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A Democratic Vietnam; Not in the United States' Core Interests

by

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A paper submitted to the faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

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1 November 2013

ABSTRACT

Despite the U.S. commitment to human rights and democratic ideals, the U.S. should not press Vietnam for democratic reform simply because it is not in the United States' core interest of rebalancing towards the Pacific and building relations with Asian nations to counter growing Chinese dominance in the region. There are four main aspects to this argument. First, Vietnam is not ready for democratization. A premature redistribution of power would cause social, economic and political instability that would destabilize the region and make Vietnam a poor strategic partner. Second, pushing democratization and human rights reform would be resisted by the Vietnamese and hinder the United States' growing partnership with Vietnam. Third, Vietnam is currently straddling the fence, balancing relations between the U.S. and China; U.S. pressure for democratization and other reforms would push Vietnam to align more closely with China. Fourth, democratization in Vietnam may be a self-correcting problem. There are indications of growing self-determination and representation within Vietnamese governance that may develop, but only under the appropriate conditions stemming from domestic, not foreign, influence.

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SECTION 1: INTRODUCTION

On 25 July 2013, Vietnam and the U.S. sent a strong strategic message as both Presidents Barack Obama and Truong Tan Sang sat together in the Oval Office in front of the international press and reaffirmed their growing political and economic partnership. The U.S. is currently Vietnam's largest export market with bilateral trade exceeding \$20 million in 2012.¹ Vietnam also receives an annual average of \$100 million in U.S. aid, mostly for medical and health-related initiatives.² In addition, the U.S. and Vietnam have developed military ties, most recently with five days of combined naval exercises in April 2012.³ While U.S. relations with Vietnam have improved, there is no indication that the Vietnamese Communist Party (VCP) intends to make any democratic reform or improve its long track record of suppressing freedom of speech or human rights. Ironically, five days after President Sang's visit, the Vietnamese government published Decree-Law 72, prohibiting the posting of any anti-government content on the internet and other social media.⁴ The law also requires all foreign websites to maintain at least one server in Vietnam, which would give the government greater ability to trace individual web users and control content on the internet.⁵

Historically U.S. foreign policy has wavered on whether democracy is a prerequisite for its strategic partners. On 24 September 2013, President Obama addressed the United Nations, stating:

The United States will at times work with governments that do not meet the highest international expectations, but who work with us on our core interests. But we will not stop asserting principles that are consistent with our ideals, whether that means opposing the use of violence as a means of suppressing dissent or supporting the principles embodied in the Universal Declaration of Human Rights. We will reject the notion that these principles are simply Western exports...⁶

While President Obama's mixed message was in reference to the Middle East, it is equally applicable to Vietnam and the complexity of the Pacific region.

Appreciating the national interests of the U.S. and Vietnam are vital to understanding the strategic environment. According to the 2013 Congressional Research Service (CRS) Report to Congress, the United States' interests in regard to Vietnam are to open markets for U.S. trade and investment, enhance human rights and democracy, offset growing Chinese regional dominance, ensure freedom of navigation in the South China Sea (SCS), and maintain and expand U.S. influence in Southeast Asia.⁷ Likewise, Vietnam's national interests are to continue the development of their economy with market-oriented reforms, develop diplomatic and economic ties with its Southeast Asian neighbors, reconcile and enhance its relations with China, and concurrently develop relations with the U.S. to counterbalance China's growing regional dominance.⁸

U.S. relations with Vietnam, or any other Pacific nation, have become peripheral to the larger issue of China. The recent calls from the Chinese government for a "de-Americanized world" underscore numerous security issues and sources of potential conflict.⁹ Despite the U.S. commitment to human rights and democratic ideals, the U.S. should not press Vietnam for democratic reform simply because it is not in the United States' core interest of rebalancing towards the Pacific and building relations with Asian nations to counter growing Chinese dominance in the region. There are four main aspects to this argument. First, Vietnam is not ready for democratization. A premature redistribution of power would cause social, economic and political instability that would destabilize the region and make Vietnam a poor strategic partner. Second, pushing democratization and human rights reform would be resisted by the Vietnamese and hinder the United States' growing partnership with Vietnam. Third, Vietnam is currently straddling the fence, balancing relations between the U.S. and China; U.S. pressure for

democratization and other reforms would push Vietnam to align more closely with China.

Fourth, democratization in Vietnam may be a self-correcting problem. There are indications of growing self-determination and representation within Vietnamese governance that may develop, but only under the appropriate conditions stemming from domestic, not foreign, influence.

SECTION 2: THE CASE FOR PRESSING DEMOCRATIC REFORM

Many human rights activists, along with the lobby representing over one million Vietnamese-Americans, argue that the U.S. should do more to leverage its national instruments of power to press Vietnam for democratic and human rights reform. There are two main reasons for this argument. First, economic reform and deregulation under the *Doi Moi* (Renovation) policy instituted in 1986 have not directly translated into improvements in rule of law, human rights or democratization, but have only reinforced an unresponsive state bureaucracy that promotes corruption and nepotism. Second, if the U.S. were successful in influencing the Vietnamese government, legitimate democratic reform in Vietnam could have a profound effect on similar movements in China. In support of this position, there are several ways the U.S. could feasibly apply pressure. Vietnam and the United States are currently two of eleven countries negotiating a Trans-Pacific Strategic and Economic Partnership (TPP) regional free trade agreement (FTA).¹⁰ Many activists argue that the U.S. should use Vietnam's participation in the TPP FTA talks as leverage.¹¹ The U.S. could also use its \$100 million in annual aid and the lifting of restrictions on lethal weapons sales to Vietnam as incentive.

In 1986, Vietnam initiated economic reform for the same reason that China did, for access to Western markets to bolster its failing subsidy economy. Ultimately Vietnam initiated the *Doi Moi* policy because it did not see any other viable choice.¹² Following the armed conflict with China in 1979 and the crumbling of the Soviet Empire in the 1980s, there was nothing comparable to a Soviet or Chinese Marshall Plan to develop Vietnam and rebuild what little

infrastructure that did exist.¹³ The VCP initiated *Doi Moi* not just for the welfare of the Vietnamese state but, more importantly, for the survival of the Party.

Since the unification in 1975, the Vietnamese Communist Party (VCP) has continued to suppress freedom of speech to maintain its political monopoly and tight control of the country. Although the *Doi Moi* policy has fostered economic reform, deregulation of Vietnam's growing capital market, and exposed Vietnamese society to western influences, the VCP has taken measures to ensure there is no "Trojan Horse" of liberal ideas being smuggled into Vietnam.¹⁴ To this end, Vietnam has created a "two-track legal system" where the rule of law has been expanded to cover the free market economy and encourage foreign investment but has not evolved to promote individual rights and civil liberties.¹⁵ According to a Human Rights Watch report in 2012:

Independent writers, bloggers, and rights activists who question government policies, expose official corruption, or call for democratic alternatives to one-party rule are routinely subject to police harassment and intrusive surveillance, detained incommunicado for long periods of time without access to legal counsel, and sentenced to increasingly long terms in prison for violating vague national security laws.¹⁶

With a third of Vietnam's 90 million now online, the government is very aware of the social influence of the internet.¹⁷ This access has come at a price as Reporters Without Borders reported that Vietnam was only second to China for the number of bloggers detained.¹⁸ In 2012, The Guardian wrote "The Committee to Protect Journalists cites Vietnam as the fourth-worst jailer of journalists in the world."¹⁹ Despite the warming U.S.-Vietnamese relations exemplified by the White house visit in July 2013, tensions arose in October when Vietnamese courts sentenced Le Quoc Quan, a U.S. trained human rights lawyer and internet activist, to 30 months of jail.²⁰ While Quan was convicted for tax evasion, the U.S. Embassy in Hanoi believed the Quan's sentence was politically motivated and made the following statement:

The use of tax laws by Vietnamese authorities to imprison government critics for peacefully expressing their political views is disturbing. We call on the government to release prisoners of conscience and allow all Vietnamese to peacefully express their political views.”²¹

Despite the U.S. Embassy’s appeal, Le Quoc Quan, like the many other imprisoned Vietnamese dissidents, received no reprieve and remains behind bars.

Vietnamese governance is a one-party system where all members of the government must be vetted by the VCP. In a population in excess of 90 million, participation in governance has been limited to less than only 3.7 million members of the VCP.²² The Vietnamese political system is often described as two entirely different entities: the President, Prime Minister and General Assembly seen by the world; and the VCP governing from behind the curtains.²³ The VCP has many departments that mirror the government’s 26 ministries and must approve all proposals prior to any government decisions being made.²⁴ The VCP additionally has mirror departments at the regional and local commune level to supervise all decisions.

Even with the expansion of Vietnam’s legal system to accommodate foreign investment, the VCP still continues to lead through the “Rule by law rather than rule of law.”²⁵ The Party still relies upon its “Stasi-like” Cong An (public security force) to maintain order and intimidate and ultimately repress dissident elements.²⁶ In this environment, corruption has been able to flourish. According to the Vietnamese government’s own accounts, corruption consumed up to 20% of infrastructure spending in 2002.²⁷ In 2007, the late war hero General Vo Nguyen Giap wrote the VCP stating that the Party had become the shield to protect corrupt officials.²⁸ Patronage is so much the norm that failure to forward a percentage of earning to one’s hierarchy is a deviation from the norm and ultimately considered “corrupt.”²⁹ Despite the expanded legal institutions in Vietnam, laws and regulations remain unclear, making one’s position and power more likely to influence key decisions and rulings more than the actual legality of the case.³⁰

Vietnam and China share very similar political and economic designs, to include the problems of corruption and repression of freedom of speech. Many postulate that if a democratic movement or second party could be incorporated into the government, not only would it promote the self-determination of Vietnam, but the movement could spread like an Arab Spring to other communist countries in the region, including China. A democratic initiative in China would ultimately be a game changer and potentially negate many of the United States' security concerns in the region. While history has shown that Jeffersonian democracies do not spring up overnight, many believe any improvement in Vietnam's freedom of speech and human rights would allow the potential of these movements to grow. Despite these idealistic beliefs, democratic reform is not in Vietnam's probable future, nor is it within U.S. core interests.

SECTION 3: NOT READY FOR DEMOCRACY

Despite the strong moral argument and geopolitical appeal for the U.S. to push Vietnam for political reform and freedom of speech, Vietnam is simply not ready for democratization. A premature redistribution of power would cause social, economic and political instability that would destabilize the region and make Vietnam a poor strategic partner. Instead, the U.S. should support sequencing economic development prior to democratization.³¹ This pragmatic and arguably legitimate approach is appropriate for two main reasons. First, historical case studies clearly show that developing nations that attempt democratization without a solid economic base struggle and often fail. Second, the market economy that has been able to flourish in Vietnam for over 20 years has been a result of, and not in spite of, authoritarian rule.

History has shown that developing nations initiating democratic reform are often plagued with political instability, social unrest and violence.³² The majority of high-income countries today either became democracies after they attained a high-level of economic growth, were able to develop economically under the occupation or protective wing of a superpower or are still not

democracies.³³ Even the United States did not become a democratic republic until it attained a firm economic base and rule of law as a British colony. Regionally, South Korea, Taiwan and Japan are perfect examples. Despite South Korea's elections in the 1960s and early 1970s, it returned to authoritarian rule until 1987.³⁴ After years of one-party authoritarian rule, Taiwan's first open election did not occur until 1997. Finally, Japan did not transition into a democracy until after U.S. occupation, which allowed Japan to develop a strong economic base.

Conversely, countries that have attempted democracy at lower levels of development have tended to struggle, experience significant unrest and violence and often revert back to authoritarian regimes. In addition to the aforementioned democratic struggle in South Korea, Thailand and the Philippines provide valid examples. Thailand has endured a number of failed democratic governments, only to be followed by a military takeover; in fact, since 1932 there have been 20 coup attempts.³⁵ At the end of U.S. occupation, the Philippines began experimenting with democracy in 1935.³⁶ Despite the significant investment of U.S. aid to stabilize this close ally and prevent the spread of communism, Marcos declared martial law in 1972.³⁷ In comparison to its surrounding Asian states, Vietnam's one-party rule has provided a far more stable environment for economic growth.

The economic growth under Vietnam's current market economy has been a result of, and not in spite of, authoritarian rule. In 2006 the Vietnamese hosted the Asian Pacific Economic Cooperation (APEC) Conference that was attended by President George W. Bush and 20 other world leaders. At the conclusion of the conference, and 11 years of negotiation, Vietnam became the 150th member of the World Trade Organization (WTO).³⁸ Vietnam's admission into the WTO had little to do with democratization but was more about the economic viability of the state. Authoritarian regimes are more able to enforce strict economic reforms while maintaining stability than democratic countries.³⁹ Not only can an authoritarian government impose laws and

economic regulations that create a conducive environment for capital enterprises, but foreign investors are reasonably secure with their investments in a socially and politically stable environment. By contrast, democratic countries have greater difficulty enforcing strict regulations without undermining the government's legitimacy.⁴⁰

Stable and financially solvent nations, whether democratic or authoritarian, tend to share several characteristics: competitive and open market economies, governance through consensus-building mechanisms, and subordination of military to civilian policy and decision-making.⁴¹ An economically viable and stable Vietnam, albeit a single-party authoritarian state, is a far better strategic partner for the U.S. than a democratic, politically turbulent and economically struggling Vietnam. If forced to choose between democratization and economic development in Vietnam or any other developing country, it is in the United States' core interest to choose economic development.⁴²

SECTION 4: REPRESSIVE OR XENOPHOBIC REGIME?

The invasions by the Chinese, Mongols and later occupations by the French, Japanese and Americans have given the Vietnamese a national identity of resistance.⁴³ The Vietnamese are acutely sensitive to foreign influence into its domestic affairs and view any initiatives as a violation of its autonomy. Pressing democratization and human rights would be resisted by the Vietnamese and hinder U.S. relations with Vietnam for several reasons. First, after centuries of history, these xenophobic fears are very much a part of the Vietnamese DNA today. Second, Vietnamese leadership does not want to repeat the recent experiences of its neighbor, Cambodia. Third, memories of the U.S. occupation are not dead and could still cast a shadow on foreign relations. Finally, U.S. pressure for reform is confirmation to many Vietnamese that the United States' long term goal is to degrade the VCP's rule.⁴⁴

The Vietnamese regard international calls for democratization and human rights as extensions of Western imperialism.⁴⁵ Moreover, any acquiescence to these initiatives is regarded as caving into foreign domination.⁴⁶ With the *Doi Moi* reform policies and admission into ASEAN and WTO, Vietnam has shown that it is willing to open up to the international world, but only as a means of remaining economically viable and ultimately ensuring the survival of the VCP and state, not as an invitation for external influence and reform. In the national paradigm, the survival of the party directly equates to the survival of the state.⁴⁷ Even though Vietnam willingly ceded a degree of its national sovereignty to participate in ASEAN and its free trade areas, Vietnam will never allow the material benefits of a globalized market economy to supersede Vietnam's national honor.⁴⁸

In a society where national pride is paramount, there is a great sense of paranoia among the Vietnamese that the nation is constantly threatened by foreigners.⁴⁹ A current Vietnamese saying sheds light on this sentiment:

A thousand years of Chinese rule
A hundred years of French subjugation
And ten years of American domination
But we survived, unified.”⁵⁰

This message profoundly resonates among the Vietnamese people who have been raised studying the humiliation of occupation and who strongly oppose any notion of foreign domination.⁵¹

Vietnam's xenophobic fear of foreign domination is not just defined by its own past but also by witnessing the experience of its neighbors, specifically Cambodia. During the Cambodian civil war, Cambodia's sovereignty was superseded by regional and international peace initiatives so that by the end of the 1980's, the United Nations, Japan and Australia dominated the peace process.⁵² Later in the 1990's, ASEAN suspended Cambodia's membership into ASEAN until Prime Minister Hun Sen acquiesced and held free democratic elections.⁵³

Having witnessed Cambodia's experience, the VCP will always ensure that it will never lose its own national sovereignty or be dictated terms by other nations or international agencies.

If the VCP perceives a substantial existential threat to its sovereignty, particularly from the United States, there is great potential that the VCP will revert to its old wartime playbook and revive Vietnam's nationalism and memories of U.S. occupation.⁵⁴ In addition to the lingering memories of wartime events that span the spectrum from collateral damage to the massacre at My Lai, there is enough fuel to ignite anti-American sentiment. One significant example is that since 1975, there have been over 150,000 Vietnamese children born with birth defects due to Agent Orange.⁵⁵ Additionally, since 1975 there have been over 100,000 casualties due to 20% of the country still being covered with unexploded ordnance.⁵⁶

Despite the warming relations with Vietnam, many Vietnamese government officials still believe that the United States' long-term objective is "to erode the VCP's monopoly on power."⁵⁷ In addition to diplomatic pressure, Western interest groups have allocated funds and resources to aid opposition groups and undermine the legitimacy of the VCP.⁵⁸ Some reports assert that Western governments and Non-Governmental Organizations (NGOs) have aided urban groups and even armed ethnic minorities in outlying areas.⁵⁹ The validity of these reports is not as important as the perception and overall effect it has on the VCP and Vietnam's foreign policy. While this remains important, the danger of pushing the issue of democratization is not so much the degradation of U.S.-Vietnamese relations as it is with both countries' collective relationship with China.

SECTION 5, CHINA: BIG BROTHER OR NORTHERN COLONIZER?

The United States has expended great effort in the "Rebalance in the Pacific" to build relationships with other regional powers, including Vietnam, to counter growing Chinese dominance. Just as Vietnam balanced relations between both China and the Soviet Union during

the Vietnam War and at the height of Sino-Soviet tensions, Vietnam now walks a fine line between both China and the United States.⁶⁰ In this environment, U.S. foreign policy and rhetoric to pressure Vietnam for democratization and other reforms would push Vietnam to align more closely with China for two main reasons. First, Vietnam and China share a common cultural background and a similar political and economic trajectory. Second, as Vietnam's experiences in both Cambodia and the South China Sea (SCS) indicate, Vietnam has been careful to not antagonize China, even if it requires compromising its own sovereignty.⁶¹

Vietnam has a complex relationship with its "northern colonizers" ranging from deference and respect to resentment and hostility.⁶² Due to their geography, both Vietnam and China share similar cultures and Confucian influence.⁶³ For a thousand years, the Chinese Emperor ruled Vietnam and since then, Vietnam's ideology and organization of government have been of Chinese origin.⁶⁴ Today they share similar communist one-party governments and rapidly developing open market economies.⁶⁵ Vietnam's unification in 1975 came largely from the support of China. Later, Vietnam's *Doi Moi* policy borrowed four of Chinese Deng Xiaoping's six reform principles.⁶⁶ Today, both follow a similar path of economic growth while maintaining one-party autocratic rule.

Despite the commonalities, Vietnam has not blindly followed in the steps of the Chinese. The VCP has taken deliberate steps to avoid repeating China's mistakes, most notably by not conducting its own cultural revolution.⁶⁷ As the economic integration of the open market continues, Vietnam has increasingly looked to European and other Asian legal models to foster multilateral international institutions.⁶⁸ In the same vein, Vietnam has demonstrated it will break out of step with China when serving its own national interests.

Since the Vietnamese unification in 1975, Vietnam and China have often had diverging strategic interests that have resulted in armed conflict. What is most telling are not the conflicts,

but Vietnam's behavior during the aftermath. Despite China's overt support for North Vietnam against the South and U.S. forces, in 1978 Vietnam went against China's edict and militarily intervened in Cambodia in response to the Khmer Rouge's genocide.⁶⁹ To "teach the Vietnamese a lesson," China's Deng Xiaoping sent Chinese troops into Vietnam in 1979, destroying four provincial capitals.⁷⁰ While the Chinese incursion only lasted a month, China and Vietnam did not stop exchanging artillery fire until 1990.⁷¹ Strangely, the armed conflict with China is only briefly mentioned in Vietnamese history text books.⁷² VCP leadership consciously made a decision to minimize publicity of the armed conflict in order to not hinder the possibility of future relations with China.⁷³ Due to China's size, proximity and regional influence, Vietnam "can rewrite [its] history, but...it cannot change its geography."⁷⁴

The largest source of friction currently between Vietnam and China are the territorial disputes in the South China Sea (SCS). Most of Vietnam's territorial claims in the SCS overlap with those of China.⁷⁵ Disputes between China and Vietnam in the SCS have escalated to the point of armed military confrontation in 1974 and 1988.⁷⁶ On two occasions in 2011, Chinese maritime administration vessels cut the surveillance cables of Vietnamese ships operating within the continental shelf waters of Vietnam.⁷⁷ Just as Vietnam altered its history books to not hinder future relations with China, Vietnam's response to the 2011 SCS incidents is equally illuminating. After the incidents, Vietnam held a live fire naval exercise in the area of the cable cutting.⁷⁸ While Vietnamese officials claimed it was a routine exercise, it is not hard to see the strategic messaging. Even more subtle, as the newly elected General Secretary of the VCP visited neighboring countries in 2011, the General Secretary visited Laos before visiting China.⁷⁹

Territorial disputes with China over the SCS provide a great unifying cause for both the U.S. and Vietnam. Despite the primacy of Vietnamese interests in the SCS, the issue does not guarantee the Vietnamese will continue to align with U.S. interests or be a strategic partner for

the U.S. in the future. China continues to be Vietnam's single largest trading partner and is a vital source of Vietnam's imports.⁸⁰ Vietnam will continue to seek the middle ground and remain uncommitted between the U.S. and China. Any external pressure that threatens the survival of the VCP or sovereignty of the nation will be opposed by the Vietnamese populace and push away a potential U.S. partner into the open arms of China.

SECTION 6: DEMOCRATIC REFORM; A SELF CORRECTING PROBLEM?

Despite the moral appeal of a U.S. policy pushing for political reform, Vietnam currently does not possess the economic base to promote and sustain a viable democracy. Not only would any reform initiated from outside influences be automatically rejected by the Vietnamese, but holding Vietnam to Western standards of human rights and democracy is culturally unrealistic. More importantly, there are enough indicators in Vietnamese society and government to suggest that Vietnam may develop into a democracy, albeit at its own pace. Any successful democratic reform in Vietnam needs to be implemented from domestic influence, not U.S. foreign policy, for two main reasons. First, even with one-party rule, political participation is growing with rising levels of expectation. Second, despite its xenophobic tendencies, Vietnam is not immune to foreign influences.⁸¹ Concepts of individual rights have now entered into the national dialogue and are steering the direction of national governance.

Despite the political monopoly of the VCP, political participation in Vietnam has expanded and continues to expand. In fact, Vietnam holds popular elections every five years with the last election in May 2011, where over 62 million voters turned out to vote with a 99.51% turnout.⁸² Out of 827 candidates, 500 were elected to a five year term to the National Assembly.⁸³ Showing their commitment to the democratic process, the Vietnamese government established over 91,000 polling stations and spent over \$40 million on the election.⁸⁴ Within their system, the National Assembly elects the President, who nominates the Prime Minister and

cabinet, who are confirmed by the National Assembly for a five-year term.⁸⁵ While all candidates were party members or vetted by the VCP or its affiliate, the Vietnamese Fatherland Front, the fact that party membership is no longer a requirement for nomination is definitely a measure of reform. Even within the Party, membership has expanded to include a “new class of capitalist businessmen and entrepreneurs.”⁸⁶

In 2003, the Prime Minister issued a directive that citizens had the right to be informed, and even debate the decisions made, by the Peoples’ Committees at the commune level.⁸⁷ While the government has not allowed transparency at the provincial or national level, the move demonstrates a step in the right direction, especially since the commune has traditionally been the center of social and political life in Vietnam.⁸⁸ In Vietnam, it is well known that “Royal edicts take second place to village rules” and the further the decision making is from the central government, the more latitude there is for local autonomy.⁸⁹ Unless local officials directly threaten the Party’s authority or move too radically away from the Party’s position, local governance is given great latitude.⁹⁰

The Vietnamese mindset is to always err to the side of caution and always ensure stability.⁹¹ The VCP’s position on political participation is best depicted in the Party’s manifesto published within the Seventh Congress Political Report in 1991:

Pursuing extreme liberal demands, practicing democracy without linking it with order and discipline or without sufficiently taking into consideration the political and social situation, would... lead to consequences harmful to the people’s interests.⁹²

Despite the VCP’s sense of caution, Vietnam is not immune to foreign influences. Even with the government’s tight control of the media and freedom of speech, the market economy has expanded the dialogue of what can legitimately be discussed and even debated.⁹³ In 2003, in response to motorcycle congestion, pollution and accidents, the national police and Ministry of

Public Security required a motorbike license, residence permit and proof of insurance for registration.⁹⁴ More controversially, the ministry also established a “one person, one motorbike” rule.⁹⁵ To remain compliant with the ministry, the Hanoi Bureau of Public Safety restricted motorbike registration to each citizen and the following year suspended new registrations in four of Hanoi’s most congested districts. Due to the wide proliferation of motorcycles, it was not surprising that these regulations created an unprecedented outcry from Vietnamese riders. What is surprising is that the opposition argued that the motorcycle restrictions were “unconstitutional” as it violated the right to own property protected by Article 58 of the 1992 Vietnamese Constitution.⁹⁶ Even more surprising, the opposition comprised of not just ordinary citizens, but also officials from the Ministry of Justice, the National Assembly and VCP.⁹⁷ The controversy played out in the public media for several months as motorbike sales plummeted and public outcry escalated. While there was no legal ruling or law passed decreeing that the restrictions were unconstitutional, the “one person, one motorbike” policy was eventually rescinded by the various national and local institutions in 2005.⁹⁸ Although this was not a genuine victory for constitutional rights, it demonstrated how the *Doi Moi* policy, the growing influence of commercialism, and the VCP’s efforts to remain relevant all have shifted the Vietnamese baseline for rule of law and individual rights.

Despite the corruption, lack of freedom of speech and other issues associated with one-party authoritarian rule, the majority of Vietnamese are satisfied with VCP control.⁹⁹ Many in Vietnam remember the subsidy economy from 1975-1986 when the U.S. embargo damaged the economy far worse than the bombing and prolonged warfare.¹⁰⁰ As long as the Vietnamese people see progress and can maintain a standard of living for their families, the satisfaction with the VCP’s rule will continue.¹⁰¹ When the younger generation comes of age, the level of expectation may rise and mandate change. Moreover, there are 17,000 Vietnamese students

currently studying in the United States being exposed to Western ideas of human rights and democracy.¹⁰² The increase of foreign-educated students may also change the baseline of Vietnam's national paradigm and be a catalyst for reform, but this will take decades, if not another generation.

SECTION 8: CONCLUSION

Even though President Truong Tan Sang described the United States as a “top partner” in 2013, these comments do not commit Vietnam to weather any storm in the interests of the United States.¹⁰³ Vietnamese leaders have stated that they do not consider relations with the U.S. to be fully normalized until the restrictions on lethal weapon sales are lifted.¹⁰⁴ As China is now calling for a “de-Americanized world,” the United States’ relationship with Vietnam is even more crucial to the “Asian Pivot.” In 2012, Kurt Campbell, the U.S. Assistant Secretary of State for East-Asia and Pacific Affairs, said:

We did make it clear that for the United States and Vietnam to go to the next level it will require some significant steps on the part of Vietnam to address both individual cases of concerns, human rights concerns, but also more systemic challenges associated with freedom of expression, freedom of organization.¹⁰⁵

U.S. pressure for Vietnam to “take it to the next level” may push Vietnam away into the Chinese sphere. By putting a glass ceiling on relations with Vietnam, the U.S. consequently limits its ability to influence the region. Holding Vietnam to a higher standard due to the Vietnamese-American lobby is strategically myopic, especially considering the United States’ strategic partnerships with other nations that do not hold what President Obama referred to as the “highest international expectations.”¹⁰⁶ Ultimately, the risk of losing Vietnam as a strategic partner is greater than any benefit from Vietnamese reform.

History may provide examples to guide the U.S. as it navigates this unknown strategic landscape. In 2011, Henry Kissinger wrote of the rise of China and suggested that an armed

conflict was not inevitable if the U.S. adopted an approach using the principles of the Westphalian system.¹⁰⁷ This balance of power was based upon the linkage of diplomatic and economic incentives towards other nations' behavior. Kissinger asserts that this equilibrium cannot exist if linkage interferes with the sovereignty and domestic affairs of other nation states.¹⁰⁸ In the late nineteenth century, the primacy of Bismark's strategy was to balance the European world order by ensuring Germany was not isolated by its neighbors. In the run-up to World War I, history would prove that Kaiser Wilhelm's theory of alienating nations to make them seek to align more closely with Germany was flawed and resulted in Germany's isolation and defeat in World War I.¹⁰⁹ Instead of focusing on Vietnam's internal affairs that may risk the loss of a vital strategic partner in the region, the U.S. should adopt a more indirect approach towards domestic reform in Vietnam that does not betray its moral values but still aligns with its more pragmatic, core interests in regards to China.

SECTION 9: RECOMMENDATIONS

As the U.S. continues to refocus its initiatives in the Pacific, it should follow some basic, pragmatic recommendations. First, the U.S. should not make human rights a factor in Vietnam's participation in the TPP FTA talks. Second, to fully "normalize" relations with Vietnam, the President should waive restrictions on lethal weapon sales to Vietnam. Third, the U.S. should continue its annual aid to Vietnam. Finally, the U.S. should facilitate visas and financial aid to encourage more Vietnamese students to study in the United States. These recommendations provide a clear roadmap with achievable steps towards U.S. interests not only in Vietnam, but towards regional security in the Pacific.

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