

UNIVERSITY OF TAMPERE

Public Policy and Financial Management

STRENGTHENING SUPERVISION AND SOCIAL CRITICISM OF THE VIETNAM
FATHERLAND FRONT IN THE STATE ADMINISTRATIVE MANAGEMENT

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ABSTRACT

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The thesis conducted with the subject matter "***Strengthening supervision and social criticism of the Vietnam Fatherland Front in the State administrative management***". With the scope of studying and assessing the Front's supervision and social criticism functions, the thesis provides an overview of the formation and development of the Front's supervision and social criticism functions in our country; especially after the 2013 Constitution of Vietnam and the 2015 Law on Vietnam Fatherland Front is in force. The thesis helps clarify some issues about theoretical and legal basis on the situation of supervision and social criticism of the Vietnam Fatherland Front. Then, the thesis evaluates any results achieved, constraints and obstacles encountered, and thereby making suggestions and recommendations in the coming time.

The thesis uses qualitative research methods to carry out the research such as analysis method, face to face interviews method with the desire to obtain deeper understanding about the current situation of supervision and social criticism functions of the Fatherland Front for State administrative management.

The research results of the thesis have partly reflected potentials and great advantages of the Vietnam Fatherland Front when carrying out its role in the function of supervision and social criticism. The research results contributes a small part to the theory and practice, suggests further research on other functions and duties of the Front. It is also a reliable and necessary reference source for scientific research for subsequent research.

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1. Introduction

1.1 Research background

The current political system in Vietnam is an integrated system, working independently but always attach in the background of the same policy, line, and ideology.

The current political system in Vietnam was established and comprises the following: The Communist Party of Vietnam; the State of the Socialist Republic of Vietnam; the Vietnam Fatherland Front and other socio-political organizations. The Communist Party of Vietnam is considered nucleus of the entire political system, setting out the platform, lines and guidelines for the development and implementation of those policies. The State of Socialist Republic of Vietnam is a pillar in the political system that acts on behalf of the people and is accountable to the people for the management of all activities of the social life. The Vietnam Fatherland Front and other socio-political organizations are legitimate political organizations, which are set up to gather various classes of people, on the voluntary basis to represent those classes for self-governing, establishing guidelines and guiding principles in consistence with the purpose of operation.

The renovation of the Party and State of Vietnam in the past years has changed the face of society positively in all aspects from economic, political, cultural and social. The people's lives have been greatly improved, they have been mastered, encouraged to work in accordance with the law, expressed their opinions and aspirations, supervised and criticized in the policies development process of the Party and the State. In fact, the progress on democracy has not fully met requirements of the society. Formal democracy is prevalent in many localities, agencies, become people's urgent need, and reduces their confidence as well. Citizens in general are eager to be provided with real ownership, implemented democratic rights more effectively and effectively and given specific forms and measures to control the exercise of rights. In order to efficiently and effectively carry out democracy, all guidelines and lines of the Party, policies and laws of the State must be focused on the interests of the people, with the participation and supervision of the people. In Vietnam, the Vietnam Fatherland Front is considered one of the most important subjects that ensure the effectiveness of supervision and social criticism activities.

Thus, social upervision and social criticism activitiesof the Vietnam Fatherland Front in current conditions of Vietnam are absolutely necessary to promote democracy, and contribute to building a better society as well. The Party and State of Vietnam are carrying out a significant transformation of thinking, action, organization and people in all spheres of social life and, inevitably, there will be different opinions coexisting, struggling to come closer to truth in this innovation. In order to

making such transformation, the Party and State of Vietnam cannot monopolize but need to argue, consult, and debate, mobilize the wisdom of the whole society, arouse patriotism, wisdom, enthusiasm and courage of the whole people. Only in this way can the Party and State of Vietnam find optimal solutions, distinguish the right from the wrong, the right motives and bad intentions, and bring benefits to the society. The Party's guidelines, policies and the State's laws must be subject to social criticism, while any activities of government agencies, leaders in the public agencies must be subject to supervision from an independent group and the people as well.

As stipulated in Article 9, the 2013 Constitution of the Socialist Republic of Vietnam: *"The Vietnam Fatherland Front is a political alliance and a voluntary union of the political organization, socio-political organizations and social organizations, and prominent individuals representing their class, social strata, ethnicity or religion and overseas Vietnamese. The Vietnam Fatherland Front shall constitute the political base of the people's administration; represent and protect the rights and lawful and legitimate interests of the People; rally and uphold the strength of the great national unity, exercise democracy and promote social consensus; conduct supervision and social criticism; and participate in the building of the Party and the State, and in people's external relations' activities, thus contributing to national construction and defense."*

With the basic characteristics of the State of Vietnam as the socialist state ruled by law, all power belongs to the people, under the leadership of the Communist Party of Vietnam. The Vietnam Fatherland Front, a legitimate political-social organization, is set up to rally the people of all classes in the spirit of voluntariness. The Front plays an important role in promoting the solidarity tradition of the entire people, participating in the building and consolidation of the people's government, protecting the legitimate interests of the people (*according to the 2013 Constitution of the Socialist Republic of Vietnam*).

Political system renovation is necessary to ensure broad democracy, especially the Party's leadership style and state management should be renovated in the direction of publicly disclosing, overcoming the state of totalitarianism, against bureaucracy, corruption, improving the quality of performance and responsibility of building the Party, building the government, strengthening the socialist democracy, promoting the people's mastery, and consolidating the relationship between the Party, the State and the people.

According to Law on Vietnam Fatherland Front, rights and responsibilities of the Vietnam Fatherland Front are specified as follows: (1) To rally and uphold the strength of the great national unity, exercise democracy and promote social consensus (2) To propagate and mobilize the people

to exercise their mastery right, to implement the Party's lines, guidelines as well as the State's policies and laws; (3) To represent and protect the legitimate rights and interests of the people; (4) To participate in the building of the Party and the State; (5) To conducting supervision and social criticism; (6) To gather and sum up opinions and petitions of voters and people so as to reflect and propose to the Party and the State; (7) To implement the people's external affairs (Article 3).

Thus, as can be seen that the Front is in charge of implementing many functions and tasks specified in the Constitution and Law on Vietnam Fatherland Front. Supervision and social criticism functions are just *one of fundamental functions* of the Front. Supervision and social criticism activities of the Vietnam Fatherland Front (VFF) are considered a demonstration of the will, aspirations, attitudes and responsibilities of the people in the process of drafting government policies and legislation, supervising activities of the competent state agencies, contributing to promoting the mastership, creativeness and wisdom among the people involved in the elaboration of policies and laws, contributing to the national construction and development as well.

The Vietnam Fatherland Front has always renewed its mode of operation, fulfilled its role as the political base of the people's administration, deserved to be a bridge between the people and the Party and the State, a place to express the will and aspirations of all classes; to effectively perform its tasks in the new revolutionary stage. With the supervision and social criticism functions, the Front has been involved in building and consolidating the government, building guidelines and policies, contributing to making the government of Vietnam effective, validated, strong and clean.

Supervision and social criticism are one of the traditional functions and tasks associated with the nature of Vietnam Fatherland Front since the founding of the Democratic Republic of Vietnam (1945) to date. In fact, however, the development of this function and task of the Vietnam Fatherland Front has only really begun to be paid special attention since the country's renovation (1986), and has become increasingly popular, especially in recent years.

In the Party documents, the supervision function and duty of the VFF were first mentioned in the Document of the Xth National Congress of the Communist Party of Vietnam (2006).

As specified by this document: *"The Party and State activities must be supervised by the people"; "To bring into play the role and create favorable conditions for the Vietnam Fatherland Front and mass organizations to participate in the elaboration of lines, guidelines, policies and law of the Party and State and to perform the role of supervision and social criticism"* (Communist Party of Vietnam, 2006, page. 124).

The task set out in this document is to: *"Develop Regulations on supervision and social criticism of the Vietnam Fatherland Front, political and social organizations and the people in the planning and implementation of the Party's lines, guidelines, policies, major decisions, including the organization and staffing"; and "the State promulgates mechanisms for the Vietnam Fatherland Front and mass organizations to well perform the role of supervision and social criticism."*

The Resolutions of the XIth National Congress of the Communist Party of Vietnam, the Platform on national construction and development (supplemented and developed in 2011), the Resolutions of the 4th Plenum of the Party Central Committee (XIth tenure) and recently the Resolutions of the XIIth National Congress of the Communist Party of Vietnam (2016), the Resolutions of the 4th Plenum of the Party Central Committee (XIIth tenure), based on this spirit, have gradually deepened the viewpoints and guidelines of the Party on bringing into play the Vietnam Fatherland Front's supervisory role. In particular, the Regulations on supervision and social criticism of the Vietnam Fatherland Front and other socio-political organizations (issued together with Decision No. 217-QĐ/TW dated December 12, 2013 of the XIth Politburo) present specific and synchronous provisions on the performance of supervision functions and duties of the VFF.

Legally, the supervision and social criticism functions and duties of the Vietnam Fatherland Front are specifically mentioned in the 1992 Constitution, 2013 Constitution. At the same time, the State has issued many documents regulating functions, duties of supervision and social criticism of the VFF over the years, especially after the issue of 1999 Law on Vietnam Fatherland Front. Since this issue until the presence of 2015 Law on Vietnam Fatherland Front, there have been hundreds of legal documents, ordinances, decrees and circulars that regulate the supervision of Vietnam Fatherland Front. This is an important legal precondition for the 2015 Law on Vietnam Fatherland Front to inherit, develop and there are two chapters herein regulating the supervision and social criticism of the VFF (Chapter V - Supervision activities, Chapter VI - Social criticism). The provisions of supervision and social criticism in the 2015 Law on Vietnam Fatherland Front are a big step forward in the legal aspect of the VFF's supervision activities, an important legal basis for the VFF to carry out its supervision function and duty.

By implementing the Party's resolutions and the State's legal documents, over the years, especially after the availability of Politburo's Regulations on supervision and social criticism, the Vietnam Fatherland Front has been demonstrated positive changes in its supervision and social criticism activities. Along with the results achieved, the Vietnam Fatherland Front's supervision and social criticism in recent years still have many limitations, unexpected, especially the embarrassment state in the course of organization and implementation. It results from many reasons, both subjective and

objective, requires a deep, comprehensive review, study and evaluation to work out feasible and effective solutions for this supervision in the coming time.

Therefore, it is necessary to conduct the systematic study of both theoretical and practical basis on the VFF's supervision; propose any solutions for further improvement in such legal basis and implementation arrangements as well as enhancement measures to the quality and effectiveness of supervision and social criticism. This is the reason for this subject matter to be completed so that it is possible to study and evaluate the Vietnam Fatherland Front's supervision and social criticism situation, which is demonstrated from the Party's guidelines and policies, provisions of the law to the practical implementation, to give certain solutions for more effective and practical perfection of policies, laws and implementation of supervision and social criticism activities of the Vietnam Fatherland Front.

With the aims of further clarifying supervision and social criticism functions on the theoretical basis, legal basis on supervision and social criticism functions of the Vietnam Fatherland Front, obtaining a better understanding about current situation of these activities in practice to give objective assessment, personal comments, the author decided to select the subject matter: ***“Strengthening supervision and social criticism of the Vietnam Fatherland Front in the State administrative management”*** for further discussion.

1.2. Research questions

Based on the inheritance and selection of previous research results, the author decides to study and solve specific issues within this thesis framework as follows:

Firstly, what are supervision and social criticism? What are supervision and social criticism of the Vietnam Fatherland Front? What are the principles of supervision and criticism of the Vietnam Fatherland Front and how are object, scope of supervision and criticism of the Vietnam Fatherland Front implemented? What are the rights and responsibilities of the Vietnam Fatherland Front in supervision and criticism in building the state management system? Experience of building legal institutions on supervision and criticism of some countries are summarized as well as reference values are drawn to the case of Vietnam.

Secondly, in practice, the following issues will be focused: Generalize the process of formation and development of the Front's supervision and social criticism functions; assess the current institutional situation and the implementation of legal institution and supervision and social criticism in Vietnam, focusing on the contents of the 2013 Constitution of and 2015 Law on Vietnam Fatherland Front.

Thirdly, requirements and solutions are proposed to improve the Front's supervision and social criticism functions in Vietnam in the context of new situation. The issues analyzed in the thesis will have many new theoretical points, closer to reality, studied on the basis of the 2013 Constitution and recently promulgated laws.

Thus, for the basic purpose of assessing the current situation supervision and social criticism of the Vietnam Fatherland Front and any results, constraints and difficulties to make specific recommendations, the author aimed to address some of the following questions:

1. What are supervision and social criticism function of the Vietnam Fatherland Front?
2. How does the Vietnam Fatherland Front perform in implementing supervision and social criticism functions? What are any constraints, difficulties and possible reasons behind?
3. What content and suggestions should be proposed in order to strengthen supervision and social criticism functions of Vietnam Fatherland Front in the current period?

1.3. Research organization

With the main scope on supervision and social criticism, known as one of the important functions and duties of the Vietnam Fatherland Front, the thesis will be focused on the supervision and social criticism activities of the Vietnam Fatherland Front at both the central and local levels in the recent years, thereby seeking enhancement solutions to the effectiveness of such activities. The thesis will be broken into 5 chapters with the following specific contents:

Chapter 1. Introduction

This Chapter covers an overview of research and sets out the goals for the research foundation, research objectives, and research organization.

Chapter 2. Literature review

This Chapter clarifies the theoretical issues about supervision and criticism, access to the views of international and Vietnamese studies in this matter. The author also analyzes and points out the peculiarity of the supervision and criticism function of the Vietnam Fatherland Front. Besides, this Chapter sets put forward research questions during the course of implementation, and introduces general contents and objectives of the research topic.

Chapter 3. Research material and methods

This Chapter describes the research methodology, gathering of central and local synthesis reports, collection of data on supervision and social criticism activities, data evaluation, summarization and analysis. The author mainly uses qualitative research methods on the research.

Chapter 4. Results

This chapter outlines the scope and content of supervision and social criticism of the Vietnam Fatherland Front; the role of these activities in the construction of the State administrative apparatus. This Chapter covers the results of supervision and social criticism implementation of the Vietnam Fatherland Front. In the Chapter, the author performs in-depth analysis of the results achieved, assesses any strengths, constraints, obstacles as well as primary causes of these results and limitations in the Vietnam Fatherland Front's supervision and criticism activities. In order to do it, the author not only summarized the VFF reports on the performance of supervision and criticism but also conducted many interviews to gain opinions and assessment from many experts, researchers and lawyers, etc who are knowledgeable about this issue. Finally, the chapter gives some recommendations and some basic solutions for improvement in efficiency of the Vietnam Fatherland Front's supervision and social criticism activities.

Chapter 5. Conclusions

This Chapter presents results achieved and the strengths of the research. In general, the research fully answers for research questions mentioned in the Chapter 2. In addition, the author partially assesses weaknesses, difficulties, shortcomings and inadequacies in the data collection and implementation process. Finally, the Chapter points out some contribution of the research as a reliable and necessary reference source for scientific research for subsequent research.

2. Literary review

This section will clarify the theoretical issues about supervision and criticism, access to the views of international and Vietnamese studies in this matter. At the same time, the author also analyzes and points out the peculiarity of the supervision and criticism function of the Vietnam Fatherland Front over the model of independent accountability institutions commonly used in countries around the world - the Ombudsman model. The author then defines the scope of relevant international and national studies to give a comprehensive background about the theoretical overview of this topic.

2.1 Concept of supervision and social criticism

At first, make a short introduction to different views. Then, there are different aspects on the definition of supervision and social criticism in Vietnam, that are now examined in more detail.

2.1.1 The role of supervision and social criticism in Vietnam political system

Supervision and social criticism is a manifestation of democracy in terms of the implementation of political power. Democracy shall be actually meaningful and executable if the voice of citizens is perceived seriously (Simone Chambers, 2015). It is widely known that some models of citizen participation which citizens can supervise the activities of agencies, organizations in political system, cadres or civil servants, complain and submit their recommendations. Cornelius F. Murphy, Jr also emphasized the importance of supervision and social criticism by the voice of citizens in a nation's political system (Cornelius F. Murphy, Jr, 1970). Why it is needed to create a mechanism that allows citizen participation in controlling state power, especially in a country as Vietnam? In a parliamentary system, executive branch and legislative branch do not completely separate because the prime minister and government's members are members of National Assembly. Basically, the state structure of Vietnam is quite similar to some characteristics of countries with parliamentary system. Accordingly, National Assembly is the highest state power body, the government is the main executive power established by the National Assembly and is responsible to the National Assembly. However, while the countries with parliamentary system around the world approve the multi-party system, Vietnam is a one-party socialist republic. Valentina Mihalcea, Ion Paraschiv, 2012 asserts that "*political pluralism and - as a consequence - pluralism of ideas and concepts, tolerance and spirit of openness, without which no democratic society could exist*"(Valentina Mihalcea, Ion Paraschiv, 2012). Under a one-party system, Vietnam does not have any opposition party to control and counterbalance the power. Therefore, controlling the state power by supervision and social criticism is very important (Nguyen Dang Dung, 2016).

Supervision and social criticism can be implemented under various forms, either direct or indirect. Citizens are able to directly express their opinions, views and aspirations relating to a specific matter regarding to the State power via mass media (Dan Capsi, 1981), personal works such as literary works, research scientists, social activists or so on (Edwin Cameron, 1998). However, in this article, the author focuses on the indirect form of supervision and social criticism activities of citizens. It means that such activities shall be implemented through the representative bodies of the citizens towards state activities, for example, the Vietnam Fatherland Front. Such concentration will be analyzed below.

On the other hand, a distinction should be made between the state-power supervision and supervision and criticism. In Vietnam, each part of the political system still includes inspection and supervision mechanism to help the state power bodies operate effectively, compliance with the Constitution, laws, assigned functions, tasks and powers such as the inspection and supervision mechanism of the Communist Party, the supervision mechanism of the Government, the Government Inspectorate or so on. The specialty of this supervision mechanism is that it guarantees the exercise of state power by the state power itself, also means that supervision from inside. The supervision from inside the state apparatus by state power bodies themselves plays a vital role; however, it is unable to supervise all important and urgent matters or aspects which society detects and cares about. No matter how serious and binding such supervision mechanism is, the way the state agencies supervising each other is still a supervision of the insiders. Consequently, they share the same interests of the public authorities and; therefore, all of these benefits are not necessarily consistent with the interest of the mass. In such case, supervision and social criticism shall be an incredible supplementation for state power supervision to make supervision activities become more comprehensive and effective in entire society (Vu Anh Tuan, 2009). (Vu Van Nhien, 2007), (Doan Minh Huan, 2010) and (Nguyen Manh Binh, 2009) share the same opinions on this matter.

2.1.2 Definition of supervision and criticism and the supervision and criticism function of the Vietnam Fatherland Front

We also have to take into account that there are some different aspects of concept of supervision and social criticism in Vietnam.

Concept of "supervision "

There are many different interpretations about the concepts of "supervision" that can be specifically shown as follows:

Supervision is the *"monitoring and checking the execution of duties"* (Vietnamese Dictionary, Culture and Information Publishing House, 1998, page 728).

"Supervision means that the supervisors oversee, consider and evaluate activities of the agencies, organizations and individuals that are under the supervision (hereinafter referred to as supervisees) in the adherence to the Constitution, laws within their tasks and powers, taking actions to the best of their competence or as request of the competent authorities." (Clause 1, Article 2 of the 2015 Law on Supervisory Activities of the National Assembly and People's Councils).

"Supervision is the continuous, regular and active monitoring and observation of activities, with willingness to make influence by positive measures to force and direct the activities of subjects to the right trajectory or regulation to achieve the predetermined purpose and efficiency and ensure the legal compliance." (Legal Dictionary)

"Supervision is the monitoring, inspection, detection and evaluation made by individuals, organizations, communities towards other individuals, organizations and communities in socio-economic activities, in the implementation of Constitution, laws, lines, views of the Party, policies of the State, interests and obligations of citizens, socio-political organizations as well as recommendations to promote advantages, achievements and deal with individuals, organizations that have committed wrongdoing." (See some terms in the Document of the Xth National Congress of the Communist Party of Vietnam, National Politics Publishing House, page 184).

It can be seen that these concepts mentioned above are not completely identical, but have the common ground that: supervision is to monitor and inspect whether any work performance of agencies, organizations and individuals is in accordance with regulations or not. These concepts also show some characteristics of the supervision as follows: Supervision is the behavior of the subject that has the authority to monitor, inspect, detect and evaluate the behavior of supervised object. The purpose of the supervision is to review and evaluate whether the activities of the supervised object comply with the regulations or not and to take timely action to prevent and correct such mistakes towards the legal status, smoothness and normality of agencies, organizations and individuals. Supervision is carried out proactively, regularly during the operation of the supervised object; reflects a relationship associated with the rights and responsibilities of the supervisor and the supervised object, whereby the former must be independent of the latter.

Supervision function of the Vietnam Fatherland Front

At the Politburo's Regulations on supervision and social criticism, the supervision of the Vietnam Fatherland Front (and of socio-political organizations) is defined for the first time as follows:

"Supervision" is the monitoring, detection, review; evaluation and making recommendations to affect agencies, organizations and cadres, party members, people-elected representatives, public servants, officials on the implementation of the Party's guidelines, lines and the State's policies and laws".

With the institutionalization of the VFF's regulations on supervision in the Politburo's Regulations on supervision and social criticism, the concept of the Vietnam Fatherland Front's supervision is clearly stated in the 2015 Law on Vietnam Fatherland Front as follows: "Supervision of the Vietnam Fatherland Front is the responsibility of the Vietnam Fatherland Front Committee at all levels to either directly implement or recommend members of the VFF to monitor, review, and recommend with respect to activities of the agencies, organizations, people-elected representatives, cadres, public servants and officials in the implementation of policies and laws "(Article 25).

Concept of "social criticism":

Under the conventional understanding, "criticism" is the argument with someone who has any point of view, idea to clarify the right or wrong aspects. In the Great Vietnamese Dictionary, "criticism" is understood as "quality assessment..." According to the Vietnamese Encyclopedia, criticism is understood as: "the making of comments, evaluations of a scientific work (dissertation, thesis, report or research results of a topic, research project). People (or agencies) under criticism express opinions on the urgency and meaning of the topic, contents and forms of the scientific work, research methodology, conclusions, contributions and limitations. Finally, it is possible to present general assessment whether the requirements set out are satisfied or not".

Semantically, criticism is both critical of what's already available, and expressing argument; in other words, it means arguing in the opposite views. Thus, the *criticism is to argue with the previous ideas by arguing in the opposite direction*. Therefore, its value is expressed in the detection of wrong things and criticism of those wrongs.

Criticism is an activity that not only takes place in scientific research but acts as one of the indispensable activities of social life as well. Therefore, it can appear in any field people are involved in. For different fields; however, there are certain differences in terms of contents, form and subject matter. For issues of a general nature, related to the interests of the whole society, the criticism is demonstrated on a more important, profound, broader and deeper scale.

Social criticism function of the Vietnam Fatherland Front

At the Politburo's Regulations on supervision and social criticism, the concept of social criticism of the Vietnam Fatherland Front and of socio-political organizations is defined for the first time as follows: "*Social criticism is the judgement, assessment, expression of opinions, recommendations for the draft guidelines, lines of the Party, policies and laws of the State.*"

The criticism of the Vietnam Fatherland Front is clearly defined in the 2015 Law on Vietnam Fatherland Front as follows: "*Social criticism of the Vietnam Fatherland Front means the committees of Vietnam Fatherland Front at all levels engages themselves or requests their member organizations to give comments, assessment and raise political opinions, proposals over draft legislation, planning, plans, programs and projects (hereinafter referred to as draft documents) by the State*" (Article 32).

Thus, specific issues to be discussed therein may be the guidelines, policies of the Party, programs, projects and laws of the State which are in the process of drafting. These criticisms are based on constructive factual, theoretical basis, derived from the objective reality rather than subjective criticism. This is also one of the points to distinguish the concept of social criticism with other concepts such as science criticism, objection, public opinion that have some implied similarities to the concept of social criticism.

In general, it can be seen that in Vietnam, it was a long period when the definition of supervision and criticism seemingly did not exist in its exact meaning. Except for some opinions in scientific research, there is no question or recommendation for this issue until the X (10th) Party's National Congress (2006). The tenth (10th) Party's National Congress asserts that "Socialist democracy is not only a target but it is also a motivation of renewing...Every policies of the Party and laws of the State shall reflect the benefits towards the majority of citizens. Citizens shall have rights and responsibilities in respect of taking part in planning and implementing the Party's undertakings and policies and laws of the State". From various perspectives in research, there are currently many different views existed on supervision and criticism in Vietnam (Vu Van Nhiem, 2007). However, the researchers share a common view about some characteristics of supervision and criticism in Vietnam.

Firstly, supervision and criticism do not bear characteristics of state power. It is social participation and counterbalance towards the state power and the political power of ruling party (Vu Anh Tuan, 2009). Therefore, supervision and criticism should be distinguished with the supervision of National Assembly, People's Councils at all levels and the inspection and supervision of the Party as specialized forms of supervision with state power.

Secondly, supervision and social criticism link closely as two sides of a problem. Criticism appears when supervision is exercised and criticism is a form and important basis to implement supervision (Vu Anh Tuan, 2009). Specifically, the aim of criticism is to supervise more efficiently and effectively. However, in scope of this dissertation, the author does not focus on analyzing more specifically on the link between supervision and criticism in Vietnam.

Thirdly, while the supervising activities of subjects having political and state power focus mainly on legitimacy, the content of supervision and criticism of other subjects focuses on reasonableness and effectiveness (Dao Tri Uc, 2010).

Finally, supervision and social criticism are not decisive or forced. Social criticism does not necessarily lead to a change in policy, but it is an important and responsible voice as well as a constructive spirit of the citizens. Supervision is not accompanied by remedies in case the supervisor negatively evaluates activities of the supervised subjects. To apply disciplinary measures such as disciplining cadres or civil servants, removing from office a cadre or civil servant holding a post or title and so on needs a legal procedure in which the supervising result is important information (Hoang Thi Ngan, 2010).

2.1.3 The differences between supervision and social criticism function of the Vietnam Fatherland Front and Ombudsman model in the world.

As mentioned above, the Vietnam Fatherland Front has many functions; however, this dissertation focuses on supervision and criticism function of this institution. As mentioned above, supervision and criticism of the Vietnam Fatherland Front is ‘out-of-state’ supervision, not state power. To have a comprehensive background about the supervision and criticism function of an institution without state power, the author focuses on researching about supervision and criticism mechanism that are executed by independent accountability institutions around the world. As a result, some specific comparisons, assessments and conclusions about the supervision and criticism mechanism of the Vietnam Fatherland Front will be indicated herein.

In the world, along with the demand and trend of democratization, the demand and trend of socialization of supervision mechanisms has appeared worldwide for a long time. The model of supervision and criticism, through an official institution within the political system but not having state power, has occurred in many countries around the world. It is known as Ombudsman. ‘Ombudsman’ means ‘representative’, ‘executor’ or ‘trustworthy man’. Ombudsman, is the Protector of Citizens, receives citizens’ complaints about injustice and poor management of state agencies, inspects complaint-related activities and proposes appropriate actions or suitable measures

to improve this management apparatus and administrative issues if necessary. Because the citizens find it easier to express their complaints with Ombudsman than the possibility of approaching the state agencies, this mechanism brings opportunities to the citizens in respect of approaching the state agencies in an easier and more convenient way. When Ombudsman inspects, the state agencies are obliged to answer such complaints. Complaining through Ombudsman shall undoubtedly support the citizens to express their circumstance more and more. They therefore will understand more clearly about the decisions published by state agencies (Innis G. MacLeod, 1966).

This system originated in Sweden in 1809, and has become increasingly popular around the world today. Sweden established the Parliament Ombudsman in 1809, then in Finland in 1919, followed by Denmark in 1954. In the 1960s, the concept of the Ombudsman was seriously considered in Germany, Canada, the Netherlands, Switzerland, Ireland, Austria, India and Sri Lanka, even in the United States. Today, more than 80 countries worldwide and over 25 European countries have the Ombudsman (Enika Hajdari, 2014).

Thus, the Ombudsman is the product of the bourgeois democracy state. The Ombudsman model varies from country to country, however, such institution implemented by any country mostly comes from its own constitutional and administrative basis. Currently, there are many countries using the Ombudsman model, but those models are used variedly. It could be that the Ombudsman was formally established by the National Assembly, or that the Ombudsman was established by the Government agencies, or that the Ombudsman was completely independent of state agencies as a third party representing voices of various classes in society, for example, consumer committee, enterprise committee, etc., (Enika Hajdari, 2014). Based on the Ombudsman's competence and function, it could be an Ombudsman model in which the Ombudsman directly supervises and is guaranteed through the enforcement of the State and this model itself merely has proposed authority (Enika Hajdari, 2014). With the second model, the content of this supervision mechanism is a non-state movement of the inspection and supervision mechanism along with the support from the state. (Edita Ziobiene, 2010).

The supervision and criticism function of the Vietnam Fatherland Front (VFF) is similar to that of the second Ombudsman model. In short, Ombudsman model, is not a part of legislative, executive or judicial branch, but not included in power division of the Constitution. The role of the Ombudsman varies from country to country, but they have some common characteristics, these are serving the citizens, listening to complaints, conducting investigations and proposing solutions if needed. In other words, Ombudsman is a “neutral institution”, connects state and society, enables

civil society to express its attitude to the state and helps the state resolve most of the citizen-related problems regarding to the operation of the state.

Therefore, it can be seen that the Vietnam Fatherland Front carrying supervision and criticism function shares some similarities to some Ombudsman models around the world. Such similarities are ‘out-of-state’ in its nature and not coercive. Besides, both of Ombudsman models and the VFF are the voice of public citizen. These two institutions are the connection between the state and society. They give civil society to have chances to embody its attitude to the state in the issues related to rights of citizens in implementing state power.

However, based on actual conditions, the history of establishment and theory of specialized political system in Vietnam, the mechanism of supervision and social criticism, is implemented through the functions of the Vietnam Fatherland Front, has some differences with Ombudsman model widely used in the world. Currently, institutions with supervision and criticism function that are the most similar to the Vietnam Fatherland Front are predominantly existed in socialist countries, typically China with the Chinese People's Political Consultative Conference (CPPCC) and Laos with Lao Front for National Construction (LFNC). In the context of this dissertation, the author shall analyze and compare the differences between the supervision function of the VFF and the Ombudsman of Sweden – the most original Ombudsman model in the world.

Vietnam Fatherland Front was established during the struggle for national independence of Vietnam. The precursor of the Vietnam Fatherland Front is the United Front of Vietnam. This organization was born in the period of national democratic revolution and the national liberation revolution as a way to organize revolutionary forces. At the beginning of its establishment, the VFF was in a close connection with the Vietnamese Communist Party. Over 80 years of establishment and existence, the Vietnam Fatherland Front currently is a political alliance including the political organization as the Communist Party of Vietnam, the socio-political organizations such as the Vietnam General Confederation of Labor, the Ho Chi Minh Communist Youth Union, the Vietnam Women's Union, the Vietnam Farmer's Union, the Vietnam War Veterans' Association; the social organizations such as Red Cross Vietnam, Vietnam Association of the Elderly, Vietnam Blind Association, etc., The People's Army of Vietnam and its prominent individuals are reputable, well-connected and influential people in society¹. Thus, the Vietnam Fatherland Front includes both organizational and individual members. In order to become the VFF members, an organization or a citizen must to meet specific conditions which have been defined in the Regulation No. 01/QĐ-

¹ See the list of organizational members of the Vietnam Fatherland Front in the link <http://mattran.org.vn/Home/GioithieuMT/gtc4.html>

MTTW-ĐCT of the Central Committee of The Vietnam Fatherland on Terms and conditions for the Vietnam Fatherland Front membership. The VFF is organized on the principle of voluntary union of its members. The members of the VFF are equal and independent. However, the Communist Party is also a member of the Vietnam Fatherland Front. In fact, since the establishment of the VFF, the members of the VFF have acknowledged the leadership role of the Communist Party towards the VFF (Central Propaganda Department, the Vietnam Fatherland Front, 2011). This approach of Vietnam is similar to that of China.

Zhu Xuefan (vice-chairman of the Central Committee of the Revolutionary Committee of the Guomindang) asserted that democratic supervision shall be carried out by affiliated organizations under the leadership of the Chinese Communist Party (Role of Democratic parties, 20 Chinese L.Gov't 101,104 (1987). This is expressed clearly in the function of the CPPCC nowadays. The CPPCC, the patriotic front organization of the Chinese citizens, is a multi-party cooperation agencies and political consultative under the leadership of the Communist Party of China. The CPPCC has some basic functions: political consultations, democratic supervision, investigating and reflecting citizens' complaints as well as discussing on important matters. (Ma Yide, 2015). The Original Ombudsman model of Sweden takes the form of a completely different approach to supervision and criticism in comparison with that approach taken by Vietnam and China. According to this model, the Parliament would appoint four Swedish inspectors called *justitieombudsman*. Inspectors must be non-partisans, not members of the Parliament and have extensive legal knowledge as well as longtime work experience in judicial branch. The ombudsman has the right to review and supervise the activities of government agencies ranging from governmental level to local level, ensures that public officials in state apparatus must exercise the state power in accordance with the Constitution and in respect of righteousness and justice. Any citizen may approach Ombudsman, who is competent to investigate citizens' complaints and may file a lawsuit to the Court as a special plaintiff (Thomas Bull, 2000). Therefore, although the Ombudsman model in Sweden has the function of supervision and criticism, it does not exist in the form of a coalition of political organizations, socio-political organizations as in Vietnam and China, the Swedish Parliament will select qualified individuals to perform this activity.

It can be said that the Vietnam Fatherland Front and China's CPPCC are completely different from the Swedish Ombudsman in particular and those of other countries around the world in general. Although the Vietnam Fatherland Front and the CPPCC has the "non-state" supervision and criticism function, do not carrying the state power, however, the VFF and the CPPCC are not independent agencies like the Swedish Ombudsman's model. The Vietnam Fatherland Front and the

CPPCC exist in the form of political coalition of political organizations, socio-political organizations, social organizations, etc., representing various classes of people in society. On the other hand, the Swedish Ombudsman is completely independent without the control of any party. The Ombudsman is fully independent in charge of supervising law enforcement activities of state bodies in the Swedish state structure and obeys only the law. In contrast, the Vietnam Fatherland Front and the CPPCC are under the leadership of the Communist Party (although it is not officially recognized in legal documents).

In practice, the authority of the VFF on supervision and criticism does not include the enforcement of remedies or coercive measures when detecting the violations of law, undertakings or policies of the Party and Government. This is the same for China's CPPCC (Ma Yide, 2015). This is also one of the similarities of the Vietnam Fatherland Front's supervision and criticism mechanism and the Swedish Ombudsman model. After each investigation, the conclusions of the Ombudsman, although not enforceable, are publicly disclosed together with the relevant documents. This conclusion has a great value to Parliament to conduct other supervision measures to determine political responsibility of the subjects under Parliament's supervision (Thomas Bull, 2000).

Therefore, it can be seen that the supervision and criticism function of the Front is such a special model that it exclusively exists in some socialist countries, typically in China as CPPCC model. Therefore, to give an overview of international research topics on this issue, the author focuses merely on a few of studies related to China's CPPCC that the author can access.

2.2 Reviews of related studies

Studies related to the supervision and criticism of the Chinese People's Political Consultative Conference (CPPCC) in China.

In relation to this content, there have been some research projects on the supervision and criticism of CPPCC in China which the author can get access to. In particular, some typical works, articles can be mentioned such as:

Ma Yeide, 2015. The Role of Consultative Democracy in a Constitutional System and the Rule of Law in China. Social Sciences in China, Vol. 36: 4, page 5 -23

The process of institutionalizing the legal system and changing the political theory after the socialist reforms in China has created a major change in the consultative system in China. Ma Yeide's research focuses on analyzing the results of this major change through the CPPCC's reform actions as a vehicle for multi-party cooperation and political consultation in China. At the same time, Ma

Yeide points out the important meaning with decisive significance of socialist consultative democracy in building the rule of law and in the development of a Constitutional System in China. However, Ma Yeide's research focuses only on the formation, development and reform of the CPPCC, then highlighting the importance of this institution in its particular political structure. The study emphasizes the importance of the CPPCC as a tool for creating representative democracy ensuring socialist-democratic consensus in the political leadership of the Chinese Communist Party but "state power belongs to the People" through consultative democracy conducted by the CPPCC. However, within the scope of a scientific paper, Ma Yeide's research did not mention how the CPPCC's supervision and criticism have been done in China to then point out some ideas on improvements of the CPPCC model in this country for increasing the effectiveness of the CPPCC's activities, especially in its supervision and criticism function.

Elaine Jeffreys, 2016. Political celebrities and elite politics in contemporary China. China information, Vol.30 (1), page 58 – 80.

In the study of Eliane Jeffreys, although she does not directly researched the CPPCC's activities, Elinane Jeffereys found out a unique idea of improving the performance of the CPPCC, including the supervision and criticism function. It can be explained that the role of celebrities become more clearly expressed in the performance of political organizations in China including the CPPCC. From the point of view of Western celebrity politics, the author analyzes the increasing role of Chinese politican celebrities in the Chinese Communist Party (NPC_ and in the CPPCC - the two leading political organizations representing China's democracy. The research has published a series of contributions by reputable individuals in various fields in China to NPC and CPC. There may be contributions from successful people as a representative of the CPPCC in policy formulation of the NPC. In addition, the distinguished delegates in the field of sports, arts, science, etc., contribute actively in the expression of voice and criticism towards the state policies. For example, Yang Yang, an Olympic skater of China proposed a proposal to the Ministry of Education to improve the health of young people; or Lei Ayouduo, a Miao folk singer, and Dilina'er Abudula, a Uyghur folk dancer, proposed expanding ethnic minority cultural tourism industries respectively (Elaine Jeffereys, 2016). However, the scope of this study is very narrow, mainly emphasized by the author on the importance of expanding celebrities' involvement in political consultations, conducting supervision and criticism because their voices are influential in Chinese society. This is also an interesting suggestion for Vietnamese political researchers to refer to when providing recommendations on completion of the Vietnam Fatherland Front.

Minglu Chen, 2006. Inside the “Flower Vase”: The Chinese People’s Political Consultative Conference (CPPCC). Paper for the Contemporary Challenges of Politics Spring 2011 Research Workshop, Crowne Plaza Hotel Coogee Beach, Coogee, NSW 2034

The article examined the role of the CPPCC as a tool through which the Party and the state can go together with enterprises to engage in state activities. That enables private enterprises to provide advisory and supervise for government’s activities.

QIN Ke, 2014. Chinese People’s Political Consultative Conference Proposal Quality Indicators’ Influence on the Performance of Social Management: A Study on “Proposal of Beijing Municipal Committee of the CPPCC in 2010, 2011”. 2014 International Conference on Management Science & Engineering (21th) August 17-19, 2014 Helsinki, Finland

In contrast to the above studies, QIN Ke focuses on providing an overview analysis on the performance of the CPPCC. The project is based on quantitative research by analyzing performance indicators of the CPPCC to provide solutions to the government, improve social governance, enhance members’ capability of the CPPCC and promote social development. However, the author does not mention the CPPCC's supervision and criticism function but rather focused on the CPPCC's political consultative function.

Thus, studies on CPPCC - a model similar to the Vietnam Fatherland Front in China that the author approaches mainly on the political consultative aspect of this organization, or approaches the CPPCC's supervision and criticism in a narrow scope. It seems that the CPPCC's political consultative function is more interested in Chinese political system researchers than the supervision and criticism function of this model.

Studies related to the supervision and criticism of the Vietnam Fatherland Front in Vietnam

In relation to this content, there have been quite a lot of research projects on the supervision and criticism of the Vietnam Fatherland Front, especially since the Renovation (1986). In particular, some typical works, articles can be mentioned such as:

Assoc. Prof. Dr. Bui Xuan Duc, 2004. Strengthening supervision activities of the Vietnam Fatherland Front, political and social organizations, mass organizations and direct supervision of the people in the state apparatus.

The subject of Assoc. Prof. Bui Xuan Duc which was protected and accepted in 2004 assesses supervision activity of the Vietnam Fatherland Front. This is a typical topic in the overall evaluation of supervision activity of the Vietnam Fatherland Front. In the paper, the concepts, explanations are

presented in detail, accompanied by relatively quite effective overall research methods. However, at the time of 2004, awareness of the role of the Vietnam Fatherland Front in general and supervision function of the Front in particular was quite different from that of the present time. At the time of 2004, the legal system on functions and roles of Vietnam Fatherland Front has not been finalized, while the mechanism for the Front perform its functions was fragile. As stipulated in the 2013 Constitution of the Socialist Republic of Vietnam: *“The Vietnam Fatherland Front shall constitute the political base of the people’s administration; represent and protect the rights and lawful and legitimate interests of the People; rally and uphold the strength of the great national unity, exercise democracy and promote social consensus; conduct supervision and social criticism; and participate in the building of the Party and the State, and in people’s external relations’ activities, thus contributing to national construction and defense”* (Article 9, 2013 Constitution). Not until 2015 was the Law on Vietnam Fatherland Front amended in a comprehensive manner. The supervision and social criticism functions of the new Front specified in details in the 2015 Law on Vietnam Fatherland Front are added a lot of relevant contents in the State administrative management (*Law No. 75/2015/QH13 adopted by the National Assembly at XIIIth session on June 09, 2015, with effect from January 01, 2016*). The 2015 Law on Vietnam Fatherland Front has two chapters with a total of 12 articles regulating supervision and social criticism activities. These articles specify clearly the nature, purpose of supervision, object, content, scope of supervision, form of supervision, rights and responsibilities of the parties in the supervision activity. Compared with 2004, the supervision function is only generally set out in the Front’s mission, not define in separate chapters, accordingly, the nature, scope, form and method, mechanism of supervision social criticism are not specified in details.

Despite being considered valuable at that time, the results of research project on supervision activity of Assoc. Prof. Dr. Bui Xuan Duc has become backward so far compared with the provisions in the legal system of Vietnam on the supervision and social criticism functions of the current Vietnam Fatherland Front. Since the 2013 Constitution and the 2015 Law on Vietnam Fatherland Front have been in effect, the functions of the Vietnam Fatherland Front have been clearly codified in the legal system of Vietnam. This thesis subject will be focused on the VFF’s supervision and social criticism activities in the new period, with progressive and timely insights into the position of Vietnam Fatherland Front in the political system of Vietnam.

Bui Thi Nguyet Thu, 2017. Supervision activities of the Vietnam Fatherland Front - Practices and recommendations. Journal of Democracy and Electronic Law, No. 9,

<http://tcdcppl.moj.gov.vn/qt/tintuc/Pages/xay-dung-phap-luat.aspx?ItemID=287>

Within this paper framework, the Vietnam Fatherland Front's supervision activity is assessed in the current period, when the regulations on supervision and social criticism of the 2015 Law on Vietnam Fatherland Front were institutionalized in accordance with the 2013 Constitution and the Party's guidelines sated at the 11th National Congress of Delegates. The author demonstrates comparison of supervision activity of the Vietnam Fatherland Front (according to the 1999 Law on Vietnam Fatherland Front) before the amendment and supplement of Law on Vietnam Fatherland Front 2015). Through the supervision practice of the Front over the past years, there are some recommendations given for effective implementation of supervision activity in the 2015 Law on Vietnam Fatherland Front so that the Front could carry out this function better in the present time. This is also a point that the author conducting this thesis is of great interest, as it allows the evaluation and comparison of supervision results between the Law on Vietnam Fatherland Front upon pre-modification and the research process therein. However, as a research paper in the scientific journal, the thesis is limited in its scale, which makes the evaluation of results related to the VFF's supervision activity stop at information provision, without clear analysis of theoretical, legal aspects as well as actual results of this supervision.

*Nguyen Thanh Binh, 2010. [Some conditions to guarantee supervision and social criticism of the Vietnam Fatherland Front](#). *Journal of Legislative Studies*, No. 13, pp.45.*

The supervision and social commentary issues of the Vietnam Fatherland Front are approached in term of security conditions for the effective implementation of the Front's supervision and social criticism activities. In the article, the author, Nguyen Thanh Binh only outlines results of the activities performed by the Vietnam Fatherland Front, thereby stating limitations in the implementation of these activities. For this thesis, great attention is paid to the mechanism that ensures better performance for the Front. In practice, both the financial and human resources should be considered carefully so that the Fatherland Front at all levels, especially at the grassroots level, can deliver great performance. This is also the aspirations and proposals of the grassroots level, i.e. the Front at the local level. However, due to the limited capacity of a scientific journal article, it is impossible for the author to make compressive analysis of limitations in the supervision and social criticism implementing mechanism of the Vietnam Fatherland Front, from which to give specific directions for further improvements.

Upon recognizing the importance of this content, the author has an intention of assessing the security mechanism so that the Front at all levels can perform supervision and social criticism functions effectively. This is also a content that needs to be seriously evaluated so that proposals and recommendations can be given to the security mechanism for the supervision and social

criticism activities in the current period. It is greatly expected by the author that the thesis subject matter will address a small part of this content to contribute to the development of a common mechanism for the Front's effective implementation of supervision and social criticism functions.

Nguyen Minh Phuong, 2009. Renovation of the awareness about the role and functions of the Vietnam Fatherland Front. Journal of Front, No. 23, page 20 – 28.

In order to evaluate a general activity in society, the perception of the people toward the problem aimed by the author is one of the content that needs to be analyzed in order to make objective conclusions. In terms of roles and functions of the Vietnam Fatherland Front in the political system, the function of representing the people is actually specified in detail in the Constitution and the Law on Vietnam Fatherland Front. In fact, this function has been conducted by the Front for a long time, expressed in varying degrees and efficiency in each stage of implementation. However, not all Vietnamese people are fully aware of the importance of this function of the Front, even the people, or even officials of the state apparatus fail to obtain through understanding about the Front itself, its position and roles in the political system, purpose of supervision and social criticism activities, way to implement, and relevant criteria for implementation, etc. In order to answer the above questions and provide clearer assessment of different opinions and views on functions of the Front in general and supervision and social criticism activities in particular, it is necessary to study how people perceive the roles of Vietnam Fatherland Front. It is also an open suggestion the author aims to evaluate after reading this article.

Dang Thi Thu Huong, 2013. Supervision and social criticism roles of the press of Vietnam. Journal of Communist Studies. Communist Review,

<http://w.inw.tapchicongsan.org.vn/Home/PrintStory.aspx?distribution=22654&print=true>

According to the article, Dr. Dang Thi Thu Huong provides a number of comments, assessments of criticism activity performed by another criticism subject, namely the press playing the supervision and social criticism roles. This is also a way for the people to supervise operations of the government, criticize large-scale projects on laws and policies of the State, as expressed by Dr. Dang Thi Thu Huong in the article that: *“In the age of information explosion, the socialization of supervision and social criticism have been highly spurred by active roles of the media community. Through the press, the people can express their opinions and aspirations on issues in social life, thereby expressing their supervision and social criticism.”*

Criticism, supervision of the press or expression of aspirations for life's problems by the people are the demonstration of freedom of speech, spirit of personal construction, with open and democratic

nature. However, supervision and social criticism activities have particular nuances, in accordance with the Press Law, which has some limitations in terms of rules compared to the social criticism activity of the Front. The Front's social criticism is legally carried out in accordance with the legal process, specified in the Constitution, Law on Vietnam Fatherland Front,, while the social criticism and supervision of the press are usually the discovery, statement of social issues to reflect, thereby the state agencies or the Front can take as the basis for the inspection and supervision. A comparison of supervision and social criticism functions of another organization with those of the Front will also address a new point that can be made in this topic. In fact, supervision activity of the press is sometimes more advantageous than that of the Front, whereby the former maybe stronger in term of "timeliness", but the latter seems to be more effective in term of supervision attached to specific solutions to the incident reported by the press. It is also a judgement that needs verified with respect to results to be studied.

In addition, there are many articles related to supervision and social criticism activities, such as: the article by Tran Dang Tuan (2006). *Social questioning, the question of life*, Da Nang Publishing House with criticism and self-criticism judgement as "*the way for the life to happen, to develop, etc. In the position of power, attaching importance to the criticism will reach an organized social criticism, helping to stabilize and develop; on the contrary, avoidance of social criticism will result in spontaneous social criticism - a land that is conducive to the formation of social protest*", or the article titled Social criticism of Assoc. Prof. Dr. Tran Hau, former member of the Presidium of the Vietnam Fatherland Front Central Committee in the *Journal of Political Theory* (<http://lyluanchinhtri.vn/home/index.php/tu-dien-mo/item/532-phan-bien-xa-hoi.html>). On judging the definition of criticism and broad public interest in this concept, this activity in society, with many definitions mentioned earlier, it is possible to draw the most common features of social criticism: Criticism is an independent analysis that is reviewed, analyzed and reasoned by social forces, through social organizations formed on the principles of self-reliance, voluntariness, self-sufficiency; or directly conducted by members of society. Social criticism is considered constructive for leadership and management systems, which is different from any resistance with motives against leadership and social management.

From research results of these works, the author has been elicited and provided with information, research methods and approach to problems in many thesis contents. However, it can be seen from the summarization of general contents, results and research papers in the above sections that the general problems related to results of supervision and social criticism activities of the Front appear to be unclear, especially in the period since the amendment of the Constitution, amendment and

supplement of Law on Vietnam Fatherland Front with many new regulations. The research projects only deliver approaches and solutions to individual problems, either supervision function or social criticism function, or just analyze general issues of supervision and social criticism without identifying these functions in the construction of the State apparatus and contribution to the state management. Therefore, prior research projects fail to provide specific solutions to enhance the roles of the Vietnam Fatherland Front, especially in the context of implementing the 2013 Constitution and 2015 Law on Vietnam Fatherland Front.

2.3. Summary

Based on the summarization of research situation on supervision and social criticism, it is possible to assess some general points as follows:

(1) Supervision and criticism are not really concerned in many aspects, both theoretical and practical, both at home and abroad, both in politics, sociology and law, etc. Therefore, there are an insignificant number of research projects on supervision and criticism. The concepts of supervision, criticism, scope, form and mechanism of organization and implementation are presented in scattered research projects without any joint agreement on supervision and criticism functions of the Front. Each development step in the theory and practice of the State management is a theoretical and practical development step about the Front's supervision and criticism, in which the Front exercises legal oversight. Whenever the roles of the Front are enhanced, the research projects on legal institution of supervision and social criticism are promoted.

(2) Up to now, it is basically acknowledged by published research projects that the Front's supervision means the supervision of the people, belonging to the people, serving the people; this function has both assignment and coordination between the Front and the State management agencies in the implementation of legislative, executive and judicial activities. Supervision and social criticism of the Front are an indispensable and necessary need, enhancing the strength of the people and building a stronger and more supervised state apparatus with the supervision of the people, whereby the Front is the representative body for the people to exercise this right. The explanations about supervision and criticism of previous topics have raised the reasons as well as the necessity to have supervision and social criticism functions and the State power control model associated with democracy and social development, confirms the necessity and legitimacy of issues derived in the works with rich and diverse nature that are the source of materials for reference and research.

(3) Published works in the past present lots of researching items, discussions on the issue of the Front's supervision and criticism from different perspectives with different approaches, together with contents about reasoning, current situation and recommendations for completing the supervision and criticism functions at different levels. Although there are many direct or indirect works referring to the legal institution of State management control, it still can be seen that institutional studies have not yet provided a general conceptual framework. A theoretical study on legal institution in which the Front's supervision and social criticism functions have not been thoroughly paid much attention, in particular, the majority of research projects were done prior to the effect of 2013 Constitution, and the amendment and supplement of 2015 Law on Vietnam Fatherland Front.

(4) Regarding oversea research situation: It can be said that the supervision and social criticism issues have been studied by many scholars around the world very early. The works of scholars around the world have reflected the diversity of diverse legal practices, with different institutional foundations influencing the legal regulation of state power control. in countries around the world. The above-mentioned works are considered valuable sources of information for reference and research in Vietnam.

However, the supervision and social criticism conducted directly through an institution similar to Vietnam Fatherland Front in the national political system almost exist exclusively in the socialist countries such as China, Laos, Korea, etc. This limits the access to previous studies on supervision and social criticism of a particular social-political institution in the national political system in these countries.

(5) The research results of these works have elicited and provided the author with information, research methods and approach to problems in many thesis contents. However, it can be seen from the summarization of general contents, results and research papers in the above sections that there are theoretical gaps in the legal institutional aspects of supervision and social criticism of the Vietnam Fatherland Front that are not mentioned fully, comprehensively.

That is the new point set out by the author in this thesis in the course of implementation. It is the desire of the author to approach the supervision and social criticism issues in a holistic perspective, contributing to the creation of overall model applied for these activities and propose to complete these functions as the next research task of the thesis. Based on both theoretical and practical basis on the VFF's supervision in the State administrative management; the author proposes a number of

solutions for improvement in efficiency of the VFF's supervision activities and social criticism in the State administrative management.

3. Research material and methods

Carrying out research is a process of finding relevant issues, from which generalizations can be applied to the interpretation and demonstration of research object and its activities. This can be done by identifying sources of appropriate documents at first, followed by selecting appropriate research methods to carry out the analysis and evaluation of data collected carefully (Wendy Olsen, 2014, p.2). In this section, the author intends to present in detail the material collection methods and research methods used to derive the thesis results.

3.1 Material collection method

Material collection, researching and analysis are considered necessary and important tasks for the scientific research activity. Material search is performed in advance to serve as a basis for conducting research. This is the source of knowledge, valuable documents accumulated through a long historical research process. The purpose of material collection and researching is to enable the author to grasp the methodology of earlier research, to clarify his or her research topic, to give a more rigorous methodology or argument, to have more knowledge in the research field, to avoid duplication with previous studies, to save time, effort, and to create a solid basis for research hypothesis, research questions demonstration.

For material collection, the author developed a relatively specific plan to carry out the search, review and classification of materials needed for the research into groups, including:

Group 1: The Party's resolutions on supervision and criticism functions of Vietnam Fatherland Front. Resolutions of the Central Committee of the Communist Party of Vietnam available on the electronic library of the Communist Party of Vietnam (<http://dangcongsan.vn/tu-lieu-van-kien/van-kien-dang/ngghi-quyet-hoi-ngghi-bch-trung-uong.html>); Nhan Dan (People) newspaper <http://nhandan.com.vn/>); Portal of the Government of the Socialist Republic of Viet Nam (<http://www.chinhphu.vn/portal/page/portal/chinhphu/NuocCHXHCNVietNam/ThongTinTongHop/noidungvankiendaihoi-dang?categoryId=10000715&articleId=10038386>).

Group 2: A system of legal documents regulating the supervision and social criticism functions of the Vietnam Fatherland Front. Legal documents related to the functions and roles of the Vietnam Fatherland Front are searched and collected on the National Database on Legal Documents of the Ministry of Justice (<http://vbpl.vn/Pages/portal.aspx>); documents, guidelines, reports of the

Vietnam Fatherland Front are searched, collected on the Front's website (<http://mattran.org.vn/home/gioithieumt/luatmt/lmttqvn.htm>), etc.

Group 3: A series of topics, articles and research topics related to Vietnam Fatherland Front's supervision and criticism functions are collected at libraries of relevant educational and research institutions (libraries of Hanoi Law University, Vietnam National University, Ho Chi Minh National Academy of Politics, National Academy of Public Administration). Some specialized articles are collected in a number of specialized journals such as the Communist Journal (<http://www.tapchiconsan.org.vn/>); Party Building Journal <http://www.xaydungdang.org.vn/>); Journal of Front (<http://tapchimattran.vn/>); Journal of Law, Journal of Law and State; Journal of State Organization.

Group 4: Reports on performance related to supervision and criticism functions of the Vietnam Fatherland Front. Thanks to working in the Vietnam Fatherland Front, the author is able to collect a certain number of highly authentic and update materials that are formed in many provinces and cities across the country. According to the regulations, every 6 months and 1 year, the Vietnam Fatherland Front at local levels (63 provinces and cities) must send a report to the Vietnam Fatherland Front at the central level for general summarization. It can be seen from comprehensive reports of localities that supervision and criticism activities at all levels are demonstrated in a relatively complete manner, including specific data on the number of documents to be criticized, number of supervision missions, and other relevant data. For each locality, there are certain assessments in terms of results, difficulties, inadequacies along with some specific proposals. Therefore, the local reports are considered an authentic and stable source and significantly reflected in many results. This classification helps the author to evaluate and use the right materials for the research field or subject, to determining how the subject matter is stated in the Party's documents and the State's legal documents; to identify contents, scope of research issue; to generalize, evaluate the VFF's position, role and function in the political system; to collect data, analyze, make statements, and evaluate some operation results of VFF, etc.

As mentioned in the introduction and the contents in chapter 1, chapter 2 of the thesis, supervision and criticism of the Vietnam Fatherland Front have been reflected in the Party documents and institutionalized by the provisions of law. Therefore, the author must look up, review, study and systematize the Party documents, legal documents to filter and present in the thesis, thereby finding out and firmly grasping the rationale of such activities.

For example: As shown by the review of the Party documents, functions and duties of the Vietnam Fatherland Front (VFF) are set out in a number of Party documents, covered by a number of other normative legal documents:

The guidelines, lines of the Party, functions and duties of supervision of the Vietnam Fatherland Front are mentioned in a wide range of Party documents such as:

Document of the Xth National Congress of the Communist Party of Vietnam (2006);

Resolutions of the XIth National Congress of the Communist Party of Vietnam, Platform on national construction and development (supplemented and developed in 2011);

Resolutions of the 4th Plenum of the Party Central Committee (XIth tenure);

Resolutions of the XIIth National Congress of the Communist Party of Vietnam (2016);

Resolutions of the 4th Plenum of the Party Central Committee (XIIth tenure);

Decision No. 217-QĐ/TW dated December 12, 2013 of the XIth Politburo promulgating the Regulations on supervision and social criticism of the Vietnam Fatherland Front and socio-politics organizations as the latest version with specific regulations to perform the functions and duties of supervision of the VFF.

Legally, the supervision of VFF is set out in the following legal documents:

1992 Constitution;

2013 Constitution;

1999 Law on the Vietnam Fatherland Front;

2015 Law on the Vietnam Fatherland Front;

There are also hundreds of legal documents, ordinances, decrees and circulars that regulate the supervision of the Vietnam Fatherland Front.

From the review and the system of Party documents and legal normative documents, the author fully presents these supervision activities in the thesis. The author has spent a lot of time carrying out research, reading and selecting the regulations on supervision and social criticism of the Vietnam Fatherland Front which are reflected in many Party documents, legal documents, then described her findings in chronological order in a systematic and scientific way. Moreover, the collection, review and systematization of documents has given the reader a basic, general view together with judgements of the Vietnam Fatherland Front 's supervision and supervision and social criticism in a whole process.

In addition, the author has studied lots of articles, special subjects and topics containing VFF's supervision and social criticism contents prepared by experts, scientists, researchers, cadres to in order to conduct research and express personal opinions on the selected subject matter, thereby obtaining objective assessment and evaluation, finding out any points already shown, or not shown accurately in the previous articles. Through this methodology, the author has conducted research in a separate direction, with new points, in accordance with the new regulations of the Party and the law in the current context. This is the key point that the author addressed and set out in the research questions to solve in the thesis.

3.2 Research methodology

This section covers the research method used by the author within the research process. Qualitative research methods is applied to conduct the research. Qualitative research methods is an approach that seeks to describe and analyze cultural and behavioral characteristics of people and groups of people from the researcher's point of view. This system of qualitative methods is based on a flexible and dialectical research strategy. It allows for the detection of important topics that may not have been previously covered. In the qualitative research, there are a number of research questions and information collection methods prepared in advance, which can be adjusted accordingly as any new information emerges during the collection process (Wendy Olsen, 2014, p.5). The research method used in this research is mainly based on interview and analysis, comparison and evaluation of collected data.

3.2.1 Interview method

As can be seen that holding criticism conference is one of the ways used by the Front to implement the social criticism. According to the provisions of law, the Government assigns ministries and sectors to take the lead in developing policies and laws related to management responsibilities. When drafting legal documents, drafting agencies shall deploy the work according to a prescribed legal process. According to the Law on the Promulgation of Legal Documents, the project must be consulted by the ministries and branches and the Vietnam Fatherland Front before submitting to the National Assembly for final approval. With the social criticism function, the Front is a participant in this task. For large, important projects related to the construction of the state apparatus, administrative management, or directly related to the people, the Front conducts research and organizes criticism conferences to comments on these projects. In the social criticism conference, there are experts, scientists and experienced persons in each related field invited by the Front to

conduct the social criticism and give comments. In the current time, the Front has made use of the “gray matter” of experienced experts to collaborate this task efficiently and effectively.

With high awareness of the importance and great contribution of experts, experienced people, dedicated collaborators, the author conducted in-depth interviews with some experts on supervision and social criticism functions of the Front, thereby obtaining more accurate judgments and assessing the awareness, responsibility of any participants to social criticism, as well as evaluating further effectiveness of this function in the current period.

As expressed and analyzed by the author in terms of social criticism of the Vietnam Fatherland Front, in recent years, Vietnam Fatherland Front has made great comments on many Draft legal normative documents, Programs and Projects. At the Social Criticism Conference held at the agency or business trips at the localities, the author also enlisted, exchanged, interviewed with different subjects about the views on supervision and social criticism of the Front². By selecting the objects with practical experience, asking methods, problems, difficulties in the implementation process, the author was able to summarize, filter ideas for her own reflection in the thesis. Although it was impossible to conduct the interviews in a procedural manner: questionnaire design, delivery by subjects, collection and analysis, etc., the author was able to partially accumulate accurate and honest statements about the actual supervision and social criticism of the Front throughout the direct interview and exchange.

Therefore, the author select the unstructured interviewed method as an important method to carry out the reasearch. For the selection of *unstructured interview method*, it is the author’s desire to interview many people in various fields in society to be able to generalize the current situation of these activities. However, there are some problems arising in the course of selecting direct interview, namely:

The Vietnam Fatherland Front is a particular institution which cannot be thoroughly understood by the people in terms of position and functions in the political system. The people mainly interact and exercise rights and obligations to the State administrative agencies (such as the implementation of administrative procedures, exercise of rights and obligations of citizens, exercise of civil rights, etc.). Since the Front is a socio-political organization that does not directly interact and communicate with people in the community, not all people have a clear understanding of the functions of the Front. Therefore, it is difficult for the author to conduct a large-scale survey. Therefore, the author directs to interview with experts, scientists, experienced people,

²See the list of criticism conferences of the Central Committee of the Vietnam Fatherland Front on Project of legal documents at the Appendix 3.

lawyers, etc., who work together with the Front to implement supervision and social criticism activities.

Specifically, in-depth interviews were carried out with 30 experts in the field of economics, education, some law researchers, lawyers, and scientists... There are a number of questions set out by the author to explore opinions of experts as follows:

1. In your opinion, is the supervision function of the Front is really necessary? Do activities of the State management agencies need supervision of the Fatherland Front?
2. In your opinion, is the social criticism function of the Front is really necessary? Do the legal documents, policies of the country need social criticism of the Vietnam Fatherland Front?
3. Have you participated in any supervision activities held by the Vietnam Fatherland Front? In your opinion, is the supervision activity of the Front is really effective?
4. Have you participated in any criticism projects organized by the Vietnam Fatherland Front? In your opinion, is the social criticism activity of the Front is really effective?
5. What proposals should be given for better supervision and social criticism?
6. Do you have any new ideas to help the Front perform these functions effectively in the future?

As mentioned above, the in-depth interviews were carried out for each specific case in order to fit the characteristics of subject matter (unstructured interview). With the existing career as a legal expert of the Central Committee of the Vietnam Fatherland Front, the author has favorable conditions to approach to supervision and social criticism experts of the Fatherland. Therefore, the unstructured interview method will facilitate the author to flexibly change the interview structure, interview questions depending on the context and characteristics of the object. However, since there was not any ready-made template, each interview was a talk without repeating the same contents, which causes difficulties for the author to systematize the information and analyze the data.

Therefore, in the interview process, the author actively changed the order of topics depending on the interview context, respondents and answers. Derived from the advantages in performing related professional tasks, the author can take advantage of carrying out the interview with some related objects. A list of specific questions, a list of interviewees were carefully prepared, which divided into different groups for raising questions, including (1) lecturer, researcher, theorist; (2) some

experts in the field of law making; (3) some people with practical experience³. Grouping interview objects helped the author to be more proactive in asking and suggesting relevant contents. Prior to conducting the interview, the author had a relatively comprehensive understanding of the interviewees' qualifications; however, depending on the situation, the author asked different questions in the prepared questionnaire.

The interview was carried out as a talk exchanging, sharing experience on the relevant contents, which made the author obtain useful information and results, specifically:

For Group 1 including those who are theoretical researchers, lecturers teaching in the state and legal fields with great experience in building institutions, policies and state apparatus, deep understanding about the political system, theoretical basis, the author directed to the exchange by using the question number (1) and question number (2) in the questionnaire. The interview results of this group give the author an overview of rationale and a better understanding of the Front's functions and position in the political system; an objective comment on the Front's supervision and criticism functions in the State administrative management.

For group 2 including those who are experts in the field of law making, have involved in legal document projects, accumulated great experience, deep knowledge of criticism, policy formulation, law, firmly grasped law making procedures, the author directed to interview under the question number (3), question number (4) in the questionnaire. The interview results achieved from this group are projects, schemes subject to the Front's supervision and criticism, supervisions with the participation of the Front, etc.

For those in group 3, who have worked in the Front, accumulated practical experience, participated in the Criticism Conference and supervision programs of the Front, the author directed to interview under the question number (5), question number (6). These are people who understand the Front's functions and roles, have a firm grasp of the Front's supervision and criticism over the years, which facilitated the author to discuss the actual implementation process, ask some achievements, shortcomings, difficulties and problems in the implementation process and give some specific suggestions and recommendations for this activity.

More specifically, the author conducted face-to-face interviews with some experienced researchers and trainers in some universities, some experts having experience in legislative activities, some having practical experience at a number of criticism conferences, talk-shows, and commentary meetings on draft legal documents (attached to the Appendix on Conferences). There are several

³See the list of interviewees at the Appendix 2.

interviews conducted bring good and useful results for the research: Social Criticism Conference on the Project of Law amending and supplementing a number of articles of 2015 Penal Code held on July 05, 2017 at the office of VFF Central Committee, No. 46 Trang Thi, Hoan Kiem District, Hanoi is one of these conferences bringing good results. This is a very important legal document project, which is directly related to the basic rights and obligations of the people, as well as responsibilities of many agencies in the state. The author conducted face-to-face interviews with two experts in the judicial sector: (1) Mr. Luu Binh Nhuong, Member of the XIVth National Assembly, working at the Judicial Reform Committee. (2) Prof. Dr. Phan Trung Ly, Former Chairman of the National Assembly Law Committee; interviewed two well-known lawyers who have participated in defense and protection of many people's interests and other large-scale cases such as: (1) Lawyer. Tran Huu Huynh, Member of the Advisory Council for Democracy and Law, Chairman of the Vietnam International Arbitration Center, Member of the Executive Committee of Vietnam Lawyers Association, (2) Lawyer Nguyen Van Chien, Deputy Chairman of Vietnam Bar Federation, Member of XIVth National Assembly A number of questions were prepared and open to sharing the expert's experience on the Penal code drafting process, on the participation in the formulating and commenting on drafts of relevant agencies and organizations, etc. Then, there were some questions mentioned above used to ask about the need for the Front's criticism to Law draft, the effectiveness after conducting such criticism, and so on. From this point, it was possible to pose the main question about the Front's criticism function in the legal system development for the State management in many fields.

At the Commentary conference for the Politburo Project on supervision mechanism development of the Front, socio-political organizations and the people in moral education and training of the head, officials, Party members held on August 15, 2017, the author conducted interviews with (1) Mr. Do Duy Thuong, Former Vice Chairman of the Vietnam Fatherland Front Central Committee (2) Mr. Vu Trong Kim, Former Vice Chairman - Secretary General of Vietnam Fatherland Front Central Committee, Member of the XIVth National Assembly. During this interview, the author asked a number of issues regarding the practical supervision implementation, any inadequacies in the application of some legal provisions for the Front's supervision function, reasons behind, and any measures taken to overcome.

At the Talk-show on the Draft Law on Corruption Prevention and Fighting, held on August 25, 2017 at the agency, the author carried out interviews with some theoretical researchers and lecturers at prestigious universities in Vietnam such as Hanoi Law University, Vietnam National University such as (1) Prof. Dr. Tran Ngoc Duong Prof. Dr. of Legal Studies, Vice Chairman of the National

Assembly Office cum Chairman Assistant of the National Assembly at Xth, XIth, XIIth sessions; Chairman Advisory of the National Assembly; (2) Assoc. Prof. Dr. Quach Sy Hung, Senior Lecturer of the Institute of State and Law of the Ho Chi Minh National Academy of Politics; (3) Prof. Dr. Nguyen Dang Dung, Lecturer of Faculty of Law, Vietnam National University The author focused on interviewing and sharing experiences on theoretical foundations to build institutions and mechanisms to overcome and repel current corruption, thereby achieving an objective view of the Front's supervision roles in the State administrative management.

As the author is the organizer of conferences, directly involving or thoroughly researching the contents, it appeared to be quite favorable to conduct the interviews with these individuals. The interviews brought a lot of information, judgements and assessments of the Vietnam Fatherland Front's supervision and criticism activities in recent years, especially many positive results in 2016 and 2017.

As can be seen from the results of interviews with experts that almost all participants find it necessary to have the Front's supervision and social criticism to the State management. However, the effectiveness of these functions are in doubt since there are many limitations existing to date, with unexpected results after supervision and social criticism implementation. Most experts are totally enthusiastic and look forward to participating in the supervision and social criticism activities of the Vietnam Fatherland Front. These functions help to rectify certain shortcomings of the state management agencies; and ensure that draft legal documents are feasible, appropriate and of higher quality. However, it is said by these experts that in order for better implementation of supervision and social criticism functions, it is necessary for the Front to do the following:

In term of objective side: The Party, the State should recognize that the supervision and social criticism functions of the Front are the Constitutional functions, which are considered an important task of the Vietnam Fatherland Front in building the State apparatus and strengthening the administration. This matter is clearly stipulated in the 2013 Constitution and accounts for 2 separate chapters in the Law on Vietnam Fatherland Front as well. However, it is necessary to improve the mechanism for the Front to perform this function more effectively and ensure the feasibility of the law.

In term of subjective side: The human factor should be paid much attention if the Front desires to perform the supervision and social criticism functions more effectively. The Front's officials must be sensible, competent, knowledgeable, and highly qualified. The Front should promote, utilize the force of experts, researchers in the field to perform these functions better.

3.2.2 Data summarization and analysis methods

The author used data summarization and analysis methods to carry out research with the desire to obtain deeper understanding about the current situation of supervision and social criticism functions of the Front for State administrative management:

Firstly, some basic concepts of supervision, social criticism, Vietnam Fatherland Front in Vietnam are given and compared with some countries. The implementing process of supervision and social criticism functions of Vietnam Fatherland Front is thoroughly reviewed through stages. The regulations on these functions in the legal system of Vietnam are also reviewed and compared with those of organizations in the world. Therefore, it is crucial for the author to review relevant legal documents, research articles and papers on supervision and social criticism functions of the Front during the research process, thereby evaluating and comparing the regulations on these functions in each period, then comparing with the results of current situation.

Secondly, the subject matter is driven to describe, interpreted and analyzed characteristics, features and forms of the research object (namely supervision and social criticism functions of the Front), actual situation and factors affecting the performance of these functions in the field of State administrative management. The current situation of supervision and social criticism activities are assessed through reviewing, analyzing reports, collecting and evaluating data to obtain objective assessment of any results achieved in each period, each year.

Thirdly, the research results achieved are mainly analyzed, generalized through supervision and social criticism activities of the Vietnam Fatherland Front to find out results of these activities, outline any limitations and analyze possible reasons. The achieved results are mainly assessed on the basis of understanding and analysis of existing experiences, studies combined with collecting current reports to evaluate, compare and give objective assessment on the relevant subject matter, whereby the assessment cannot be implemented by measurement and calculation tools as in the quantitative method. Therefore, the qualitative research method is considered a feasible choice in this research project.

Data collection, quantitative analysis and data analysis were most commonly used in the thesis. The author directly participated in the implementation of one of these tasks, performed the data collection and general reports preparation as well. For example, according to Reports in the period of 3 years on implementing Decision No. 217-QĐ/TW dated December 12, 2013 of the Politburo on promulgating Regulations on supervision and social criticism of the Vietnam Fatherland Front, the author imported the data obtained from such reports in an aggregate table, to immediately see

the figures according to the contents needed summarizing at the table below (data collection from 63 provinces and cities across the country). From these specific data, the author performed a general summarization to assess the results, limitations, weaknesses and make comparisons of the implementation among these localities, among the years of implementation, then reached a general overview and conclusions.

It can be seen from the table summarizing supervision and social criticism results of the localities (see *below*) that there are significant differences among the localities in the number of supervisions among 2014, 2015, 2016. It is possible to find out about the general situation, the increase in the number of supervisions and criticism conferences, which can confirm significant progress in supervision and social criticism of the Vietnam Fatherland Front throughout the country (*these contents are analyzed and documented in Chapter 4 of the thesis*)⁴.

No.	Vietnam Fatherland Front Committees of provinces	Total number of supervisors			Total number of social criticism conferences		
		2014	2015	2016	2014	2015	2016
	List of 63 provinces and cities						
	Total	134	209	339	185	249	338

Data from all over the country on the total number of supervision and social criticism conducted in three years 2014, 2015, 2016 were selected for the author's purpose. As mentioned above, one of the biggest changes in the legal system about the Vietnam Fatherland Front's supervision and social criticism is the promulgation of 2015 Law on Vietnam Fatherland Front. Therefore, 2014 (the most recent year with the coming into force of the 2015 Law on Vietnam Fatherland Front) and 2015 and 2016, considered the two most recent since the 2015 Law on Vietnam Fatherland Front's effect. The selection of said time period to collect data could indicate a significant change in the effectiveness

⁴See the Appendix 1 - Table summarizing of results of social supervision and social criticism of the Vietnam Fatherland Front (Attachment of Reports in the period of 3 years on implementing Decision No. 217-QĐ/TW dated December 12, 2013 of the Politburo on promulgating Regulations on supervision and social criticism of the Vietnam Fatherland Front)

of the VFF's supervision and social criticism since the 2015 Law on Vietnam Fatherland Front is in effect.

It can be seen from the table summarizing the data of the provinces on supervision and social criticism that, supervision and social criticism activities done by the Vietnam Fatherland Front tended to increase each year in term of quantity. The specific data are as follows: Criticism in 2014: 134 events; 2015: 209 events; 2016: 339 events while Supervision in 2014: 185 events; 2015: 249 events; 2016: 338 events. Thus, a period of two years witnessed an increase ratio of the criticism and supervision events by 2.52 times and 1.82 times, respectively. This is one of the actual bases for evaluating the results of the VFF's supervision and social criticism activities. It can be seen that since 2015 at the time 2015 Law on Vietnam Fatherland Front was in force, there has been an improvement in the Front's roles in the political system and many remarkable results of supervision and social criticism activities in the State management.

The Party documents and legal documents system on the Front were totally reviewed by the author herself in the course of performing her professional duties along with great dedication to the selection of specific documents to reflect and express in the thesis. Quantitative methods, data collection, data summarization and analysis were used on the basis of aggregated figures for evaluation. The aggregate data, as reflected in the thesis, are completely accurate and highly reliable, while the authors' assessment and evaluation of such supervision and social criticism are based entirely on such aggregate data and interviews, exchanges between the author and related objects.

4. Results

4.1 Supervision activities of the Vietnam Fatherland Front

4.1.1 Scope of supervision

The scope of supervision of the Vietnam Fatherland Front stipulated by the law is relatively broad, whereby in accordance with the Constitution and the law, the scope of subject matter being supervised is the whole "agencies and organizations from central to grassroots level; cadres, party members, people-elected representatives, public servants and officials", including state administrative agencies and cadres and public servants working therein. The focus point here is solely on the VFF's supervision on the state administrative agencies. The VFF's supervision is a comprehensive monitoring activity. Supervised object is the administrative and operational agencies performing the tasks and public affairs of cadres and public servants in the administrative agencies. The State is responsible for facilitating the Vietnam Fatherland Front to supervise its activities.

It can be understood that: The Vietnam Fatherland Front's supervision on the state administrative management activities is the Front' activity to monitor, observe and consider the rationality and legality in the administrative agencies' operation, cadres and public servants' performance in relation to the observance and implementation of law in social management, concurrently putting forward any recommendations for problems handling. Thus, the VFF's supervision in the state administrative agencies has the following characteristics:

Supervision is always associated with a certain subject, that is, to answer the question that: which stakeholder (any person or organization) has the right to monitor, review, inspect and make statements whether one or more actions have been taken in accordance with the provisions of the Constitution and the law or not.

The VFF's supervision in the state administrative agencies is the supervision activity of a socio-political organization, a coalition of political and social organizations. The Vietnam Fatherland Front is relatively independent of the state, and its supervision is understood as the people's supervision since its social structure and institution are of a people-based nature. The supervision is presented specifically for given subjects (Hoang Thi Ngan, 2010).

According to Article 26 of the 2015 Law on Vietnam Fatherland Front, "*Subjects of supervision by the Vietnam Fatherland Front include state administrative agencies, officials and public servants.*"

4.1.2 Contents and form of supervision

As defined in the Politburo's Regulations on supervision and social criticism, contents of the VFF's supervision include: "*The implementation of the Party's guidelines lines, the State's policies and laws (except for matters of state secrets) of agencies, organizations and individuals.*" Thus, the contents of VFF's supervision are broadly defined by the Regulations, even covering all activities of all subjects including agencies, organizations and individuals in society.

Until the issue of 2015 Law on Vietnam Fatherland Front, these contents are defined as: "*The implementation of policies and laws related to the lawful and legitimate rights and interests of the People and the rights and responsibilities of the Vietnam Fatherland Front.*" (Clause 2 of Article 26).

Thus, the 2015 Law on Vietnam Fatherland Front, in comparison with the Politburo's Regulations on supervision and social criticism, defines more specifically and delineate scope of the VFF's supervision contents in order to be more appropriate to functions, duties and actual conditions of the Front. This adjustment is based on specific conditions of the Vietnam Fatherland Front, as well as functions and duties of each agency and organization in the political system. This plays an important role in limiting the overlap in supervision, inspection, inspection and control among agencies and organizations in the political system.

Thus, according to the Party documents and the current law, the contents and scope of supervision of the Vietnam Fatherland Front are specific and associated with each type of subject as follows:

For Party organizations: The Vietnam Fatherland Front supervises the implementation of the Party's guidelines and lines; the State's policies and laws; the performance of functions, duties and powers in the area under charge as well.

For the National Assembly, agencies of the National Assembly, agencies established by the National Assembly, People's Councils at all levels The Vietnam Fatherland Front supervises the implementation of the Party's guidelines and lines; the State's policies and laws; functions and tasks of the National Assembly, the Standing Committee of the National Assembly, the Nationality Council, Committees of the National Assembly, the State Audit; the performance of functions and tasks of the People's Council, Standing People's Council, committees of People's Councils at all levels.

For the Government, ministries, ministerial-level agencies, government-attached agencies, People's Committees at all levels and attached agencies, organizations and units: The Vietnam Fatherland Front supervises the implementation of the Party's guidelines and lines; the State's policies and

laws; the performance of functions, duties of the State administrative management agencies at all levels.

For People's Courts, People's Procuracies at all levels, investigating agencies and other agencies conducting legal proceedings: The Vietnam Fatherland Front supervises the implementation of the Party's guidelines and lines; the State's policies and laws in the course of adjudicating, exercising the prosecution right and controlling judiciary activities; the performance of functions and tasks of the People's Courts, People's Procuracy at all levels, investigating agencies and other agencies conducting legal proceedings.

For non-business units: The Vietnam Fatherland Front supervises the implementation of the Party's guidelines and lines; the State's policies and laws; the performance of functions, duties of non-business units and enterprises.

For cadres, party members, people-elected representatives, public servants and officials: The VFF supervises the observance of the Party's guidelines and lines as well as the State's policies and laws; the performance of assigned job responsibilities and tasks; political qualities, morals, lifestyles, maintenance of relationship with the people and fulfillment of citizen obligations at residence place.

4.1.3 Form of supervision

Before the adoption of the 2015 Law on Vietnam Fatherland Front, the VFF's supervision was implemented in three forms as provided for in Article 12 of the 1999 Law on Vietnam Fatherland Front, including: i) Encourage the people to exercise their supervisory rights; ii) Participate in supervision activities with the state power agencies; iii) Sum up opinions of the people and members of the Front through the supervision activities to make recommendations to the competent State agencies.

Based on the practical implementation results of forms of supervision of 1999 Law on supervision and social criticism, as well as supervision renovation, the 2015 Law on supervision and social criticism presents 4 forms of supervision in Article 27 as follows: i) Studying and considering competent agencies' documents related to the lawful and legitimate rights and interests of the People; ii) Forming supervision teams; iii) Conducting supervision activities through commune-level People's Inspection Boards and Community Investment Supervision Boards; iv) Joining in supervision activities of competent agencies and organizations.

Thus, according to the provisions of this Law, the forms of supervision are fundamentally reformed in a more appropriate, diversified and substantive manner with the functions and responsibilities of the Vietnam Fatherland Front.

4.1.4 Supervisory role of the Vietnam Fatherland Front

In political institutions which "all state power belongs to the people," the nature and purpose of state power is determined "of the people, by the people, for the people", the people's supervision or the Vietnam Fatherland Front's supervision play an absolutely important role, expressed through the following contents:

First of all, the Vietnam Fatherland Front's supervision is a manifestation of a democratic atmosphere in the implementation of political power, a form of exercising political right of citizens. Democracy of the political system, as clearly understood, is demonstrated at the level of people's participation in the process of social management, performance of the work of the State. Through the supervision, voters and people from all walks of life have the opportunity to express themselves with respect to decisions, behaviors that affect the social development in general (Vu Anh Tuan, 2010).

Secondly, the supervision of the Fatherland Front on state administrative management is the legal basis to ensure both effective and efficient operation of the State administrative agencies. The VFF's supervision makes a great contribution to the maintenance of integration and consistency in the nature and purpose of the state power. In fact, the state power is handed over by the people to the state apparatus to perform the function of social management, but it tends to be abused, alienated, away from the nature of the people if not being corrected timely. Supervision is the effective way for the people to control the exercise of power, prevent the abuse of rights that has been explained in the doctrines of state power (Dao Tri Uc, 2010).

Thirdly, the supervision of the VFF on state administrative management is well reflected in the close relationship between the state and the citizen. In the rule of law socialist state, the process of organizing and managing the socialist state must always approach and solve any problems of the people, with the principle that the people are free to do to the extent permitted by applicable law; cadres and public servants are allowed to do only what the laws permit and the law on people's supervision is the legal guarantee for the relationship between the subject and the people's object under supervision in compliance with the law. In the course of supervision, any comments and recommendations of the people gathered by the Vietnam Fatherland Front are regarded an important basis to improve the law on supervision of the people (Dang Thi Thu Huong, 2013).

Fourthly, the supervision of the Fatherland Front on state administrative management contributes to the development of qualified cadres and public servants that meet given requirements of the state administration reform. Supervision of state administrative management activities, in essence, is the

monitoring any activities done by cadres and public servants in the administrative agencies. Cadres and public servants play a key and decisive part in the state apparatus and the number of cadres and public servants has a decisive role on the quality of operation of state administrative agencies. In addition, the Vietnam Fatherland Front's supervision also has the role of ensuring the validity and effectiveness of the state administrative agencies, detecting and proposing law violations committed by the cadres and public servants in the course of implementing public affairs (Vu Anh Tuan, 2010).

Fifthly, supervision in general and supervision of VFF in particular has a strong connection and positive impact on the development and perfection of the model of socialist rule-of-law state where the functioning of civil society, a guaranteed society by the self-awareness and sense of responsibility of members and constituent parts, is available. By understanding the "rule of law" as the law of rights, the social criticism and supervision are considered practical manifestations of the protection of rights - a requirement and criterion of the socialist rule-of-law State. The socialist rule-of-law state is defined with the criteria, features as the state power belonging to the people, representing the nature of the people, by the people, for the people; under the leadership of the Communist Party of Vietnam, under the supervision and social criticism of the people, the Vietnam Fatherland Front and other socio-political organizations (Dao Tri Uc, 2010).

4.2 Social criticism activity of the Vietnam Fatherland Front

4.2.1 Scope of criticism

Social criticism of the Vietnam Fatherland Front is recognized in the lines, guidelines and policies of the Party which are institutionalized into the law as the legal basis for the Front's criticism activity. The VFF's right of criticism is an important part to create the legal basis, along with other factors that constitute the criticism mechanism of the Vietnam Fatherland Front and its members. Accordingly, the Vietnam Fatherland Front makes comments, assess, expresses opinions, affirms the correct contents of the draft guidelines, lines and policies of the Party, laws of the State, programs, projects, schemes while detecting inaccuracies and incompatibility with the social life and legitimate interests of the people to recommend the competent agencies or organizations for further consideration and/or supplements.

Social criticism of the Vietnam Fatherland Front means the committees of Vietnam Fatherland Front at all levels engages themselves or requests their member organizations to give comments, assessment and raise political opinions, proposals over draft legislation, planning, plans, programs and projects implemented by the criticism subjects to convey the aspirations of the society to the

competent authority, which promotes social democracy and strengthens social institutions in a certain order.

4.2.2 Social criticism of the Vietnam Fatherland Front is presented through the following main activities

Development of draft legal documents of the State

Social criticism focuses on drafts of the State's legal documents, planning, plans, programs and projects for socio-economic development (except for matters of national secrets) in line with functions and duties of the Vietnam Fatherland Front and other socio-political organizations. At the central level, the Vietnam Fatherland Front criticizes drafts of any decrees, circulars, government decisions, programs, projects and plans of ministries. In the local area, the Vietnam Fatherland Front expresses its criticism of given decisions of the People's Committees of the same level, programs, schemes and plans related to the legitimate rights and interests of people of all strata, the rights and responsibilities of the Vietnam Fatherland Front.

In the social management process, the state must use a variety of tools and conduct a variety of activities. Among management tools, the law is regarded the most important tool, which is used to regulate the behavior of people in the management direction of the State. If the legal system is built on the basis of science, in accordance with the practice, it is feasible in the actual context, promotes social development as well. In contrast, the legal system, if inappropriate, will hold back the development of society. It is the basic reason that creates an absolutely important role for the law development. Law development is the creation of the legal norms contained in legal documents. Therefore, the law building process is the development and issue of legal normative documents to regulate the behavior of legal entities in social life. These documents, depending on the nature of each type, have a major impact on society as a whole, in terms of time, space and impact. Therefore, one of the essential measures to ensure the above requirements is to ensure the appropriateness of the draft documents to the Party's guidelines and lines, the State's policies and laws; practical context of units, localities; correctness, scientific nature, appropriateness to the social life and the feasibility of the draft documents; and to forecast any political, economic, cultural, social, defense, security and foreign effects of the draft documents. Social criticism of the Vietnam Fatherland Front acts as an important channel contributing to the development of draft legal documents of the State in line with the guidelines of the Party and practical context of the state administrative management.

Social criticism of the State's planning, plans, programs and projects for economic, cultural and social development

Planning, plans, programs and projects for economic, cultural and social development are considerably important tasks of the State in order to build infrastructure and material for the country, as well as conditions for socio-economic development, economic restructuring and job creation for the workers to improve the standard of living. Despite bringing immediate benefits, these programs and projects may pose certain negative aspects and challenges. These are environmental degradation, security and national defense threats, risks of bureaucracy, corruption, cultural encroachment, etc., which requires the State's careful consideration and calculation for the balance of economic factors and other factors. Under such circumstances, the mobilization of wisdom of the entire people is an effective and necessary way to make the right decisions. The social criticism of the people, scientists, organizations, competent authorities (through the VFF) on the basis of a constructive analysis, objective, and scientific arguments from practical experiences may help the State to make the right decision.

Expanding social criticism activity is a right policy, whereby the Vietnam, Fatherland Front continues to conduct the supervision and criticism in the process of implementing the Party's guidelines, the State's policies and laws as well as deploying any planning, plans, programs and projects of the State in order to promptly detect mistakes, shortcomings and weaknesses, as well as raising any recommendations, amendments and supplements to the policies accordingly, detecting, disseminating new elements, positive aspects; promoting the people's mastery and contributing to the development of a clean and strong Party and State.

The right policies may be different from the original objectives due to a variety of factors in the process of implementation such as the lack of consistency between law and customary law, between the whole benefit and local interests, etc. It is in the process of organization and implementation that strengths and weaknesses of any guidelines, policies and laws; as well as the strengths, weaknesses of leaders and managers are revealed. Therefore, criticism of the State in the implementation stage is very important for the completion of guidelines, policies and laws.

4.2.3 Role of social criticism of the Vietnam Fatherland Front in the state management

Social criticism is an important element for the operation of the state apparatus in general, including the state administrative agencies. In the context when Vietnam is deepening international integration in various areas of the region and the world, especially in the field of market economy, the consequence of this integration process lies in social development, a factor in the formation of

citizenship society and civil society. It is also one of the social conditions for the social criticism to become an increasingly important activity promoting higher and higher democratic rights. The social criticism is to provide arguments to identify, validate, affirm, supplement or refute a draft policy or social project being developed.

As mentioned above, the author conducted in-depth research on some concepts of supervision and social criticism, outlined the scope and contents of supervision and criticism of the Vietnam Fatherland Front in accordance with the law, and described the role of supervision and criticism of the Vietnam Fatherland Front in building up the State administrative apparatus. In the following section, the author wishes to study in depth the theoretical background and legal provisions on the supervision and criticism activities of the Vietnam Fatherland Front, assess the reality of these activities at the central and local levels, as well as pointing out limitations and inadequacies in the implementation process to obtain objective assessments of these activities.

4.3 The provisions of law of supervision and social criticism of the Vietnam Fatherland Front

As stipulated in Article 9, the 2013 Constitution of the Socialist Republic of Vietnam: *The Vietnam Fatherland Front shall constitute the political base of the people's administration; represent and protect the rights and lawful and legitimate interests of the People; rally and uphold the strength of the great national unity, exercise democracy and promote social consensus; conduct supervision and social criticism; and participate in the building of the Party and the State, and in people's external relations' activities, thus contributing to national construction and defense".*

This is a constitutional principle, an important basis for the State to issue legal documents detailing the right of supervision and social criticism of the Vietnam Fatherland Front.

4.3.1 Supervision provisions of the Vietnam Fatherland Front

According to statistics up to now, there have been about 150 legal documents regulating supervision of the Vietnam Fatherland Front in most areas of state management.

As specified by the Law on Vietnam Fatherland Front, the chapter VI consisting of 7 articles is compiled to regulate the form of supervision, principles of supervision, subjects, contents, scope of supervision, rights and responsibilities of the VFF in the supervision activity; rights and responsibilities of agencies, organizations and individuals under supervision; and responsibilities of the concerned individuals and organizations. The nature, purpose and principle of supervision of the

Vietnam Fatherland Front are clearly stated in Article 25, 2015 Law on Vietnam Fatherland Front as follows:

“1. Supervision of the Viet Nam Fatherland Front is the responsibility of the Vietnam Fatherland Front Committee at all levels to either directly implement or recommend members of the VFF to monitor, review, and recommend with respect to activities of the agencies, organizations, people-elected representatives, cadres, public servants and officials in the implementation of policies and laws.”

2. Supervision of the Vietnamese Fatherland Front has social nature; represents and protects the legitimate rights and interests of the people, promptly detects and proposes the handling of any mistakes and shortcomings; raises certain recommendations, amendments and supplements to policies and laws; detects, disseminates new elements, advanced examples and positive aspects; promotes the people's mastery, and contributes to building a clean and strong state.

3. The supervision activity is carried out on the principle of promoting democracy, involvement of the people, members of Vietnam Fatherland Front; derived from the requirements and aspirations of the people; implemented in the non-overlapping, transparent and public state; without obstructing the operation of any agencies, organizations or individuals under supervision”.

Besides the Law on Vietnam Fatherland Front, the National Assembly also has promulgated other legal documents regulating the content of the Front's supervision. Particularly in the current legal documents, the regulations on supervision by the Vietnam Fatherland Front are prescribed in the following:

Article 4, 2015 Law on Election of Deputies to the National Assembly and Deputies to People's Councils: The Vietnam Fatherland Front shall organize consultations to select and nominate candidates for the National Assembly and the People's Councils; and supervise the election of deputies to the National Assembly and the People's Councils at all levels. ”

As stipulated in Article 26, Law on Organization of the Government “... the Government shall create favorable conditions for the Vietnam Fatherland Front Central Committee and central bodies of socio-political organizations to propagate and popularize the laws in the people, encourage, organize for the people to take part in building and strengthening the people's administration, to organize the implementation of the State's guidelines, policies and laws and to supervise the operation of the State agencies, people-elected representatives, cadres, public servants and officials. ”

According to Article 19, 2014 Law on Organization of People's Court: *"The National Assembly, National Assembly's agencies, the National Assembly delegations, the National Assembly deputies, People's Councils, People's Council's deputies, Vietnam Fatherland Front and its member organizations supervise the operation of the People's Courts in accordance with the law."*

As specified in Article 15, 2015 Law on Government Organization: *"Local authorities create conditions for the Vietnam Fatherland Front Committee and socio-political organizations to encourage the people to participate in building and strengthening the government, to organize the implementation of any policies and laws of the State, and to conduct the supervision and social criticism on activities of local government."*

Along with the provisions of the aforementioned laws, some provisions of the legal documents has its principal nature about the Front's supervision on the state agencies' activities in specialized fields such as justice, inspection, officials, public servants, thrift practice and waste combat activities, etc., such as the Criminal Procedure Code, the Civil Procedure Code, the Law on Supervisory Activities of the National Assembly, the Law on Inspection, the Law on Anti-Corruption, the Law on Complaints and Denunciations, the Law on Promulgation of Legal Documents, the Law on Cadres and Civil Servants, the Law on Thrift Practice and Waste Combat.

4.3.2 The provisions of law of social criticism of the Vietnam Fatherland Front

The social criticism contents are paid much attention by the Party and State in the development of law and put these contents into the law. The Law on Vietnam Fatherland Front is the most centralized legal document on social criticism of the VFF that meets practical needs of building and perfecting the mechanism, contributing to improving the quality of social criticism of the Vietnam Fatherland Front Central Committee.

This Law set aside the whole chapter VI consisting of 7 articles on social criticism of the Vietnam Fatherland Front.

In Article 33, 2015 Law on Vietnam Fatherland Front *"Subjects of social criticism by the Vietnam Fatherland Front are draft documents by regulatory agencies at the same level in direct connection with lawful rights and interests of the people, rights and responsibilities of the Vietnam Fatherland Front. Scope of social criticism of the Vietnam Fatherland Front includes necessities, conformity with guidelines of the Communist Party, policies and laws of the State; rightness, scientific nature and feasibility; assessment of impacts and efficiency of politics, economics, culture, society, National defense and security, and external relation activities of draft documents; ensuring harmony between interests of the State, people and organizations."*

Article 34 indicates that Forms of social criticism include: *"Organize conferences of social criticism; Send draft documents of social criticism to relevant agencies, organizations, and individuals for collection of suggestions on social criticism; Organize dialogs between the Vietnam Fatherland Front and agencies, organizations that have draft documents of social criticism; The Standing committee of the National Assembly of the Socialist Republic of Vietnam, the Government shall cooperate with Presidium of the Vietnam Fatherland Front Central Committee in promulgating the Joint Resolution detailing this Article."*

Among large number of legal documents issued by the State, there are a high proportion of documents on social criticism of the Vietnam Fatherland Front showing that this content has been paid much attention from the State. The social criticism role in general and social criticism of the Fatherland Front in particular is increasingly confirmed, with the democracy in social life. (Legal documents regulating social criticism such as: Law on Organization of the People's Council; Law on Organization of the People's Committee; 1999 Law on Vietnam Fatherland Front. 1999 Law on Press (amended in 2009); 2005 Law on Anti-Corruption).

By-law documents of the Standing Committee of the National Assembly with Ordinance No. 34/2007/PL-UBTVQH11 dated April 20, 2007 on exercising democracy in communes, wards and townships; Decree No. 81/2002/NĐ-CP dated October 17, 2002 detailing the implementation of a number of articles of the Law on Science and Technology; Decree No. 88/2003/NĐ-CP dated July 30, 2003 of the Government regulating the organization, operation and management of the Associations; Decree No. 79/2003/NĐ-CP dated July 07, 2003, promulgating the regulation on implementation of democracy in communes; Decision No. 22/2002/QĐ-TTg dated January 30, 2002 of the Prime Minister on consultancy and criticism on social assessment; Decision No. 97/2009/QĐ-TTg of the Prime Minister dated July 24, 2009 promulgating the list of individuals permitted to establish scientific and technological organizations. Directive No. 14/2000/CT-TTg dated August 01, 2000 of the Prime Minister on the implementation of measures to promote and raise the work efficiency of the Vietnam Union of Science and Technology associations.

Thus, the supervision and social criticism activities of the Vietnam Fatherland Front to date have sufficient legal basis, mechanisms and methods of implementation. Over the past few years, according to the synthesis of local reports (63 provinces and centrally-run cities), the gathering of opinions of various conferences, surveys and researchers, the supervision and social criticism functions have been improved significantly, reflected in the results obtained through specific supervision and social criticism activities done by the Vietnam Fatherland Front as follows:

4.4 Some supervision results of the Vietnam Fatherland Front.

Based on the Party's provisions, the State's policies and laws on supervision of the Vietnam Fatherland Front, the Standing Committee of Vietnam Fatherland Front and socio-political organizations have been active to deploy and coordinate the implementation of supervision activity in accordance with the Party's regulations, the State's policies and laws; with achieved certain results in the field of work as follows:

4.4.1 Supervision of policy and law making

Supervision of law making is an important and significant area of the Vietnam Fatherland Front. This activity is carried out through specific activities, from giving participatory comments, participating in drafting committees, editorial teams of policy and legislative projects to considering recommendations, amendments and supplements of necessary legal documents. Supervision of the Vietnam Fatherland Front for the development of policies and laws of state agencies is conducted to ensure that all policies and laws promulgated must express the common wills and aspirations of people from all walks of life, classes, ethnic groups, religions, Vietnamese residing abroad, etc. The Vietnam Fatherland Front at all levels has made many recommendations to the competent authorities to consider amending and supplementing many documents. The Vietnam Fatherland Front always listens to and receives opinions, suggestions, thoughts and aspirations of people from all walks of life, experts and scientists in various fields of social life both in the country and overseas in order to contribute to the feedback. Consequently, the supervision of the Vietnam Fatherland Front and its members contributes to the promulgation of legal documents that are closer to reality, create social consensus and appear to be more realistic, effective and feasible (the VFF annually puts forward opinions for 30 to 50 drafts, ordinances, decrees and other legal documents).

The Vietnam Fatherland Front Central Committee regularly sends representatives to drafting committees and editorial teams of important laws and ordinances at the request of drafting agencies, such as: Law on Nationality, Law on election of deputies to the National Assembly and People's Council, Penal Code, Civil Code, Criminal Procedure Code, Civil Procedure Code, Law on Organization of People's Court, Law on Marriage and Family, Law on Complaints, Law on Denunciations, etc. Especially, in the drafting of the 2013 Constitution, together with the appointment of representatives to the Drafting Committee, Editorial Team of the Constitution, the Vietnam Fatherland Front at all levels made a very important contribution to organizing the consultation of people to contribute ideas for the Constitution development. Through direct involvement in the process of constitution and other legal documents development, the Vietnam

Fatherland Front demonstrates its role and responsibility to represent the legitimate rights and interests of the people to make suggestions and supervise this process with the aims of ensuring that the provisions of the Constitution and laws are consistent with the interests of the people.

The VFF at the local level are also active in contributing to the development of policies and legislation, making lots of recommendations to the competent authorities to consider amending and supplementing relevant legal documents. Supervision of the Vietnam Fatherland Front and its members contributes to reducing mistakes and loopholes in lawmaking and promulgation, increasing feasibility, demonstrating the legitimate will, aspirations, and expectations of the vast majority of people.

In addition, for any issued legal documents which still reveal shortcomings, contradictions and directly affect the legitimate interests of the people, the VFF carefully considers and proposes appropriate recommendations for further amendments and supplements.

4.4.2 Supervision of election of deputies to the National Assembly, the People's Council at all levels

In recent years, the Vietnam Fatherland Front at all levels has been actively involved in the election of deputies to the National Assembly and People's Council at all levels. According to 2015 Law on Election of Deputies to the National Assembly and Deputies to People's Councils, the Vietnam Fatherland Front's supervision at all levels in this area is often associated with the performance of election tasks, such as: organizing the gathering of comments and credentials of voters in working places and places of residence for those nominated for the National Assembly or the People's Council; selective consultation, candidates referral, etc.

In addition, the election supervision is carried out actively and effectively; for example, in the election of deputies to the 14th National Assembly and the election of deputies to the People's Council for the 2016-2021 term, the Vietnam Fatherland Front prepared a supervision plan for the election work and organized 15 Supervision teams in 37 provinces and centrally-run cities (Report No. 259/BC-MTTW-BTT 8th July, 2016 on joining election of the National Assembly and People's Councils the 2016 – 2021 term).

The Vietnam Fatherland Front Committees in localities coordinated with the grassroots administrations to well organize the conferences of voters at place of residence so as to comment and express their confidence in the nominated candidates; coordinated with the mass organizations at the grassroots level to encourage the people to attend the meetings. Therefore, the conferences successfully attracted enough voters, ensuring the number in accordance with the law; in many places over 80% of the invited voters attended the meeting, among which many places witnessed

the total 100% of voters attending. It can be seen from the results of opinion polls at place of residence for the elections of deputies to the National Assembly, People's Council in the current time that: the majority of people who have been accused or prosecuted of showing signs of breaking the law or less attached to the people in the residential areas have a low vote of confidence (Report No.695/BC-HĐBCQG on 19th July, 2015 on Summarizing election activities of the National election Council).

The process of organizing the steps of consultation must ensure the agreement among socio-political organizations and member organizations in the Front system on the structure, composition and number of people of the agencies, organizations and units introduced to the National Assembly and People's Council (Section 2, Chapter V, 2015 Law on Election of Deputies to the National Assembly and Deputies to People's Councils).

4.4.3 Supervision of people-elected representatives, cadres, public servants and officials

National Assembly deputies, People's Council deputies who are the representatives of voters, representatives of the will and aspirations of voters and people throughout the country and their electorate must have close relationship with the voters, under the voters' supervision, contact with the voters, and reflect the voters' proposals to the National Assembly, People's Council and Government (Article 27, 2014 Law on Organization of the National Assembly; Article 94, 2015 Law on organizing the local Government). Voter meetings of National Assembly deputies or People's Council deputies are the occasions for voters to express their opinions and proposals on matters where voters are interested in and opinions on the performance of the tasks of the National Assembly deputies, People's Council deputies. Through the organization of meetings between people-elected representatives and voters and people, the VFF supervises the performance of such people-elected representatives, thereby making recommendations for more effective and proper implementation (Article 31, 2015 Law on the Vietnam Fatherland Front).

The Party's guidelines on promoting the role of the Vietnam Fatherland Front is implemented in the course of supervision of the implementation of functions, duties, morals and lifestyles of cadres, public servants and party members, especially cadres and public servants and party members at the grassroots. A prominent activity of the Front in the implementation of democratic regulations in communes, wards and townships is that the VFF at communal level collects votes of confidence for key positions elected by the communal People's Council and Village head in 2005-2006 according to Decree No. 79/2003/NĐ-CP promulgating the Regulation on implementation of democracy in communes. (This decree was replaced by the Ordinance No. 34/2007 of the Standing Committee of the

National Assembly in 2007 on the implementation of grassroots democracy). By taking the vote of confidence in key positions elected by the People's Council and Village heads in two years (2005-2006), there were 165 chairmen of the People's Councils and chairmen of communal People's Committees and about 2,304 village heads, heads of residential groups (accounting for 2.7% of the total number of people being voted) considered being dismissed by the competent authorities due to not receiving high confidence of the people and the grassroots Front (Summary Report on supervision of the Fatherland Front in implementing grassroots democracy period of 2004 – 2014).

The confidence assessment of people-elected representatives is primarily conducted through various meetings between the people-elected representatives and their constituencies. Through these meetings, these constituencies may consider and evaluate the performance of delegated duties in accordance with the law. In cases the National Assembly deputies and People's Council deputies commit acts of violating the law and are no longer trusted by the people, the Vietnam Fatherland Front shall submit a written request to the National Assembly, the Standing Committee of the National Assembly and the People's Councils for consideration and making decision on the dismissal or removal of deputies.

By implementing the Notice No. 161-TB/TW dated November 16, 2004 by the Secretariat of the Central Committee of the Communist Party (IXth tenure) on the Vietnam Fatherland Front's supervision of cadres, public servants, party members in residential areas, the Government and the Central Committee of the Vietnam Fatherland Front of Vietnam issued the Regulations on Vietnam Fatherland Front's supervision of cadres, public servants, party members in residential areas (*Promulgated in conjunction with Joint Resolution No. 05/2006-NQLT-CP-UBTWMTTQVN dated April 21, 2006*). This Regulation was piloted from June 2006 in 209 communes, wards and townships of 5 provinces and centrally-run cities, including Hanoi, Ho Chi Minh City, Ninh Binh, Quang Binh and Tien Giang, with the receipt of 3,123 supervision applications, direct feedback from the people through four years of implementation, whereby Quang Binh received 484 letters and comments, recommendations, Hanoi received 1,292 letters and comments, recommendations, Tien Giang received 616 applications and comments, Ninh Binh received 449 letters and comments, Ho Chi Minh City received 282 applications and comments (*According to Report No. 1425/BC - BNV-MTTW dated April 12, 2012 of the Ministry of Home Affairs and the Standing Board of the Vietnam Fatherland Front Central Committee on reviewing the 5-year implementation of the Joint Resolution No. 05/2006/NQLT-CP-UBTWMTTQVN*).

The situation that Central Committee of Vietnam Fatherland Front at local level has the right to make recommendations for the Standing Committee People's Council to submit to the People's

Council of the same level with respect to vote of confidence for those who hold positions elected by the People's Councils according to the law on a regular basis at the grassroots better fulfills its responsibilities, strengthen democracy and social consensus, build trust among the people towards the Party and the State.

Many recommendations of the Vietnam Fatherland Front Committee on the handling of corrupt cadres and public servants have been considered and resolved by local authorities; which step by step help the cadres, public servants and Party members in residential areas and agencies and organizations located therein raise their sense of responsibility and exemplify the guidelines and policies of the Party, laws of the State as well as regulations in residential areas.

4.4.4 Supervision of selection and appointment of judges and procurators, and introduction to jurors of the People's Courts

According to the 2014 Law on Organization of People's Court, 2014 Law on Organization of People's Procuracy, the Vietnam Fatherland Front joins the Councils for selection of Judges and Procurators according to the new model and mechanism of operation. As stipulated in Article 70 of the 2014 Law on Organization of the People's Courts, "The National Council for Judge Selection and Supervision shall be composed of the Chief Justice of the Supreme People's Court, one Deputy Chief Justice of the Supreme People's Court, the Chief Justice of the Central Military Court, judges of superior people's courts, representatives of the leaderships of the Central Committee of the Vietnam Fatherland Front, the President Office, the Ministry of Justice, the Ministry of National Defense and the Central Committee of the Vietnam Lawyers' Association. " According to Article 86 of the 2104 Law on Organization of People's Procuracy: *"The Council for Selection of Procurators of the Supreme People's Procuracy is composed of the Procurator General of the Supreme People's Procuracy as its chairperson and representatives of leaderships of the Ministry of National Defense, the Ministry of Home Affairs, the Vietnam Fatherland Front Central Committee and the Central Committee of the Vietnam Lawyers' Association."*

Thus, representatives of Vietnam Fatherland Front are important members in the council for the selection and supervision of the National Judges and the Council for Selection of Procurators of the Supreme People's Procuracy, and the Council for Examination of Procurators. At the same time acting like other members, the VFF's representatives participates as representatives of the Vietnam Fatherland Front to supervise selection and recruitment activities in order to contribute to building a team of judges, procurators at all levels featured by transparency, integrity, good qualification, spirit and sense of serving the people.

The full and effective participation of Vietnam Fatherland Front at all levels from the central to grassroots level in the selection of judges, prosecutors, and candidates for the People's Council elected as jurors has contributed significantly to the development of a team of judiciary officials with sufficient capacity, qualities and morals to meet the requirements of judicial authorities in the new stage of judicial reform.

4.4.5 Supervision of complaints and denunciations handling

The Party and State have made many policies to make positive changes in the settlement of complaints and denunciations over the past years. The 1998 Law on Complaints and Denunciations and the 2005 Law on Complaints, the 2005 Law on Denunciations contains a separate section on the supervision by the Vietnam Fatherland Front and its member organizations for the settlement of complaints, accusations of the competent state authorities. It clearly defines the handling complaints, denunciations, reports, recommendations, supervision of Vietnam Fatherland Front with respect to the settlement of such complaints and denunciations as well as responsibilities of the State agencies in responding to recommendations from the Vietnam Fatherland Front.

According to Report of results in the activities of complaints and denunciations handling in 3 years (from 2014 to 2016), in recent times, the Front's participation in receiving citizens and handling complaints, denunciations, reports and recommendations has been deeper, more professional and innovative. In the course of implementing a coordinated program on reception of citizens and complaints and denunciations handling between the Standing Board of the Vietnam Fatherland Front Central Committee and the Government Inspectorate, the two sides exchange information frequently, especially complicated and prolonged complaints causing serious damage to the legitimate rights and interests of citizens.

From 2015 up to now, the Standing Board of the Vietnam Fatherland Front Central Committee has coordinated with the Government Inspectorate and the Vietnam Bar Federation to pilot the appointment of lawyers to participate in free legal assistance at the Central office of citizen reception. With deep humanism and high appreciation from the people, this activity has made great contribution to citizens' awareness raising and understanding of the law, with greater confidence in the Party and State. Many citizens after the free legal consultancy withdrew their self-appealing complaints to return to local life stabilization. Through this assistance, the lawyer also discovered many cases of complaints and denunciations showing signs of wrongdoing by administrations at all levels, thereby promptly making recommendations to the competent agencies for proper settlement in accordance with the legislation, and protecting legal and legitimate interests of citizens as well

(according to Lawyer. Tran Huu Huynh, Member of the Advisory Council for Democracy and Law, Chairman of the Vietnam International Arbitration Center, Member of the Executive Committee of Vietnam Lawyers Association at Social Criticism Conference on the Project of Law amending and supplementing a number of articles of 2015 Penal Code held on July 05, 2017).

In the course of coordinating the supervision of complaints and denunciations handling of competent state agencies, in 2015 the Standing Board of the Vietnam Fatherland Front Central Committee chaired its close cooperation with the Government Inspectorate, the Ministry of Justice, the Vietnam Lawyers' Association and Vietnam Bar Federation to supervise hot spots-prone, prolonged cases and complicated cases in localities. As a result, after several locally-conducted inter-agency supervision, some cases were promptly resolved by the local authorities, while other cases were concluded by the Standing Board about the local authorities' limitations in the settlement of complaints and denunciations, at the same time, there were some recommendations made to the competent agencies for the definite solution of these cases, avoidance of any discontent and discontent among the people.

In the past five years, the Vietnam Fatherland Front Committees of provinces and centrally-run cities have developed regulations to coordinate with local state agencies in settling complaints and denunciations; propagating and disseminating the law on complaints and denunciations. The VFF committees at all levels have joined the National Assembly delegation and the Standing committee of the People's Councils at all levels to deal with thousands of complex complaints and denunciations from the central, provincial, district to commune levels, in some localities such as Hanoi, Ho Chi Minh City, Lao Cai, Phu Tho, etc.

Up to now, 63/63 (100%) Vietnamese Fatherland Front Committees at provincial level has the meeting room, with one to two cadres in charge under concurrent regime; more than 80% Vietnamese Fatherland Front Committees at the district and grassroots level conduct the people meeting at the workplace.

During the participation in complaints and denunciations handling in localities, the Vietnam Fatherland Front Committees at all levels regularly appoint leaders and officials to join the local authorities' inspection and examination teams for complaints and denunciations settlement; especially hot spot-prone complex, large cases that involve many people; it is estimated that Vietnam Fatherland Front committee at all levels have been involved in handling thousands of cases. In the period from 2008 to 2013, the System of Vietnam Fatherland Front welcomed 18,216 citizens to its agencies to submit complaints, denunciations, recommendations, and feedbacks and

received a total of 34,264 applications of all kinds. Among these applications, there were 16,635 sent via post office and 17,629 directly handed in at the Citizens reception unit. Particularly, in 2012, there were a total of 3,039 applications (by post: 1,650 applications, direct handing in: 1,389 applications), showing an increase by 61.39% compared to 2011 (1,883 applications). After classification, there were 31,019 applications (reaching 90.52%) moved to the competent authorities for settlement. The remaining applications with unclear, duplicated contents were not transferred as the case above according to the law.

4.4.6 Supervision of policies and laws implementation at the grassroots level through the operation of People's Inspection Board (PI), the Community Investment Supervision Board (CIS)

Supervision through the operation of People's Inspection Board (PI), Community Investment Supervision Board (CIS) is one of the basic forms of supervision of the Vietnam Fatherland Front.

Supervision through the operation of People's Inspection Boards (PI)

PI board is an organization of the people at the grassroots level, under the commune-level Fatherland Front Committee's guidance, organization and direction to promote the people's democracy and create conditions for the people to participate in the State management, social management. The PI board, through its operation, exercises the power of the people to supervise all activities of the state agencies and all local individuals in enforcing local laws and regulations. This board is not only the supervisor but acts as the mean for the people to participate in supervision as well.

Its priority task is to conduct on-site, regular supervision on the implementation of guidelines, lines and policies of the Party and laws of the State, the implementation of any democratic regulations in the communes; to supervise the settlement of people's complaints and denunciations; to encourage the people to participate in supervision and discovery at the same time in order to build the real government of the people, by the people, for the people; to hold respect and promotion of the democratic rights of the people. Therefore, the PI board is in-charge of making significant contributions to the building of state administration and protection of the law and then improving the state management in the localities.

In 2016, there were a total of 10,956 PI boards in 63 provinces and cities across the country; 94,184 total number of members, consisting of 7,568 members acting based on mechanism of plurality; 8,754 funded boards, and 2,202 non-funded boards. For the three years (2014, 2015 and 2016), there was a total number of 156,038 cases of supervision carried out by the PI boards, 35,064 recommendations made; and VND 156,269,121 recovered (Reports in the period of 3 years on

implementing Decision No. 217-QĐ/TW dated December 12, 2013 of the Politburo on promulgating Regulations on supervision and social criticism of the Vietnam Fatherland Front and other socio-political organizations). During the period from 2009-2015, 355,958 cases of supervision and 236,982 cases of inspection were conducted throughout the country by the PI boards and CIS boards, respectively, followed by 130,820 violation cases were suggested for handling to create the transparency in managing capital and assets of the State and investment projects and projects in the community, corruption and waste prevention and fight (*Summary Report on supervision of the Fatherland Front in implementing grassroots democracy period of 2009 – 2015*). In 2016, the PI board's operation was paid more attention, when there were many new PI boards established and funded).

It can be seen from the supervision of the democracy regulation implementation at grassroots level that the PI board has an important role in helping the local authorities overcome shortcomings in the management and rectification of negative problems of the cadres, contributing to building a strong and clean grassroots government.

Supervision through the operation of Community Investment Supervision Boards (CIS)

According to the regulations, the CIS board's operation is voluntarily conducted by people living in communes, wards and townships (hereafter referred to as communal level) to monitor and evaluate the observance of regulations on investment management by the competent authorities making investment decisions, investors, project management units, contractors and project execution units during the investment process; to detect and propose to the competent state agencies any violations of regulations on investment management in order to promptly prevent and handle any cases of wrongdoings, causing waste and State capital and properly loss, doing harm the interests of the community (In 2014, the National Assembly promulgated the Law on Public Investment, which sets aside many provisions on the activities of CIS board).

Currently, the CIS boards have been established in most localities. In 2016, there were a total of 10,533 CIS boards in 63 provinces and cities across the country; 82,398 total number of members, consisting of 6,970 members acting based on mechanism of plurality; 7,645 funded boards, and 2,888 non-funded boards. For the three years (2014, 2015 and 2016), there was a total number of 127,425 cases of supervision carried out by the CIS boards, 20,874 recommendations made; and VND 7,744,223,825 recovered. The majority of CIS boards are administered by the PI boards (People's Inspection Boards are also the Community Investment Supervision Boards at the same time) to reduce the apparatus and avoid overlapping operations. In particular, the CIS boards of

many localities have well promoted its role and supervised hundreds of meetings and put forward many recommendations highly appreciated by the authorities. There were 10,943 cases of supervision, 3,408 cases of petition carried out, VND 5,380,000,000 and 135.66 m² land area recovered and 760 recommendations passed by the competent authorities in Hanoi; 1,621 cases of supervision held and 177 recommendations passed by the competent authorities in Nghe An province; 1001 cases of supervision and 149 recommendations passed by the competent authorities in Phu Tho province; 1,113 cases of supervision and 154 recommendations passed in Long An province; 515 cases of supervision and 96 recommendations passed in Tien Giang province (Reports in the period of 3 years on implementing Decision No. 217-QĐ/TW dated December 12, 2013 of the Politburo on promulgating Regulations on supervision and social criticism of the Vietnam Fatherland Front and other socio-political organizations).

The CIS boards mainly supervise and detect shortcomings and mistakes in the investment and construction processes; violation of investment progress and plan; violations of technical regulations and procedures; causing loss of property, capital; violations of waste treatment and environmental sanitation, etc. (including works contributed by the people) in order to promptly reflect and request the responsible units to overcome.

4.4.7 Implementation of joint supervision programs by the Standing Board of the Vietnam Fatherland Front Central Committee

In order to implement the 2013 Constitution and the Politburo's Regulations on supervision and social criticism, the Standing Board of the Vietnam Fatherland Front Central Committee has focused on coordinating with other social and political organizations, ministries and sectors for the past three years in the development and implementation of Joint supervision programs, including any urgent and concerned issues of the people and society, such as: (1) Joint program on reviewing the implementation of preferential policies for people with meritorious services to the revolution in 2014-2015; (2) Joint program on supervising the implementation of law on social insurance in various types of enterprises; (3) Joint program on supervising the implementation of law on production and trading of agricultural materials in the period of 2014 - 2020. (4) Joint program on supervising the compliance with law by private medical facilities; (5) Joint program on supervising and improving the effectiveness of complaints and denunciations handling at the grassroots level; (6) Joint program on supervising the implementation of the Law on Science and Technology and Resolution of the 6th Meeting of Central Committee of the Communist Party of Vietnam (XIth tenure) on science and technology development; (7) Joint program on supervising the implementation of major tasks and measures to improve the business environment, enhance national

competitiveness in taxation and customs; (8) Joint program on the implementation of determining satisfaction index of citizens and organizations for the service of the State administrative agencies in 2015; (9) Joint program on encouraging and supervising food safety assurance in the period of 2016 - 2021; (10) Joint program between the Standing Board of the Vietnam Fatherland Front Central Committee and Vietnam Social Insurance on the implementation of the Law on Social Insurance and Health Insurance for the period of 2016-2020; (11) Joint program on assisting people to overcome the damage caused by salt intrusion, droughts, marine fisheries; (12) Joint program on supervising the implementation of policies and legislation on environmental protection and response to climate change for the period of 2017-2019.

In addition, the Standing Board of the Vietnam Fatherland Front Central Committee actively participates in the supervision programs of the National Assembly, the National Assembly's agencies and nominate its representatives to coordinate and participate in specialized supervision activities of the National Assembly, the Standing Committee of the National Assembly, the Nationality Council and Committees of the National Assembly in ministries, sectors, units and localities. During the implementation of Regulations on coordination with the Supreme People's Procuracy, on an annual basis, the Standing Board of the Vietnam Fatherland Front Central Committee Central regularly appoints its representatives to participate in interdisciplinary supervision and inspection missions that are in charge of supervising the execution of criminal judgments, civil judgments, reception of citizens and complaints and denunciations settlement in localities throughout the country.

4.5 Some results on social criticism

4.5.1 At Central level

In the three years of 2014-2016, the Standing Board of the Vietnam Fatherland Front Central Committee focused on collecting the people's opinions, making recommendations and criticizing of given documents at the XIIth National Congress of the Communist Party of Vietnam. Many conferences, seminars and workshops were organized by the Central Committee of Vietnam Fatherland Front in collaboration with relevant agencies, with the participation of experts and scientists in many fields.

The Standing Board of the Vietnam Fatherland Front Central Committee has organized discussions on making recommendations, social criticism for dozens of draft laws and decrees, with a focus on the laws and ordinances relating to the implementation of the 2013 Constitution and important projects, programs and drafts relating to basic rights and obligations of citizens, to socio-economic

development, such as: Civil Code (amended); Law on promulgation of legal documents; Law on election of deputies to the National Assembly and People's Council; Law on Organization of the National Assembly, Law on Organization of the Government; Law on Organization of Local government; Law on Vietnam Fatherland Front; Law on military service; State budget law; Law on occupational safety and health; Law on natural resources and environment of seas and islands; Law on State audit (amended); Law on religion and belief; Decree on agricultural cooperatives development policy; the five-year preliminary scheme reviewing Conclusion notice no.292/TB/TW dated December 18, 2009, by the Secretariat on the settlement of toxic chemicals consequence carried out by the United States during the war in Vietnam and the care, helping victims of Agent Orange; organizing activities of the Vietnam Association of Victims of Agent Orange; Report on 10 - years implementation of Resolution no. 25-NQ/TW, 7th Meeting of the IXth Central Committee of the Communist Party of Vietnam on religious affairs; Report on 10 - years implementation of the Prime Minister's Directive No. 01 on some works for Protestantism; Decree amending and supplementing a number of articles of Decree No. 193/2013/NĐ-CP detailing a number of articles of the Law on Cooperatives; Decree regulating agricultural cooperatives development policy; Decision of the Prime Minister on new rural criteria; Decision of the Prime Minister promulgating a set of national criteria for the movement of the whole people to unite in building a cultural life; Report on supervision results and Resolution of the Standing Committee of the National Assembly on supervising the implementation of policies and laws on management and use of land in state farms and forestry farms in the period of 2002-2014.

In addition, the Vietnam Fatherland Front Central Committee has actively participated in the appraisal for comments, suggestions and recommendations on draft policies, programs and projects of the Government and state administrative agencies at all levels, law and ordinance projects drafted by the competent agencies, draft guidelines and lines of the Party as well as personnel projects before the congresses of party organizations at all levels. The VFF Central Committee also has proposed the competent agencies and organizations to adjust a number of policies and measures directly related to the rights and interests of people but not yet close to reality

In term of social criticism process, the Vietnam Fatherland Front Central Committee initially promotes the role of all member organizations, the Front's Advisory Councils and the people in the social criticism; establishes the relationship between Vietnam Fatherland Front at all levels and competent organizations and agencies. A number of agencies and organizations that have authority to draft guidelines and policies have actively submitted draft proposals to the Vietnam Fatherland Front Central Committee to take advantage of opinions, and provide information related to the

project. On that basis, the Vietnam Fatherland Front Central Committee will conduct the evaluation, feedback giving to the agencies and organizations whose drafts are being criticized. In the social, it is ensured by the stakeholders that the principle of democratic centralism, party and people nature, in the spirit of building and promoting the interests of the Fatherland and the people will be better implemented.

Through the given evaluation activity, comments, assessments and recommendations of the Vietnam Fatherland Front Central Committee have the effect of supplementing and adjusting the Party's draft guidelines, lines, schemes and the State's policies and laws on some aspects; indicating a number of viewpoints of the Vietnam Fatherland Front and reflecting the will and aspirations of the people towards the promulgation of guidelines, policies and laws of the competent agencies and organizations.

Many comments from the Vietnam Fatherland Front Central Committee which are of high quality, demonstrate particular nuances of the Vietnam Fatherland Front thanks to wisdom of the consultants and collaborators have been accepted by the drafting agency to submit to the Standing Committee of the National Assembly and the National Assembly, thereby contributing to the adoption of legal documents that are more feasible and closer to reality (Bui Thi Nguyet Thu, 2016).

According to Prof. Dr. Nguyen Dang Dung, Lecturer of Faculty of Law, Vietnam National University at the Talk-show on the Draft Law on Corruption Prevention and Fighting, held on August 25, 2017, it can be seen from the social criticism of the Vietnam Fatherland Front Central Committee in recent years that there have been positive changes in the awareness of the Vietnam Fatherland Front's social criticism role. The society in general and the authorities in charge of policy development in particular still have no comprehensive awareness or thinking about the Vietnam Fatherland Front's social criticism role as a matter of fact. At present, in the period of international integration and open-door, the criticism implementation policy of Vietnam Fatherland Front is officially recognized by the Constitution and the Party. The current situation of social requires that the issue should be regulated by law. Therefore, the development of legal system for this function of the Vietnam Fatherland Front has been implemented. This means that the quality of social criticism by the Vietnam Fatherland Front Central Committee is initially assured.

4.5.2 At local level

The Standing Board of the Vietnam Fatherland Front Committee of provinces and centrally-run cities have also actively engaged in implementing social criticism, making suggestions for building

the Party, building the government, developing the draft guidelines, policies, plans, schemes, projects and legal documents promulgated by the People's Councils and People's Committees; drafts, reports on the assessment of socio-economic situation and orientations for socio-economic development of the locality at the sessions of the People's Council.

In particular, in 2015, the Vietnam Fatherland Front in the local areas focused on making recommendations, conducting the social criticism for any draft documents of the Congress of the Communist Party of Vietnam of the province. This is a wide political activity that has significant influence on economy, politics, society and all aspects of the locality. The social criticism of the Congress of the Communist Party of Vietnam's documents at all levels in the locality has attracted great involvement of many experts, scientists, Advisory Council, etc.

The Vietnam Fatherland Front Committees at various local levels also have organized many conferences to provide comments on schemes, programs and draft legal documents at the request of the central drafting agencies, including many important legal projects; to contribute comments on many projects, programs and draft legal documents of the People's Councils and People's Committees directly related to the rights and interests of the people, such as the provisions on compensation and resettlement support in case of the State land acquisition, comments on the draft Decision on policies to support life stabilization and production for people after resettlement through irrigation and hydropower projects; project to ensure community reintegration of people who complete duration of the term of imprisonment, etc. These comments and criticism of the Front have an important influence on the process of adapting contents adjustment with respect to the schemes and policies of the locality.

Vietnam Fatherland Front of Ho Chi Minh City conducted its social criticism to Draft of Plan for development of health care network up to 2020; Draft scheme on the development of Ho Chi Minh City public passenger transport system up to 2025; Draft resolution on resolving land disputes in the city; Vietnam Fatherland Front of Hanoi City organized the social criticism conference on Draft of Resolution on city hi-tech agricultural development program in the 2016-2020 period (the Fatherland Front Committee of districts, towns directly under Hanoi City held 17 social criticism conferences on the socio-economic situation of the locality, the projects of urban order, approval and management of changing the structure of plants and pets); Vietnam Fatherland Front of Bac Lieu province organized social criticism meetings to the state management levels in the localities with sustainable poverty reduction policies; Plan on implementation of a number of policies and solutions for further deployment of the Resolution of the 7th Meeting of Central Committee of the Communist Party of Vietnam at its XIth tenure on agriculture, farmers and rural areas in the

province. Vietnam Fatherland Front of Vinh Phuc province organized a social criticism conference on Draft of Project on restructuring agricultural sector associated with rural labor transformation in the 2015-2020 period, with a vision to 2030; Vietnam Fatherland Front of Nghe An province held a social criticism conference on Draft of Plan on provincial agricultural development up to 2010 with a vision to 2030; Vietnam Fatherland Front of Quang Ngai province organized a social criticism conference on the Project of provincial agricultural sector restructuring towards enhancing added value and sustainable development in the 2015 - 2020 period; Vietnam Fatherland Front of An Giang province organized a social criticism conference on Draft of Decision on promulgating a list of temporary roads used for part of pavements, roads not on the purpose of traffic in Long Xuyen City; Vietnam Fatherland Front of Thanh Hoa province held a social conference to criticize the Scheme on amendments and supplements to charges and fees under the promulgating competence of the provincial People's Councils; Vietnam Fatherland Front of Hai Duong province held a social conference on Draft of Report on adjustments and supplements to the development planning of provincial health system to 2020, with a vision to 2030, etc (Reports in the period of 3 years on implementing Decision No. 217-QĐ/TW dated December 12, 2013 of the Politburo on promulgating Regulations on supervision and social criticism of the Vietnam Fatherland Front and other socio-political organizations).

4.6 Some inadequacies in supervision and criticism activities of the Vietnam Fatherland Front

As mentioned above, the author evaluated and analyzed many results of supervision and criticism of the Vietnam Fatherland Front in recent years. Through summarizing and analyzing materials and data collected from many sources such as the reports at both central and local levels, research articles as well as view points of the interviewees, etc, it can be seen that in the implementation process of supervision and criticism of the VFF, inadequacies and bottlenecks are unavoidable, specifically as follows:

4.6.1 Inadequacies in the supervision

Some monitoring activities of the Vietnam Fatherland Front have not yet brought into play the role of mass media participation, thus limiting the effectiveness and effectiveness of monitoring. One of the basic principles of VFF's supervision activity is to be open and transparent in the course of implementation, in which the participation of the media agencies and press is a very important condition. The publicity and transparency of Vietnam Fatherland Front's supervision activity are not only to assure the objectivity of this activity, but more importantly, to promote social and media

support from the society and media, to significantly impact the object under supervision and relevant agencies, organizations and individuals for the proper enforcement of supervision recommendations as well. However, in the course of monitoring of the VFF's supervision activity from central to grassroots level, it is found that there are quite many supervision activities that attract insignificant attention from the media, especially any activity relating to the complaints and denunciations settlement of agencies or organizations due to a common reason that such settlement is "sensitive" (according to Prof. Dr. Tran Ngoc Duong).

Some supervision activities of the Vietnam Fatherland Front are still formal and ineffective. This is a fact that has taken place at all levels of the Front from central to grassroots level. When detecting any problems, signs of violations in the activities of agencies, organizations during and after the supervision process, Vietnam Fatherland Front at all levels still regularly send documents to agencies, organizations under supervision or competent agencies or organizations to request for consideration and settlement; however, if these agencies tend to delay or not to consider and settle any problems, making the monitoring and urging of the VFF not seem to be fierce from time to time, finally, the supervision recommendations also fall into oblivion (Bui Thi Nguyet Thu, 2016).

Limited organizational structure and staffs, as well as other conditions to ensure the VFF's supervision activity. Limited funding for supervision The limitation is not only expressed through funding for the supervision activity, but in the management and use of these funds as well, especially for the supervision activity from the local authorities, which is unsuitable, unspecific and slow to the actual situation, even causes serious influence on the quality and effectiveness of the Vietnam Fatherland Front's supervision activity.

4.6.2 Inadequacies in the social criticism

According to Prof. Dr Phan Trung Ly, coordination mechanism between the criticism subject and the agencies under criticism is not fully defined and scientific yet. Therefore, it is absolutely impossible to determine the rights and obligations of both the criticism subject and the agencies under criticism. At present, there is not any legal documents regulating sanctions in case the competent agencies or organizations promulgate guidelines or policies without any criticism or delay in the transferring any scheme to the Vietnam Fatherland Front Central Committee for criticism, as well as any sanctions on the accountability of the subject under criticism on the acceptance or non-acceptance of criticism of the Vietnam Fatherland Front Central Committee. This well reflects certain issues relating to the social criticism mechanism, scientific nature of social

criticism, its effectiveness, which are still inadequate, limited and fail to meet the expectations of the people.

It is hard to distinguish comments, recommendations, social criticism within the Vietnam Fatherland Front Central Committee's social criticism activity in the past few years, since they are intertwined in supervision and people's aspiration activities. Thus, the results achieved from the Vietnam Fatherland Front Central Committee Central's social criticism are mainly in the form of comments and recommendation of the Vietnam Fatherland Front for the Party, State on the draft guidelines and policies, laws, but the quality is evaluated as low (Bui Thi Nguyet Thu, 2016).

Due to the perception of the subject under social criticism, many ministries and branches at the central level fail to express sufficient and proper awareness of the role and effect of social criticism conducted by the Vietnam Fatherland Front Central Committee and its affiliated organizations. Taking advantage of giving comments and recommendations of the Vietnam Fatherland Front Central Committee for the draft guidelines, policies, laws, programs and projects of some competent agencies and organizations still expresses the formalism. Collaboration in law and policy development has not met the practical requirements. The submission of draft for taking Vietnam Fatherland Front the Central Committee's comments by any relevant agencies is often urgent, with insufficient time and space for comments. Even when there is criticism, many ministries, sectors and individuals have promulgating the drafts have not really listen to different opinions. Poor attitude, trust, acceptance of criticism, courage to accept and correct mistakes of the subject under criticism has reduced the validity and effectiveness of the Vietnam Fatherland Front Central Committee's social criticism. Actually, there is a misunderstanding that criticism means the opposition, objection, and resistance and the implementation of criticism will be made used of by hostile forces, affecting the block of nation solidarity. This results in delays in social criticism implementation. In addition, there is still a lack of respect for the people, in particular the representative organization Vietnam Fatherland Front, in term of capacity in the criticism process.

On the subject under criticism, many important guidelines, policies and schemes related to the basic rights and obligations of the people have been promulgated by the competent authority without the involvement of the Vietnamese Fatherland Front. The Front's social criticism has not covered all the draft policies, laws, important projects in the fields under scope of criticism of the Front (Nguyen Van Pha, 2013).

These shortcomings and inadequacies have led to the low efficiency of the criticism, failure to match the role and position of the Vietnam Fatherland Front Central Committee and the

significance and importance of social criticism. In addition, the criticism activity of the Vietnam Fatherland Front Central Committee to bring about the adjustment, supplement and completion of projects and schemes prepared by competent agencies or organizations fails to obtain high critic nature, even changes basic contents of the problems under criticism. The criticism of the Vietnam Fatherland Front Central Committee at present is mainly in the form of suggestions, recommendations, as an initially simple form of social criticism.

4.6.3 Causes of inadequacies

There are many reasons affecting the supervision and social criticism of the Vietnam Fatherland Front and socio-political organizations, including the following main causes:

Insufficient awareness of the roles and positions of the Vietnam Fatherland Front and socio-political organizations in general and the functions and tasks of the Vietnam Fatherland Front and socio-political organizations of the Party and State in particular for a long time.

Although the awareness of party committees, state agencies of the roles and positions of the Vietnam Fatherland Front and socio-political organizations in general and the functions and tasks of the Vietnam Fatherland Front and socio-political organizations of the Party and State in particular in recent years have made positive changes, it was almost uninterested for a long time ago. The Vietnam Fatherland Front and many socio-political organizations seem to be seen only as the subject that plays the role of "participating", "responding" to the activities of the Party and the State but not really being an independent party with an independent voice to represent the people in contributing ideas to the Party and the State, and to supervise and criticize the elaboration and implementation of the Party's guidelines and the State's policies and laws (according to Lawyer. Tran Huu Huynh, Member of the Advisory Council for Democracy and Law, Chairman of the Vietnam International Arbitration Center, Member of the Executive Committee of Vietnam Lawyers Association).

The documents of the Party and State on the roles and supervision and social criticism tasks of the Vietnam Fatherland Front and socio-political organizations are impossible to get into life due to slow promulgation and concretization.

Although the enhancement policy to the role of the Vietnam Fatherland Front and other socio-political organizations on the supervision and social criticism is closely related to the renewal and enhancement of the Party's leadership, to the effectiveness of management of the State and really suitable with the people and have been set out by the Party, such policy fails to quickly come to life. The Law on Vietnam Fatherland Front sets aside two separate chapters to regulate the supervision and

social criticism activities of the Vietnam Fatherland Front, but these regulations only cover basic contents of these activities, without detailing all the contents of the supervision process, objects, contents, scope, subjects and specific rights and responsibilities of the subjects in the these two activities (Nguyen Van Pha, 2016). The Law on Vietnam Fatherland Front, other relevant legal documents lack specific regulations on the responsibilities of State agencies in resolving and responding to the findings and recommendations of the Front and responsibilities for meeting necessary conditions of the Front's supervision activity. This is also a direct cause leading to the embarrassment and confusion in the implementation of the Front's supervision activity at all levels in the current time.

Limited organizational structure and staffs, as well as other conditions to ensure the supervision and social criticism activities of Vietnam Fatherland Front and other socio-political organizations

Supervision and social criticism activities require a great deal of resources, in which knowledgeable, enthusiastic and highly qualified human resource is the most important one. In reality; however, the current organizational apparatus and personnel to carry out the supervision and social criticism of Vietnam Fatherland Front and socio-political organizations are too thin, not to mention of modest qualification. In addition, the conditions of information, facilities and finance for these activities are considerably limited. Therefore, even with the consultation to the guidelines and lines of the Party, draft policies and laws of the State, the quality and effectiveness are not as expected and required of reality (Nguyen Thanh Binh, 2016).

4.7 Proposals and recommendations

4.7.1 To build and perfect the provisions of the law on supervision and social criticism in the State administrative management

Current legal regulations have not yet created an effective legal mechanism for the Vietnam Fatherland Front to exercise its supervision and social criticism rights. Therefore, any improvement in the legal provisions to ensure the participation of the Front in supervision and social criticism is absolutely required. Specifically, the development and improvement of legal provisions on supervision and social criticism must focus on the following main contents.

First of all, the development of legal regulations as a basic element for strengthening the legal mechanism is required to ensure that the people check and supervise the activities of officials, public servants and organizations, the state as well as conducting the social criticism of the process of building, planning the Party's guidelines, lines and the State's policies and laws on the basis of thoroughly grasping the Party's viewpoint on democracy the expansion and facilitation so that people can participate in social management, discuss and decide important issues, strengthen their

supervision activity as well. At the same time, it is necessary to uphold the supremacy of the Constitution and ensure the implementation of principles that the state power is united, but there is a division and co-ordination among agencies in exercising that state power to develop effective monitoring institutions, avoid overlapping functions and tasks, ensure consistency in an effective legal framework for the people to exercise their supervisory rights and social justice.

Secondly, it is crucial to focus on reviewing the provisions on supervision by the Vietnam Fatherland Front, mass organizations in relevant legal documents to eliminate any overlapping, duplication, conflict or unspecific and unworkable rules in the laws on organization and operation of the Front, socio-political organizations such as the Law on Vietnam Fatherland Front, Trade Union Law, Youth Law, etc. In addition, functions, competence, order, procedures and legal consequences of the supervision and social criticism of the Vietnam Fatherland Front with respect to the activities of agencies, cadres and public servants must be detailed as provided in the laws such as the Law on Anti-Corruption, Law on Thrift Practice and Waste Combat, Law on Complaints and Denunciations, etc.

Thirdly, the promulgation of a number of laws, first of all "Law on People's supervision", which mainly regulates supervision and social criticism activities of the VFF, must be carefully studied. This law shall stipulate fully and clearly the contents, forms of the Front's supervision activity. At the same time, it shall specify certain responsibilities of state agencies for any requests on supervision made by the Front as well as necessary conditions for exercising the supervision rights and responsibilities of the Front. The provisions of law are important legal foundations for the effective and efficient implementation of the Front's supervisory role with respect to the activities of state agencies, people-elected representatives and cadres and public servants to strengthen the Party's leadership over the State and promote the people's mastery over the Front.

Fourthly, the formulation and promulgation of the Law on access to information, which stipulates any management issues in need of disclosure and transparency in the state administrative activities in the direction of democracy, transparency and, especially, renovation of operation of the state administrative apparatus from the central to grassroots level should be taken into consideration. Due to the fact that it is difficult to get access to information held by government agencies, including the requirements within supervision and social criticism activities of the VFF, there is a great deal of information on the operation of the administrative agencies that has not been publicly and explicitly disclosed, most particularly in the field of land, compensation and land clearance projects, etc. Non-access to information may lead to the formalism in the supervision and social criticism activities. In order to do well with the supervision mission, the VFF has to be very proactive in approaching and

capturing information. Information publicity and transparency are considered effective in enhancing the quality of the VFF's supervision and social criticism with respect to any legal policies and operations of public administrations, contributing to the development of a strong, clean government, which wholeheartedly serves the people.

Fifthly, the coordination between people's supervision, through the activities of Vietnam Fatherland Front, its member organizations as well as the People's Inspection Boards, and the supervision of Government Inspection Boards, inspection activity of the Party, and supreme supervision activity of the National Assembly must be considerably strengthened. In particular, attention should be paid to the coordination between the people's supervision and the supreme supervision activity of the National Assembly. Because the supreme supervision activity of the National Assembly is the highest state power monitoring activity; as a result, when combined with the direct supervision by the people (supervision), a legal mechanism will be created to ensure the people's supervision effectiveness.

As for the social criticism of the Vietnam Fatherland Front, the following points should be noted:

Firstly, content of social criticism. Not all the guidelines and policies of the Party and the laws of the State and Vietnam Fatherland Front are under criticism; instead, only the guidelines, policies and laws related to the rights, obligations and legitimate interests of the people, the apparatus organization and key personnel in the political system, specific policies for people from all walks of life, classes, ethnic groups, religions and Vietnamese residing abroad; rights and responsibilities of the Vietnam Fatherland Front; specific plans, programs and policies on socio-economic, security, defense and foreign affairs are within the scope of criticism.

Secondly, the subjects of social criticism are any agencies and organizations of the Party, the State agencies at the central and local levels that are competent to formulate projects. The timing of social criticism begins from the launch of relevant projects.

Thirdly, the Vietnam Fatherland Front Committee and its member organizations, under the role of social criticism subjects, shall have the right and responsibility to propose the competent agencies or organizations that are competent to elaborate projects to submit any project initiation documents, schemes and scheme drafts to the VFF and concerned agencies, organizations for further for study, organization of social criticism, sending criticism results; then the agencies and organizations that are competent to formulate projects or schemes must reply in writing on the receipt of criticism from the Vietnam Fatherland Front and its concerned member organizations. In case the agencies or organizations under criticism reject not to accept the results, they deserve the rights to send any

complaints to the direct superior agencies or organizations or competent agencies for consideration and decision. They shall be ensured necessary conditions for conducting the criticism and take responsibility before the people for their objection contents.

Fourthly, the agencies or organizations under criticism shall have the right and responsibility to request the Vietnam Fatherland Front and its member organizations to criticize of any projects or schemes under its authority of development and promulgation at the time of initiating the projects or schemes; receive all the results of criticism, accept or refuse each content of criticism and then reply in writing to the criticism subjects; and exchange with the criticism subjects on the contents and recommendations in case the clarification is required; supply adequate information and documents related to the criticism contents of the projects or schemes at the request of the criticism subjects when conducting the criticism and funding for the criticism implementation.

4.7.2 To renovate the organization and operation of Vietnam Fatherland Front in order to meet the requirements of enhancing the effectiveness of supervision and social criticism in the state administrative management.

To raise the responsibility of the Vietnam Fatherland Front and socio-political organizations in the work of supervision and social criticism.

Supervision and social criticism are considered sensitive and hard tasks, but they are one of the areas clearly demonstrating the responsibility of Vietnam Fatherland Front before the Party and the people. To make these activities become effective, the Vietnam Fatherland Front must constantly renew its awareness, enhance awareness integration in the entire system of the Vietnam Fatherland Front on the role and significance of supervision and social criticism; raise the sense of responsibility and qualifications and capacity of the Front that act as subjects of supervision and social criticism.

The Vietnam Fatherland Front Committee at all levels should determine the work of supervision and social criticism as an important, long-term and regular task they must be in charge. Every year, there must be a detailed and specific program and plan on the basis of adhering to the leadership of the Party Committee attached to the implementation of political tasks in the locality and at the same time grasping the commitment, aspirations and urgent matters around the recommendations of the people. Supervision and social criticism activities must be implemented in a non-formal, effective and practical manner.

The Vietnam Fatherland Front shall have to build up the Party and the State and give their opinions to the Party and the State in an active manner since the making, deciding and implementing relevant

guidelines, policies, and laws, and promote the role of social criticism on these guidelines, policies and laws. The Front should focus on doing the right things with its functions, the things that only the Front has real strengths and can do well, so that it cannot be subject to dispersed force or coincident with the activities of other organizations. In order to do that, the Vietnam Fatherland Front needs to work in line with its nature, position, principle of operation, avoid any administrative and bureaucratic situation. The organization of activities, contact with the people, reflection of thoughts, aspirations, proposals of the people, development of the organizational apparatus, improvement in the style of work, meetings, organization of budget allocation, etc., should not be held in a mechanical, stereotyped manner, but must match the characteristics of the organization and operation of the Front.

To renovate any coordination method of the Vietnam Fatherland Front Committee in the supervision and social criticism

It is necessary to legalize the relationship between the Vietnam Fatherland Front Committee and its member organizations and among its member organizations in negotiating and coordinating their actions to carry out the duties of the Party, Vietnam Fatherland Front, including the coordination for further implementation of supervision and social criticism. The Vietnam Fatherland Front needs to strengthen its coordination with socio-political organizations and agencies that have functions of supervision, inspection and examination to exercise the supervisory rights. At the same time, the Front's cadres, socio-political organizations need to be more closely involved with the people, union members and associates in order to listen to their various opinions for activities of State agencies, people-elected representatives and State officials and employees.

In coordinating the supervision and social criticism of the Vietnam Fatherland Front and its member organizations, the Vietnam Fatherland Front Committee will assume the lead role and coordinate the participation of all member organizations in case of any major issues related to the rights and obligations of the people of all strata. Special issues related to the functions and tasks of any socio-political organization shall be taken by the relevant organization or the Vietnam Fatherland Front Committee and other member organizations at the request. However, the supervision and social criticism must be carried out research, selected and identified its focus, central point, with the avoidance of rampant performance.

Power and strength of the people are infinite. The Vietnam Fatherland Front and socio-political organizations need to renew the mobilization and gathering methods so as to mobilize and organize the joint participation of the people, Vietnam Fatherland Front and socio-political organization in

the course of supervision and social criticism on development and implementation of the Party's guidelines and lines, the State's policies and laws. In case this issue is well implemented, the quality and effectiveness of method renovation will be guaranteed.

To improve the quality of Vietnam Fatherland Front's cadres at all levels

Human resources for social criticism should be ensured and specified in the regulations. It is necessary to ensure financial and material conditions for the implementation of supervision and social criticism; have suitable remuneration regime to encourage the Front's cadres. The Front should build up a core group of people who are truly virtuous, talented, courageous, and ready to conduct the supervision and social criticism in a breakthrough and pioneering manner by the following measures:

Develop the necessary number of Front's cadres and proper structure at the specialized agencies of Vietnam Fatherland Front at all levels. The lack of staff may have a significant impact on the quality and effectiveness of the VFF. Staffing of VFFs at all levels are too few compared to the assigned tasks. Most of the Front's cadres have to hold many jobs at the same time (in some places, the vice chairman of the VFF at district and communal levels are a leader, a clerk and a professional official as well) and could not fulfil their activities whereby the supervision and social criticism activities, in fact, always require a constant, continuous progress.

Especially in the administrative reform process, including piloting the non-organization of district-level People's Councils, the role of the people's representative body exercising the supervision and social criticism rights with respect to the government, public servants raises an urgent question. Therefore, it is necessary to strengthen the supervision and social criticism activities at the district level.

However, in the context of general staffing reduction of the whole political system, it is impossible to increase the number of staffs to meet the requirements of the tasks, but to have to arrange and develop rational structure while enhancing the quality and capacity of the staff under the guideline of quality assurance.

It is crucial to build a system of standards for Front's cadres, raise the qualifications of the Front's leaders at all levels, adopt policies for training, fostering and attracting capable and qualified cadres. For the Front's leaders at all levels, they must be able to grasp the practical situation, as well as ability to organize the coordination of action. For grassroots level cadres, they must be able to mobilize the masses, and propagate as well. Especially for legal democrats, they are required to

have professional knowledge in law and social prestige in order to gather and build the Front's cadres with expertise in supervision and social criticism.

In addition, in the process of implementing e-Government, the Vietnam Fatherland Front must enhance the skills of using information technology for its cadres, especially young cadres, in order to catch up with activities in the state administrative agencies, facilitate the supervision and social criticism at an effective and frequent manner.

It is necessary to bring into full play the potentials of large members of the Vietnam Fatherland Front, of typical individuals, Advisory Councils of the Vietnam Fatherland Front (at present, the Vietnam Fatherland Front Central Committee consists of 8 Advisory Councils in the fields of economy, culture, society, science and education and foreign affairs), collaborators and union members, experts in these fields. At the same time, through the activities of the Front and its member organizations, the Vietnam Fatherland Front regularly gathers various opinions, proposals and recommendations of voters and people from all walks of life, social material as extremely rich source of information in both theory and practice to have a basis for criticism.

The collaborators of the Vietnam Fatherland Front have been experts in many fields in the current time. Strengthening the construction and expansion of collaborators with rich health, enthusiasm and responsibility for each task and event assigned is a long-term and indispensable requirement in undertaking the cutting down policy of the Party and State.

To ensure the organizational and financial autonomy of the Vietnam Fatherland Front when conducting supervision and social criticism in the state administration

It is recognized by the Constitution and laws that the Vietnam Fatherland Front acts as a part of the political system of the Socialist Republic of Vietnam, that is, it has an independent political position, separate functions and organizations with other members of this political system. However, its position in the reality fails to show this independence nature. These results from the fact that the arrangement, organizational structure of specialized agency, the whole staffs of specialized agencies at all levels, even leaders of the Front at all levels are regulated, decided or introduced by the Party. The admission of some social organizations, adjustments within the organization, apparatus and sources of salary, allowances and policies to the VFF are managed by the State. Due to these reasons, the organization and operation of the VFF in the past few years have not escaped the administrativeization situation, leading to the supervisory conditions of the supervisor are being decided by the object under supervision, causing lots of difficulties in implementing the actual activities.

In order to ensure that the supervision and criticism of the Vietnam Fatherland Front to the state agencies is effective and objective, any changes in the financial mechanism should be taken into consideration. The operating budget of the Vietnam Fatherland Front and the unions should be considered and decided by the National Assembly instead of the Government.

5. Conclusions

5.1 Results achieved

Supervision and social criticism are new guidelines of the Communist Party of Vietnam to build and gradually perfect the socialist democracy, and ensure the power to the people as well. They are important and indispensable tools to drive to the goal of building a democratic society. Despite being no longer new in the world, they are still relatively new issues in Vietnam. Although the social criticism issue has been mentioned and discussed recently, there are not any basic reasoning behind this activity as a basis for understanding and implementation. Theoretical issues of supervision and social criticism, supervision and social criticism quality of VFF in this topic are only minor contributions, contributing to the perception and development of theoretical systems on supervision and social criticism activities and relevant quality of Vietnam Fatherland Front.

The thesis is one of the first research projects to thoroughly study the supervision and social criticism functions of the Vietnam Fatherland Front under the new regulations institutionalized in the 2013 Constitution and 2015 Law on Vietnam Fatherland Front. This can be seen very clearly in the course of summarizing topics, articles of the previous period as well as assessment of current situation and results of these activities. Unlike the topics, articles in scientific journals about Vietnam Fatherland Front, the thesis is driven to focusing on analysis and specific research on the supervision and social criticism, known as one of the basic and most important functions of the Vietnam Fatherland Front. With such research purposes, the author focuses on analyzing the Party's lines, policies and laws on supervision and social criticism of the Vietnam Fatherland Front. The research results of this thesis are able to partly reflect the importance of Vietnam Fatherland Front in carrying out its role in the current period. It can be said that there are new points with much improvements, effectiveness in the current supervision and criticism functions of Vietnam Fatherland Front compared with those in the period before the 2013 Constitution and 2015 Law on Vietnam Fatherland Front, that are reflected in practical implementation by the Vietnam Fatherland Front since the institutionalization of the Constitution and the law.

In terms of research scope, it is impossible for the author to cover all the functions of the Vietnam Fatherland Front but focus on the supervision and social criticism functions only to evaluate the effectiveness of these functions in the State management operations. For the purpose of this thesis is to study theoretical and practical issues to assess the roles of Front in the State administrative management, there are certain research questions set out as follows: (1) What role does the Vietnam Fatherland Front play in the state administration? (2) What are the actual results of supervision and

social criticism of the Vietnam Fatherland Front, as well as any constraints, difficulties and possible reasons behind? What methods can be used to identify these results? (3) What content and suggestions should be proposed in order to strengthen supervision and social criticism functions of Vietnam Fatherland Front in the current period?

Through research, review, analysis and evaluation, the author identifies a number of scientific considerations to answer these research questions, specifically:

Firstly, the supervision and social criticism are important roles of the Vietnam Fatherland Front in the State administration. With position and roles of the Vietnam Fatherland Front in the political system, with the rights and responsibilities of the Front as stipulated in the regulations of the Party, the Constitution, the Law on Vietnam Fatherland Front and normative legal document system of the State, the Front should perform its tasks effectively towards building a democratic society. With the responsibility to represent and protect the legal and legitimate interests of the people, to express the voice of the people for further reflection to the Party and the State, the supervision and social criticism functions of the Front should be seen taken seriously and implemented in accordance with processes and procedures prescribed by law. The activities of state agencies and officials performing their duties in state agencies shall be carried out in accordance with the relevant legal documents. In fact; however, some state agencies still have many constraints when carrying out management activities, many government officials still have a strong sense of power, even some people show their indifferent attitude toward the people, without expressing “public servants” of the people, so it is necessary to have organizations that control power, and monitor activities in public agencies as well. In the study, there is a clear analysis section on the Front’s supervision and social criticism functions and it must be confirmed that these functions play an absolutely important role in the State administration.

Secondly, the author focuses on analyzing the current situation of the Front’s supervision and social criticism functions, focusing on the establishment of the 2013 Constitution and 2015 Law on Vietnam Fatherland Front. By reviewing materials, researching, evaluating, analyzing reports, data and conducting interviews, the author presents a “picture” of the Vietnamese Fatherland Front’s supervision and social criticism activities in the State administration. From stating the concepts, characteristics, scope and form of implementing process of supervision and social criticism of the Front in specific aspects and fields, it is possible for the author to assess these functions of the Vietnam Fatherland Front comprehensively. With careful collection and evaluation of local reports, these supervision and social criticism activities can be assessed and judged comprehensively. The practice of supervision and social criticism over the past years are certainly assessed, although this

is only the first step taken with the new constitution of the 2013 Constitution and 2015 Law on Vietnam Fatherland Front. It can be seen that the supervision and social criticism of Vietnam Fatherland Front has gradually been implemented according to a specific process, with significant progress compared to the previous period. The Front's supervision and social criticism activities have been centered, carried out independently and formally; with findings, recommendations of the Front through the supervision activities, the state apparatus is able to operate in serious and responsible manner; policies and laws of the State, with great participation by the Front, are more and more feasible and excellent. Through the Front's supervision activity, the government agencies is able to timely correct, better perform the responsibilities and obligations assigned; detect shortcomings and inadequacies of the implementation process so as to make recommendation to the State with respect to any amendments and supplements to policies and laws accordingly. With the Front's social criticism activity, the law-making agencies is greatly supported to revise, supplement and finalize the articles before promulgation, and ensure feasibility in the formulation of laws and policies. The supervision and social criticism activities make great contributions to the development of a clean and efficient state administrative apparatus, and ensures democracy and builds a suitable legal system to meet the requirements at the same time. Once again, it is possible to confirm the importance of supervision and criticism in Vietnam's administrative management.

Thirdly, through the assessment of current situation, the author can point out limitations and inadequacies in the current supervision and social criticism of the Front and propose solutions for further improvements in the institution with directions to the new spirit and contents of the 2013 Constitution and 2015 Law on Vietnam Fatherland Front. The implementation of supervision and social criticism of the Vietnam Fatherland Front has not really been in close cooperation with some state management agencies. This derives from wrong perception and failure to understand the nature of the Front's supervision and social criticism which is to make suggestions. Moreover, there still have certain problems in the course of implementing supervision function of the Front due to lack of specific regulations on responsibilities of State agencies in resolving and responding to findings and recommendations of the Front and responsibility for meeting the necessary conditions for the Front's supervision activity. These are also direct causes of the embarrassment and obstacles in the implementation of supervision activities of the Vietnam Fatherland Front at all levels. Through the assessment of current situation of supervision activity, it is found that the Front is still limited with uneven and fragile participation of personnel, leading to ineffective and formal supervision and social criticism. Therefore, in order to effectively carry out these functions, the Front staff themselves must be trained both basically and comprehensively to perform this function.

From understanding the inadequacies and analyzing some causes leading to the limitations, the author proposes some solutions and recommendations to the Front for better implementation of supervision and social criticism functions.

5.2 Limitations

Firstly, it is difficult to find out international research projects related to the subject matter.

While conducting the research, the author focuses on searching supervision and social criticism models in the political system of countries around the world. The supervision and democratic criticism issues in countries around the world are mainly carried out through mass media such as the press, television or civil society organizations rather than establishing an official institution in the national political system with particular function. A similar institution exists only in the countries applying the socialist model. The establishment of an institution within the national political system with supervision and social criticism functions only exists in a few countries according to the socialist models such as China, Laos, and Korea. However, there are few studies and documents written in English by the above-mentioned countries on this issue that are difficult to access. Thus, the author has many difficulties in accessing international research topics related to the subject of the thesis.

Thus, there are few research projects on institutional models similar to that of Vietnam Fatherland Front, because of unique features of the Front, which is distinct from the supervision or criticism of other countries in the world. It is found by the author when reviewing the literature review for further study that domestic papers are only dealt with the Front's supervision and social criticism functions in Vietnam, with few analysis and comparison with those of similar institutions in the political system of countries around the world, especially those with similar political systems to Vietnam. Thus, the subject matter in this thesis is also a relatively new compared to the domestic research projects on the Front. However, due to the above difficulties, the comprehensive approach to the subject matter, especially international research, is as not as expected by the author. This is also a weak point of the thesis.

Secondly, the author has difficulty in language barriers. As mentioned above, the relevant international documents of countries such as China, Laos, Korea, etc., having similar models to Vietnam Fatherland Front in the political system are mainly written by local languages. Therefore, the author has almost no access available to these studies. In addition, English is also the second language of the author, so the expression of opinions, analysis, ideas are somewhat limited, not totally effective as desired.

Thirdly, it is hard to synthesize and analyze regulations in the legislation on Vietnam Fatherland Front.

Although supervision and social criticism functions of the Front are stipulated in the 2013 Constitution, especially stipulated in the 2015 Law on Vietnam Fatherland Front, these functions are still scattered in various specialized legal documents. Therefore, reviewing and codifying related documents on these functions takes quite a long time. However, the author makes the best efforts to carefully review such regulations in the relevant specialized laws for logical systematization, analysis, integration and quotation.

Fourthly, choosing research method is also an issue that needs to be paid much attention. As analyzed in the research methodology section, the choice of quantitative research method to implement the topic is relatively infeasible for comprehensive analysis of supervision and social criticism functions of the Front. On the other hand, for the use of research method in the form of interview, the author wishes to design a set of questionnaires with criteria and levels of evaluation of effectiveness, quality of functions at first. In the implementation process; however, there are some difficult issues arising such as: setting quality criteria for these functions is unspecific, interviewees are expected at different levels, many people are not highly aware and know about these functions of the Front, so the wide interview will fail to give any objective assessments, then things will become more difficult when the people's failure to understand may lead to ineffective cooperation, or inaccurate evaluation. So, the author changes to in-depth interview method with experts, collaborators, researchers, experienced people, lawyers, who have clear understanding about the Front, its position and roles and invited by the Front to implement relevant supervision and criticism activities. The questions set out are both specific and suggestive to use for each person. The interviews actually bring lots of results of high quality, good information, even some recommendations of experts which help the author to have an objective view in the research.

5.3 New points of thesis

The thesis is driven to study and assess the supervision and criticism functions of Vietnam Fatherland Front in the State administration. Thus, in comparison with the previous studies that mainly studied either in supervision or in social criticism of the Front in general, this thesis is focused on both aspects; in particular, study any impact of these functions on the State administrative management.

With the scope of studying and assessing the Front's supervision and social criticism functions, the thesis provides an overview of the formation and development of the Front's supervision and social

criticism functions in our country; especially after the 2013 Constitution of Vietnam and the Law on Vietnam Fatherland Front is in force. Previous studies have assessed the supervision and criticism functions of the Vietnam Fatherland Front in the previous period, when these functions have been changed fundamentally since the amendment and issue of the 2013 Constitution of Vietnam and the 2015 Law on Vietnam Fatherland Front.

The thesis clarifies the concepts, characteristics, roles, contents and form of supervision and social criticism functions of the Vietnam Fatherland Front, assesses the current situation of the Front's supervision and social criticism in the State administrative management and specifies the limitations and inadequacies in the implementation, then puts forward a number of solutions and recommendations to improve the quality of supervision and social criticism. The thesis supplements, builds up the theoretical foundation on supervision and social criticism of the Front for the State administrative management in a comprehensive, systematic and scientific manner. The research results contributes a small part to the theory and practice, suggests further research on other functions and duties of the Front. It is also a reliable and necessary reference source for scientific research for subsequent research.

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7. Appendices

Appendix 1: Table summarizing of results of social supervision and social criticism of the Vietnam Fatherland Front

(Attachment of Reports in the period of 3 years on implementing Decision No. 217-QĐ/TW,

December 12, 2013 of the Politburo on promulgating Regulations on supervision and social criticism of the Vietnam Fatherland Front)

No.	Provinces and cities	Total number of supervisors			Total number of social criticism conferences		
		2014	2015	2016	2014	2015	2016
1	An Giang	3	2	5	3	5	1
2	Bà Rịa Vũng Tàu	0	1	1	16	7	20
3	Bắc Cạn	1	2	2	10	15	34
4	Bắc Giang	2	2	4	0	2	1
5	Bạc Liêu	2	3	4	2	4	5
6	Bắc Ninh	1	2	2	3	6	7
7	Bến Tre	5	11	12	0	0	5
8	Bình Định	0	3	5	2	3	5
9	Bình Dương	0	3	2	0	2	2
10	Bình Phước	4	4	5	0	0	2
11	Bình Thuận	0	4	2	0	0	0
12	Cà Mau	0	6	36	0	0	0
13	Cần Thơ	8	4	31	10	14	5
14	Cao Bằng	1	2	0	0	0	1
15	Đà Nẵng	9	4	4	1	1	0

16	Đắk Lắk	0	1	3	1	0	0
17	Đắk Nông	3	2	8	8	7	5
18	Điện Biên	0	0	3	11	19	7
19	Đồng Nai	0	8	9	0	0	0
20	Đồng Tháp	1	2	2	2	3	4
21	Gia Lai	0	4	4	2	1	1
22	Hà Giang	0	3	15	0	6	4
23	Hà Nam	1	1	2	1	1	2
24	Hà Nội	4	7	10	2	4	4
25	Hà Tĩnh	3	2	2	1	1	2
26	Hải Dương	18	20	12	3	0	0
27	Hải Phòng	0	4	2	0	1	3
28	Hậu Giang	8	8	24	4	9	16
29	Hồ Chí Minh	9	11	12	1	4	3
30	Hoà Bình	2	2	4	36	14	11
31	Hưng Yên	1	2	2	1	2	5
32	Khánh Hoà	1	1	2	2	3	2
33	Kiên Giang	0	2	3	0	2	0
34	Kon Tum	0	1	3	2	2	2
35	Lai Châu	0	1	1	2	0	3
36	Lâm Đồng	2	2	3	1	3	1
37	Lạng Sơn	0	4	3	0	1	2
38	Lào Cai	0	3	2	0	3	2
39	Long An	1	2	3	0	0	0
40	Nam Định	1	1	1	0	0	0

41	Nghệ An	3	2	1	0	1	2
42	Ninh Bình	4	2	10	8	12	15
43	Ninh Thuận	0	2	3	0	0	0
44	Phú Thọ	3	2	1	0	2	3
45	Phú Yên	1	2	3	0	2	1
46	Quảng Bình	1	2	4	5	6	6
47	Quảng Nam	3	3	4	9	12	8
48	Quảng Ngãi	0	2	1	0	4	10
49	Quảng Ninh	8	5	5	0	1	1
50	Quảng Trị	0	3	4	5	20	70
51	Sóc Trăng	4	2	2	0	0	3
52	Sơn La	2	1	3	8	15	14
53	Tây Ninh	0	1	3	0	0	2
54	Thái Bình	1	3	2	1	1	2
55	Thái Nguyên	0	2	2	6	8	7
56	Thanh Hoá	4	5	5	1	2	3
57	Thừa Thiên Huế	2	3	6	6	5	7
58	Tiền Giang	1	2	1	5	4	5
59	Trà Vinh	1	4	3	0	2	1
60	Tuyên Quang	1	1	3	0	0	0
61	Vĩnh Long	1	3	3	3	2	1
62	Vĩnh Phúc	1	7	7	0	3	5
63	Yên Bái	2	3	13	1	2	5
	Total	134	209	339	185	249	338

Appendix 2: List of Interviewees

NO.	FULL NAME	POSITION, WORKPLACE
GROUP 1: LECTURERS, THEORETICAL RESEARCHERS ON THE STATE AND THE LAW		
1.	Prof. Dr. Tran Ngoc Duong	Prof. Dr. of Legal Studies, Vice Chairman of the National Assembly Office cum Chairman Assistant of the National Assembly at X th , XI th , XII th sessions; Chairman Advisory of the National Assembly
2.	Assoc. Prof. Dr. Quach Sy Hung	Assoc. Prof., Dr. Senior Lecturer of the Institute of State and Law of the Ho Chi Minh National Academy of Politics
3.	Prof. Dr. Nguyen Dang Dung	Lecturer of Faculty of Law, Vietnam National University
4.	Assoc. Prof. Dr. Bui Xuan Duc	Assoc. Prof. Dr. of Law, Lecturer of Faculty of Law, Vietnam National University
5.	Prof. Dr.Sc. Dao Tri Uc	President of IPL Council, Senior Lecturer of Lecturer of Faculty of Law, Vietnam National University
6.	Prof. Dr. Le Hong Hanh	Editor-in-Chief of Journal of Law and Development, Head of ASEAN Law and Economics Institute.
7.	Prof. Dr. Thai Vinh Thang	Dean of Faculty of Administration, Hanoi Law University
8.	Assoc. Prof. Dr. Pham Huu Nghi	Former editor-in-chief of Journal of State and Law - Social Sciences Research Institute.

GROUP 2: LEGAL MAKING EXPERTS

9.	Prof. Dr. Nguyen Ngoc Hoa	Former Deputy Rector of Hanoi Law University
10.	Dr. Nguyen Van Thuan	Chairman of the XII th National Assembly Law Committee
11.	Dr. Trinh Tien Viet	Deputy Dean of Faculty of Law, Vietnam National University, Hanoi
12.	Prof. Dr.Sc. Le Cam	Faculty of Law, Vietnam National University, Hanoi
13.	MA. Vu Van Huan	Deputy Head of the Secretariat Division, Journal of Legislative Studies
14.	Dr. Luu Binh Nhuong	Member of XIV th National Assembly, Central Steering Committee for Judicial Reform
15.	Assoc. Prof. Dr. Truong Thi Hong Ha	Office of the Central Steering Committee for Judicial Reform
16.	Lawyer Nguyen Van Chien	Member of XIV th National Assembly, Deputy Chairman of Vietnam Bar Federation
17.	Ms. Nguyen Thanh Cam	Chairman of the Law and Policy Committee, Central Vietnam Women's Union
18.	Dr. Nguyen Van Tuan	Deputy Director of the Law Research and Development Department Vietnam Lawyers Association
19.	Assoc. Prof. Dr. Cao Thi Oanh	Lecturer of Hanoi Law University
20.	MA. Dinh The Hung	Head of Criminal Law Department, Institute of State and Law
21.	Assoc. Prof. Dr. Ngo Huy Cuong	Faculty of Law, Vietnam National University
22.	Dr. Nguyen Dinh Quyen	Head of Legislative Studies Institute - Standing Committee of the National Assembly.
23.	Prof. Dr. Phan Trung Ly	Former Chairman of the National Assembly Law Committee
24.	Assoc. Prof. Dr. Vu Duc Khien	Former Member of the Standing Committee of the National Assembly

GROUP 3: PEOPLE WITH PRACTICAL EXPERIENCE

25.	Lawyer Tran Huu Huynh	Member of the Advisory Council for Democracy and Law, Chairman of the Vietnam International Arbitration Center, Member of the Executive Committee of Vietnam Lawyers Association
26.	Lawyer Do Duy Thuong	Former Vice Chairman of the Vietnam Fatherland Front Central Committee, Deputy Chairman of the Advisory Council for Democracy and Law
27.	Mr. Vu Trong Kim	Former Vice Chairman - Secretary General of Vietnam Fatherland Front Central Committee, Member of the XIV th National Assembly
28.	Mr. Nguyen Ngoc Dinh	Former Chairman of the Democratic-Law Committee, Vietnam Fatherland Front Central Committee
29.	Mr. Pham Van Thao	Former Chairman of Vietnam Fatherland Front Central Committee of Hanoi City, Member of the Advisory Council for Democracy and Law
30.	Lawyer Nguyen Huu Danh	Former Chairman of the Democratic-Law Committee, Vietnam Fatherland Front of Ho Chi Minh City; Lawyer of Law firm Danh and partners.

Appendix3: List of criticism conferences of the Central Committee of the Vietnam Fatherland Front on some projects of Legal documents

No.	Name of Project of Legal documents	Time	Place
1.	Project of Law on amending and supplementing a Number of Articles of the Competitive Law	12 th , March 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
2.	Project of The Law Amending and Supplementing a Number of Articles of the Law on Public Debt Management	25 th , April 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
3.	Project of Law on state secrets protection	10 th , May 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
4.	Project of Law on amending and supplementing a Number of Articles of the Penal Code	5 th , July 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
5.	Project of Politburo of the Communist Party on building supervision mechanism of the Vietnam Fatherland Front, social – political organizations and the citizens about cultivating and training the moral character of the leaders and party members.	15 th , August 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
6.	Project of The Law Amending and Supplementing a Number of Articles of the Anti-Corruption Law	25 th , August 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
7.	Project of The Law Amending and Supplementing a Number of Articles of the Law on Legal aid	10 th , September 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
8.	Project of Planning Law	15 th , September 2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang

			Thi Street, Hanoi
9.	Project of The Law Amending and Supplementing a Number of Articles of the Labour Code	12 th , October2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi
10.	Project of The Law Amending and Supplementing a Number of Articles of the Law on Denunciations	20 th , October2017	The Central Committee of the Vietnam Fatherland Front, No. 46, Trang Thi Street, Hanoi

