

THE FIRST ANNUAL CONFERENCE

**THE ROLE OF THE CIVIL SOCIETY
ORGANIZATIONS IN THE SOCIAL,
ECONOMIC, AND CULTURAL
DEVELOPMENT**

HANOI, APRIL 2016

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FOREWORD

This first annual conference on “The Role of Civil Society Organizations in the Social, Economic, and Cultural Development” was held in Hanoi on 14 and 15 April 2016. Many new and important studies on Vietnamese civil society were presented. The conference also welcomed fascinating discussion by around 130 participants. With the purposes to archiving for later implementation of this valuable discussion, the Organizing Board has produced this report for your reference.

The contributions of presenters and participants are sorted into relevant topics with the view that the readers may follow actual agenda of the conference. Furthermore, due to our limited time and resources, we concede all shortcomings and omissions that this report may contain. We extend our apologies for these shortcomings, but nevertheless express our highest gratitude to all the presenters and participants for their contributions to the discussions.

Once again, the Organizing Board would like to thank all the presenters and participants for their enthusiasm, diligence, and openness during the conference.

On behalf of the Organizing Board

Le Quang Binh

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This report and opinions extended therein do not necessarily represent the official views of Oxfam in Vietnam, the Embassy of the Kingdom of Belgium, and Irish Aid.

EXECUTIVE SUMMARY

This first annual conference on “The Role of Civil Society Organizations in the Social, Economic, and Cultural Development” was held in Hanoi. There were 5 discussion sessions, 10 presentations and 4 panel discussions during the conference. Various topics ranging from theories on the relationship between States and civil society (CS), different schools on civil society analysis to other issues on roles, resources, and spaces were discussed. Key notes are highlighted below.

First, does civil society require recognition and by whom? There exists a hesitation among CS organizations in Vietnam about their own legitimacy because the concept is “not yet recognized” by the states – that means, there is no legal definition on the concept of CS in Vietnam. However, the discussions suggest that the existence of CS along with state and market is indispensable. Therefore, the development of CS is not dictated by the recognition (by law) of the state, but is mobilized by the acknowledgment of a society which embraces pluralism and public debates. This acknowledgment shall be the stepping stone for CS to develop. As a result, CS is not only the driving force for an open legal framework which respects freedom of assembly and association but also for a society of pluralism and diversity respect.

Second, is it necessary to continue the debate on who “real” CSOs are? This debate exists not only between non-governmental organizations (NGO) and mass organizations (Fatherland Front, Women’s Union, Farmer’s

Union...) but also emerges between NGOs and other unregistered and independent organizations (U&I). The underlying question is not easily addressed by mere application of the structural approach. Rather, a social criticism approach should provide a more satisfied response, especially when each organization will be analyzed through its own function. Alternatively speaking, the underlying question should be revamped from “who is who” into “who does what”.

Third, the relationship between the States and each civil society actor, in several countries, including Vietnam, is not identical. Alternatively speaking, each civil society actor enjoys its respective relationship with the State. As an example, organizations which provide service have a tendency to cooperate with the State. Advocacy groups or social monitoring groups tend to converse more easily with the power that be. International organizations enjoy relationships beyond that with the State. As a result, attempting to define a uniformed relationship between civil society actors and the State is pointless.

Fourth, cooperation and collaborating with the State is necessary in the policy advocacy, resource provision and power check. However, CS organizations are welcomed to create their own spaces, which are genuinely free, democratic and respect equality, justice, and dignity. These spaces will serve as stepping stones for the development of the civil society.

Fifth, research, teaching and public discussion on CS is still limited in Vietnam. The lack of these activities generates misunderstanding at best, and prejudices and fears at worst, among the CS, State authorities, and the people. Without thorough studies and meaningful discussions, there will distort action and negative attitudes towards CS, and as a consequence,

jeopardize social development. This first annual conference embraces an ambition to incentivize more professional and thorough studies on CS.

Sixth, discussion on religions and religious organizations as part of the CS is extremely scarce. It is undeniable that there is a partial harmony between religious faiths and humanity values that CSOs pursue. However, an invisible wall exists between these two social concepts which need to be breached with the aim to stimulate mutual learning and cooperation.

Seventh, politics is not frequently discussed despite that CS organizations usually involve in political activities, such as defending human rights, environment, anti-corruption, or eliminating social discrimination. This categorical denial of the political nature of CSOs' activities is rooted from the misunderstanding on the meaning of politics, which views politics as State management and power struggle. As a solution, stronger studies on politics are significantly important as it encourages CSOs to deepen their activities and better understand the nature of the relationship between the State, market, and CS.

Eighth, philanthropy is now very popular and operated under voluntary, unregistered and non-entity form. This form is fitted for small-scale and short-term activities. However, in the long run, philanthropy groups are in need of a better guidance on philosophies, standards, and legitimacy.

Ninth, policy and community advocacy, and social activism has been becoming an integral part to CS activities. As such, CSOs are expected to create their own core values, which include leadership, management and coordinating abilities, legitimacy of the participants. In order to achieve these core values, the participants must be instrumental as they are possessing the legitimacy and motivation for the equality and justice promotion.

Tenth, providing community services for general population and underrepresented communities (such as, senior citizens, disabled persons, HIV-infected people) plays a key role in the CS. However, these services require standards accepted and created by both the providers and the beneficiaries. This challenge can only be addressed by Associations as Associations are in the best position to coordinate for this dialogue.

Eleventh, CSO's role as a right defender is natural and necessary.

Defending rights is not necessary only through litigation, but also includes educating and practicing human rights. Additionally, CS is unable to avoid the topic of political and civil rights, such as freedom of assembly, right to information, freedom of speech, as these rights are integral that when any political or civil rights are violated, no other rights can be fulfilled.

Twelfth, that Vietnamese economy is experiencing difficulties and budget deficit has negative effect towards the long-term resources for CS activities. As such, when mass organizations such as Fatherland Front are also subject to huge budget cut, a call for subsidy to CS activities is almost unrealistic. In addition, it is expected that any subsidy from the States for CS activities would compromise the CSOs' independence.

Thirteenth, in the long run, private businesses must be the primary source for CS activities. However, that private businesses are not doing well currently results in a lack of social funding from these actors. Furthermore, private sectors are restrained from working with CSOs as there is a concern that the State would categorized their activities as "collaborating with the oppositions". As a solution, CSO is encouraged to approach foreign-invested enterprises or urban-based businesses as they are more willing to

work with the CSOs.

Fourteenth, people are willing to do charity for poor people, natural disaster victims, or disabled persons. However, general population is holding a negative view on CS activities, attributed to the official discourses and also to the total control of the local governments, which leaves little to no space for CSOs to approach the resources from the people. When this prejudice is overcome, general population will change their habits on charity questions and take more responsibility in more rooted issues.

Fifteenth, social networks are new space and incentivize communications. Social networks provide CSOs with a unique opportunity to reach out to millions of audiences directly. However, CSOs will need to have an effective strategy, plans on resources and technicality in order to communicate well with the internet users. Cooperation with people with expertise and key opinion leaders is necessary to spread out the values CSOs are pursuing.

Sixteenth, the comfort of civil society space will largely depend on the CSOs' capacities. These capacities include those of leadership, management, technicality, and social activism. Therefore, more resources should be focused for enhancing CSOs' capacities, especially the groups whose missions are to enhance freedom, democracy, and tolerance.

Seventeenth, mutual cooperation between different CSOs is significant to achieve a common mission. However, it will require practicing tolerance between CSOs on each other's positions and approaches. Social values must be laid as the key ingredient for the tasks rather than focusing into questions such as "who is who" or "who belongs to what".

1. INTRODUCTION

Although Vietnamese civil society has been co-existing with the State and market since a very long time, the concept is largely under-researched. As a result, there is no theory on the development of civil society in Vietnam, even though there is a high demand on this under the current harmonizing situation. Beside the 2013 Constitution, Vietnam is in the process of drafting many important legislations with an aim to enhance and protect citizens' rights, such as the Law on Associations, Law on Information Access, Law on Demonstration. These legislations would also serve as foundation for the development of civil society.

The People's Participation Working Group (PPWG), The Working Group for Public Administration Reform (GPAR), the Gender and Community Development Network (GENCOMNET) co-hosted this first annual Conference on ““The Role of Civil Society Organizations in the Social, Economic, and Cultural Development” on 14 and 15 April 2016. The conference was held with the purpose to create a learning space for State bodies, civil society actors, and the general population on the nature and roles of civil society in Vietnam. The conference was also to provide fundamental theories for the development of civil society and the creation of legal frameworks on civil society.

The preparation for this first annual conference was kicked off with the foundation of the Organizing Board in December 2015, which contained of representatives from Oxfam, CARE, iSEE, UNDP, CEPEW, and other

individuals with interests. Invitational letters were sent to scholars, researchers, organizations, and individuals calling for papers in January 2016. The Board received 33 abstracts of researches from State bodies, universities, research institutes, non-governmental organizations, and independent researchers. After careful examination, the Board invited 19 researchers to submit the complete papers. The conference agenda was based on these papers as well as other “reserved” papers from special guests.

The conference drew high attraction among academia, university lecturers, press, representatives from local and international NGOs, embassies, and other individuals. The registration platform was closed earlier than the deadline due to high interest from the population. Averagely, there was around 130 participants for each session. The conference was very well received. Specific outcomes are set out below.

2. DISCUSSIONS

COMMENCEMENT

In the commencement, Mr Le Quang Binh – Chairman of PPWG – addressed that Vietnam is facing many development challenges. Natural disasters, such as drought or soil salinity, are major hazards that farmers in Mekong Delta and Central Highlands are facing. In major cities, such as Ho Chi Minh City and Hanoi, pollution is the main issue, reaching the “red alert” level occasionally. Other social issues such as corruption, educational underdevelopment, budget deficit, and governmental debt are pulling the country behind and potentially causes unrests.

The question is whether the State is having exclusive responsibility to solve all these issue and whether the State is capable to execute these responsibilities. As an example, the Minister of Agriculture and Rural Development Cao Duc Phat made a commitments that by the end of 2016, the Ministry would eliminate the using of antibiotics and the trading of hazardous chemicals for agricultural purposes. To implement, the Minister could propose more legislations but it would not absolutely solve the issues. It is unrealistic for the State to attempt controlling millions of households, who keep on using antibiotics and hazardous chemicals everyday. Nor the State could monitor the businesses of millions of vendors or guide the consumers on their daily habits. This is the very reason why not only the State, but also the market and civil society should contribute to resolve the issues, both socially, culturally, and economically. While there has been a score of studies on the roles of market economy and the rule of

law, no studies on civil society have ever been existed. It is essential that Vietnam could balance these three sectors in order to successfully reform institutionally. This motivates PPWG, GPAR and GENCOMNET to co-host this conference, with the hope to provide a momentum for CSO to develop as an important step to accelerate the current democratization and institutional reform of Vietnam.

2.1. Discussion session: Foundational theories of civil society (Facilitator: Dr. Pham Quang Tu)

2.1.1. Presentation

2.1.1.1. Civil society and the State: basic relationship platforms (Presenter: Associate Prof. Dr. Pham Quynh Phuong)

Civil society and the State are two integrated concepts. It is impossible to discuss about the civil society without considering its relationship with the State. Putting another way, the relationship between civil society and the State shall dictate the development and existence of the former.

Theoretically speaking, State is a concept to describe a political institution in a given country. States are class-driven, or in other words, States are always governed by a ruling class. States have the power to legislate, control and enforce laws in a given territory, regardless of the consent of the general population. Civil society is an old, long-time concept, originated from different political ideas. Researchers' view is that in the early stage, the concept of civil society is equivalent to the concept of the State. The distinction between the State and civil society only appeared since the seventeenth century, and developed through the development of trading ports in European countries during the eighteenth century.

Civil society is a concept with diverse interpretations, as follow. First, civil society is understood as an ideal, an opinion that there exists a social-based organization beyond the State control. Second, civil society is understood as a public space protected from the absolute rule of the States and governed freely by individuals. This public space is an interim between the State and citizens, wherein it is autonomous and holds public opinions. This concept is also understood as a confederation of associations and other organizations to achieve common goals. Third, civil society is understood as popular and social movements for a given objective.

On the other hand, civil society, as a concept, is usually theorized around 7 basic factors (Sievers 1999), being: (i) Nonprofit voluntary institutions; (ii) Individual rights; (iii) Common good; (iv) The Rule of Law; (v) Philanthropy; (vi) Free expression; and (vii) Tolerance. Regardless of any difference, various understandings of civil society uniformly revolve around two basic factors: pluralism, and social benefit.

According to Chambers and Kopstein (2008), there are 6 common relations between civil society and the State, being (i) a civil society apart from the State; (ii) a civil society against the State; (iii) a civil society in support of the State; (iv) a civil society in dialogue with the State; (v) a civil society in partnership with State; and (vi) a civil society beyond the State.

Civil society apart from the State is a sphere where citizens independently set out their own public interest and its political agenda is not dictated by any political system. This status of CS is closely linked with the liberal constitutional order. In this relation, 3 features stand out: 1) voluntary nature of participation: autonomy and freedom of choice; 2) plural quality of activities; 3) framing up boundaries for the civil society's objectives, in order to prevent any State's intervention.

Civil society against the State is usually exemplified by the 1989 revolutions that triggered the fall of communism in the Eastern bloc. However, many theorists consider that this contentious civil society against the State existing in post-communist states is not good for a healthy democracy, and that civil society expressing itself in the form of street demonstrations and protests may not necessarily produce political stability or good public policy (Pereira, Maravall, and Przeworski 1993:4). At the same time, some maintain that in a context where conventional democracy institutions are discredited or do not function properly, “opposition” or protests is seen as an effective dialogical medium between the civil society and the State. When protest is widely regarded as normal and legitimate, and when it is routinized and even institutionalized, and free from violence or anti-democratic ideologies, it would become “a sign of democratic vitality or democratic consolidation” (Ekiert and Kubik 1999, 194).

Civil society in support of the State is rooted in the assumption that it is the necessity for stability and a sense of mutual obligations (Eberly 2000, 7-8). This platform emphasizes the citizen’s obligations of the society’s individuals. However, this relation usually results into love/hate dynamic. On the one hand, bearing in mind that viability of liberal democracy depends on the requisite democratic dispositions, civil society’s obligation is to act as a supporting agent to the State. On the other hand, in consideration that the State is a driven hostility to limit the civil society, the hatred against the State occurs. This platform also attracts debates on whether civil society as a “civic school” contradicts the concept that it is a free space. Or whether civil society in a liberal democratic society enables or disables the State. Or what values should be enforced and promoted and how. (Chambers and Kopsteins 2008).

The fourth platform – civil society in dialogue with the State – draws increasingly attractions from the theorists, which creates new insights about the creativeness and possibility to engage in the dialogues with the State by the CS. The dialogues are dictated by a belief that the State might protect and commit to take responsibility for its own action before the public opinions. In this platform, Jürgen Habermas (1996) is well-known for his perspective that CS is a public sphere. According to Habermas, a public sphere is an extension of civil society, where the ideas, interests, values, and ideologies formed within civil society are voiced and made politically effective (Habermas 1996: 367). This perspective transits the debate from a binary opposition where it views CS and the State as two opposing actors into a trinary conception where CS is seen as a third space with the participation of the State and the society (Huang, P. 1993).

The fifth platform – civil society in partnership with the State – is theorized from the viewpoint of power delegation where nation-state is deemed as inadequate at some fronts (Cohen and Rogers 1995; Hirst 1994), and that the State cannot deliver its missions without the help of non-state organizations. Perspective on a transition from a total, distinct, and bureaucratic State to a multilevel, flexible, and empowered governance by other institutions of CS, has been current among sociologist since the 19th and 20th centuries (Cohen and Rogers 1995). It recognizes the multilevel governance (Cohen and Rogers 1995), and believes in that when they can self-regulate, citizens could create a basis for autonomy and self-respect (Habermas 1996). However, that CS is in partnership with the State also contains in itself risks. Because when CS acts and works similarly to a State, the distinction between CS and the State shall become more complicated. It is not because of the State intervention, but because that when CS functions like a State, it would start to act like a State (Chambers and Kopstein 2008).

The sixth platform – civil society beyond the State, or a global civil society – is observed from the fact that an increasing number of associations or international non-governmental organizations outreach beyond the State’s boundaries. Globalization has put a number of issues on top of CS’ agenda (for example, climate change, environment, human rights... etc.), and internet has become an effective tool for social activists to build their own network. There are two notable features in the global civil society, being social movement and NGOs (Keane 2003). Where NGOs are seen as key agents, social movements are regarded as key messengers.

In conclusion, of all relationship platforms – either that CS apart from the State, against the State, support the State, dialogue with the State, or beyond the State – CS is always integrated to the State. As Chambers and Kopstein (2008) affirmed: “Even the most “post-state” conceptions of civil society rely to some extent on freedoms that can only be guaranteed by a State”.

2.1.1.2. Civil society and existing forms of Vietnamese civil society (Presenter: Dr. Bui Hai Thiem)

Civil society is an important topic with divided opinions that is in need of further research. It must be remembered that the theoretical development of civil society, as of other social concepts, is heavily influenced by the Western enlightenment process. This presentation emphasizes three schools on CS.

Liberal democracy school: this school is based on a fundamental idea of civil society’s autonomy. Autonomy is understood as structural autonomy, relative independence from the State, or in dialogue with the State, or in partnership with the State. Autonomy is the center of this school. Citizens are deemed autonomy before the State. The question is always whether individuals are free. According to this school, individuals must be

autonomous in their thoughts, must maintain their own personal liberty, and finally independent as a social institution. Without these, society cannot develop.

On that basis, many studies were dedicated on the relations between the civil society and the State. While this relation can turn adversarial from time to time, it manages to stay friendly most of the time, where civil society is working with the State for common good. In this ideal model, civil society and the State work together, towards a common objective of democracy and liberty. This school emphasizes the relation of civil society with the market, partially attributed to the fact that Western thoughts tend to prioritize the roles of market while State and other institutions are diminished to supporting roles. Accordingly, market plays the most vital role and dictate the development of the State and its relation with the civil society. Market is the birthplace for civil society. However, when this school is applied for other regions such as Asia or Latin America, it automatically faces challenges because the core values of these regions are distinct from those of Western's.

Social democracy school: this school is usually applied by Scandinavian nations. Many mixtures between this social democracy school and the liberal democracy school can be seen in different fronts, which blurs the distinction between these schools. In this social democracy school, while liberalism is vital, State's role is still emphasized (unlike in the liberal democracy school, where market's role is vital). It celebrates the active intervention of the State in all fronts from the market to the civil society. That provides an impression that the civil society is not independent under this school, while the State actively enables the society by providing legislation. Social development includes democratization, social culture and other sector improvements. This school also underlines other factors

such as ethics and community in economic development as well as social development. Many contemporary concepts are invented by theorists under this school, such as social enterprises.

This school is more dynamic than the liberal democracy school and contains more combination between agents inside a society. For example, social enterprises are the combination between market and civil society. More and more combinations emerge between other actors such as market and the State, civil society and the State.

This school is championed among European and American donors as well as other international financial institutions (World Bank, IMF), whose agenda pursues closely what we discussed in this school.

Critical realism school: This school is the rarest and hard to identify in practice or in research. This school identifies civil society as a process rather than an institution.

In the view that civil society is a process, it automatically becomes a battlefield where all agents participate in to conquer a public space. This enriches and expands our view on civil society. In this battlefield, legal ideologies, values, political principles, collective actions... together clash, create trends, and invent development.

This school nevertheless is influenced by the Marxism-Leninism, where it lays development as a consequence of conflict. Civil society is an example where conflicts are emerged, solved, and developed. This public space is the ground where actors collaborate.

Antonio Gramsci, former Secretary General of the Communist Party of

Italy during the 1930s, is widely considered as the champion of this school. He elaborated that civil society is an arena where democratic reforms are clashed and competed. While traditional Marxist-Leninist theorists asserted that substructure defines everything, including the superstructure – here, substructure has economic meaning – Gramsci theorized that culture and ideology also contribute to the substructure. Therefore, he viewed that the relationship between “civil” and “society” is power. This means that where social inequality and injustice exists, conflicts arise and civil society movements appear.

The above elaborations show that this school provides a meaningful interpretation for countries where the boundaries between civil society and the State, between State-controlled and independent NGOs, are blurred.

Since Vietnam re-introduced the concept of market economy and adapted it with socialist orientation in 1986, many non-State actors has been founded. Analyzing these actors from the structural perspective does not provide a satisfied distinction between CSOs and State actors. For example, would mass organizations such as the Fatherland Front, Farmer’s Union... be considered as CSOs? The “process” approach would clear this dilemma. Under the “process” viewpoint, categorization of CSOs would depend on the process that a given actor takes part in, such as providing public services, social monitoring, policy advocacy etc.

Recently, we witnessed a sharp transformation of many local organizations, from entities that provide public service to public policy advocacy. Interactions between real-life movements and internet-based phenomenon increase, which is the root for many social movements. In other words, Vietnam’s civil society bears more characteristics of a proves, rather than an estate. As Gramsci asserted, where social inequality and

injustice exist, a civil society process is born. The above discussion proves that we need a wider and more flexible model than the structural approach to understand civil society.

A recent study conducted by Prof. Wishermann, who has spent many years studying Vietnam's CSOs, discusses that while Vietnam's CSOs play a key role in the country's economic and cultural development, they, at the same time, are strengthening the totalitarian political system. CSOs, as in his study, receives numerous aid from the State and Western financial institutions under the donors' programs to support civil society, freedom and democracy in Vietnam. However, these CSOs are regarded as allies to the totalitarian political system. This view is provokingly interesting and deserves deeper discussions.

2.1.2. Open discussion

2.1.2.1. The relationship between the State and the civil society

Many opinions confirm the thought that the relationship between the State and civil society is very complicated and diverse, and there exists more than one relationship platform in any given country. Civil society is naturally diverse and of pluralist nature, so it depends on each CSOs' approach to the State that a different relationship platform would emerge. For example, CSOs who provide services for poor people would embrace a collaborating and supporting relationship with the State. Policy and social advocates would be in dialogue with the State. No uniform relationship platform could emerge between "civil society" and the "State".

One Presenter noted that there is a tight relationship between the State and civil society. There arise two theoretical mainstreams, first being that the State is at the center of the studies and civil society is researched from

that viewpoint, and second being that the State's role is minimized while maximized the civil society's role. Therefore, if the State intervenes actively into civil society, the autonomy of civil society can be easily compromised. While on the other hand, if the State's intervention is minimal, the autonomy of civil society will not be legally guaranteed.

Another Presenter addressed that if we use the critical realism school as the main approach, we will see that the State shall deem civil society as a front that needs control in order to enhance its own legitimacy. The State shall attempt to manipulate the civil society culturally and ideologically. Manipulation can be expressed in forms of suppression, or legislating certain legal framework or standards that constrain the civil society.

2.1.2.2. Does civil society require State recognition?

Many participants raised their concerns over the State recognition of Vietnam's civil society. Some participants held the view that civil society in Vietnam exists without any recognition from the State. Therefore, it needs to work towards a recognition by the State to ensure legitimacy for the civil society. During its existence, civil society has been contributing greatly for the society, such as playing a key role in the saga of vehicle flaming in 2012-2013, or in the green tree campaign in Hanoi, or in providing services for marginalized communities. The participants also suggested that civil society needs to highlight their own advantages over the State in order to convince the State to provide its official recognition and treat civil society as an ally rather than a potential opposition force.

Presenter Bui Hai Thiem responded that civil society is an abstractive concept without a concrete and uniform definition. While market economy is a concrete definition, civil society lacks a uniform definition and thus it is difficult for an official recognition. However, a general

understanding should be that an official recognition does not dictate one's lawfulness. Recognizing civil society will mean that the State recognizes the pluralism and diversity in many different sectors. Therefore, it is more important for the State to recognize pluralism rather than to recognize the term "civil society".

Some participants shared the above view and extended further that civil society does not require State recognition as it always exists as part of the society, beside the State and the market economy. Civil society, as a popular effort to associate, self-regulate, and collectively resolve issues, will always be present in any country. Therefore, recognition does not determine the existence of the civil society. Instead, it is the responsibility of the State to enact laws in order to protect and encourage the operation of civil society.

2.1.2.3. Combination of Vietnam's Civil Society

One participant addressed the view that we need to analyze civil society from the sociology perspective, where it explores the relationship between the State, civil society, and market.

In Vietnam, politics is an under-discussed topic even though it is widely engaged by the civil society. It is because that politics is often misunderstood as exclusive front of the State. Therefore, a high doubt is usually cast when civil society involves in areas which are naturally political.

Apart from politics, religion is another neglected topic. Although religion is a less taboo topic, discussions around this area is largely overlooked. As a result, discussions about civil society is incomplete.

The third topic is the press. Vietnam's press is traditionally regarded as a long-arm of the State. However, the birth of social network and internet,

and especially citizen's journalism, has somehow pushed the press beyond the State control. The press is also a part of civil society. That said, this topic does not deserve enough credit even though it is the fact that the press, as the fourth estate, plays key role in initiating collective actions.

Another less celebrated combination of Vietnam's civil society is academia. In many countries, academia is ensured with their independence from the government. The situation is rather different in Vietnam where academia is in many ways restrained by the State. That said, academia is becoming more independent in their feedback and contributions to the State policies. Therefore, academia should be accounted to any further discussions on civil society in Vietnam.

Following up to the present discussion, another participant opined that arts and cinemas are also a long-forgotten part of civil society. A notable example is the success of a documentary titled "The Story of Kindness or How to Behave" by Tran Van Thuy around 30 years ago. "The Story of Kindness or How to Behave" was in fact a documentary which offered constructive criticism against social setbacks. Cinemas, as well as other arts and other arts, may also be used as an effective tool to channel opinions and offer criticisms, the same way that other civil agents do.

Additionally, associations are something that are not very well present in Vietnam. One participant from the South of Vietnam told us the story about the Vietnam Boy Scout Association which has already thousands of registered members but so far failed to be recognized as a legal entity. Historically, President Ho Chi Minh used to be honorary chair of the Boy Scout Association and the Red Cross of Vietnam. While Red Cross eventually became a State-controlled association, Boy Scout Association fails to become a legal entity.

Another question is whether 6 socio-political associations (the Front, Farmer's Union, Woman's Union) should be regarded as civil society organizations. This question appears to be difficult to answer because of the very unique structure of Vietnamese political system. Therefore, it requires a shift from traditional structural approach in order to effectively answer the question. Rather, each of these socio-political associations may have a number of activities that are of "civil society" nature. It is not necessary to label all the activities of these organizations as State-sanctioned. Currently, there is an increasing number of activities from these organizations that can be deemed as part of the civil society process.

Press, on the other hand, is a relative independent estate in many countries. However, according to Vietnam's Press Law, the press in Vietnam is a vehicle of the State, whose mission is to reflect and propagate the policies and official viewpoints of the government. As such, from the structural approach, press does not belong to civil society. However, judging from the civil society process, press is an active player. Currently, there are around eighteen thousand cardholding journalists, around 80% to 90% of which are social network users. Each of these users may be very active on different social network forums and have around several thousand connections. With that background, news and viewpoints may not only appear on official press but also be channeled through social network. This emphasizes the importance of the press and journalists in the civil society process.

However, if we overlook the structural approach and purely focus in the process approach, there will leave many questions unanswered. Different forms of society may dictate different forms of civil society and therefore, structural approach still matters.

2.1.2.4. Historical development of Civil Society in Vietnam

Many participants took part in the discussion about the historical development of Vietnam civil society. Accordingly, the consent was that civil society in Vietnam developed internally rather than being imported by the Western colonists. Some even noted that civil society in Vietnam may have been originated from the village culture during the feudalism era.

However, several participants opined that civil society in Vietnam may have only emerged with the introduction of market economy in Vietnam by the French colonists. The wars of Vietnam, which lasted around 30 years and divided the country geographically, had also distinguished the development of the socialist North and the capitalist South, as well as their respective civil society. After the reunification, Vietnam society was completely switched into a socialist system. After the Doi Moi in 1986, market society was re-introduced in Vietnam, with socialism orientation. Throughout this very complicated history, what was the role of the civil society? Are popular movements such as Illiteracy Elimination Campaign (Binh Dan Hoc Vu) or Tonkin Free School (Dong Kinh Nghia Thuc) a part of civil society in Vietnam, too?

It is very difficult to answer whether village culture represents the civil society in Vietnam at its primitive. It is also unrealistic to employ just only one viewpoint to determine the development of civil society during the last 150 years of Vietnam's turbulent history. Rather, it is suggested that different viewpoint or approach should be taken for certain period of history.

Nonetheless, village culture is still accepted as the first indicator of civil society in Vietnam, although village is a very small unit and its culture is not widespread. Not until Vietnam was urbanized that village's culture became a social phenomenon and its influence increased. According to one

participant, civil society did not exist during feudalism era and therefore, the relationship between the king and civil society is non-existent. It is not to mention that the question whether Vietnam ever had feudalism is left unanswered.

Another participant expressed that market only exists when autonomy and property ownership are recognized. During the feudalism era, the national property was owned by the king while villages possessed a good amount of autonomy. In the modern Vietnam, however, national property is owned by the people, represented by the State, while autonomy is very limited. The key question here is why while ownership pattern remains the same throughout different eras, the relationship between the State and the civil society or the villages fluctuate.

Mr Bui Hai Thiem regarded the question as very theoretically important. From the ownership front, during the feudalism, there was no transaction as there was no personal property, and thus no goods. In the modern Vietnam, there exists some forms of transactions regarding land ownership, and other property as well. Transactions create autonomy, which eventually lead to the emergence of civil society.

[This topic is further discussed in the presentation of Dr Nguyen Dang Dung on “traditional and internet-based space”.]

2.1.2.5. Influence of globalization and international standards to civil society in Vietnam

Another participant expressed that globalization should be accounted for in the development of civil society in Vietnam. Not only Vietnam but also many other countries admits the influence of globalization and international trends.

One Presenter said that the world is becoming “flat” thanks to the development of technology and trading which connects the world into a global civil space. This space encourages mutual learning and widespread of international values and standards. As an example, the success of LGBT movement in Vietnam was partly attributed to its alliance with the global LGBT movement.

Presenter Bui Hai Thiem stated that the question on how developing countries are influenced by globalization is important. In fact, Vietnam has been localizing mainly international concepts, institutions, standards, and values such as legal and trading systems. Foreign scholars believed that Vietnam’s business legal framework since the entry to WTO represent this trend. Current debates on the Law on Information Access and the draft Law on Demonstration also involved discussion on international standards. New discourses, international lessons and experience are also becoming popular in Vietnam. These are the clearest indicators of the influence globalization has been bringing to Vietnam.

2.1.2.6. Teaching and Discussing Civil Society

Some participants voiced their concerns about the lack of scholarly discussion and teaching on civil society. One university professor expressed that whenever the term civil society is mentioned, follow up questions would arise such as what society is and other philosophical explanation. Unfortunately, Vietnam’s official philosophy curriculum does not provide a good explanation on society. Rather, it focuses much on explaining the socio-economic stages. Therefore, philosophical explanation on society is very much imported from the Western civilization.

One participant from the South provided information that civil society is not discussed widely in the South. After the reunification, this topic has

become less popular among the population in the South. As an evidence, registration of a civil society organization in the South is still a legal challenge.

This view was agreed by another participant where he said that should the conference have been hold in the South, it would have been more useful. This participant also provided information that there exists a political basis for the studies on civil society. “Resolution No. 37 of the Vietnam Communist Party made it clear the roadmap for studies of civil society until 2030.” Therefore, it is hopeful that research on civil society shall flourish in the near future.

This participant also extended that Hegel and Marx debated about the relationship between the State and civil society over 150 years ago. Hegel’s view was that civil society is the intermediate between the State and the population, although civil society must be State-controlled. On the other hand, Marx said that civil society is the driving force to constraint the State into cooperating with the population and families. Without the population (or civil society) and families, political states will not exist, according to Marx. Paradoxically, while Vietnam embraces Marxism as the official ideology, the government holds a contradicting view on civil society, even goes far by labelling civil society as “peaceful process”, opposition. Therefore, this participant suggested a reconsideration about the role of civil society in Vietnam.

2.1.2.7. Civil society space in Vietnam

One participant provided information that civil society is facing challenges in many countries, including Vietnam. For example, civil society in African and Latin American countries, and Russia, is becoming weaker for many different reasons. One of the reasons is the State stricter regulation,

tightening the activities of NGOs and other civil society groups. Vietnam is opening up and it is not logical to compare Vietnam with other countries absolutely without taking into account the difference on political systems and cultures. However, another theory is that because that civil society was tightened in Vietnam before provides an impression that Vietnam is opening up. In general, Vietnam's civil society is facing the same problems that other country's civil society encounters, such as the issues with social movement, social networks, financing, etc.

2.2. Discussion session: The Role of Civil Society in Economic Development (Facilitator: Ngo Thi Thu Ha, M.A)

2.2.1. Presentation

2.2.1.1. Creation, operation, and development of unofficial social organizations: a case study on volunteerism groups in Thua Thien Hue (Presenter: Dr Nguyen Quy Hanh)

During the past few years, we have witnessed the increasing number of social organizations dedicating to volunteerism and community services. These organizations offer their good will and kind hearts to solve social issues. However, due to their small, unorganized, unprofessional nature, these organizations are usually in the forms of unofficial groups with no legal status. These organizations' projects are largely funded locally, or donated by foreign individuals or Vietnamese overseas or to a small number of NGOs. Especially, some groups are fully initiated and financed by foreign individuals. Therefore, we see a great potential for unofficial connection, community development, and people's diplomacy enhancement that these groups could contribute.

Regarding spontaneously founded groups, these are mostly founded based

on the enthusiasms of young people who wish to extend their helping hands to rescue poor lives and provide some meaningful values for the society. In addition, several other groups are founded by enthusiasts who wish to promote the values and attractiveness that Hue could introduce to travelers around the world, through their own humanitarian works. Few groups are founded as a longer arm of Vietnamese overseas' initiatives, whose objective is to help their homeland from afar.

These volunteerism groups' operations include provision of (1) financial support for marginalized group; (2) emergency relief during natural disasters; (3) free healthcare for poor patients; (4) scholarship, learning tools, and free courses for poor students; and (5) participation to people-to-people diplomacy.

These groups are active throughout every region of Thua Thien Hue, where most of the efforts are focused into underdeveloped regions such as Nam Dong, A Luoi, and to marginalized people such as orphans, homeless, elderly people, poor patients. Additionally, some groups expand their activities to neighboring regions, such as poor provinces around Central Highlands, lands of the Ruc people at Thuong Hoa, Minh Hoa (Quang Binh), minority people at Nghi Le, Que Phong (Nghe An), mountainous areas at North Tra My, South Tra My (Quang Nam).

The biggest challenge that these groups are facing is the lack of a legal status, and without a legitimate umbrella organization. As a consequence, these groups' credentials are undermined when they attempt to cooperate with the local authorities, or call for donation or technical assistance from the donors. Those are the areas that most in need by these groups. Two most common methods to call for donation of these groups are: (1) appealing for help (from individuals) for a particular case, and (2) organizing small

donation events, both onshore and offshore (mostly initiated by Vietnamese overseas). Notwithstanding challenges that every group is facing due to the recent economic crisis, the lack of a legal status and the ad-hoc nature of fundraising are main obstacles for the operation of these groups.

The unprofessional, “part-time” nature of these groups are the reasons that these volunteerism groups pay high attention to improving their own capacity. Here, capacity is understood as including expertise, soft skills, leaderships, and visions for long-term development of the groups. It is obvious that these groups’ leadership comprises mostly of students and young people, whose enthusiasm is high but expertise and experience is not up to the level. Some groups seek solution at courses organized by the Youth Union. However, these courses’ contents are heavily dominated with propaganda, group playing skills, old leadership skill, which are largely ineffective and unattractive.

Regarding the legal framework, it is suggested that a clear legal framework should be adopted to regulate the unregistered associations, with the view to “incentivize the diversity [of social actors] and strengthen the works of people’s groups, NGOs... in order to eliminate the bureaucracy inside mass organizations, and socialize the popular movements”. Accordingly, the Law on Associations should be drafted with the aim to recognize and protect the unregistered associations.

In order to enhance the capacity, a good guidance and connection between these groups is advisable. This would be a foundation for open forums where like-minded people could meet and share their passions as well as experience for mutual benefit. Also, the State should adopt more friendly policy to open up with Vietnamese overseas for their contribution to the greater good of the society.

2.2.1.2. NGO's Role in Policy Advocacy in Vietnam

(Presenter: Le Quang Binh, M.A)

In his presentation, Mr Le Quang Binh focused on the roles of VNGOs in policy advocacy. Advocacy as used in this study presents an idea that mobilizes people to act in order to bring about change, a process that promotes equality, social justice, and social inclusion. This process can empower people or raise capacity among population to speak up for their rights. It also helps people to become aware of their rights, encourage the practice of their rights and involvement in or influence the making of decisions that are related to their future. In most of the different definitions, social justice and equality are at all times at the center of advocacy. Therefore, advocacy is not only about changing a particular policy but also about changing the society to achieve equality and social justice.

Advocacy is created from three purposes. First, advocacy is to create changes: it aims to change the status quo, by changing policies, behaviors, or laws that affect a certain target groups. "It is a political act with consequences for both individuals and the community as a whole, challenging inequality, opposing racism, preventing abuse, or even introducing someone to a new opportunity for social setting – all constituting steps towards a more civil and just society" (Henderson and Pochin, 2001: 15). "It also assists clients in upholding their rights to receive resources and services or to actively support causes to change programs and policies that have a negative effect on individual clients or client groups" (Sheafor and Horejsi, 2003: 57).

Second, advocacy is to amplify one's voice. "Advocacy means amplifying the voice" (Samuel, 2002:9). "It is a way of enabling those who may have difficulty speaking up for themselves to do so and thus can be key to involvement in decision making. It generally means representing the view of a person or supporting them to exercise their rights." (Nua Research Services, 2001).

People then may press “their cases with influential others, about situations which affect them directly or, and more usually, trying to prevent proposed changes which will leave them worse off.” (Brandon, 1995: 1)

Third, advocacy is to empower: “When people are denied or unable to gain access to a fair share of what’s on offer in society – when they are denied information or opportunities to take part in decisions concerning their lives – when they are dispossessed of insight, dignity, self-confidence – then it becomes necessary in a caring society for more powerful people to act with integrity on their behalf or wherever possible to enable them to move to a point where they can retrieve control for themselves” (Advocacy in Action, 1990). “Both the intent and the outcome of such advocacy should increase the individual’s sense of power, help them to feel more confident, to become more assertive and to gain increased choices” (Brandon, 1995: 1). “Many people in society are disempowered by systems which have a significant effect on almost every aspect of their lives... to such an extent that they are unlikely to be able to fulfill their basic human needs, or demand their basic human rights. A person’s initial hopes and dreams can be severely limited by this. Independent advocacy can help to widen a person’s horizons and enable them to become active members of society” (Advocacy 2000, 2002: 49).

An increasing number of VNGOs are involved in advocacy process. Center for Substantial Development in Mountainous Areas (CSDM), joined hands by Vietnam Thai Indigenous Knowledge Network (Vtik), has been very successful in advocating before the local authorities to lift the ban of learning Thai script. While learning Thai script used to be banned and labelled as “reactionary”, the movement has successfully advocated for the right to learn Thai script. The local authorities even go far by subsidizing the training of teachers, printing of materials, and opening free courses

for officials and the communities. The outcome is that people can now learn Thai script and it revived the pride of Thai people through a motto “Learning Thai script to be Thai people”, from which tolerance and mutual respect between Vietnamese people is enhanced.

Similarly, organizations such as iSEE or ICS were able to mobilize the LGBT community awareness to successfully advocate for the lift of same-sex marriage ban in the Family and Marriage Law, as well as the right to sexual reassignment and redocumentation in the Civil Code. iSEE and ICS also succeeded in defeating negative discourses about LGBT people and neutralized the social prejudice against this community. The most highlighted influence, however, is the pride that LGBT community is embracing and a fairer life they are enjoying.

Besides, other networks such as PPWG, VRN, and VN-BAN have achieved certain milestones in their advocacy for right to information access, suspension / postponement of building the Mekong dams, or limiting the use of asbestos in Vietnam. These activities demonstrated the importance of a coalition between CSOs and academia, experts and press in an advocacy process. Such coalition not only reinforced their push for policy and governmental stance change on a certain issue, but also brought about changing to social awareness.

While purposes of each advocacy campaign or the strategy to advocate may differ, there is a common understanding that must be shared, being the voice of the target subjects. They are the pioneers and the main driving force for the whole advocacy, which provides not only effectiveness for the call but also legitimacy for the whole campaign. Their effort shall be reinforced by NGOs, press, donors, and general population.

2.2.2. Open discussion

2.2.2.1. Role of Charity Works

Charity works are integral to CS's activities. According to Dr Quy Hanh, his studies showed that religious faith plays a key role in creation of charity groups in Hue. For example, several groups are now endorsed by Buddhist monks. Their operation may not be religious but their spirit is very religious. Approvals for activities with religious nature is stricter. For example, opening a classroom at a pagoda would require Prime Minister's approval. That means, the nature of activities and the identity of the organizers would dictate how strict the State scrutiny would be.

2.2.2.2. CSO's Role in Providing Services

According to a participant, CSOs' role as a service provider for elderly people has increased for the last 5 years. Elderly people are among the most demanding group in Vietnam with regards to services, but the provision of services to these people is not standardized and unprofessional. International experience, for example, in the Philippines, shows that there are two kinds of services, one is officially provided and is sanctioned by the State approval; the other is unofficially provided. In Vietnam, unofficial service providers are highly ill-regulated and chaotic. Official services, on the other hand, are not standardized. This is the main challenge when NGOs would like to engage in service provision sector.

2.2.2.3. CSO's Role to Promote Human Rights

One participant asserted that the Vietnam's CSOs are instrumental in promoting human rights, with certain characteristics. First, CSOs basically focus on disadvantaged groups, such as children, disabled persons, minority people. Economic, cultural, and social rights are fronts that CSOs are doing well. Second, CSOs are expanding themselves to civil and political rights, with the understanding that all rights are integral, that if a civil or

political right is not protected, other rights shall be compromised as well. For example, if freedom of speech or right to information is not guaranteed, privacy rights shall be compromised as well. Recently, different groups are active in the advocacy for Law on Information Access, Law on Associations, and Law on Demonstration.

We also recognize a new trend where local CSOs increase their communication with international human rights institutions, such as the United Nations. For example, during the Vietnam's 2014 UPR process before the Human Rights Council, many local organizations submitted their independent report to the Human Rights Council on the human rights situation in Vietnam. Within the ASEAN region, despite that ASEAN's Human Rights Council's authority is somehow narrow, mostly limited to advisory authority, many local NGOs still keep their communication with this institution and other country's NGOs, in order to voice out concerns to certain Vietnamese issues.

The only way for CSOs to contribute meaningfully to the society is to connecting with each other and develop a comfortable space for their own development, which is a good legal framework regarding the right to associate, right to assembly, freedom of speech or freedom of fundraising.

2.2.2.4. CSO's Role in Connecting Experts and Intellectuals

Researching is an important contribution to CSOs' activities. However, according to Mr Le Quang Binh, Vietnam's CSOs do not attract the attention from academia and expert community. The academia and experts in Vietnam are separated, unorganized and only voiced their expertise when there is a demand from the press. Vietnam does not have a reputable think-tank that can advise the society on different issues. Experience shows that without the participation of academia and intellectuals, CSOs' advocacy

shall be difficult, at best, and counter-productive, at worst. Therefore, CSOs need to invest in developing connection with academia and intellectuals at all costs.

2.2.2.5. CSO's Role in Advocacy

Many participants paid special attention the topic of policy advocacy. One participant suggested that coalition is key in policy advocacy. However, some admitted that legitimacy is the biggest issue. For example, the Vietnam River Network is not a legal entity and thus, its legitimacy is in question when it appeals to the authorities. Vietnam River Network had a long track record on its advocacy to conserve Thu Bon River, Dong Nai River (with regards to the saga of Dong Nai power plant), other rivers at Central Highland and Mekong River. Thanks to its strong record and its scientific-based advocacy approach, VRN is now recognized by Mekong River Commission, National Assembly's Deputies, and the Prime Minister.

One participant commented that the tone of advocacy is important. For example, during the advocacy for a ban against the use of asbestos, word choice was important. "Support a policy to limit using asbestos" is a positive slogan, while "Oppose the use of asbestos" is a negative motto. During the advocacy process, not only the public interest activists try to dominate the arena, but also activists who work for a private interest. These interest groups bring upon their own influence to the decision making. Therefore, CSOs are required to have a good understanding of decision making process in Vietnam and build upon it a sound strategy for effective advocacy. For example, there are different committees within the National Assembly, which are usually dominated by a small number of influential Deputies. CSOs could target these Deputies during their advocacy.

2.3. Discussion session: Resources for civil society in Vietnam (Facilitator: Nguyen Thi Bich Tam, M.A)

2.3.1. Presentation

2.3.1.1. Financial resource and the development of the Vietnam's civil society: which is running out and which must be strengthened?

(Presenter: Dr Nguyen Duc Thanh)

Vietnam has reached the middle-income threshold, which to somebody is a trap. Middle-income threshold changes the way international donors behave. Low-income countries would receive more financial aids while middle-income countries would face the withdrawal of traditional sponsorships. This presentation is about the financial resources that Vietnam's civil society can explore in the new situation.

Vietnam's economy development is stable and relatively in a good pace. This leads to the raise in GDP per capita, easily reaching two thousand United States Dollars per capita. Vietnam's macroeconomy is getting more stable with low inflation, with the growth at around 5%, 6%, or 6.68%. There are a few characteristics about Vietnam's economy that require deeper analysis for better understanding on how it would affect civil society in Vietnam. First, our economy is very open. The ratio of import/export to GDP of the United States of America is around 30%, while that same ratio in Vietnam reaches 200%. Second, State-owned enterprises are still dominating and influencing reform policies of Vietnam. Third, productivity in Vietnam is decreasing, although productivity dictates the strength of an economy. Fourth, budget is deficit and governmental debt is alarming. This is important as it would decide how resources are allocated. Finally, the business environment is getting worse which is weakening the advantage of businesses and lowering private contribution for civil society.

I have frequently discussed with people working inside the civil society that civil society is very much behind the development of economy. To illustrate, the society is a two-horse chariot with the market economy is the black horse while civil society is the white horse. Currently, the black horse has already departed and is on the highway while the white horse is still warming up. The white horse is also facing recognition issue and the power that be even tries to stop the status quo. In practice, the chariot is still moving with the black horse but surely the chariot will soon be derailed.

While the black horse is on its way, there still remains many challenges that would affect the civil society. Private sector in Vietnam is weak and that explains why civil society's resources are limited. From the economists' perspective, the main driving force of an economy is the private sector and freedom of trading. There will be no rewards for countries that do not recognize this fact and only focus into sweet talks. However, in the short run, this challenge is not easily solved as the budget is frequently allocated for security, national defense, and bureaucracy, while public investment is tightened. When public investment lowers, productivity lowers as well.

When the country's economy was on the brink of collapse in 1986, the black horse appeared and saved the day, while the white horse was still bridled. Civil society is important as it represents the people's voice to control and supervise the behaviors of other sectors in the economy. Here, I would like to mention about the State, whose political authority is absolute, and the market, whose objective is profit-making. Civil society's mission is to control these sectors so that they will not be able to manipulate the society or transform the society into a less humane one. Civil society also facilitates the democratization. However, civil society in Vietnam is still slowly moving

from the Stalinist model, which recognizes a State-controlled civil society, into an independent civil society. This transformation is very similar to that of the shifting from State economy into private economy, requiring separation of powers, activeness, and competition.

Stalinist model on civil society has the same characteristic to the State-owned enterprises and only serves the planned economy. Civil society under Stalinist countries is distorted. On the other hand, real civil society, similar to private enterprises, responds very well to the popular demand. Competition provides civil society a chance to develop and the society shall receive better outputs. Therefore, white horse is significant to the chariot in order to pull the economy forward.

The problem is when international aid is running out of Vietnam, civil society in Vietnam would follow the example of Thailand or would fail into the same trap as the civil society of China and Russia. In the case of Russia, the State completely ignored the calling for help from its civil society. Without international aid, Russian civil society died out. In China, the State replaces international aid with subsidy and civil society in China has slowly become a longer arm of the State, voicing the policies for the State, and eventually returned to the civil society under Stalinist model.

What will happen with Vietnam's civil society is a question that is still mysterious. There are mass organizations controlled by the Communist Party and receiving national budget. NGOs and other civil organizations are not in the same group with the mass organizations. Consequently, mass organizations occupy most of the national financial resources. Budget deficit and the large subsidy for mass organizations does not support the State's funding for NGOs and CSOs as in China. However, without replacing resources, Vietnam's CSOs would die out as in Russia.

From my own professional viewpoint, I believe that the only source of fund that Vietnam's civil society should rely on must come from internally, which are from the people, enterprises, local donors etc.. It requires a relaxing mechanism so that CSOs could be sponsored by the people easily and in the straightforward fashion. Currently, such legal framework does not exist.

The State is keeping the status quo. It appears that the State would like to follow the example of China but the national budget does not support this path. Therefore, a Russian "option" could become the State's favorite.

Finally, the understanding on civil society from the power that be must be open and less doubtful. Enterprises have a tendency to support civil society as long as it is free from the fear of unfair labeling from the State as an opposition or financing espionage. It is very important for enterprises to fulfill their social responsibility, because without a good purpose to pursue, the money from the enterprises would eventually be used for beauty pageant competitions!

2.3.1.2. Challenges and opportunities for VNGOs to raise funds among the public (Presenter: Dr Vu Hong Phong)

In a study on CSOs' capacity to fundraise from the enterprises, the Asian Development Fund observed that businesses maintain strong suspicions and prejudice against CSOs and their activities in Vietnam. This study expands on the same topics but with different subjects, being the CSOs and people who participate in charity works. Our observation would revolve around the possibility for CSOs to raise funds among those people.

The study shows that public opinion widely agrees that "charity" (tu thien) would mean "relief" (cuu tro). When they were asked about whether charity works are important, most respond that they thought charity

is a vital part of the social life. On the questions about the recipient of donations and the usual amount for donation, the surveys showed that the donation is usually used for relief, directly help people in severe situations, poor people, natural disasters victims, disabled people, or donating to the learning encouragement fund. The usual donation amount is at most fifty thousand Vietnamese Dong, which is regarded as suitable for Vietnam's current average income. Obviously, richer people and businesspersons tend to donate more than others.

The motivation that people donate is also suitable with the public understanding about charity works. 68% of the respondents stated that they participate in charity work out of the desire to help others. The second popular motivation is to leave good karma for their posterity. Those who are usual religious prayers are more willing to donate than others. It is observable that one's religious faith influences their motivation to donate.

Deep interviews showed that respondents are more comfortable donate for people within the same community with theirs. Anthropologists and sociologists would view this as human's desire to mutually assist. For example, one would think that their good deeds towards a neighbor would be returned by that neighbor's good deeds towards them in a near future. The quid pro quo attitude here is vital and somehow explains why people is more comfortable helping their own peers.

The study recorded only 215 respondents (out of 1,200 subjects) who used to be donate beneficiaries. This number is relatively low. NGO's donation beneficiaries are particularly low, around 1%. One important observation is that the State plays main roles in receiving and channeling the donation from public. However, the study also reported people's doubts over the effectiveness of State-sanctioned charity works. Rhetoric questions were

asked on whether the donation would ever reach the beneficiaries. Some respondents voiced their concerns over the “bureaucratization of the charity works”, meaning that superior authorities would assign milestones for lower authorities to reach in terms of raising donation.

On the topics about people’s perception over VNGOs and the possibility for them to donate through VNGOs, most respondents responded that they are unfamiliar with NGOs. Only around 25% of the respondents acknowledged that they have limited knowledge about NGOs, through mass media means. Respondents with higher living standards tend to know more about NGOs than others. However, a popular perception is that NGOs are foreign organizations, whose roles are to “give money” to others rather than “take money”. Therefore, giving money to NGOs are illogical.

One big issue is the misunderstanding that some people hold about NGOs. There are respondents from all backgrounds who would describe NGOs as organizations aim to oppose the Communist Party and the State, or to do illegal things. These negative perceptions are mostly attributed to the State’s warnings or advices that people must be vigilant about NGOs, whose intent is malicious and harmful. Among those who have knowledge about NGOs, only around one-thirds are confident over the NGOs’ activities and charity works. This is a challenge that NGOs need to overcome before their donation raising.

A positive news is that city dwellers and people with higher education are more willing to work with NGOs. While this observation is important, the surveys show that only a small number of respondents belong to this categorization. When respondents were asked whether they would consider working with NGOs in their future charity works, the common response was affirmative, but their donation would be limited only to

natural disasters relief, aids for poor people and disabled person. This confirms the understanding of people about charity works.

In conclusion, we observe that people highly celebrate the importance of charity works. However, a common understanding remains that charity works would only include short-term relief. We also observe a low confidence that people holds over the State's charity works. Negative prejudice about NGOs are common. These are big challenges that need to be maneuvered by the NGOs. Many NGOs are still inept in their effort to replace international financial aids with local resources. Limited efforts were made to change popular perceptions about NGOs. That said, we still hold an optimistic view about the possibility for NGOs to raise fund from city dwellers, middle class, and internet users.

2.3.2. Open discussions

2.3.2.1. Quality of Charity Works

One participant raised the issue on the quality of charity works. He asserted that some people would exploit charity works (and the poor people) in order to gain fame or popularity (showcase charity works). In some cases, models or famous people posed for photographs when they did charity works with cancer patients. This is unethical and highly unsuitable. Second, people who donate do not really understand the needs of the beneficiaries. It has become a habit that donation gifts would include banh chung during Tet holidays, instant noodles after a natural disaster. Real attention to practical matters such as power exploitation against poor people is almost non-existent.

Some explained that they donate things out of their first impressions about the beneficiaries and it is not their business to care about (or unable to be aware of) the real demands. Donating people do not care about a

bigger picture, on whether their donation would demoralize beneficiaries' efforts, compromise their own culture, harm their self-esteem, or distort the society structure at the community of the beneficiaries. Donating people would argue that the big picture can only be drawn or redrawn by the higher authorities. This is a dangerous view as one small deed could potentially hurt the big picture. The participant suggested that CSOs should provide a better understanding about charity, from scientific perspectives, to encourage donating people's responsibility when they do charity works.

Mr Nguyen Duc Thanh praised the value of this debate. He assessed that deeds can be changed only when the institutions are reformed. The bad deeds exist because our institutions are distorted. For example, founding a charity fund is intentionally disrupted by the State. We need to understand the nature of financial steams. These steams are always political. When the donating institutions are distorted, human deeds are likewise.

Another issue is how one can identify "real" charity out of "fake" charity. A solution is to increase transparency in charity works. First, information must be open and transparent. Without the transparency, information would be concealed by the interest groups, which in turn trigger negative rumors and negative impact people's confidence.

Around ten years ago, in Tokyo, a Nobel Laureate used to call for a listing market exclusively for charity groups. In business, listing market is very important as it opens up investment information. Similarly, a listing market for charity groups would gain confidence from donating people. People could rate their experience with different charity works and provide reviews as well.

Mr Vu Hong Phong commented that people from the South or Central of Vietnam tend to have a better understanding about Buddhism than others. He observed that Northern Vietnamese would embrace more personal motive when they do charity. In the South, however, Buddhist monks (especially under Hoa Hao branch in Dong Thap) teach followers that charity is for their inner peace, voluntary and followers should not expect anything in return. Many Northern Vietnamese request certifications for their donation, which will be decorated at their houses. In contrary, the Southern Vietnamese do not ask for such decorations. This may be due to cultural difference.

One Southern participant shared his view that in the South, the public does not engage in charity works, out of the understanding that charity works could backfire both the donating people and the beneficiaries. Therefore, they abandon pure charity works and start doing social works. Social works are distinctive from charity works as social works are focused in human and social changes. The next step is community development. As an illustration, charity work is to provide the end, social work is to provide the tool, community development is to provide training for using the tool. Around the world, there are academies on social work and community development. Within the Catholic community, there is a school founded by Phan Huy Quat, whose mission is to train social workers. He assumed that the students' moral issues could somehow be resolved if the State opened the education sector for Catholic community.

Mr Nguyen Duc Thanh further shared his view about the charity work in Vietnam. According to him, human empathy is deeply compromised in a society dominated by pure rationality and monopolized by materialism. In these societies, human only believes what they can observe, but emotionally, they cannot resist the empathy they try to conceal – which

are not only emotional but also spiritual. That partially explains why in the North of Vietnam, showcase charity works exist more often. Northern Vietnamese also lacks the spiritual foundation. On the other hand, Catholic and Buddhist people do charity works in a completely different way.

Following, a participant raised a question why young people prefer bringing a 3,000-ton rice plant to the mountainous areas than simply wiring the money to a more professional group. The reason may be that there is a mistrust between them and the group. NGOs do not have public confidence. As an example of the “Rice with Meat” Fund, when they win public confidence, they can raise money from the public. Transparency is one of the key characteristics that “Rice with Meat” provides to the public.

Another participant discussed about the honesty of some CSOs. He suggested that some CSOs should acknowledge that they have finished their mandate and disband and leave the space for younger generations to continue. He is also very hopeful about the younger generations and the businesses who, in his opinions, are more than willing to sponsor for civil society’s activities. “The white horse” may not die without a fight, which started with a warning that we raise in this conference.

2.3.2.2. Businesses and Charity

One participant shared that in Vietnamese, there is no real distinction between “charity” and “philanthropy”. Charity and philanthropy are two completely different concepts. While charity aims at providing the end, philanthropy focuses in providing tools, teaching the recipients how to use those tools, where to use those tools, what to do with the offspring and how to sell their products. The origin of poverty is social injustice and that can only be resolved absolutely by practicing philanthropy rather than charity works. This is more than a linguistic issue, rather a way of thinking.

In general, businesses engage only in traditional charity works, such as helping poor people, building shelter homes, while they fail to invest in more complicated issues such as human rights, anti-corruption, environment protection. There is a moral dilemma here as while businesses are very attentive about anti-corruption, education, and environment, their donation still flows to relief actions. This is a gap between what businesses regard as important and what businesses position their social responsibility.

In addition, businesses' charity works lack creativity. Businesses only provide financial support rather than professional support, although expertise is their strength. Likewise, businesses are very short term in their charity works and are hesitant working with NGOs. Currently, NGOs and businesses seem to be a world apart. Survey showed that only 7% business respondents used to cooperate with NGOs while 10% used to work with other independent actors. Even "Rice with Meat" Fund chooses to work with the Fatherland Front and the local authorities.

Businesses also holds misunderstanding about the NGOs' activities, partially because of the lack of NGOs' serious effort to raise public awareness. Businesses think that NGOs are to do poverty reduction rather than works such as human rights promoters and anti-corruptions.

How do businesses rate NGOs' roles in the country's development? Only one-thirds of the business respondents praise the importance of NGOs' role in the country's development, while the rest are indifferent with the latter's contribution. At worst, some respondents also accuse NGOs as harmful, and "in violation of the Party's policy." The businesses' confidence for NGOs is also very low while they hold international organizations in high regard. However, the businesses trust the NGOs more than they do with the State. Only 25% of the respondents viewed NGOs' works are effective

while the rest regard the latter's works as amateur, ineffective.

2.3.2.3. Relationship with the State

One participant observed that social charity used to be idle for a long time because of the State intervention. For example, charity activities did not exist in Hanoi during the period of 1945 to 1954, likewise for the South since 1975 until the Doi Moi. The State also maintains high suspicion over the charity activities initiated by CSOs. In some cases, criminalization of charity works happened. We need to discuss thoroughly about this observation to understand its reason.

2.3.2.4. Press and Charity

Even the press engages in charity works in large amount. Large newspapers often raise large amount of donation for natural disasters relief. The question is whether the money is well managed by reporters, who are not trained to do charity works.

2.3.2.5. Religions and Charity

Religious establishments are long-time charity groups. However, these establishments also need to reconsider switching their strategy from pure charity works to philanthropy.

2.3.2.6. Other resources

Mr Nguyen Duc Thanh commented that in the future, public interests shall be affected by competitions, similar to the private sector. Subsidy for mass organizations will also be cut down due to national deficit.

Independent NGOs, which are largely dependent to international financial aid, will need to alternate the resources. Community-based organizations will not be affected as their resources come from local people and

membership. Therefore, we will witness a trend where NGOs will try to offer their expertise as services and representation for fees. This will eventually create a competition among NGOs.

One participant suggested that NGOs need to think about other sources as well: First, businesses. Second, Vietnamese overseas. And third, high-income class in Vietnam.

2.4. Discussion session: Traditional and internet space for Vietnamese Civil Society (Facilitator: Pham Kim Ngoc, M.A)

2.4.1. Presentation

2.4.1.1. Develop a civil society to gradually replace the village society (Presenter: Prof. Dr. Nguyen Dang Dung)

According to Prof. Nguyen Dang Dung, there are several differences between Vietnam's village society and Western civil society. First, within Vietnam's village society, human rights are not fully recognized – while Western civil society survived based on the recognition of human rights. The core of human rights is private ownership, which is non-existent in Vietnam where only national or public ownership exist. In Vietnam, human is not the central while in the West, human is the central and the foundation for development. Third, Western civil society demands compliance to the law, while in Vietnam, village charters sometimes prevail over national laws. Fourth, Vietnam's village culture is closed, while Western civil society is open.

These differences are also geographical. One historian about Vietnam opined that “In a very poor area with weather ranging from erratic to

extreme, the collective organizations have a role in supporting farmers, helping them stay out of poverty and protecting them from the demands of the state. In such a world, any individual who separates himself from the villages will have to cope with numerous risks and danger. Communes and villages constitute the fundamental social framework for the rural population.

However, it is incorrect to assume that “customs rule the law” is the product of village culture. Instead, this is the product of the people who rely on power to suppress, oppress the villagers. Our revolutionaries understood it and exploited it to victory. The French never understood this notion and thus could not totally conquer Vietnam.

The village's closure makes people dependent on the community, stop individual senses from developing, thereby limit the ability of individuals. Vietnamese people are often reliant, dependent on the community. Everybody's business is nobody's business

After the August Revolution, and especially after 1954, feudalist structure of villages was abolished, along with their charters. Pagodas and temples were bulldozed. Village society gradually transformed and dissolved into the new people's democratic government. Villages conventions were replaced by national laws, with a local authority to govern. All property was concealed by the States to serve collective economy, named collectives. Even though the physical facilities of the village society no longer exist, its spirit still remains and can adjust all social activities, not only in the countryside but also in urban areas, and even in the organization and operation of the state bodies, which previously in principle were always responsible for fighting against or at least curbing the development of the village/commune phenomenon. Separate regulations are promulgated by

the heads, or in some places, opinions are collected from the majority of organization/agency members. However, the setbacks of village culture remain and appear to be a shield against the wind of change.

The most important forms of collective actions in modern society is associations. The construction of a healthy civil society depends on the expansion of space for associations. Dao Duy Anh once said “villagers love to associate”. In order to construct a civil society, the society needs to depart completely from its village culture. There are two most important things to do: first, comply with the law, respect human rights, and second, enable associations.

2.4.1.2. Interactions between People-State and Civil Society under the Influence of Social Networks in Vietnam (Presenter: Huỳnh Ngọc Chương)

The study background is Vietnam with its expanding social network, especially among young people. Survey showed that in Vietnam, there are at least thirty million Facebook accounts. Twitter attracts less users. Therefore, this study will be focused on Facebook users. The study revolves around three topics: first, how is the interaction between people, state, and civil society under the influence of social networks in Vietnam; second, case study on the Hanoi tree movement; third, observations and suggestions.

Many international research showed that internet has been used as a useful information channel and tool to put great pressure towards policymakers, and at the same time increase the people's participation in decision making process. Internet also opens up a new space for dialogues and debates, which attracts larger audience and generates more approaches. This observation is relevant to Vietnam as we can easily observe people begin to raise the opinions on Facebook about different issues, including public

policy. The more people voice their opinions, the greater the pressure that public institutions are under.

In the Hanoi Tree Campaign, the falling of trees in Hanoi and pictures comparing Hanoi streets before and after the tree cut created deep impressions among public. Facebook users began to share their emotions and thoughts on the incidents, which were easily amplified and spread out. When the tipping point was reached, it became a movement. Emotions turned into actions. Many grassroots group joined hands, held parades and protested against the project.

Social networks attract people from all walks of life and this is a channel that deserves certain degree of attention for public policy purpose. This is an interaction tool for parties to channel their opinions and pressures in public governance. Effective use of internet could also help amplifying the opinions and turn simple thought into great actions.

2.4.2. Open Discussion

2.4.2.1. Village Culture and the Rule of Law

One participant concurred with Prof. Dung that while physical facilities of village society no longer exists, its legacy remains and is returning, bringing with it more harm than good. Village behaviors gradually change into human standards. For example, an old teaching “show the good, hide the bad” is very harmful for a transparent society. Although the State is law-sanctioned, the society still maintains high tolerance for villagers who beat the dog thieves to death. Old practices are usually employed to resolve modern issues. Therefore, new spaces are needed for people to exercise new ways of thinking, new ideas, and new ways of dispute resolution.

Another participant commented that Prof. Dung’s views are only correct

with Northern villages, not with the Southern villages. In the South, villages were open and villagers enjoyed more rights. Southern villages did not have boundaries, conventions, or charters... Southerners embrace everyone and treat them with brotherhood. The reason was because the South of Vietnam was accommodated by many different ethnicities, from the Chinese, Khmers, Chams, Indians, and Javanese...

2.4.2.2. Role of internet to civil society

One participant asserted that internet and village society are two different extremes, representing the old and the new, the “Vietnam” and the “global”. Internet can be deemed as a thermometer for the social emotions. Facebook users can easily understand the social climate on a given day. It is a useful tool for anyone who cares about the current affairs. The State should pay more attention to internet as it also indicates public opinions. NGOs and other groups should also pay attention to it to understand the communities’ needs. It is interesting that many village behaviors started to appear on the social network.

How can we raise the social rationality? We need a good moderator and foundation in all debates. For example, professional expertise could be used as the foundation for a given debate. Internet debates shall be healthier when people with expert join in and provide their knowledge as reference for others. This is the way to increase the rationality of social networks.

The emergence of a social movement is usually unexpected. However, we observe two key factors in any social movements. First, when social networks and mainstream media join hands, the State must take actions. In the Hanoi Tree Campaign, there is a special breakthrough, being the simple letter from Mr Tran Dang Tuan requesting the stay of tree cut, which was suddenly widely received and supported. In other campaigns, we could

not find that breakthrough.

An important factor of a village society is the hierarchy. However, the anonymity that Facebook offers compromises the hierarchy that village society has to offer.

2.5. Discussion session: Civil Society Space and Solution to Develop the Civil Society in Vietnam (Facilitator: Le Nam Huong, LLM)

2.5.1. Presentation

2.5.1.1. Benchmark assessment of Civil Society Space in Vietnam (Presenter: Le Quang Binh, M.A)

Civil society space is a new concept that has been frequently discussed recently. Several forums at ASEAN, Washington, or Brussels also mentioned the concept. Discussions showed a rather pessimistic attitude as many views that civil society space is being narrowed globally. Whether Vietnam's civil society space is narrowed or expanded is an interesting question for discussion.

In general, “space” is fairly abstract notion. While ‘place’ refers to a particular and physical area, ‘space’ lays focus on feelings and experiences. Henri Lefebvre states: ‘(Social) space is a (social) product...Therefore, space is produced as a tool of ideology and action..., moreover, as a means of production, it also serves as a tool to control and thus to establish the rule of power.’ As space is characterized by social construction and comprised of social relations, it is not static but always dynamic.

This is an orthodox definition. An unofficial understanding is that civil society space is the freedom we have in exercising our rights. For example, when the Ministry of Education issued the Circular restricting students from sharing certain information on their social network account, we can regard that the students' space is very much narrowed.

Whether civil society space is expanded or narrowed depends on three important factors. The first factor comprises social and cultural values that promote or restrict the development of civil society, as both the state and civil society are included in 'society'. The second factor is the capacity and agency of civil society agents in promoting their space of freedom. The stronger, the more proactive and the more cooperative civil society organisations (CSOs) are, the bigger the chance they can have to expand their space, and thus civil society space will be expanded. The third factor is the state's interventions in civil activities and its view of and attitude towards civil society. Arguably, the more tolerant the state towards civil society and the less its intervention in and control of civil society actors, the wider the civil society space as the presence and coverage of the state has been contracted.

Civil society space is not measured directly, but rather through three abovementioned components. To verify whether changes of the three components will expand or narrow civil society space, a component on civil society impacts is added to indirectly assess the accuracy of the measurement tools produced by the first three components. The wider the operating space of civil society, the stronger the impacts civil society can make on society, and vice versa. After a single-factor model is run, the study shows that this model is completely applicable to measure civil society space.

On a five-point scale, all components have lower scores than the mean (3); in particular, the component on state regulation has the lowest score, with only 2.24 points. The component on social and cultural values has the highest score, with 2.94 points, followed by the components on civil society impacts and capacity, with 2.92 and 2.91 points, respectively. Most respondents consider Vietnam's civil society space to be narrow.

The component on civil society capacity has a highly positive correlation with civil society space overall (0.86), which reflects that the existing civil society space is determined chiefly thanks to civil society capacity. Similarly, the correlation between civil society capacity and the impacts of civil society is also strong (0.63), hence civil society capacity determines not only the extent of civil space but also its impacts on society. The correlation between state regulation and civil society space is very low (0.36), which makes it more evident that the extent of civil space depends more on capacity than on state regulation. As a result, investment in civil society capacity is an efficient and smart choice in expanding civil society space as well as overall social impacts.

Among the indicators in the component on social and cultural values, the indicators on 'public contributions to charitable activities' and 'the extent of interest in injustice' have relatively high scores, above the mean, with 3.12 and 3.65 points, respectively. However, the public's support for independent criticism and acceptance of ideological differences is very low, with only 2.63 and 2.64 points. Negative statements about civil society and civil activities such as social criticism, demonstrations, freedom of association and assembly have hindered people from participating in and supporting activities of civil society. ¹⁴ Some people argue that this issue can be tackled when the public has higher knowledge and awareness of policies and better understands deep-rooted causes of injustice and the

socio-economic and cultural issues that they are facing.

Civil society capacity is shown through various indicators and remains rather poor. Over the recent years, the composition (3.97 points) and activities of civil society (3.77 points) have been increasingly diversified despite some gaps, particularly the roles of think-tanks, religious organisations, and universities. These are important links that can make impacts on the capacity and quality of civil society. The human resources of civil society are considered being strong in technical aspects but weak in civic activism (3.08 points). Financial capacity either depends on external sources, as with many registered NGOs, or is very limited, in cases of non-registered groups. Limited financial resources result in constraints in implementing broad and deep activities (2.51 points). Opportunities to mobilise resources from enterprises and the public have not yet opened, as most Vietnamese businesses are either closely linked to the government or keep their distance from it, and the public are not yet familiar with civil society activities. The cooperation amongst CSOs (2.88 points) has been improved recently despite many remaining challenges as a result of internal factors (lack of genuine respect and understanding of each other's roles) and external ones (restrictions from authorities). The relationship of civil society and the state (2.36 points) is very weak as a consequence of unequal relations, the 'ask-give' mechanism and the position of the state as controlling rather than supporting civil society. Relationships with the media (2.94 points) and international civil society (2.73 points) have been improved, especially thanks to the social network and the Internet, but remain limited.

The state has controlled civil society very strictly, even impeding some human rights groups or dissenting groups. Freedom of association (2.16 points) and freedom of activity (2.58 points) have not been protected, and

it is more difficult to establish NGOs and associations in Ho Chi Minh City and southern provinces. Access to the Internet 15 has been expanded in Vietnam, but freedom of information (2.05 points) and freedom of expression on the Internet remain very limited. The publishing sector (2.37 points) is a 'leopard-spotted' picture, as freedom of publication has not been officially institutionalised but the reality is relatively relaxed with the partnership between private stakeholders and state publishers. Freedom of press is considered limited (2.27 points) as censorship and self-censorship still linger and the Press Law, which is being revised, has not recognised private press, with no mechanism to protect journalists, especially investigative ones. Freedom of fund raising was evaluated as the highest indicator, but remains below the mean score (2.93 points) as there is a lack of a clear legal framework, and fund-raising organisations and individuals are operating in a gray zone, without state interventions.

The impacts of civil society on protecting human rights have not been appreciated (2.94 points) as a consequence of NGOs' self-censorship, the state's impediments and limited capacity of CSOs. CSOs have not effectively and fully communicated the voice of minorities groups (3.07 points), primarily due to a lack of CSOs of these groups, or a lack of civil society's understanding of and sensitivity to their needs and rights. The impacts on the state's accountability are also limited (2.44 points) due to a lack of a legal framework to protect these rights. However, in combination with the mass media and the public, social networks and civil society groups have created precedents. For instance, the Health Minister has used Facebook to 'explain' her positions, and the Hanoi People's Committee stopped the tree-cutting scandal. Civil society impacts on gender inequality (3.14 points) and poverty reduction (3.18 points) are appreciated more highly, but breakthrough approaches are needed to produce stronger impacts. In particular, it is necessary to tackle deep-rooted causes of gender

inequality (the power relationship between men and women) and poverty (corruption, wastefulness, and dependence-generating policies). Finally, civil society's impact on a culture of democracy remains weak (2.84 points), chiefly as a consequence of limited capacity and knowledge, as well as the fact that many CSOs have not yet implemented democratic practices, either internally, among different organisations, or between them and society

As many as 61 percent of the research respondents believe that despite remaining narrow, civil society space has expanded over the last three years, and respondents hope that this space will further expand in the future. One of the main causes is that the wide use of the Internet and social media have made people more knowledgeable, thus giving them better chances to express their voices and connect with each other. In addition, the establishment of new free-standing groups, even antagonistic ones, has pushed the boundaries, thus expanding the civil space. The transformation of NGOs through policy advocacy, social movements, and especially the development of volunteer youth and charity groups has created much new space. The transformation in cooperation, coordination and mutual respect amongst civil society groups has increased operational effectiveness and formed the conditions for civil society space to be expanded further.

Vietnamese civil society is now at an important stage of development due to the ongoing expansion of space, established cooperation, and a series of new laws being prepared by the state, such as the Law on Association, the Law on Access to Information, the Law on Demonstration, and the Press Law. Arguably, the impacts of civil society on social, political and economic life have increased in the direction of democracy, transparency and liberalisation. However, Vietnamese civil society remains at a stage of learning, experimenting and developing. Civil society has not yet coalesced and does not yet have sufficient human, financial and influencing resources

to become an important pillar in society. Civil society should continue to be nurtured and promoted for at least an additional 5-10 years so that NGOs become more independent financially and stronger in social mobilisation skills, non-registered groups become stronger in civil activism, and new civil agents such as think-tanks, religious organisations and universities become engaged more proactively in civil activism. Especially, youth and student groups have now grown up and become a major force in civil society networks, possessing not only knowledge and skills but also values of equality, freedom and tolerance.

2.5.2. Open discussion

There are a few issues that Vietnam's civil society needs to resolve. First, the civil society and the rule of law must be regarded as a dual concept together with the market economy. This is the need for changing of mindset about civil society. Second, the development of civil society coincides with the democratization. Without a civil society, democracy is without its inner power. Third, legal framework is necessity for NGOs' operations as a restrictive society will limit NGOs' works. Fourth, civil society must engage more in social criticisms, rather than only focus in poverty reduction, charity works, or other traditional jobs.

Another participant viewed that while democracy is important for expanding civil society, freedom is the vital for the development of civil society. The most important capacity that civil society has to offer is the capacity to defend freedom. This is not only the responsibility of public interest sector, but also of other sectors, including the press.

One more opinion is that civil society needs to reconsider their role under the new situation, especially when the financial picture is not very bright.

In fact, financial capacity would dictate the positions of civil society. If NGOs continues to do poverty reduction, it will be difficult because the fund for such activities is running low. NGOs need to reposition to social activism, policy advocacy, or human rights defending... as these sectors receive more attention from the donors. Otherwise, international aid shall need to be replaced by local resources.

Coalition between different NGOs are also related to the fundraising issue. Traditionally, donors focus into specific projects rather than projects which serve common values – which discourages the coalition between NGOs. In the new situation, donors will need to reconsider their position if they continue to interest in supporting Vietnam's civil society. Donors are requested to be more flexible, open, and accept to new forms of civil society's activities.

Another highlighted issue is that civil society only survives if it is recognized by the target communities. Disabled persons' organizations lose legitimacy without disabled persons' supports. It is also true for LGBT groups, minority people activists.

2.6. CLOSING REMARKS

On behalf of the Organizing Board, Ms Ngo Thi Thu Ha celebrated the hardworking attitude of the conference and its participants. Five discussion sessions had laid foundational theories on the existence of civil society both in Vietnam and in the world and on the role of civil society in the economic, culture, and social development of Vietnam. The role of civil society in the fields of civil rights and politics was discussed, although not in depth. The issue on resources for civil society was touched and it becomes clear that civil society will need to be creative in their way to access local resource

when international donors withdraw from Vietnam. Participants also discussed about traditional and modern spaces – social networks where civil society is working on, and solutions to expand the civil society space in Vietnam. Many topics were excitedly discussed, even though these are new and never ever mentioned before in Vietnam.

The conference attracted more than 130 participants, which is beyond the Board's expectation. Participants represent all three main regions of the country, come from different backgrounds. The conference also welcomed delegations from the government, delegations from INGOs, and individual researchers on civil society (both Vietnamese and foreigners). The Organizing Board is hopeful that the second annual conference will attract a larger number, deeper, and more diverse studies on civil society, even touching sensitive topics such as civil and political rights.

The conference generated many helpful ideas and important questions for each of the CSO to rethink their own strategy. Perhaps, the most priority objective is still to expand the civil society space. Second, CSOs need to keep working on enhancing their portrayals, capacity, and reputation. Third, stakeholders need to continue their studies on relevant topics about civil society and its contribution to the country's development. Finally, we bid you farewell and look forward to our reunion in 2017.

APPENDIX

APPENDIX 1: THE CONFERENCE AGENDA



PPWG

GPAR

INVITATION

THE FIRST ANNUAL CONFERENCE ROLE OF CIVIL SOCIETY TO DEVELOPMENT OF SOCIETY, ECONOMY AND CULTURE IN VIETNAM

Civil society has existed for years along with the government and business sector, however, there has not been thorough discussion on civil society in Vietnam. The shortage of theoretical and practical foundation on civil society has restricted development of civil society in relation with the government and business. Three networks of People's Participation Working Group (PPWG), Group For Public Administration Reform (GPAR) and Gender and Community Development (GENCOMNET) co-organize the first annual conference on "**role of civil society to development of society, economy and culture in Vietnam**" on **14th - 15th April 2016** in Hanoi.

This conference is a space of freedom to discuss nature and role of civil society in Vietnam with representatives from government agencies, university, media, non-governmental organizations. It is expected that results of the conference would be theoretical and practical foundation for civil society development, especially contributing to debates on the draft law on association, law on demonstration, and law on access to information. Thus, Board of organizers would like to invite researchers, activists, and any interested organizations and individuals to participate the conference for discussion. Tentative agenda is enclosed with this invitation.

All interested participants are requested to complete the registration form at the link: <http://goo.gl/forms/AUG6cOqOdx> before **17h00 Tuesday on 12/4/2016**. Please contact Ms. Tran Chung Chau for any questions relate to the conference at number 04. 6273 7933, ext 113. Venue of the conference will be informed to those who register at the aforementioned link prior to the conference.

Your participation will surely contribute to success of the 1st annual conference.

On behalf of board of organizers,

Le Quang Binh

Chairman of PPWG

Ngo Thi Thu Ha

Chairwoman of GPAR

Pham Kim Ngoc

Chairwoman of GENCOMNET

Tentative Agenda

April 14

Time	Activity	Responsible People
8.30 – 9.00	Reception	
9.00 – 9.15	Welcoming and Opening Speech	MA. Le Quang Binh PPWG Chairman
Session: Theoretical Foundation for Civil Society in Vietnam		
9.15 – 9.45	States and civil society: some fundamental relationship modalities	Ass. Prof. Pham Quynh Phuong PhD. Bui Hai Thiem
9.45 – 10.15	Civil society and visible modality of civil society in Vietnam	PhD. Bui Hai Thiem
10.15 – 10.45	Discussion with presenters	Facilitated by PhD. Pham Quang Tu
10.45 – 11.00	Tea-break	
11.00 – 12.00	Panel discussion: Discourse on civil society and theories on civil society in Vietnam's context • Ass. Prof. Pham Quynh Phuong • PhD. Bui Hai Thiem • PhD. Nguyen Manh Cuong	Facilitated by PhD. Pham Quang Tu
12.00 – 13.00	Lunch	All participants
Session: Role of civil society in socio-economic and cultural development in Vietnam		
13.20 – 13.40	Formulation, operation and development direction of unofficial organizations: case studies of charity organizations in Hue.	PhD. Nguyen Quy Hanh
13.40 – 14.00	Role and policy advocacy strategies of Vietnamese non-governmental organizations	MA. Le Quang Binh Chairman of PPWG
14.00 – 15.00	Panel discussion: Role of civil society in socio-economic and cultural development in Vietnam • PhD. Nguyen Quy Hanh • MA. Le Quang Binh • PhD. La Khanh Tung • MA. Dang Huy Hoang	Facilitated by MA. Ngo Thu Ha – Chairwoman of GPAR
15.00 – 15.15	Tea-break	All participants
Session: Financial resource for Vietnamese civil society		
15.15 – 15.35	Financial resource for Vietnamese civil society: which resource is empty, which resource is full for exploration?	PhD. Nguyen Duc Thanh
15.35 – 15.55	Challenge and opportunities for domestic funding for VNGOs	PhD. Vu Hong Phong
15.55 – 17.00	Panel discussion: Financial resource for Vietnamese CSOs • PhD. Nguyen Duc Thanh • PhD. Vu Hong Phong • PhD. Dang Hoang Giang	Facilitated by MA. Nguyen Thi Bich Tam

Tentative Agenda

April 15

Time	Activity	Responsible People
9.00 – 9.05	Opening and Recap of the first day	
Session: Traditional space and internet-based space for Vietnamese civil society		
9.05 – 9.25	Replacement of vilage-based society with civil society	Prof. PhD. Nguyen Dang Dzong – Lecturer at Law Falcuty at National University
9.25 – 9.45	Interaction between state and civil society through social media in Vietnam – a case study	Huynh Ngoc Chuong
9.45 – 10.15	Plenary discussion	Facilitated by MA. Pham Kim Ngoc – Chairwoman of GENCOMNET
10.15 – 10.30	Tea-break	All participants
Session: Civil space and Recommendations for development of Vietnamese civil society		
10.30 – 11.00	Benchmark of civil space in Vietnam	MA. Le Quang Binh Chairman of PPWG
11.00 – 12.00	Panel discussion: Civil space and recommendations for development of Vietnamese civil society. • MA. Le Quang Binh • PhD. Andrew Well Dang • PhD. Nguyễn Vi Khải • MA. Truong Hong Quang	Facilitated by MA. Le Nam Huong
12.00 – 12.10	Closing of 1st Annual Conference	MA. Ngo Thu Ha – Chairwoman of GPAR
12.10 – 13.30	Lunch	All participants

THE FIRST ANNUAL CONFERENCE ROLE OF CIVIL SOCIETY TO DEVELOPMENT OF SOCIETY, ECONOMY AND CULTURE IN VIETNAM

APPENDIX 2: PRESENTATIONS AT THE CONFERENCE

Presentations at the workshop are shared at:

- <http://bit.ly/1WpU6Gk> and
- <http://bit.ly/1TPbpjb>

