

## **Vietnam: Empower The Press To Fight Social Diseases**

by Huong Le

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The Aug. 20 arrest of Nguyen Duc Kien, known as “Bau Kien” (Master Kien), stunned many Vietnamese. Kien is one of the richest men in Vietnam and famous for his determination to reform the Vietnamese Football Federation. According to official media, Kien was initially charged with serious illegal economic activities. Kien is a big investor in many banks and he had significant influence in Vietnam’s banking system. The tycoon’s arrest shocked the Vietnamese economy, leading to a 4.67 percent drop in the largest Vietnamese stock market index (VN-Index), a rise in retail gold prices and the value of the US dollar in Vietnam. The social and economic effects of this incident were so extensive that the State Securities Commission of Vietnam had to call on investors in the stock market to stay calm, and the Governor of the State Bank of Vietnam (VSB) affirmed that the VSB was ready to support commercial banks should a significant increase in money withdrawal requests occur.

While the official media has refrained from making comments on this incident, there is widespread speculation on unofficial Vietnamese websites that Kien’s arrest is closely linked to efforts of the Vietnamese Communist Party (VCP) to attack corruption and illegal activities of interest groups. This argument makes sense, given that the arrest took place during a VCP earnest “criticism and self-criticism” campaign at the top leadership level. This campaign, which will be conducted at a wider scale at lower levels, focuses on, among other things, the lifestyle of Party members, limitations and weaknesses among cadres, and the weakness in implementing the principle of “collective leadership, individual in charge.”

While a final outcome for the investigation of this case will take some time, two initial points are visible.

First, unofficial websites are taking the lead in providing extensive information on the arrest for ordinary people. This fact has two implications. It suggests that the official media is losing the battle to win the public’s attention. While the incident has significant influence on society, the official media only covers already-known issues related to the incident. Curious readers, therefore, go online for more information. Unofficial websites, sometimes called “black sites” by Hanoi, are rich sources of entertainment. They even discussed Kien’s illegal activities well before the detention. This situation prevents the Vietnamese government and the VCP from promoting ideas and information that *they want* the Vietnamese people to know. In addition, the public may get confused because it is exposed to unofficial and unverifiable information. Thus, it can be misled and respond negatively,

by, for example, withdrawing money from banks that Kien in which is a major stakeholder. Waves of withdrawals could paralyze these banks, threatening the stability of Vietnam’s banking system and society as a whole.

Second, the official press was ignorant of Kien’s illegal economic activities until his arrest. After his detention, the VSB governor noted that the bank that Kien founded has an organizational structure that is not allowed by law. This fact existed for years but was never noticed by authorities. There are rumors that even high-ranking officials of the Ministry of Public Security were bypassed in the plan to detain Kien. Keeping the plan confidential is necessary for success in such critical cases, so public security officials have good reasons to maintain a close hold on information. On the other hand, there are many cases in which investigations conducted by journalists led to arrests and convictions.

In comparison with cases uncovered by the press, Kien’s arrest seems to be more important. One may argue that important cases such as the detention of Kien must be handled by the top level and require coordination among the public security branches. But it can also be argued that a press empowered as a watchdog, with investigating power to monitor social and economic developments, would help detect problems in their initial stages resulting in fewer such critical incidents.

When he was in power, then VCP General Secretary Nguyen Van Linh encouraged journalists not to “bend the pens.” This means that they should not be influenced or threatened by persons or political powers and they could feel comfortable writing about sensitive issues to contribute to the fight against social diseases and corruption. This spirit, however, fell short because of a lack of a solid legal foundation. The 1989 Law on Media and its 1999 Amendment affirm the freedom of the press and freedom of speech, but on the condition that such freedom must “serve the national interests and those of the people.” The press is not allowed to reveal “state secrets” or violate personal privacy. The terms national interests, personal interests, and state secrets are very abstract and subject to different interpretations. Moreover, regulation of information collection by the press is not clearly defined in the law, barring journalists from conducting comprehensive and extensive investigations.

There have been cases in which reporters were brought to trial for “revealing state secrets.” In other incidents, they have been attacked by suspects for investigating their activities. Without a feeling of being well-protected, many reporters, out of concern for their personal safety, have set boundaries to their investigations when they write on social issues. If this attitude becomes common, it would damage the development of the press in Vietnam.

If the media is empowered to monitor government agencies' performance and to investigate illegal activities of groups and individuals, most problems will likely be detected in early stages and government officials may be deterred from committing illegal activities. If the speculation that Kien's arrest is a part of the VCP's anti-corruption campaign is correct, then the VCP should continue this effort by granting more power to the press; and this time, the empowerment should come with a solid legal foundation.

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