RESEARCH ESSAY

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Paint-by-Numbers Democracy: The Stakes, Structure, and Results of the 2007 Vietnamese National Assembly Election

A month before May 20, 2007, local and national state-run media in Vietnam were filled with stories of National Assembly (NA) candidates making campaign promises and explaining their platforms. After election day, they ran pictures of a festival-like atmosphere, with government officials, ethnic minorities, and war heroes exercising their constitutional right and duty to vote. The foreign press, on the other hand, mentioned the increasing political influence of the NA but dismissed the election as an authoritarian regime's attempt to maintain its grip on power through a tightly controlled election.[1]

While the Western media downplayed the elections, among comparative political scientists a small but growing body of literature has suggested that even staged-managed elections in authoritarian regimes actually serve a political purpose. Robert Taylor discusses their role in providing legitimacy for the ruling elite but also concedes, in line with Ellen Lust-Okar, that elections serve as a mode of distributing rents to important constituencies. Carles Boix and Milan Svolik argue that elections are a mechanism by which the leadership can ensure that local notables with large local followings are represented within an assembly of autocratic elites.[2] Barbara Geddes writes that the elections serve two purposes. First, the ruling elites aim to win with

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supermajorities, thus bolstering their legitimacy and sending a costly signal to potential challengers. Second, the elections serve as an information-gathering mechanism, allowing the leaders to see who the potential challengers might be.[3]

Vietnam expert Matthieu Salomon provides some suggestions regarding the purpose of the elections in Vietnam as part of his analysis of the NA's role in the political system. He argues that the elections serve as a "popularity contest" between party members and that the Vietnamese Communist Party (VCP) leaders pay close attention to the percentages won by Central Committee members.[4] This would suggest that the hypotheses of Boix and Svolik as well as Geddes regarding the informational aspects of elections holds some currency. We will return to these academic theories over the course of the article to help frame events taking place in Vietnam, but save a rigorous test of their applicability for future work.

The aim of this particular article is to provide a detailed account of the 2007 election in Vietnam that offers background for students of Vietnam and those interested in political institutions in single-party states. It will also clarify the discussion among Vietnam scholars regarding the degree to which the influence and effectiveness of the NA has grown in recent years. Although many scholars have touched on the role of the NA in policy making, few have examined in great detail the institutional design of the body and the electoral process. Given the academic interest in elections in authoritarian regimes in general and the increasing role of the Vietnamese NA in particular, we believe a detailed discussion of the election process and institutional structure is imperative.

The article is divided into six sections. We first survey the literature regarding the power of the NA and the role of the elections vis-à-vis the Vietnamese polity. Second, we use previous research and our own analysis of the structure and power of the NA to determine the stakes for being nominated and winning election. Third, we discuss the nomination process and election procedures under the 2007 Election Law. Fourth, we study the variety of mechanisms used by central leaders to ensure that the "right" candidates were elected and that the NA composition conformed to the preplanned structure. Fifth, we analyze the electoral outcomes and assess their implication for Vietnamese politics. Finally, we discuss the special role of self-nominees

in the election and the special challenges they posed for election commissions trying to operate within the parameters set by central officials.

Our research is bolstered by a set of eleven detailed field interviews with NA representatives, candidates, and Vietnamese political analysts conducted in the summer of 2007, immediately after the elections. We employ the field interviews in conjunction with a detailed, biographical database of the 493 delegates and 876 candidates. In addition, we gathered data on 120 self-nominees,[5] including many who were not selected for the final ballots. To these two major tools we add a comprehensive review of Vietnamese press coverage of the candidate selection procedures, elections, and leadership decisions of the NA.

Based on this analysis, we draw two main conclusions. First, due to its organizational structure and election vetting process, the NA—despite the improved procedures for self-nomination and the historic rejection of central nominees—is still largely controlled by the central VCP leadership and remains severely limited in its capacity to oversee the government. The NA's hierarchical structure ensures that the candidates representing local perspectives and particular interest groups have far less influence within the NA than the candidates nominated by the central party-state apparatus.

The likelihood that the NA delegates reflect the will of the voters is also reduced by the "paint-by-numbers" manner in which the central party-state leadership preplans the composition of the NA.[6] We will show how the electoral system is used to ensure that the NA reflects this structure within a process designed to appear democratic in terms of increased representativeness and electoral competition. We will then demonstrate how the election results suggest that the leadership remains capable, despite increasing difficulty, of achieving its preplanned "canvas" in most cases. In particular, only one self-nominated candidate was elected in 2007, and the final NA looked strikingly similar to the structure proposed by the leadership before any candidates were even nominated.

The second conclusion we draw is that the most recent elections do provide critical information about new dynamics in central-provincial relations and within the Central Party apparatus that will have important implications for political development in Vietnam. Wealthier provinces that receive fewer transfers from the central government demonstrate more flexibility in

deviating from the structure prescribed by the center. This shows how the election can be used as one window into the inner workings of the normally opaque Vietnamese political system. Furthermore, the election showed the conflict within the party elite in debating who should be represented in the NA. In this debate, the NA Standing Committee (NASC) dramatically reduced the Fatherland Front's representation in the NA, seemingly in an effort to emphasize technocratic expertise over demographic and interest group representation.

Literature on the Vietnam National Assembly and National Assembly Elections

Most students of Vietnam have focused their analyses on the expansion of the NA's power after the 1992 revision of the Constitution. Carlyle Thayer, who has written widely on Vietnamese politics for several decades, wrote that the loosening of the candidate screening process gave the NA more latitude in fulfilling then-VCP General Secretary Nguyễn Văn Linh's goal that it oversee the government ministries. The revision also granted the NA committees power to amend legislation.[7] Joanna Harrington, Ted McDorman, and William Neilson, in an examination of the 1992 Constitution, note that while the VCP remains the dominant force in Vietnamese politics, the revision allowed the NA to become more than simply a rubber stamp.[8] Vũ Quang Việt dates the strengthening of the NA to a range of procedural changes made under the tenure of NA Chairman Nông Đức Mạnh (1996–2000) and his successor Nguyễn Văn An (2001–2006), which improved the professionalism of the delegates and the oversight role of the body.[9] Within this vein, Thayer believes the 2007 changes in the number of full-time representatives will perpetuate the gradual increase in the NA's influence.[10] While discussing the increased importance of the body, most scholars also acknowledge the limits to its authority. Harrington writes that while the 1992 revision provided for professional delegates, it did not fundamentally alter party control over legislation.[11] Indeed, article 4 of the Constitution explicitly states that the party remains the leading force in Vietnam.

Southeast Asia and Vietnam specialists Martin Gainsborough, David Koh, and Matthieu Salomon directly address the election procedures.[12] Salomon's piece focuses on the "power and representation" of the NA and,

as noted above, claims that the election was largely a bureaucratic exercise meant to fill seats. Koh's analysis also depicts delegates running for election out of a sense of duty. Beyond describing the role of the delegates, Koh's work is especially useful because he gained firsthand access to a polling station on election day, putting him in a position to confirm assumptions about the transparency of the voting. Gainsborough's piece focuses on communication between the candidates and the electorate, pointing out that elections in Vietnam could be more important than other observers admit. However, he concludes that NA delegates are rather insulated from their supposed constituencies owing to the scripted nature of voter-delegate communication.

In recent years, a number of Vietnamese scholars and practitioners have turned their lenses on the role of the NA in the Vietnamese polity. These pieces differ slightly in tone from those of foreign scholars, as they are less concerned with objectively analyzing the policy and electoral processes. Vietnamese scholars focus their attention on highlighting core deficiencies in the workings of the NA and advocating change. Nguyễn Đăng Dung, in his magisterial account of the Vietnamese administrative structure, spends a chapter analyzing ways to recover the constitutionally mandated responsibility of the NA over the government apparatus, which he acknowledges has improved over time but does not meet the standards set forth in the 1992 Constitution.[13] Nguyễn Sĩ Dũng, deputy secretary general of the NA, takes a comparative tack—holding up the NA to parliaments in other countries and to the comparative political science literature. He offers a range of suggestions for how to enhance the capacity, responsibilities, and representativeness of the institution by drawing on myriad international examples.[14] Lưu Văn Quảng of the Hồ Chí Minh National School of Political Science carefully diagnoses how voting for multiple candidates per district within a single-party system undermines the principles of representation and competition in the founding documents of the NA and the writings of Hồ Chí Minh. He doesn't call for a multiparty system, but he does advocate augmenting intra-party competition by opening up the self-nomination process to increase the number of candidates, while simultaneously restricting the number of delegates that can be elected per district.[15]

Stakes for Winning a National Assembly Seat

To truly understand the role and value of the NA elections in Vietnam, it is critical to first ascertain the stakes for individuals to be nominated and win seats in the legislature. Specifically, what are the costs and benefits of running for various individuals in Vietnamese society?

In this section, we take a deep look at the three most important determinants of electoral stakes. First, the relative power of the NA as an institution in the Vietnamese policy-making process shapes the incentives of all candidates. To gauge the power of NA delegates, we analyze both the constitutionally prescribed role of the NA and how the institution performs that role in reality. Secondly, we study the unique delegate nomination procedures and their effect on the incentives of candidates based on the level of administration that introduced them. Finally, we illustrate the extreme disparity in power between delegates within the NA, revealing that the reward for election is far greater for some delegates than others. The fact that most candidates know whether they will be included in the body's leadership prior to the election has a considerable effect on the lure of winning.

In sum, we find that the incentives for candidates can vary based on who nominates them, the likely role they will take within the NA, and their position outside the NA. Our analysis reveals that for many candidates, especially those nominated at the provincial level, nomination is a duty rather than an honor. Furthermore, because of the low pay and the weakness of the NA as an institution, the perks of elected office derived from power or rents are not particularly high, which also limits the incentive to win election. However, despite the low stakes for many candidates, once nominated, all candidates have an incentive to win by as a high a percentage as possible in order to avoid embarrassment and maintain standing within the VCP.

THE ROLE OF THE NATIONAL ASSEMBLY

According to the 1992 Constitution, the NA has two main roles. First, it serves as a representative body of the people. To this end, its membership has been carefully engineered to ensure that ethnic minorities, women, and the various sectors within the Fatherland Front are represented. Secondly, it is supposed to be the most powerful body in the state owing to its exclusive

role in passing laws and overseeing government. These roles were explicitly delineated by Nguyễn Văn An, former NA chairman, in his essay on democracy. He wrote that the NA represents the democratic voice of the people. The people exercise indirect democracy through the NA, and they exercise direct democracy in electing the delegates. Furthermore, the people oversee the actions of the government through the NA. The people, through the NA, are meant to be a check on the government, by which Nguyễn Văn An meant the prime minister's office and line ministries.[16]

However, most Vietnamese watchers believe that historically the VCP takes over these responsibilities and that the NA has been primarily a rubber stamp for decisions already decided upon by the government or the party. As noted above, scholars have debated how much these powers have grown since the 1992 constitutional revision. Anecdotal evidence indicates that the NA has in fact taken on more responsibilities, particularly regarding its oversight of the government and in drafting laws. However, several factors continue to inhibit its development as a viable "veto gate" in Vietnam policy making.[17] The Constitution itself limits the power of the NA delegates. Individual NA delegates only have the power to introduce comments or a petition about legislation that has already been introduced.[18] Only high-ranking government leaders can introduce legislation directly.[19] Furthermore, as we will show below, the NA's oversight and lawmaking capabilities are circumscribed by its lack of information and limited delegate experience.

The NA has in fact taken on more responsibilities since the 1992 revision, particularly in overseeing the government by amending draft laws in the committees and questioning officials. Its oversight role has most notably expanded through the introduction of televised query sessions, where government ministers must field questions from the full body of the NA. Under Nông Đức Mạnh, the chairman of the NA in the 1990s, and then Nguyễn Văn An, the query sessions were televised so that Vietnamese citizens could see government leaders taken to task publicly. The state-run media publicizes these sessions widely and even hypes them a bit, referring to the question-and-answer sessions as the *ghế nóng* [hot seat]. These sessions can actually result in pointed questions, particularly when the minister being questioned is involved in a corruption scandal or is mishandling a crisis.

For example, a query session was used as an arena to grill Đào Đình Bình, the minister of transportation who was forced to resign after the million dollar PMU 18 scandal. While the question-and-answer session likely did not instigate his ouster, it provided a forum for deputies, and by proxy for the citizens watching on television, to probe more deeply into the reach of the scandal and—let's be honest—kick him a little on the way down. Some deputies also use the time to ask pointed questions. When ministers perform poorly, the deputies can grow upset and, on rare occasions, call for their removal. Salomon notes that in 2003, a deputy proposed a vote of no confidence for the minister of education after a particularly poor performance.[20]

Regarding lawmaking, while the NA does not have the power to introduce legislation, it can significantly amend some legislation and provide robust debate on others, depending on the type of legal, normative document and the importance of the issue. In November 2007, delegates debated the personal income tax law, which originally set the minimum taxable monthly income level at four million đồng (approximately US$260). After debate, the minimum rate was raised to five million đồng per month. However, even this debate shows both the effectiveness and the weakness of the NA. Although the deputies had the opportunity to alter the details of the document, the law itself was introduced by a drafting committee comprised of government officials.

Despite the NA's growing influence, its severe information disadvantage relative to the government hampers its ability to fulfill its oversight duties. Several researchers and NA officials have noted that the NA does not possess an independent research team along the lines of the Congressional Research Service in the United States. The government bureaucracies have research institutes and the budget to gather information and study the issues, while the NA committees have no comparable resources.[21]

The lack of experience and capacity of the delegates also hurts the ability of the NA to perform its oversight function.[22] With each assembly, there is at least 70 percent turnover. This year, only 28 percent of the delegates have previous experience in the NA. Some also believe that the vetting process weeds out the most talented people before they make it to the ballot, a conjecture that we explore in more detail below.[23] The result of this lack of capacity is that the delegates do not ask tough questions and lack the ability,

even when they do possess the information, to critique the laws that come through their committees. To this end, the United Nations Development Programme has since 1976 supported a program to improve the capacity of the delegates, and this year, the Office of the NA with the support of UNDP, inaugurated its Training Center for Elected Representatives (TCER) for freshman delegates.

STRUCTURE OF THE NATIONAL ASSEMBLY

Like most assemblies, the NA has a hierarchical structure, meaning some delegates are more powerful than others. Nevertheless, the range of power between NA delegates in the leadership and the part-time delegates is wider than in more institutionalized Western legislatures. Importantly, the committee chairs and deputy chairpersons hold considerably more influence within the body than the part-time members. Furthermore, the NASC wields such a preponderance of power over the general body through its ability to independently pass resolutions, organize the elections, and set the agenda of the NA that it is treated by some scholars as a separate central institution within the party-state.[24]

The eighteen-member NASC sits between the full NA sessions and can issue ordinances and resolutions on matters assigned to it by the NA.[25] The difference in legal status between ordinances promulgated by the NASC and laws voted on by the NA are not always clear-cut, though most bureaucrats assume that laws take precedence.[26] In the current NASC, twelve of the eighteen delegates are on the Central Committee and the NA chairman, Nguyễn Phú Trọng, is a member of the Politburo, meaning the central VCP is highly integrated into the leadership of the body. The members of the current NASC are nominated by the outgoing NASC.

Aside from the NASC, the assembly hierarchy also divides delegates between full-time and part-time members. Of the 12th NA's 493 members, just over 140 are full-time delegates. The remaining members serve part-time and come to Hà Nội only twice a year for the full NA sessions.

The NA is divided into ten committees, two more than in the 11th NA. The number of committees in the 12th NA was increased from eight to ten, which reflected the push from the NA to increase its ability to fulfill its oversight role. Previous NA Chairman Nguyễn Văn An was instrumental in this

push. His eventual goal was to have as many committees as there were government departments, thereby creating a shadow bureaucracy that would assist the NA in fulfilling its role of overseeing ministerial activities.[27]

Each committee has from thirty to forty members, with anywhere from six to nineteen of those members serving as full-time delegates. Of these full-time members, one is a chairperson and three to five are deputy chairs. No delegate is a member of more than one committee, but not all delegates are committee members. Only 362 of the 493 delegates are presently assigned to committees. The two most important committees are the Law Committee and the Committee on Finance and the Budget. The hierarchy is pronounced within the committees, with most of the work and debate taking place between the chairs and deputy chairpersons. The part-time members of the committees can debate the draft laws when the NA is in session, but they have little influence in amending or drafting them. As many interviewees for this project put it, the situation has not changed since 1992, when Harrington and colleagues wrote that "[f]or all intents and purposes, these permanent committees are run by their chairs, working with staff attached to mirror departments of the Office of the NA, including staff in the Office of the Deputy's Delegation in each province."[28]

Therefore, when analyzing the representativeness of the NA, one must keep in mind the hierarchy within the NA. The vast chasm between the influence of the NA chairperson and the NASC members, on the one hand, and the part-time, non-committee member delegates, on the other, means that the raw figures regarding the constituencies and demographics represented in the NA do not correspond to an equal voice within that body. Although this is also true to some extent in elected assemblies in well-developed Western democracies, the disparity is more extreme in Vietnam. Which actors benefit from the disparity is also more predetermined, as will be explained below.

CENTRAL VERSUS LOCAL REPRESENTATION WITHIN THE NATIONAL ASSEMBLY HIERARCHY

The Constitution stipulates that the NA must be democratically elected, stressing that the delegates should represent not only the districts where they were elected but the nation as a whole.[29] This idea is institutionalized in the

unique way the NA candidates are nominated and elected. The party ensures that the delegates will reflect the interests of the center despite being elected at the provincial level by dividing the nomination process between the center and the provinces. The delegates who will assume leadership positions in the NA are nominated by the central VCP, state, and military offices before they are sent to the provinces where they will run. In many cases, the delegates have no family or career ties to the districts where they are sent. The provincial VCP, state, and military offices nominate the remainder of the delegates, but almost none of them will hold leadership positions in the NA once elected.

In Vietnam, all candidates are elected locally from within provincial-level election districts. However, on the final 2007 ballot of 876 nominees nationwide, 165 were nominated by central party and government offices and the rest were nominated at the local level. The split between locally and centrally nominated candidates is crucial in understanding the composition of power within the NA hierarchy and how the VCP and government maintain control over the NA. The centrally nominated candidates are important because they become the full-time assembly members and hold positions as committee chairs and vice chairpersons. The provincially nominated candidates are generally part-time members who rarely influence the course of events. Table 1 shows a breakdown of the roles taken by certain candidates depending on which office nominated them.

The exceptions are the provincially nominated, full-time members. Each province gets one full-time delegate, except for three of the larger provinces, which receive two. However, these full-time members do not usually take leadership positions. Their primary role is to report back to the provincial NA office on the proceedings between sessions.[30]

In all, there are between 140 and 145 full-time members, of whom 67 are locally nominated and the remainder centrally nominated. Therefore, although the final number of provincial delegates outweighs the number of centrally nominated candidates, the centrally nominated candidates have far more power both as a bloc and individually owing to their leadership positions in the NA hierarchy. Only 31 percent of the all the delegates are centrally nominated, but 52 percent of the full-time members are centrally nominated. In addition, 98 percent (47 out of 48) of the chairs and deputy

TABLE ONE: Nomination, Elections, and Leadership Positions in the 12th National Assembly

Nomination		Elections			Position in NA Hierarchy			
Level	Institution	Nominated	Elected	Percentage Elected	Leadership[a] (Total 55)	Share of Leadership	Full-time[b] (Total 141)	Share of Full-time Slots
Central	Vietnamese Communist Party	11	11	100%	4	7%	4	3%
	Office of the NA	81	75	93%	48	87%	67	48%
	Military	16	16	100%	1	2%	1	1%
	Fatherland Front	33	27	82%	0	0%	0	0%
	Government[c]	24	24	100%	1	2%	1	1%
	Total	*165*	*153*	93%	*54*	98%	*73*	52%
Provincial		715	343	48%	1	2%	68	48%

NA indicates National Assembly.

a Leadership includes NA Standing Committee members, committee chairs, and deputy committee chairs.

b The total number of full-time members listed online (141) is slightly different from the 145 often cited by journalists. We are not certain about the origins of the discrepancy.

c Government includes prime minister, ministries, President's Office, and judiciary.

Nomination data from *Tuổi Trẻ*, "List of Nominees for 12th National Assembly by Central Agency," April 15, 2007: 4, http://media.tuoitre.com.vn/download/Tailieu/quochoikhoaxii/bangdanhsach1504.pdf. Election data from *Tuổi Trẻ*, "List of 493 Successful Delegates to the 12th National Assembly," May 30, 2007, http://media.tuoitre.com.vn/download/tailieu/quochoikhoaxii/danhsachdaibieumoi.pdf. Leadership data from Vietnam National Assembly Web site, www.quochoi.vn/htx/Vietnamese/C1394/C1410/default.asp?Newid=10103.

chairpersons of the committees are centrally nominated, and all members of the NASC, except for the chair of the Office of the NA, who is not a delegate, are centrally nominated. Therefore, within the NA hierarchy, power is heavily skewed toward those who are nominated and vetted by the central VCP and government apparatus.

INDIVIDUAL STAKES

The weakness of the NA, the candidate's occupation outside the NA, and his or her likely role within the NA once elected are key factors regarding the incentive to run for the NA. Because candidates are often informed when they are nominated about the role they will hold in the future NA (or because they implicitly understand that role, based on previous norms), they have a good idea of how little power they will have before they are elected. Furthermore, the NA's relative weakness and the concentration of power within the NA in the hands of a few lower the incentives even more. Nonetheless, once the candidates are nominated, they have an incentive to win by as high a percentage as possible in order to avoid embarrassment and to signal their popularity to party officials.

For three main reasons, locally nominated candidates have the least incentive to win nomination. First, as Table 1 highlights, locally nominated candidates rarely take leadership roles and have little influence in an institution that is already weak. Second, locally nominated delegates often hold prestigious positions at the provincial level that provide more power and responsibility than that of a delegate. Third, a part-time position on the NA is a low-paying job that may place delegates in the awkward position of having to criticize party or government officials, whom they may look to for future promotions.

Due to the low stakes, some Vietnamese scholars have noted that many delegates, especially those with powerful positions within the provincial governments, only reluctantly accept pressure to run for election to the NA.[31] Salomon notes that candidate selection is "political and bureaucratic" given that many VCP members and high-ranking officials have no interest in running for an assembly where they will be required to engage in potentially contentious oversight duties.[32] While we cannot say whether all candidates reluctantly agree to nomination, anecdotal evidence suggests this was likely

the case for Vũ Viết Ngoạn, the general director of Vietcombank, who was selected to run as a delegate from Khánh Hòa Province despite the planned privatization of his bank six months later, for which he worked tirelessly to prepare and from which he would have emerged as the CEO of the largest private bank in Vietnam.[33]

The exception to the reluctant locally nominated candidate is the self-nominee, who obviously has personal incentives to run. One incentive for self-nominees is that the NA is the only opportunity for relative outsiders to influence policy making in an officially sanctioned forum. One researcher familiar with several of the self-nominated candidates in Hồ Chí Minh City said that many candidates wanted to run to raise awareness about waste and corruption in major infrastructure projects.[34] Because self-nominated candidates would not hold leadership positions if elected and would likely be only part-time members, they would perform this function through their capacity to question officials during the two-month sessions where the full body is convened.

Some have also speculated that the incentive for self-nominated candidates such as the prominent businessman Đặng Lê Nguyên Vũ, founder of the Trung Nguyên Coffee chain, would be to gain access to central government officials—a motivation similar to those identified by scholars studying "businessman candidates" in Russia.[35] Election to the NA could give candidates like Đặng Lê Nguyên Vũ personal access to the collective leadership (the president, prime minister, VCP general secretary, and NA chair), all of whom are also NA delegates.[36]

Centrally nominated candidates have a greater stake in running for office, especially those who are told prior to their nomination that they will hold leadership positions within the NA. Outside of the delegates destined to assume leadership positions, the centrally nominated candidates have an incentive to win by as large a margin as possible in order to signal their popularity and bolster legitimacy. This is particularly true for the government and party leaders, such as the VCP general secretary, the president, and the prime minister, all of whom run for seats on the NA and assume part-time roles on the body. For the lower-level, centrally nominated officials nominated by Office of the NA and the Fatherland Front, the stakes are more complex. The embarrassment of losing is always a factor; however, given

that some members of the leadership are incumbents, they may have also developed some loyalties to the institution and personal interests in perpetuating their position.

In general, one consequence of the low stakes involved in winning a seat on the NA is the lack of downward accountability of NA delegates. This is evident in Figure 1, which takes advantage of a question from the annual Vietnamese Provincial Competitiveness Index (PCI) survey of 6,700 firms in sixty-four provinces. The 2007 survey asked firms in each province to evaluate the effectiveness of various institutions for investigating and addressing complaints they may have about government regulations.[37]

Most firms in the survey rated their NA delegates among the least effective actors at addressing their specific complaints, slightly above provincial VCP organizations. Firms feel more comfortable raising their issues, which often deal directly with national laws and implementation of those laws, with just about every other institution, including the print media and business associations, before they seek out their provincial NA delegate. The firms' evaluation of their delegate's effectiveness is also a commentary on the relative power of the institution at resolving business problems.

Election

Given the stakes for the candidates, what does the vetting and nomination process tell us about the leadership's ability and efforts to control the election outcome? To address these questions, we describe in detail the law for nominating and electing candidates before explaining how the law was applied in the 2007 election. With a view to highlighting how the electoral system generates a NA that conforms to the predetermined structure, this section will provide an overview of how the election officials are chosen, how the candidates are vetted, how the ballots are drawn up, and how the candidates campaign prior to election day.

CHOOSING ELECTION OFFICIALS

At least ninety days before the election, the NASC handpicks a Central Election Board [Hội đồng bầu cử], which is heavily influenced by the NASC and chaired by the NA chair. The board's most critical responsibilities involve collecting candidate application forms; checking the curriculum vitae of the

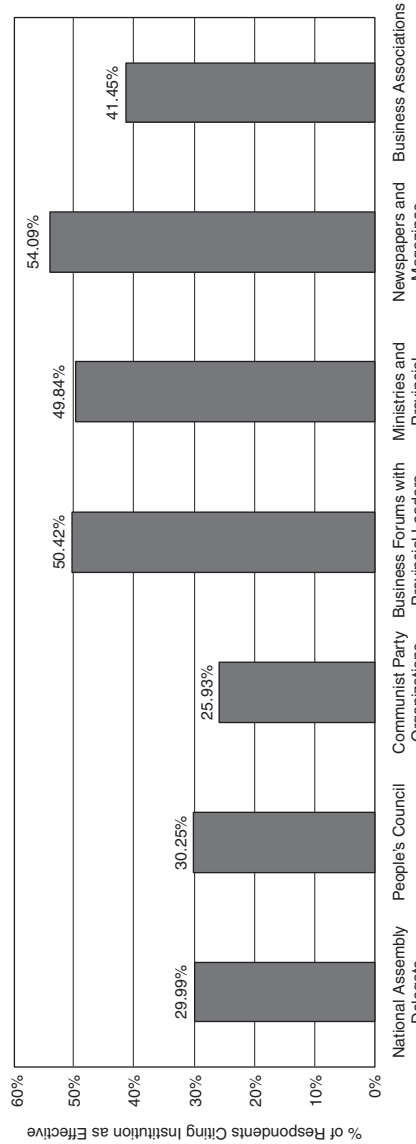

FIGURE 1: Representativeness of the National Assembly Versus Other Institutions

candidates nominated by the government, VCP, and military; and overseeing the work of the provincial Election Commissions [Ủy ban bầu cử].[38]

At the provincial level, the People's Council Standing Committee, in conjunction with the People's Committee, selects an Election Commission, which also must include members of the People's Council Standing Committee, the People's Committee, and the local branch of the Fatherland Front. The local provincial Election Commission has many of the same duties as the Central Election Board, but it must also receive and review all the CVs of candidates nominated at the local level, including the self-nominated candidates.

The Election Commission is then required to give this list to the Standing Committee of the provincial Fatherland Front. The commission also coordinates with the Central Election Board to decide which candidates are placed in which district. The power to chose which candidates run against each other is important to ensuring that the election results achieve the structure determined by the NASC. We will return to this critical coordination between the center and the provincial election officials in discussing ballot creation below.

FIVE STEPS TO NOMINATIONS

In Vietnam, candidates are vetted for the final NA ballot based on a process of three negotiations [*hiệp thương*] and two meetings with the candidate's co-workers and neighbors—these steps are sometimes referred to collectively as the five gates [*năm cửa*]. The process can be thought of as a paint-by-numbers canvas, where at the first gate the election officials and NASC create an ideal NA, complete with the desired number of candidates representing certain ethnic groups, areas of expertise, party affiliation, and more. The NASC and central election board then work with the provincial election officials to color in those numbers with actual delegates representing those groups. The most important negotiation is the first meeting, where the structure of the NA is set. The subsequent steps are used to fill-in the structure in as competitive a manner as possible while reducing the chance that anyone deviates from it—or colors outside the lines. The self-nomination process, which generated a great deal of media coverage this year, is slightly different and will be dealt with further below.[39]

Step 1: First Negotiation

In the first negotiation, at the central level, the Standing Committee of the Fatherland Front convenes and chairs a meeting to debate the NASC's proposal for the structure, composition, and number of NA candidates from each organization. The meeting essentially finalizes the "numbers" that will be colored in later during the process.

At the provincial level, the provincial Fatherland Front convenes a meeting, usually attended by chairs of the provincial Election Commission. At this meeting, the participants essentially ratify the structure handed down to them in the previous decision from the central level.[40]

Step 2: Nomination Process and Meetings with Co-workers

Based on the quotas decided at the first negotiation, the various party, state, and military offices meet to choose candidates based on the quota allotted to them in the first negotiation. This takes place at the central and the local level. At this time, the co-workers of the nominees also vote on whether or not they support the nominee's candidacy. Because most of the nominees are from government and party offices, the nominations and the meetings with co-workers appear to happen at the same time.

Step 3: Second Negotiation—Creating the Preliminary List of Candidates

In the second negotiation, the Standing Committee of the Central Fatherland Front collects all the nominations and submits a preliminary list of candidates to the Central Election Board and the NASC. The same process is undertaken at the local level, except that the results are sent to the provincial Election Commission, which has the additional responsibility of investigating the self-nominated candidates.

Step 4: Meetings with Voters from the Neighborhood

The relevant local People's Committee and Fatherland Front office organize meetings with voters from each candidate's neighborhood to judge the candidate based on the standards the government sets. The meetings involve between thirty and seventy voters, who decide, either by a show of hands or a confidential ballot, whether or not that person should be nominated.

Participants in these voter meetings make up a small percentage of the total district electorate, which comprises on average roughly three hundred thousand voters. At this time the local Fatherland Front also visits the workplace of self-nominated candidates to allow co-workers to vote on their candidacy.

Step 5: Third Negotiation—Create the Final Ballot

At the third negotiation, the central and provincial officials finalize the list of candidates, purportedly taking into account the opinions of the local voters and candidates' colleagues from Steps 2 and 4. Based on this information, they debate the list of nominees before creating the final list of candidates, which is then sent to the Central Election Board.

ELECTIONEERING: GIVING THE "RIGHT" CANDIDATES THE BEST CHANCE TO WIN

Vetting is not the only tool used to guarantee that the NA reflects the predetermined structure. Candidate placement and electioneering are also critical in determining that the "right" candidates win. The Central Election Board and the provincial Election Commissions work together to guarantee that favored candidates do not compete against each other in the same districts. In this section we detail the process by which the election districts are created, the centrally nominated candidates are distributed, and the ballots are drawn up. The process reveals that every step is designed to ensure that the election results adhere to the structure set by the NASC in the first negotiation.

Generating Electoral Districts

The NASC is in charge of creating the election districts. Before the candidate lists are finalized, the NASC decides how many election districts will be assigned to each province, how many candidates will be selected from those districts, and what localities will be included in those districts. On March 27, 2007, the NASC issued a resolution dividing the country into 182 election districts [*đơn vị bầu cử*].[41] In order to improve the appearance of competitiveness, in 2007 the NASC also required that each of these districts had to have at least two more candidates than the number of available seats.[42] We should note here that despite the flaws of the electoral system, the candidate-to-seat ratio in Vietnam is far higher than in other single-party state regimes.

In the 2008 Cuban parliamentary elections, 614 candidates competed for 614 seats.[43] In China, which has a tiered election process, 150 candidates for every one hundred seats are allowed at the lowest township level. For national seats, however, no more than 110 candidates are allowed for every one hundred seats.[44]

Another interesting facet of district allocations in Vietnam is that the number of candidates per district is not necessarily proportional to the district's population. For example, Hồ Chí Minh City's District 1, which elected three delegates in 2007 (including President Nguyễn Minh Triết), had 393,032 eligible voters, while District 7, also slated to elect three delegates, had 688,333 voters. District 1 in Điện Biên had 118,024 voters and elected three delegates, while District 4 in Bình Dương had 480,764 voters for the same number of delegates. The result is that power of individual voters varies dramatically throughout country, giving less dense populations a disproportionate voice in the final NA composition.

Assigning the Centrally Nominated Candidates

Among the NASC's most important tasks is securing the election of the centrally nominated candidates, because many of these delegates will assume leadership posts within the NA. Centrally nominated candidates must compete directly with locally nominated candidates, and therefore the Central Election Board needs to distribute the nominees to provinces across the country. To provide centrally nominated candidates with the best chance of winning, they do not run against each other in the same district. The process of deciding where each nominee goes depends on the needs of the party, the wishes of the candidate, and negotiations between the Central Election Board and the provincial Election Commissions. As we will show below, where these candidates are placed can be critical to their ability to win election.

Centrally nominated candidates are asked to list four locations, in order of preference, where they would like to run. In both of our interviews with sitting NA delegates, the provinces they were eventually sent to were not on their wish lists.[45] According to Election Board Secretary Bùi Ngọc Thanh, most of the delegates want to be placed in the north and the north central coast, as these regions are considered to have constituencies more supportive of central officials.[46] However, candidates choose particular locations for

other reasons as well. Because law requires that the candidates visit their constituents four times a year, some candidates want to run in regions near their homes or near big cities. In other cases, candidates want to avoid some rural areas of Vietnam, which are hard to get to and lack modern amenities.

For certain candidates, particularly prominent members of Vietnam's collective leadership, political factors play into their choice of district. Some observers highlighted the fact that Nguyễn Tấn Dũng was elected from Hải Phòng this year, rather than from Hà Nội, where he works, or Cà Mau, where he was born, while Nông Đức Mạnh ran in his home province of Thái Nguyên. By contrast in 2002, Nguyễn Tấn Dũng was elected from Hồ Chí Minh City while Nông Đức Mạnh ran in Hà Nội. The implication was that in 2007 both Nguyễn Tấn Dũng and Nông Đức Mạnh may have cherry-picked districts where they would receive the highest possible vote shares.

Other observers downplay the significance of the regional placement of central nominees, and opinions vary widely about the significance of particular provinces for the probability of election. Some interviewees conjectured that it was harder to be elected in the major cities because the level of education is higher, while others said the election difficulties were primarily split on a north/south basis. In the end, the Central Election Board, which is set up by the NASC, chooses where the delegates are sent in consultation with both the candidates (for what it's worth) and the provinces in question.

Creating Candidate Lists

Once the central candidates are assigned to provinces, the provincial Election Commissions have the responsibility of creating the ballots. This step of deciding which candidates compete against whom and in what districts is especially important in ensuring that the election leads to the desired structure set by the NASC. This stage also gives the provinces the greatest chance to paint outside the lines of the structure set by the NASC. However, the ability of the provinces to do so must not be overstated, given that the Central Election Board and the NASC have considerable influence over the provincial Election Commissions.

Vietnamese voters face ballots with four, five, or six names, depending on which district they are in (see the examples in Table 2). As noted above, in

TABLE TWO: Examples of Electoral District Compositions

Voters Selected Three Out of Five Nominees (Cần Thơ City, Electoral District 1)

Candidate	Age	Sex	Education	Current Job	Years in Party	Nominating Institution	Result	Percentage of Votes
Nguyễn Tấn Quyên	54	Male	Undergraduate degree	Party secretary/chair of People's Council	38	Province	Elected	70.11
Nguyễn Trung Nhân	42	Male	Master's degree	Director of Technology/ Software Center	14	Province	Elected	65.27
Hà Thanh Toàn	44	Male	Doctorate	Deputy headmaster of university	6	Province	Elected	64.29
Lê Chánh Đạo	47	Male	Master's degree	Deputy director of private business	8	Province	Not elected	Not reported
Trần Kim Hoàng	46	Female	Undergraduate degree	Headmaster of teaching college	12	Province	Not elected	Not reported

Voters Selected Two Out of Four Nominees (An Giang Province, Electoral District 1)

Candidate	Age	Sex	Education	Current Job	Years in Party	Nominating Institution	Result	Percentage of Votes
Võ Thanh Kiệt	55	Male	Undergraduate degree	Deputy party secretary/ Chair of People's Council	35	Province	Elected	70.89
Trần Văn Đô	53	Male	Doctorate	General, presiding judge of military council	33	Center–Military	Elected	59.37
Huỳnh Thị Thu	57	Female	Undergraduate degree	Deputy director of joint-stock bank	7	Province	Not elected	Not reported
Huỳnh Thị Thủy	38	Female	Undergraduate degree	President of Women's Union	11	Province	Not elected	Not reported

TABLE TWO: Examples of Electoral District Compositions *continued*

Voters Selected Three Out of Six Nominees (Hồ Chí Minh City, Electoral District 1)

Candidate	Age	Sex	Education	Current Job	Years in Party	Nominating Institution	Result	Percentage of Votes
Huỳnh Đảm	59	Male	Undergraduate degree	General secretary of Fatherland Front	39	Center–Fatherland Front	Elected	65.3
Huỳnh Thành Đạt	45	Male	Doctorate	Deputy director of university	17	Province	Elected	59.11
Dao Nhiễu Linh	47	Female	Undergraduate degree	Head of Committee for Chinese Employment	21	Province	Elected	51.9
Trương Trọng Nghĩa	54	Male	Master's degree	Director of Trade and Investment Promotion Center	18	Province	Not elected	Not reported
Phạm Hoài Thu	36	Male	Undergraduate degree	Head of legal department in private company	3	Self-nominated	Not elected	Not reported
Nguyễn Trí Trung	48	Male	Undergraduate degree	High school teacher	0	Self-nominated	Not elected	Not reported

2007 each district was required to have two more candidates than available seats. In the most common configurations, each district has four candidates for two positions or five candidates for three positions. Some districts, especially in Hà Nội and Hồ Chí Minh City, have six candidates for three positions. Voters are allowed to vote for as many candidates as there are seats from that district.

As is obvious from the ballots in Table 2, the differing number of candidates within districts means it is mathematically easier to be elected from certain districts than from others. Out of 182 districts, there were 12 six-candidate districts (50 percent chance of winning), 123 five-candidate districts (60 percent chance of winning), and 47 four-candidate districts (50 percent chance of winning). The five-candidate districts obviously give the candidates the greatest chance of victory (Table 2). Not surprisingly, the high-profile candidates such as the prime minister, the president, and party general secretary all ran in five-candidate districts. Furthermore, because candidates must receive at least 50 percent of the vote to win election, it is mathematically more possible in a six-candidate district to come in third place and fail to win. In 2007, this actually occurred in seven districts with six candidates. This makes the six-candidate districts the most difficult in which to win a seat.

Interestingly, all except one of Hồ Chí Minh City's districts were either four-for-two districts (i.e., four candidates for two seats) or six-for-three districts. The only five-for-three district was the district in which President Nguyễn Minh Triết was running. It is unclear why Hồ Chí Minh City's Electoral Commission would want to have so many six-for-three districts (seven out of nine) when this could potentially reduce the number of local delegates it sends to the NA. One possible explanation is that the city had eight self-nominated candidates, more than any other province. Because these self-nominees were not included in the structure determined in the first negotiation, they had to be added to the ballot as extra candidates. Whatever the reason, the end result was that in three of its nine districts, only two out of the six candidates won, meaning that even though Hồ Chí Minh City was allotted twenty-six seats, it wound up with only twenty-three after the election.

Although the provincial Election Commissions are officially in charge of creating the ballots once the nominees are in place, the Central Election

Board most likely has a high degree of control over the selection. According to a Vietnamese political scientist familiar with the electoral system in Vietnam, the provincial Election Commissions assign candidates to election district ballots under the supervision of the Central Election Board in order to achieve the structure set by the NASC.[47] Furthermore, the NASC and the Central Election Board have a strong influence on the shape of the provinces' initial delegation structures set in the first negotiation. This influence also shapes the decision making of the local Election Commissions when they create the ballots, as they want to ensure that the election gives a result close to that predetermined structure.

The ambiguity inherent in ensuring that the "right" candidate wins gives the provinces some leeway. For instance, the leadership clearly wants the centrally nominated candidates to win, and so the provinces cannot create a district in which two centrally nominated candidates compete against each other. However, depending on the level of autonomy of the province and the influence of the candidate, the provincial Election Commissions could place certain candidates in districts with more competitive local nominees, thus threatening the preferred candidate and the planned national structure. According to a Vietnamese political scientist we interviewed, the criteria for determining which candidate should run in which district is "flexible" [*mềm dẻo*], meaning the provinces could have some ability to create districts more competitive than the central Election Board would like.[48] Indeed, after the election Bùi Ngọc Thanh voiced frustration that the provincial Election Commissions did not always "pay attention" [*lưu tâm*] to make sure that the election districts were created in such a way that resulted in the desired structure (meaning that the central candidate would win).[49]

Districts can also be stacked or engineered in order to ensure that candidates with the expertise desired by the NASC win election. As Vietnam develops and its economy becomes more sophisticated, government officials have noted an increasing need for candidates with high levels of technical expertise that can be brought to bear on new legislation. Professionals, such as lawyers, doctors, and scientists, have been singled-out as highly valuable.[50] Stacking districts to enhance the chances for election of these professionals has been cited as a particular tactic to ensure their representation in future assemblies.

CAMPAIGNING

Once the candidates are assigned to their districts and the final ballots are drawn up, the candidates have about one month to meet with voters and discuss their platforms. The candidates hold as many as fifteen to twenty meetings with the voters, organized by the Fatherland Front, prior to election day. According to Gainsborough, the voters at these meetings ask a wide array of questions, some of which are challenging. He notes that this is an important avenue for the party to gauge important issues that could cause discontent among the population.[51] Thayer also remarks on the seriousness with which local constituencies took this process in the most recent election.[52] The candidates are encouraged not to spend their own money on the campaigns, and evidence shows that they rarely do.[53]

Gainsborough notes that there is no preferential coverage in the local media for the different candidates, regardless of their connection to the center. This may be true for the local coverage, which was the focus of his research. However, several well-known self-nominated candidates, such as Đặng Hùng Võ and Đặng Văn Khoa, received substantial coverage from the national media, particularly *Tuổi Trẻ* and *VnExpress*, both of which are available in all provinces and are more widely read than the local papers.[54] This might have influenced their prospects for election had they made it to the final ballot.

ELECTION DAY

Regarding the actual election, it is difficult to assess just how fair it was. Despite the fact that voting is a right but not mandatory, the final turnout figure for the 2007 election was a stratospheric 99.6 percent (ranging from 94.57 percent in Bắc Ninh to 100 percent in Vĩnh Long). Two reasons account for the inordinately high turnout. First, electoral districts were evaluated based on their final turnout. Many Electoral Commissions took extraordinary efforts to ensure maximum compliance, including broadcasting on public speakers the names of individuals who did not vote and creating mobile voting booths for invalids at home and in hospitals. There is a notable variation between the turnout figures reported when electoral districts called in their last report and the official turnout figures.[55] The electoral

districts reported an average turnout about 3 percent lower than the final official turnout figures, with many more provinces reporting less than 90 percent. The divergence between the last call at five o'clock in the evening and the official report indicates that some electoral districts may have gone trolling for laggard voters to increase their percentage before final numbers were due at seven o'clock in the evening. Secondly, proxy voting, while technically illegal, was acknowledged to be widespread. The actual impact of proxy voting is not clear, but Koh estimated that it could account for at least 20 percent of the votes, which would put the real turnout closer to 79 percent.[56]

Impact and Execution of the Nominating/Vetting Process in the 2007 Election

Based on the results of the 2007 election, who had the most influence in the process? At first glance, the Fatherland Front appeared to wield great power in shaping the electoral process and creating the NA. As we have seen, the Fatherland Front at the central and local levels is in charge of setting up the meetings and officially nominating the candidates. Furthermore, the Fatherland Front also debates the proposed structure at the first negotiation. This may be what has led many journalists, and even some scholars, to report that the vetting of candidates in Vietnam is done by the Fatherland Front.[57] This is partially correct, but it obscures the fact that the NASC essentially sets the blueprint for what the NA will look like before any candidates are nominated. The Fatherland Front helps coordinate the vetting to ensure that this predetermined structure is followed, but these organizational responsibilities did not translate into power over defining the composition of the NA.

Closer inspection of the law reveals that the system provides avenues for the central VCP, the government, and the NASC to impact the election, particularly at the critical first negotiation, where members of the government, the Central Election Board, and the NASC are involved. Because the law does not explicitly say which voice carries the most weight or final veto over the decisions, one must analyze how the process actually unfolded to discern which office had the greatest influence over the final ballot. The outcome of the 2007 election leads to the conclusion that the NASC, in

cooperation with the Election Board that it largely dominates, was the most important player in engineering the final composition of the NA.

In looking at the process and the outcome of the Vietnamese election, the most critical moment was the first negotiation, before any candidates were even officially nominated. According to the plan presented by the NASC at the meeting on February 24, 2007, the final ballot for the 12th NA was to have 167 centrally nominated candidates, of which most would be nominated by the office of the NA. The structure was also more detailed, including targets for the amount of women, ethnic minorities, non-party candidates, and more. The structure also set quotas for how many candidates would be nominated by each central nominating institution.

As Table 3 shows, the composition of the assembly that was elected looks strikingly similar to the structure proposed by the NASC before any candidates' names were officially put forward. The NASC structure also reveals that the NASC expected that all the centrally nominated candidates would win election. The number of candidates nominated from the central level is supposed to correspond with the number that will actually win. For this reason, many of those interviewed, particularly those closer to the government, noted that they were surprised that such a large number of central nominees lost in 2007.[58] In 2007, twelve centrally nominated candidates lost, while in the 2002 and 1997 elections, only six and seven central nominees lost, respectively.[59]

Overall, Table 3 shows that the composition of the NA is largely determined by the pre-nomination structure proposed by the NASC. News articles from the state media suggest that the structure is actually far more detailed than the numbers presented in Table 3. They hint that the NASC actually gives a target figure for how many business experts, scientists, journalists, total Fatherland Front officials from the local and central level, members from the party and state offices, and others should be included in the NA. For instance, one article revealed that the proposed structure would make space for four scientists and five business experts.[60] Another article mentioned that the overall structure called for ninety-one Fatherland Front officials to be elected, including thirty-four from the central level and fifty-seven from the local levels.[61] Some critics within the Fatherland Front complained about this after the first negotiation, saying that the vetting and

TABLE THREE: Standing Committee's Proposed Structure for the 2007 National Assembly

Candidate Type	Standing Committee's Proposed Structure	Nominees after Third Negotiation	Elected	Deviation from Planned Structure
Total Delegates	500	875	493	–1.40%
Centrally nominated[a]	167	165	153	–8.38%
Party	10	11	11	+10.00%
Office of the NA	84.5[b]	81	75	–11.24%
Government	15	20	20	+33.33%
Fatherland Front	31	33	27	–12.90%
Judiciary	1	2	2	+100.00%
Office of the President	3	2	2	–33.3%
Military/Police	18	16	15	–16.67%
Locally nominated	331[c]	715	343	+3.63%
Ethnic minorities	90	168	83	–7.78%
Women	150	290	127	–15.33%
Non-party	50	150	43	–14.00%
Delegates under 40 years old	70	230	68	–2.86%
Incumbents	160	146	138	–13.75%

a Possibly because the structure was up for debate, the breakdown of the centrally nominated candidates does not exactly equal the 167 (one-third of 500) set aside for central nominees.

b The actual structure listed 84 to 85.

c Plus two alternates

SOURCES: Data compiled by numbers taken from: Hồng Khánh," Sẽ giảm thành viên Chính phủ là đại biểu Quốc hội" [The National Assembly Will Reduce the Delegates from the Government]. *VnExpress*, February 23, 2007, http://vnexpress.net/Vietnam/Xa-hoi/2007/02/3B9F3731/ (accessed November 9, 2007); Bùi Ngọc Thanh, "Cuộc Bầu Cử Đại Biểu Quốc Hội Khóa XII: Những Vấn Đề Từ Thực Tiễn" [The Election for the 12th National Assembly: Practical Problems], *Tạp Chí Nghiên Cứu Lập Pháp* [Legislative Review] (July 2007): 16–22; Nhân Dân, "Tăng đại biểu chuyên trách, giảm đại biểu là thành viên Chính phủ" [The National Assembly Will Increase the Full-time Delegates and Decrease the Government Delegates], February 24, 2007, www.nguoidaibieu.com.vn/Trangchu/VN/tabid/66/CatID/1/ContentID/8155/Default.aspx (accessed November 25, 2007); VN Election website, "Thống kê về Ứng Cử Viên" [Statistics About the Candidates].

nomination process was more about introducing the entire NA than introducing individual candidates.[62]

Given that almost 70 percent of the delegates are nominated and vetted at the provincial level, the National Fatherland Front, the Central Election Board, and the NASC must work in close connection with the provincial

Election Commissions to ensure that the final assembly is close to the desired structure. The nomination, vetting, and negotiation processes appear primarily designed to guarantee that outcome. While the Fatherland Front and the negotiations do play a key role in determining which individuals will represent the various constituencies, at a broad level the vetting process is primarily a coordination mechanism between the Central Election Board and the local Election Commissions to come up with an elected legislature that fits the predetermined structure.

Communication to the local level from the Central Election Board goes through the chairs of the Election Commissions. In Đồng Nai, Nghệ An, and Thái Bình provinces, the chairs of the three negotiations also chaired the provincial Election Commissions. In each case, these chairs were also either chairs or deputy chairpersons of the People's Committee or People's Councils.[63] They presided over a board that included members from the provincial party apparatus.

As we have seen, after the first negotiation at the provincial level, the leaders of the meetings, with direction from the NASC and the Central Election Board, also finalize a structure. A brief analysis of a few provinces, where proposed structures were available, suggests that they were intended to achieve the overall composition proposed by the NA. Each provincial structure included a significant party leader and a member of the local government. Because each province was allotted a full-time NA delegate, they also were supposed to select someone to fill that post. Beyond that, each province's structure varied slightly. Not all provincial media outlets clearly published the results of the first negotiation, and therefore we were not able to gain an aggregate dataset of all the provincial structures. However, some provinces, such as Đồng Nai and Nghệ An, did publish the results of the first negotiation, providing insight into how successful they were in achieving their predetermined goals.

Both Đồng Nai and Nghệ An's proposals after the first negotiation included one key provincial leader. However, Nghệ An also set aside positions for a member of the Fatherland Front and a judge. Đồng Nai, however, did not explicitly set aside a position for a Fatherland Front official, but it did allot one position for a union leader and another for a local tax official, among others.[64]

Once the structures for the provinces were set, the provincial Election Commissions coordinated with the Central Election Board to create ballots that gave the "right" candidates the best chance to win. This was done by placing several candidates from the interest group or demographic needed in the same district to increase the chances that one would be elected. For example, in Đồng Nai, where the structure called for the election of a tax official, Hồ Văn Nam, the deputy procurator, was elected from a district that also included chief procurator Trần Huy Hùng, who lost. The two were almost certainly selected for the same district (a five-for-three district) in order to make certain that at least one was chosen and thus fulfill the proposed structure. Unlike an electoral system with single-member districts, the Đồng Nai Electoral Board did not need to worry about splitting support for a favored candidate. Supporters of tax officials could select both. By placing them in the same district, they simply increased the relative probability of a tax official grabbing one of the top three slots.

Again in Nghệ An, where according to the structure a Fatherland Front official was needed, two Fatherland Front officials were placed in the same five-candidate district, thus increasing the odds that one of them would be elected. Only one of the province's five other districts included a Fatherland Front official. Thus in relatively conservative Nghệ An Province, all three Fatherland Front officials managed to win seats, despite the electoral difficulties posed against such a possibility.

FATHERLAND FRONT: LOSERS AT THE CENTRAL LEVEL

As discussed above, the Fatherland Front is in charge of much of the election organization, especially in convening the meetings and disseminating propaganda. Nevertheless, the 2007 election showed that organizational responsibilities did not translate into clout within the institution. In fact, the 2007 election dealt a significant blow to the power of the Fatherland Front in the NA: the NASC structure issued in the first negotiation called for only thirty-one candidates to be nominated by the Fatherland Front—twenty-six fewer than in the previous NA. This sharp reduction reflected a desire by the VCP leadership to pack the NA with technocrats instead of focusing purely on ensuring that the organized interest groups were adequately represented.

Predictably, the Fatherland Front leadership was critical of the proposed structure. However, the Fatherland Front was opposed to more than its loss of nominees. It was also critical of the NASC for not including more non-party members. The structure called for 10 percent, while the Fatherland Front wanted at least 20 percent. It was also openly critical of the NASC's failure to provide space in the structure for more self-nominated candidates. The Fatherland Front pressed its case between the first and second negotiation and managed to win an increase of two delegates for the front. However, it did not significantly alter the number of self-nominated or non-party candidates in the structure. In January, 2008, Prime Minister Nguyễn Tấn Dũng seemed to try and smooth over any lingering resentments from the election process when he appeared before a Fatherland Front Standing Committee working session to praise the front for its efforts to promote democracy.[65]

PROVINCIAL DEVIATIONS FROM THE STRUCTURE

While the results for Nghệ An and Đồng Nai provinces, and for the election overall, show that the NASC largely succeeded in achieving its predetermined structure, there were notable exceptions that reveal important insights about the nature of center-province relations. First, 4 percent more locally nominated candidates were elected than was anticipated by the NASC's design. In particular, wealthier provinces appeared to be more likely to stray from the structure defined by the center, favoring local representatives over central nominees.

Because information was not available on the exact structures for every province, we could not reach this conclusion by comparing the provinces based on the total election results. However, we do know that the Central Election Board intended for all of the centrally nominated candidates to win and that those who lost ran predominately in wealthier, southern provinces. All interviewees and several officials were notably surprised at the unprecedented number of centrally nominated candidates who lost this year. Indeed, the Election Board Secretary, in his postmortem of the election, lamented the fact that so many centrally nominated candidates lost because it was going to throw off the structure and lead to the underrepresentation of certain constituencies.[66]

As Table 4 shows, no centrally nominated candidate lost in a province with a per capita GDP below the national median. Moreover, on the list

TABLE FOUR: Location and Potential Determinants of Centrally Nominated Candidates Who Lost

Province	Number of Losing Candidates	Nominating Institutions	National-Level City?	Region	2006 GDP per Capita (VNĐ)	2006 Total Transfers/Local Revenue (%)	Percentage of Shared Revenue that Province Can Keep
HCMC	4[a]	NA and Fatherland Front	Yes	South	16,300,000	1.00	29
Long An	2[a]	NA and Fatherland Front	No	South	5,843,591	31.34	99
Bình Dương	1	NA	No	South	9,607,095	0.91	44
An Giang	1	NA	No	South	5,109,826	31.89	100
Cần Thơ	1	Fatherland Front	Yes	South	8,663,393	17.22	50
Tây Ninh	1	NA	No	South	7,535,378	28.62	99
Hà Nội	1	NA	Yes	North	11,800,000	1.39	32
Hải Phòng	1	Fatherland Front	Yes	North	8,754,038	4.76	95
Mean for provinces with centrally nominated losers					*9,201,665*	*14.64*	*68.50*
Mean for provinces without centrally nominated losers					*5,249,892*	*229.23*	*100*
Median of all provinces					*4,148,835*	*107.10*	*100*

NA indicates National Assembly.

a For both Long An and HCMC, losses were equally split between the NA and the Fatherland Front.

SOURCES: GDP per capita data from 2007 Provincial Competitiveness Index, www.pcivietnam.org/. Transfers and shared revenue data from Ministry of Finance, 2000–2006 State Budget: Final Accounts and Plan (Hà Nội: Financial Publishing House), www.mof.gov.vn (accessed October 25, 2008).

only An Giang Province, which is quite rich by national standards, is not a net donor to the national budget. Every other province on the table receives significantly less than the national median in central transfers and contributes at least some portion of shared revenue back to the center to aid transfers to other provinces. These provinces are more autonomous, relatively more powerful than their peers in national debates, and possess wealthier voters who might be more likely to resist central directives.[67]

The fact that most of the centrally nominated candidates who lost ran in the south, particularly in provinces that contribute money to the central government, reveals that either voters were more independent minded in those regions or that, anticipating failure, the Election Board put these candidates in less favorable districts. It has also been suggested that the Election Commissions in these provinces were less receptive to pressure from the center and placed the centrally nominated candidates in districts where they would face real fights.[68] More research is necessary to sort out these competing hypotheses.

The Problem of Self-nominated Candidates and the Proposed Structure

Despite all the focus on the structure, the VCP and the NASC have made attempts to make the electoral process appear more representative and competitive. Some attempts, such as the introduction of self-nominated candidates, can endanger the preplanned structure and provide an increased level of representativeness beyond that mandated by central guidelines. The media focus on self-nominated candidates prior to the election, combined with the fact that only one managed to win an NA seat, highlights this tension within the Vietnamese election system. (Two were elected to the previous NA.) The inclusion of self-nominated and non-party candidates has the potential to provide more effective oversight of the government, ensure that the NA truly represents the voters, and bolster the legitimacy of the institution. However, having self-nominated candidates on the ballot limits the central leadership's control over the composition of the NA, both in terms of demographic and party-state representation.

Why risk having self-nominated candidates if they will only draw unwarranted attention and potentially make the structure more difficult to attain?

Part of the answer lies in the VCP's genuine goal of having the NA provide a check on the government and the realization that party members and bureaucrats are unlikely to perform this task. Former NA Chairman Nguyễn Văn An wrote a three-part series on the role of the VCP as a leader, the role of democracy in Vietnamese politics, and the role of the NA as a reflection of democracy.[69] In his article on the NA, he raised the issue of whether a VCP member, who must be responsible to the party leadership, can also effectively oversee government officials, most of whom are also party members. He said that NA delegates have two parallel responsibilities: to support the VCP and to oversee the government. These roles, he claims, are not fundamentally at odds. Nevertheless, he later notes that NA delegates with higher stature in the VCP and government are less likely to aggressively challenge the government.[70] One Vietnamese researcher also noted that the more vocal members of the NA were the professors and lower level officials, presumably without as much to lose by voicing their opinions.[71] This is likely because the loyalties of high-ranking officials lie with the party and state bodies that they are supposedly overseeing in their capacity as NA delegates.

In theory, the self-nominated candidates should improve this conflict of interests because they should have fewer ties to the government they are meant to oversee. However, no seats were designated to them in the initial structure put forward by the NASC, which effectively meant that no matter how many self-nominated candidates there were, few were destined to win. As Fatherland Front Chairman Phạm Thế Duyệt said after the NASC submitted its plan for the 12th NA: "With this structure, people do not know where self-nominated candidates should sit."[72] He knew then what others would find out later: no matter how many self-nominated candidates there were, few were destined to win because the structure did not provide for them. The NASC structure, not the nomination and election process, is the key determinant in the composition of the NA.

HOW THE SELF-NOMINATED CANDIDATES LOST

Despite the leadership's failure to make space for the self-nominated candidates in the structure, 236 candidates nationwide still submitted complete applications before the deadline and went through at least part of the five-step

process described above. How then did the system whittle away these self-nominated candidates to ensure that the ballot and the election would result in the structure proposed from the beginning? The self-nominated candidates were culled in three main ways. First, some self-nominated candidates, particularly party members, withdrew. Although few publicly admitted to being pressured into withdrawing, several interviewees said this was likely the case. Second, some candidates failed to secure 50 percent support from their local voters in Step 4 of the election process and did not make it to the final ballot. Third, voters themselves rejected twenty-nine of the thirty candidates that did make it to the ballot.

Some of the most high-profile self-nominated candidates withdrew their names from the ballot, including the popular former Deputy Minister of Environment and Natural Resources Đặng Hùng Võ and Đặng Văn Khoa, a non-party member who had previously won election to the Hồ Chí Minh City People's Council. Their reasons for removing themselves from the ballot rang hollow for many Vietnamese observers, who instead saw their withdrawals as an example of party or government pressure. Đặng Hùng Võ had earned fame fighting corruption in the Ministry of Environment and Natural Resources, where insider land trading abounded. Many inside the government and even the media supported his bid to self-nominate. Days before the second negotiation, he withdrew his name, saying, "I am under the control of the secretariat of the VCP Central Committee, and it is the opinion of the secretariat that I not run for the National Assembly. As a party member, I must work according to the wishes of the organization."[73]

Đặng Văn Khoa also pulled out before the third negotiation. His reason was that in the month between self-nominating and deciding to withdraw, he supposedly learned how difficult the responsibility of being a NA delegate would be and said he did not feel up to the task. In an interview with Đặng Văn Khoa in *VietnamNet*, the journalist noted that he had the support of many people across the country who would be willing to work for him for free if he were elected. Đặng Văn Khoa simply replied that the burden of being an NA delegate would be too great.[74]

In all, by March 27, before the second negotiation, more than twenty-one self-nominated candidates in Hồ Chí Minh City alone withdrew their

nominations. Several said they were suddenly too busy, while another said after self-examination he realized he did not have the qualifications to be a delegate.[75]

Many of the candidates also failed to win the support of their local voters. This would appear to confirm Central Election Board Secretary Bùi Ngọc Thanh's explanation for the small number of self-nominees winning election. He attributed the failure of the self-nominees to win election to their laziness, lack of qualifications, or ignorance of the procedures. Furthermore, some Việt Kiều [overseas Vietnamese] self-nominees did not have the support of their local voters because they had not fought in the war. One such example of an "unqualified" candidate might have been Trần Anh Tuấn, an unemployed self-nominee from Hồ Chí Minh City who was cut at the third negotiation after this damning indictment from the meeting of the voters on his street (which has approximately fifty families):

> The voters of *dân phố* 5, *khu phố* 1, P27 Q. Bình Thạnh shared their opinions and voted on Trần Anh Tuấn (a self-nominated candidate). The voters said that Tuấn's CV was unclear, including whether or not he served his mandatory service in the army when he was 16. Tuấn's advanced degree in politics is also in question, because up until that point he worked in a different field. Tuấn is currently unemployed. His family did not show up to the meeting because they were embarrassed by his candidacy. Due to the reasons above, Tuấn only received 7 out of 34 votes supporting his candidacy and 27 out of 34 not in support. According to most of the voters, he is not worthy of running for the NA.[76]

Like Trần Anh Tuấn, many others did not make the final ballot after failing to win more than 50 percent support in meetings with the neighborhood voters. It is unclear whether these candidates did not have the requisite capabilities to hold office, or whether the voters might have been cajoled into rejecting them.

While the withdrawals, the vetting, and the neighborhood votes of confidence weeded out some of the candidates, thirty did eventually contest the ballot nationwide. However, even then they fared remarkably poorly, with only one winning election. One of the most famous self-nominated candidates to make the final ballot and lose was Đặng Lê Nguyên Vũ, president of Trung Nguyên Coffee, a coffee chain as ubiquitous in Vietnam as Starbucks

is in the United States.[77] Đặng Lê Nguyên Vũ is well known to Vietnamese throughout the country and had even received the National Labor Medal from President Nguyễn Minh Triết only five days after the third negotiation. He ran in Đắk Lắk Province, which is a poor, rural province heavily populated by ethnic minorities. It is also a major coffee growing region.

Several interviewees mentioned Đặng Lê Nguyên Vũ's loss as one of the major surprises of the election and put forward different explanations for why he failed to win. Two attributed his failure to a lack of good political advisors and thus a failure to build a solid relationship with the local officials. His inability to make good contacts ensured that he was placed in a difficult election district.[78] Đặng Lê Nguyên Vũ was put in the same district as the centrally nominated, non-party member Nguyễn Lân Dũng, who was one of the more well-known delegates from the 11th Assembly because of his outspokenness during query sessions. Nguyễn Lân Dũng easily won, with more than 91 percent of the vote. The other winning candidates in the district were Trần Mạnh Cường—a Catholic priest, chairman of the Provincial Unified Catholic Committee, and the only religious leader to be nominated in the district—with 76 percent; and ethnic minority H'Luộc Ntor, the province's permanent representative to the NA and two-time incumbent, with 77 percent of the vote. The other losing candidate in the district was the deputy manager of the provincial telecommunications department, Trần Trung Hiển.

While electioneering might have had some impact on Đặng Lê Nguyên Vũ's loss, another interviewee put forward a simpler explanation: voters themselves may have rejected him, given that Đắk Lắk is a province dominated by ethnic minorities, many of whom may have felt that the coffee industry has marginalized them by taking their land.[79]

Regardless of the manner in which the self-nominees were vetted, withdrew, or not elected, the striking reality is that even given so much hype, only one out of 236 self-nominees won. No single explanation can be given for why so many self-nominated candidates failed to reach the final ballot. However, given the final election result's close correlation to the NASC proposed structure, the inclusion of so many self-nominated candidates on the ballot would have given the central leadership less control over its composition. As the leader of the Fatherland Front said, the structure provided no

seats for the self-nominated candidates. Therefore, they would have to be eliminated from the final ballot one way or another in to guarantee that they did not corrupt the structure.

Conclusions

The analysis in this article provides a description of the legal electoral process as well as an analysis of how that process played out in the 2007 election. Given the stakes of winning election, the structure of the NA, and the results of the 2007 election, we can draw two important conclusions about the level of central control over the NA.

First, despite the unprecedented rejection of the centrally nominated candidates and the ability for self-nominated candidates to run for office, the NA is still not a truly representative and competitively elected body, and thus its ability to oversee the government will continue to be compromised. The ability of the central and local election officials to coordinate and successfully achieve the predetermined structure of the NA shows that they still retain a great deal of control over the election outcome. Furthermore, the extreme hierarchy within the NA means that the locally nominated delegates have little to no power within the institution. For this reason, the delegates with the closest connection to the constituents that elected them have little influence once they are elected. The failure of the self-nominated candidates to win election also shows that those with the most motivation to run for office and the incentive to take their job seriously are being shut out. This compromises the degree to which the candidates represent their constituencies and also their capability or desire to challenge the government and party.

Second, we conclude that the 2007 election provides useful information about center-provincial relations and the relationship between the VCP and the Fatherland Front. Although we will pursue this question further in future work, preliminary evidence shows that wealthier, donor provinces appeared to have greater success in deviating from the structure set by the NASC and Central Election Board than those more beholden to the center. The findings can be taken as a positive signal of the rise of political consciousness in Vietnam, but the regional concentration and the potential political conflict over transfers that the results highlight are more worrisome.

In addition, despite attempts by the prime minister to smooth over differences between the Fatherland Front and the party-state apparatus, the front appeared to lose out quite significantly in the 2007 election. ■

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ABSTRACT

The 2007 National Assembly (NA) election in Vietnam inspired the imagination of observers. New electoral procedures boded well for increased competition and representation. This article probes this outcome, providing a detailed account of how the Vietnamese electoral process works in practice. It concludes that despite well-publicized institutional changes, the composition of the post-election NA still reflects a preplanned script and even possesses slightly smaller shares of non-party members and self-nominated candidates than in previous years. Nevertheless, the authors found some room for optimism in the unprecedented rejection of central nominees, primarily in wealthy, donor provinces.

KEYWORDS: *National Assembly, political science, elections*

Notes

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3. Barbara Geddes, "Why Parties and Elections in Authoritarian Regimes" (paper presented at the American Political Science Association Annual Meeting, Washington, DC, September 1–4, 2005).
4. Matthieu Salomon, "Power and Representation at the Vietnamese National Assembly: The Scope and Limits of Political Doi Moi," in *Vietnam's New Order*, eds. Stephanie Balme and Mark Sidel (New York: Palgrave MacMillan, 2007), 198–216.
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17. George Tsebelis, *Veto Players: How Political Institutions Work* (Princeton, NJ: Princeton University Press, 2002).
18. 1992 Constitution, Article 87: "Đại Biểu Quốc hội có quyền trình kiến nghị về luật và dự án luật ra trước Quốc hội" [National Assembly delegates have the right to comment on laws and proposed laws in the National Assembly].
19. According to Article 87 of the 1992 Constitution, "The country's president, the Standing Committee of the National Assembly, the Nationalities Council and Committees of the National Assembly, the Government, the Supreme People's Court, the Supreme People's Office of Supervision and Control, the Vietnam Fatherland Front and its member organizations may present draft laws to the National Assembly."
20. Salomon, "Power and Representation," 211.
21. Interview with Vietnamese legal expert, June 30, 2007, Hà Nội; Interview with former National Assembly delegate, August 10, 2007, Hồ Chí Minh City; Interview with foreign election expert, July 12, 2007, Hà Nội.
22. See Nguyễn Sĩ Dũng, *Thế Sự*, 32–36.
23. Interview with Vietnamese legal expert, June 30, 2007, Hà Nội; Interview with former National Assembly delegate, August 10, 2007, Hồ Chí Minh City; Interview with foreign election expert, July 12, 2007, Hà Nội.
24. Harrington, "Constitutional Revision," 12.

25. Ibid.
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28. Harrington, McDorman, and Neilson, "The 1992 Vietnamese Constitution," 259.
29. Constitution: Article 97: "Đại biểu Quốc hội là người đại diện cho ý chí, nguyện vọng của nhân dân, không chỉ đại diện cho nhân dân ở đơn vị bầu ra mình mà còn đại diện cho nhân dân cả nước" [The National Assembly delegates are the representatives of the ideas and hopes of the people not only in the districts from which they were elected, but for the entire country].
30. Interview with Vietnamese political science scholar, August 22, 2007, Hà Nội.
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47. Interview with Vietnamese political science scholar, August 22, 2007, Hà Nội.
48. Ibid.
49. Bùi Ngọc Thanh, "Cuộc Bầu Cử,": "Ví dụ, một đoàn đại biểu có 7 người thì 2 người là đại biểu trung ương, 5 người là đại biểu địa phương. Ủy ban bầu cử tỉnh đó phải chỉ đạo cho được cơ cấu này. Nhưng thực tế, không phải Ủy ban bầu cử nào cũng lưu tâm đầy đủ, trong đó 'sơ xuất' rõ hơn cả là việc sắp xếp ứng cử viên vào đơn vị bầu cử không theo hướng bảo đảm cơ cấu" [For example, one seven-member delegation should have two delegates representing the center and five representing the province. The provincial election committee must lead the election process in order to create this structure. However, in reality, not all the election committees pay enough attention to this. The bigger mistake is that they elect delegates that do not fit into the structure].
50. See Nguyễn Sĩ Dũng, *Thế Sự*, 32–36, 59.
51. Gainsborough, "Party Control," 65.
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53. Koh, *Wards of Hanoi*, 114.
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2007, www.tuoitre.com.vn/tianyon/Index.aspx?ArticleID=193421&ChannelID=118 (accessed January 10, 2008); Vân Anh, "Ông Đặng Hùng Võ nộp đơn rút khỏi danh sách tự ứng cử" [Đặng Hùng Võ Removes His Name from the List of Self-nominated Candidates], *Tuổi Trẻ Online*, from VietnamNet, March 22, 2007, www.tuoitre.com.vn/tianyon/Index.aspx?ArticleID=192590&ChannelID=3 (accessed January 10, 2008); *Tuổi Trẻ*, "Nguyên thứ trưởng Đặng Hùng Võ tự ứng cử vào Quốc hội" [Deputy Minister Đặng Hùng Võ Self-nominates for the National Assembly], *VnExpress*, March 7, 2007, http://vnexpress.net/Vietnam/Xa-hoi/2007/03/3B9F3CBD/ (accessed January 10, 2008); Hồng Khánh, "Nếu vào Quốc hội, tôi không ngại va chạm với sếp cũ" [If I Enter the National Assembly, I Will Not Be Shy about Taking on the Old Leaders], *VnExpress*, March 8, 2007, http://vnexpress.net/Vietnam/Xa-hoi/2007/03/3B9F3D24/ (accessed January 10, 2008).

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57. Frank Zeller, "Communist Vietnam Readies for Assembly Election," *Agence France Presse*, May 18, 2007, www.lexisnexis.com/us/lnacademic/results/docview/docview.do?docLinkInd=true&risb=21_T4087755788&format=GNBFI&sort=BOOLEAN&startDocNo=1&resultsUrlKey=29_T4087755791&cisb=22_T4087755790&treeMax=true&treeWidth=0&csi=10903&docNo=2 (accessed July 3, 2008); Stocking, "Vietnamese Voters Head to Polls." Koh also makes this argument in his description of the vetting process in *Wards of Hanoi*.
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