule-based State was the nature of State - Society relationship and Society - Market relationship.

According to K. Marx, "civil society was an area composed by such factors as production, class and the related socio-political relationships: one concern of civil society was how to make a chaotic competition become a subject to public observation" (Dinh Cong Tuan, 2008, p.4).

And according to J. Rousseau, a civil society was understood as a community whose unity would help neutralize the subjectivity of individual interests with objectivity of public activities.

Alexander De Tocqueville stressed on the reverse side of civil society, such as localism and the unofficial, voluntary connection standards, which restricted the ability of a democratic state, restricted the ability to reach the level of economic equality and political freedom.

In short, the concept "civil society" was the intellectual product of the Occidental world in the 18th Century, when its citizens sought ways to define their position in the society, which was independent with the monarchic State, and in a period when the formation of a class-based

social order started to shake and decline at an irreversible trend. Some ideologists of civil society raised their voice in defense of this argument (K.H. Anheir and L. Carlson et all, 1999, K.H. Anheir, Glasius Marlie, Kaldor Mary, 2001, K.H. Anheir and L. Carlson, et all, 2004).

The ideologists had much discussion on the characteristics, dimensions and the relationships among the civil society, the State and the market. For example, Adam Smith argued that trading in general and trading activities among citizens in particular did create not only properties but also invisible relationships among people – this is the root for confidence building, or "social capital" – a term expressed by modern socio-economic language.

Some other authors, like John Locke, Alexander De Tocqueville, paid little attention to the relationship between civil society and market. Instead, they looked at the issue of civil society from the perspective of politics and democratization.

Though the concept of civil society has had a very long history of development, it has just become the focus of attention for about 2 decades recently in the international forums. However, there also witnessed the concerns/ anxieties on the possibility of regarding civil society as a "magic bullet" for solving all the problems of development at the national or global levels. For example, there was a point of view that, when State planning and market freedom were considered the failures, there was a need for "something" new; and the main point was the absence of civil societies... Whether it is true or not is still an issue of much discussion.

However, there are also viewpoints that civil societies should not be understood just as the manifestations of the social life beyond the State system and economic processes where civil societies raise their proposals/ recommendations by participating into the socio-political organizations (parties and socio-economic organizations, firms and partners, social, cultural and communications ones). The main objective of a civil society is to emphasize its recommendations for the State and the market, with no direct connections to supervision or seizing powers, but to create influence through democratic discussions at the public area.

Till present, in Europe, there have recorded many researches on the documents on civil society, as an ideology and a main concept, from the Enlightenment period in Scotland to the revolutions in East Europe in late 1990s. These historical sources raised many questions and thoughts that were even contradictory or conflicting with one another. For example, the debates on the origin of "civil society", understandings of its synonyms or similarities to civil society concept, the changes and traditions that affected the use of such term from time to time, the strengths and weaknesses of using a concept that is contradictable and debatable in socio-economic, political and cultural analyses...

From the socio-economic perspective, it is noteworthy to address two main aspects of the civil society concept. First, experimentally, this is a concept of a social area. Second, in

terms of standard, this concept is understood as and implied "a linkage/ a connection for improving human welfares".

In a narrow sense, the civil society concept defines and divides the limits between the State, the economy and the civil society. This division seems to be rough and does not flexibly reflect the diverse realities of development.

In a broad sense, the concept of civil society recognizes the overlap between the State, the economy and the civil society, and loosens the standards to cover the organizations that work for public purposes, flexible and adaptive to actual conditions, yet at the same times, create "vagueness", difficult to understand...

Often, the concept of civil society has been understood in accordance to classical West European democracy. Thus, in many countries in East Europe, Latin America and developing countries, depending on different viewpoints, this concept may have many definitions (narrow or broad), some of which may eliminate the economic sector or embrace the state, or on the reverse, include the economic sector while restrict the state factor.

SOME THEORETICAL APPROACHES TO CIVIL SOCIETY

In a most simple sense, civil society is an area where people get together to seek for their common interests – not in terms of profit-making or political power, but mainly their special concerns about special issues that drive to collective actions. This is the "space of actions where people are not forced", the "motivation through which people can act as an entity, the subject of morality", "all the organizations and associations higher than the family and lower than the state level". And nothing will be sustainable, if it is not rooted from the daily life of the ordinary people. That is the civil society that creates "glue" for activities to happen. However, besides this simple definition, there have been many debates and even disputes on this concept.

First, in a most common sense, a civil society is understood as a social space among the individuals, the blood-related groups (families) and government (state)(K.H. Anheir and L. Carlson, et all, 2004).

A civil society has had the meaning of a space for non-economic and non-state social interactions, for manifestation of their values and interests (K.H. Anheir, Glasius Marlie, Kaldor Mary, 2001).

According to Civicus' definition in 2005, a civil society was "a forum lying in a social space between/ among families, State and market, where people/members could shake hands to seek for their common rights and benefits". This definition was aimed at a larger and more

comprehensive goal, covering all three dimensions: political, social and economic ones, and focusing on the functions (subject of action), not only on formality (structure).

According to Anheir(K.H. Anheir and L. Carlson, et all, 2004), "civil society was an area of the institutions, organizations and individual groups lying in the space between families, State and market, where people created voluntary linkages for promoting their common interests". By this definition, Anheir mentioned the specific contents and dimensions of a "lozenge-shaped civil society model", including: 1) structure (infrastructure); 2) environment (political and legal foundation...), governance; 3) values (the value system); and 4) impact (influence).

Figure 1: Model of Civil Society
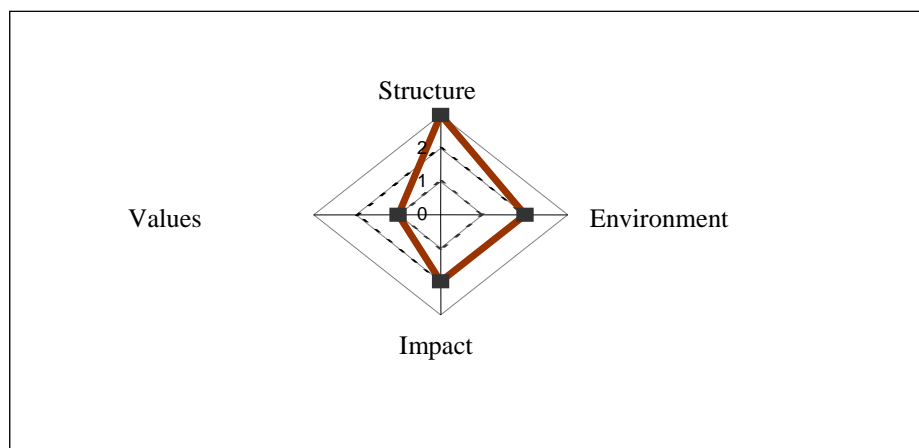
The Lozenge-Shaped Civil Society Model

In terms of structure, this is the area of civil societies (institutions, organizations, networks, individuals, and elements and resources for operation). In terms of values, this model includes the base values of the civil society, kinds of values, the standards and attitudes characterized by the civil society (including those inside its organization and relations with the outside, such as democracy, tolerance, or environmental protection...) and the areas of consensus, agreements and disagreements in values... In terms of legal/ political space, it includes the environment for macro-social regulation, laws and policies based on which the civil society takes the actions, the characteristics that facilitate or restrict the development of civil societies in a nation. In terms of impacts (influence), it focuses on the contributions or weaknesses of civil societies in solving socio-economic and political problems (such as the impacts on State policies, rights of people, and satisfaction of social needs...). By looking at the Diagram, we can assess the situation and start interpretation and discussion, design the presence of civil societies in a country (or in comparison with other countries).

Generally speaking, following the above-said approach, a civil society has the main components lying between the individuals (families) and the state, private-based economy and market and collection of values, standards, including legal concepts on freedom and democracy. There are authors who combined economic institutions with civil societies, while others focused on forms of social linkages and considered market institutions and State as well in separation with civil societies.

In terms of history, civil society is the concept related to Western history, philosophy and politics (K.H. Anheir, Glasius Marlie, Kaldor Mary, 2001). Over the past decades, from the perspectives of history, philosophy, politics and culture... there recorded so many analyses and discussions on civil society concept. Each time, each science had its own and varied understandings and visions on the concept, content, dimensions and nature of civil society. However, most focused on three main dimensions of the concept, including: 1) civil society is a "good society, for common interests"; 2) civil society is like a "life of associations and linkages"; and 3) civil society is a "public area".

Regarding the theoretical schools and thoughts of civil society, M. Edward classified three schools on civil society (as above-said), including (M. Edwards, 1998):

First, civil society is understood as "a good society". According to standardized terms, the arguments expressed the objectives, the ideas and the visions of an ideal society people wished to reach to. A civil society could contribute to strengthening democracy and improving the benefits and welfares of the poor communities through improvement of human rights and fighting against intolerant perceptions and violent behaviors... The power of a civil society was that in this society, the values and social results were formed and fostered, such as non-violence, non-discrimination, democracy, mutual friendship, and social equity... – through which the difficult social policies could be solved towards justice, effectiveness and democracy.

Normally, a civil society is considered to be a "good" thing, but in fact, it is not quite so. For example, some civil societies have had limitations, which can be seen in some groups that are not democratic and non-transparent (for instant, some churches, extremist religions...), causing tensions or unnecessary confrontations between the civilian members and a part of the civil society; some of the groups of civil society have had abilities and experiences, yet unable to play the role as a bridge or create linkages, but to keep confronting with the society, or put heavy pressure/ influence on the State, especially in transition countries, which in turn easily leads to crises and social instabilities...

In general, a "good" civil society is much dependent on the outcome, the relationship among the government, law-making organizations, and the sectors of enterprises and communications in a society.

Second, civil society is understood as an "associational life", a "space" for the organized actions, which are not done by the Government or profit-making enterprises. This includes the operation of the associations (formal and informal), such as the voluntary communities, trade unions, religious organizations, cooperatives, mutual assistance groups, professional associations, business associations, informal citizen groups, and social movements (environment, peace...).

This viewpoint confirmed the importance of the associations to the collective life where people can show their "ego", capacity and aspirations through collective actions. Participation in these associations is voluntary, optional. The freedom in organization of meetings will promote the culture of civil participation, which originated from and was influenced by French sociologist – Alecxandre De Tocqueville, and the politician – Putnam – on "social capital" – civil society had the characteristics of a social organization as the network, standard and social beliefs, facilitating coordination and cooperation for mutual benefits(D.R. Putnam (2002).

The viewpoint of "social capital" – one of the latest tools for analyzing development, directly relates to evolutions of civil society. This concept is not easy to accept, yet we can say that "social capital" is the very important emotions, such as confidence among the citizens, the shared values of the unity, fraternity, and responsibility in the society, promoting cooperation and mutual assistance.

The studies/ measuring of "social capital" are multi-dimensioned, from the perspectives of economics, politics, sociology, anthropology and history.... Of these, much has been focused on cultural values and attitudes, creating conditions for cooperation, trust, understanding and sympathy, forming social linkages by attracting people to become members of the community, sharing their interests and assumptions on social relations and enjoying the common benefits. An important part of "social capital" is Trust, the core concern and integral component in social development and the major condition for sustaining economic activity, and wishing for cooperation. The attitudes, values, beliefs and mutual assistance are the important and core foundations for socio-political stability and cooperation.

The civil organizations are the *place* for important interactions and communication channels among citizens, creating conditions for skills accumulation and "social capital" development. Some of the social structures and institutions (traditional or modern) play an important role in "social capital" formation. The soil for "social capital" development are the families (the most important foundation), the working places, education background and residential areas.

The socio-cultural characteristics of "social capital" can be seen in and depend on the circumstances, such as representativeness, degree of community cohesion, participation of residents in the activities of the organizations... In addition, "social capital" has had close

connection with democracy governance. For example, the absence or presence of "social capital" can be measured as an index of performance of the local government, and also in relation with other social development indexes...

Third, civil society is understood as a "public area". By this term, civil society is understood as the "space" (material and non-material) in which, the social differences, social issues, public policies, government actions, community problems and cultural identities... are formed, discussed and negotiated..., creating interactions, linkages and cooperation relations among individuals and social groups, where they can share the common visions and directions for a "good" society. This public area can be a material space, such as the community centers, meeting rooms or social networks, "visual" world (blogs).

The idea of a "public area" was initiated by J. Haberma. According to Haberma (K.H. Anheir and L. Carlson et all, 1999), public area is an area where the issues of public/ common significance can be talked and discussed by all individuals, from their perspectives and capacity. Accordingly, there should create favorable social conditions for promoting and/or forming a "space" for people to join equally in the important and intellectual discussions. In the public sector, the non-institutional, informal individual groups seek for new ways of participation, presence and discussions (for example, through social nets, blogs...). These activities may not aim at protecting the civil societies that are contradictory with their states, or enhancing quality of democracy implementation. And if so, the public sector will form the civil society: it will not be "squashed"/ "swallowed" by the State, but to satisfy the State issues/ requirements, and the public issues on which State policies can be mapped and improved.

In short, civil society can be understood as the road to a "good society", the measure for achieving the objectives (through associational life) and the common framework for every people to share their objectives and means ("the public area" – the field of discussion)(K.H. Anheir and L. Carlson, et all, 2004).

SOME ISSUES OF CIVIL SOCIETY BUILDING IN VIETNAM

On the Name of Civil Society in Vietnam

In Europe, depending on different approaches, the names of civil societies are different, such as, civil society, the third area, the volunteer area, the non-profit area, and social economy...

In Vietnam, some terms have been used, such as "Vietnamese civil society"; a "civil society with Vietnamese identity"; or "socialist-oriented civil society in Vietnam".

Whatever terms are used, a Vietnamese civil society must have its inherent characteristics, such as:

i) It must be an "area", a "space", a "forum" among families, State and market, where individuals establish voluntary linkages (handshaking) for enhancing the shared interests (K.H. Anheir and L. Carlson, et all, 2004).

ii) Vietnamese civil societies are aimed at building a good society(M. Edwards, 1998).

iii) Having an associational life (M. Edwards, 1998).

iv) The Vietnamese civil societies need to have an environment as the "public major", "public area", or "a material and non-material space", or a "forum"...(M. Edwards, 1998). Through these forums and public areas, all people engage in fair discussions and negotiations, share visions and make timely decisions for the sake of building a good society...

v) The civil societies in Vietnam can be seen, measured and assessed by the "lozenge-shaped civil society model", with 4 dimensions:

- Structure (infrastructure of the civil societies);

- Environment (the legal, political, economic, cultural corridors, and the issue of governance...);

- Value (civil, transparency, justice, tolerance, non-violence, human protection, environment...);

- Impact (on the State, on the people, on the socio-economic and political problems...).

vi) The principles of Vietnamese civil societies are voluntary, self-organized, independent, diversified, non-profitable, non-commercial, non-violent, collective and official.

Definitions of Civil Societies in Vietnam

From the above-said analysis, we would like to propose an initial definition of civil societies in Vietnam, such as follows:

i) The civil societies in Vietnam are social organizations beyond the society, enterprises, market and families, for linking people together to voluntarily engage in joint actions for the purpose of building a good society.

ii) The civil societies in Vietnam are the forum that bring the organizations and civil society groups beyond the State, the market and the families together, on a voluntary basis, to work on the principle of self-organization, self-dismiss, non-profit, non-commercial, law abiding, respect for members' autonomy, jointly participating in the activities for common interests of the society and individuals, promoting development for the sake of building a good society...

iii) The civil societies in Vietnam is a combination of all the social organizations of the people, which are formed on a voluntary basis, self-financed, work relatively independent with the State, the market and the families, and closely linked with each other on a clear legal corridor, aiming at enhancing the common interests and building a good society.

iv) The civil societies in Vietnam is the forum of the collective groups, social movements, organizations, social networks of the people, non-profit making, self-financed, independent

with the State, the market, the families; pursuing common objectives of all people, building a good society on the socio-political, economic and cultural areas..., and respect for Vietnamese laws.

v) The civil societies in Vietnam are the organizations of the people, which are community-based, built on a voluntary base, self-negotiated and self-financed. They perform the work that is not done by the State or by the market; and they operate in accordance with Vietnamese laws, for the sake of enhancing their joint interests and building a good society...

The Characteristics of Civil Societies in Vietnam

The European people, when talking about civil societies, often share common views on their characteristics. They are the voluntariness, self-organization, independence, self-financing, non-profit making, non-commerce, collective action, accountability, transparency..., with the aim of building a good society, creating foundation values for the sake of a good society, for the people, humanity, equality, democracy, freedom and fraternity...

The civil societies in Vietnam also have similar characteristics of European ones, and at the same time, have their own characters, for Vietnam is a socialist country and under the leadership of one Communist Party. The civil societies in Vietnam are led by the Communist Party of Vietnam, and have received much financial aid from the State. The civil societies in Vietnam, especially the socio-political organizations, such as the Fatherland Front, the trade unions, youth union, women associations, farmers association, veteran association... are not only the voluntary movements of certain population groups but they are widely organized at various administrative levels, from the central to local ones. And they have been developed in process of national revolution.

For example, the members of Vietnam Fatherland Front compose of the Communist Party of Vietnam, the socio-political organizations, the social organizations, the professional organizations and representatives of all the ethnicities, religions, patriotic personalities and other social strata.

The staffs of the socio-political organizations are diverse, including full-time and part-time staffs. The full-time staffs get paid monthly from the State budget, the same as other State officials... The Vietnamese Fatherland Front, for example, is an organization consisting of 44 member organizations and many representatives of the national great united bloc, the key forces of the widely organized civil societies in Vietnam. This organization is, on the one hand, under the leadership of Communist Party of Vietnam, but on the other, it is an organization performing the tasks of a social supervisor and social commentator on the activities of the State,

the Party and the whole political system of Vietnam. This is an organization that collects public opinions and recommendations and sends them to the State and the Party. These opinions and recommendations are built on a consensus basis, conforming to the directions and policies of the State and the Party.

The Weaknesses of the Civil Societies in Vietnam

i) As above-said, the weaknesses of the civil societies in Vietnam originated from their unclear organizational structures. Unlike the civil societies in Europe, judging from definitions and concepts, the civil societies in Vietnam are under and/or dependent on the leadership of the State and the Party, and financed by the State. They are even considered by the State as administrative organizations with full-time monthly paid workers, like the Government employees... That is why the civil organizations in Vietnam do not have clear functions and tasks and, thus, their operations are, to some extent, passive and ineffective. In addition, as regards to legal foundation, especially when the laws on associations have not yet been issued, thus, their operations are not guaranteed by laws.

ii) Since the functions and tasks, and the legal foundations of the civil societies in Vietnam are not clear, they have not well performed the role as supervisors and commentators toward the leadership and actions of the State and the Party. Their voices, for example, are not so strong in the most acute problems of the country, such as the serious environment degradation case in Dong Nai province (or the Vedan case); the building of hotel in Thong Nhat Park in Hanoi; or the building of 19-12 market in Hanoi...

iii) Worse, some civil societies in Vietnam have used their names as non-governmental organizations to seek for their own benefits, used tricks to take out money from the State, from the international organizations for meet their own interests rather than for the common social interests and objectives.

iv) In particular, some of the civil societies in Vietnam have been in cahoots with some international reactionaries, hatching conspiracies against the State and Party's directions and policies, turning back against the common interests of the community and the nation. Some of the typical cases were the claims for land by Nha Chung parish (Catholic Church) and Thai Ha parish in Hanoi; the call for formation of liberal democratic organizations; the case of Nguyen Van Dai, Le Thi Cong Nhan...

What is the Model of Civil Societies in Vietnam?

First, it is necessary to confirm that civil societies in Vietnam are formed and developed in conditions that are not the same as in Europe. So, the model of Vietnamese civil societies has had its own characteristics.

i) The civil societies in Vietnam must be a "good society", an "associational life", and a "public area". This is the social space lying between the State, market and families, where all members in the society volunteer to hold hands together, for building and enhancing the common interests of the society, including their own interests.

ii) The civil societies in Vietnam work in accordance with Vietnamese constitution and laws, on a consensus basis, with the role as commentators and supervisions, not on the opposite side with the State and the Party, for the goal of building "a prosperous people, a strong country, an equal, democratic and civilized society".

So, in the development triangle, including the juridical State, the market economy and the civil society, what we should do is to encourage the development at all three dimensions, logically and sustainably, and to correctly solve the problem/ relationships between the leadership of the Party, the management of the State with integration, door-opening and market economy building with the tradition of democracy in Vietnam. In addition, it is necessary to heighten the traditions of democracy, openness, transparency and activeness of Vietnamese civil societies.

iii) Favorable conditions should be created for development and empowerment of Vietnamese civil societies so that they can be more active in doing their functions and tasks, creating more socio-economic, political, cultural resources for better observation of the State power and, at the same time, strengthening State efficiency within the framework of Vietnam laws. To this end, it is a must to have clear legal foundations for civil society building in Vietnam, and associational laws...

iv) It is necessary to conduct studies and consider building a model of civil societies in Vietnam, and at the same time, to learn from the experience of sustainable development of civil societies in the world, especially of North European countries, with Swedish model as the most typical example. For over 100 years of development, the civil societies in Sweden have had a unique feature that they were regarded, under the Government's vision, as schools for democracy and citizen rights education, as a tool for political mobilization and sharing of responsibilities for national development, and implementation of labour policies together with the Government. The Swedish Government has had very close and consensus relationships with the civil societies in Sweden. Till present, the Swedish Government has further recognized the socio-political role of the civil societies in Sweden, especially the role of

mobilization (strengthening members' interests, lobbying, propagandizing, building ideology and contributing to providing public services and welfares...). Both the rightist and leftist parties in Sweden consider the civil societies (the third sector) the legal alternative measures for providing public and private services, and consolidating volunteer activities. The Swedish model of civil societies, in my view, is very good for Vietnam to follow, especially for strengthening the leadership role of the Communist Party of Vietnam and, at the same time, further promoting the development of the civil societies in Vietnam.

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