Inter-Institutional Constraints in Single-Party Regimes: Why is the Party More Constricted in Vietnam than China?

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Introduction

In recent decades, shifting paradigms in comparative politics have diverted analytical and theoretical preoccupations with the dichotomy of democracy and authoritarianism in order to make place for more nuanced and complex understanding of variation across and within authoritarian regimes. Amid these strong currents, institutionalization, once taken as a pillar of democracies that is antithetical to autocratic power, has been argued to be central to the complex causes of authoritarian resilience, and to the articulation of public interests in authoritarian settings. In short, to slightly modify a seminal claim advanced by Slater, authoritarian regimes can be highly institutionalized and durable at the same time.

Institutionalization itself has taken on many layers of meanings, especially in authoritarian contexts. Specifically, Anne Meng defines “institutionalization” as “the creation of rules and procedures that structure the distribution of power and resources,” which necessarily entails institutional constraints on despotic authority. Focusing on elite power at the very top of the echelons, Meng identifies the availability of executive constraints, formal leadership succession policies, and an autonomous government sub-Saharan African countries between 1960 and 2010. Along the same vein, Paul Schuler finds manifestations of institutionalization in the significant degree to which the Vietnamese legislature exercises legislative and oversight powers over the executive apparatus of the state. Although others may not have directly adopted the same language of “constraints,” the idea that power within authoritarian regimes can be subject to variable formal institutional and informal restrictions, or for lack of a better word, “well-oiled checks and balances,” has been equally front and center.

Contributing to this ongoing dialogue on the nature of institutionalization in authoritarian settings, this article explains within-typology variation in constraints on autocratic power by assessing the relationship between the party and the state within single-party regimes. It may be counterintuitive to speak of a distinction between the party and the state under authoritarianism, less alone within single-party regimes. Authoritarian regimes as we know it, however, are not monolithic. In this context, as Tuong Vu stresses, “Rather than distinguishing the different functions of the party and the state, the term ‘party-state’ treats them as if they are inseparable.

1 Carothers 2002; Geddes 2003; Art 2012; Pepinsky 2014.
4 Slater 2003, 84.
5 Meng 2020, 14.
8 Lieberthal and Oksenberg 1988.
However, both ‘party-state’ and the official concept obscure the tension between the two. Despite a high level of enmeshing between them, the party and the state must be considered two separate organizations.”

In the universe of authoritarian regimes, unlike the single-party regime of Guinea under Ahmed Sekou Touré, Vietnam and China both fall under the category of durable authoritarianism with highly institutionalized political systems. Both have established similarly functional quasi-democratic institutions, namely, a ruling party system, a national legislature, an operational constitution, and procedural elections at different levels. These pronounced similarities obscure the ways in which their party and state structures significantly differ. Political authority is more diffuse within the Vietnamese Communist Party (VCP), and there exists a stronger delineation of authority between party and state institutions in Vietnam than in China.\(^9\) Whereas the state maintain greater functional differentiation from the VCP in Vietnam, the Chinese state is captured by and merged with the Chinese Communist Party (CCP) to a much greater extent. A more dominant and centralized communist party subject to weaker institutional constraints has impeded the development of a strong legislature, the National People’s Congress (NPC), capable of constraining the executive authority of the State Council in China. By contrast, under a more institutionalized communist party, the Vietnamese legislature, the Vietnamese National Assembly (VNA), has effectively exercised stronger supervisory functions over the Vietnamese Government (Chính phủ).\(^11\)

Why are some authoritarian regimes more institutionalized than others? Under what conditions do cleavages between the party and state emerge within single-party regimes? In speaking to these broader theoretical questions, the article addresses the degree of institutional constraints inter party and state institutions within single-party systems as a particular subset of authoritarian regimes. More specifically, despite their many similarities, why is the communist party in Vietnam more constrained and institutionalized than in China? Put differently, why does the communist party in China exert more dominance over executive state institutions than in Vietnam?

In differentiating the processes of party formation from state formation, I demonstrate how the VCP embarked on state building after the 1945 August Revolution as an inchoate party with fragmented authority and tenuous organizational capacity, thereby demanding from the start that the party extensively accommodate and incorporate broader elite and societal interests. These dynamics were particularly prominent when the VCP was still embedded as part of the broad united front of Viet Minh, and as part of a coalition government with non-communist groups until 1951 when the party first re-emerged from its self-dissolution. Yet, even afterwards, organizational legacies and dynamics of accommodation persisted as the party actively sought to consolidate its organization and authority in further pursuit of socialist goals and the construction of a communist state in Vietnam.

By contrast, the CCP charted a course to power that relied on the party’s cohesive, disciplined and unified organizational apparatus through intensive and routine training, purges, and mass campaigns of purification. During its years in exile in Jiangxi, the party had already

\(^9\) Vu 2016.
\(^11\) In Vietnam, the executive organ is termed the Government (Chính phủ). The term “Government” in Vietnam is therefore the equivalent of the State Council in China, which similarly includes the line of ministries and executive agencies. In this article, I specifically refer to this executive apparatus of the Vietnamese state when I capitalize the term “Government”.

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gained experience in state building through the attempt to establish the Chinese Soviet Republic, a government in exile with separate state and military structures under the leadership of Mao Zedong and the CCP. Following an enduring test of the party’s resilience during the Long March to Yan’an, the party further implemented a comprehensive Rectification Campaign between 1942 and 1944 that radically crystallized party cohesion to a degree that the VCP could not parallel. Henceforth, state building under the CCP became inextricably intertwined with the consolidation of party hegemony and increased concentration of authority in the party’s paramount leadership, whereby oppositional forces were confronted and decisively eliminated. When push came to shove, the party exerted its dominance and control over the state and society rather than moderating party agendas and platforms to accommodate broader diverse interests, as evidenced by the “Campaign to Suppress Counterrevolutionaries,” the “Three-Anti Campaign,” the “Five Anti-Campaign,” and the “Anti-Rightist Campaign,” all between 1949 and 1960.

The sequencing and dynamics of party and state building during these critical periods have etched their impact on the configuration of political institutions, which are then increasingly institutionalized in the post-reform periods. In Vietnam, there is a more defined delineation between party and state institutions, and an empowered legislature with oversight over the executive agencies of the government. On the contrary, in China, the party exerts a more domineering presence over state institutions, merging party and state functions to a greater degree than in Vietnam. Despite developments in the post-reform period to strengthen the Chinese legislature, it fails to coalesce the same degree of authority and institutionalization as the legislature in Vietnam.

These differences matter greatly for regime responsiveness and the articulation of societal interests. Vietnam, for instance, has responded to workers’ grievances by recognizing workers’ right to strike, and creating a tripartite system as promoted by the International Labour Organization which consists of employer associations, unions, and the government, all of whom negotiate on salient terms concerning workers’ rights; China, however, has not. On a macro, aggregate level, Vietnam has also fared significantly better in reducing income inequality than China.

**Party-State Delineation Within Single-Party Regimes**

In the following section, I will highlight key differences in the distribution of authority in party and state structures, and the institutionalization of these features in China and Vietnam. Here, the goal of my analysis is not to enumerate all the ways in which the institutional arrangements in Vietnam differ from China’s, which has been summarized elsewhere. Rather, I specifically focus on the distinction between the party and the state, and how the party is broader and less centralized in Vietnam than in China. This is not to say that the communist state in Vietnam is stronger vis-à-vis the VCP, but that the party has not penetrated the state to the same degree in Vietnam as the CCP has in China.

In Vietnam, the number of Central Party Committees overseeing specific policy areas has noticeably shrunk. Central Party Committees (*Ban Dang Trung uong*) act as primary conduits in policy research and analysis that directly advise the Politburo and the Secretariat on particular fields of strategic importance or interest to the party. Between 1976 and 1986, the party apparatus was extensively involved in the economy, with five party committees that were parallel to

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12 Chan 2020.
13 Malesky, et al. 2011..
ministries in the Government. After the 6th Party Congress, the Central Agricultural Committee and the Central Circulation and Distribution Committee were both dissolved, while the Central Industry Committee and the former Central Economic Committee were merged into a single committee. As Dang Phong and Melanie Beresford observe, “compared with the size and scope of the former committees, the merged Committee is smaller . . . it no longer plays the role of a parallel ministry . . . The flows of information which enabled Party committees to intervene directly, no longer exist.” The Central Economic Committee later merged with the Office of the Party Central Committee in 2007, but was re-established in 2012. Other committees that oversaw the promulgation of party ideology and political tenets in education, culture, literature, and arts also merged into what is now the Central Propaganda Committee of the VCP. As the former Party General Secretary Do Muoi affirmed, the principal objective was to “put an end to the practice of party committees and party organization boards conducting all business related to personnel, in lieu of the state apparatus.” To date, there are a total of seven committees, not including the Office of the Party Central Committee which is primarily responsible for the day-to-day administration of the party.

Table 1: Reorganization of Central Party Committees in Vietnam

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Central Industry Comm. (75-89)</td>
<td>Central Economic Comm. (82-89)</td>
<td>Merged with the Office of the Party Central Comm. in 2007; re-established in 2012</td>
</tr>
<tr>
<td>Central Economic – Planning Comm. (78-82)</td>
<td>Central Economic Comm. (82-89)</td>
<td>N/A</td>
</tr>
<tr>
<td>Central Agricultural Comm.</td>
<td>Central Comm. of Justice</td>
<td>N/A</td>
</tr>
<tr>
<td>Central Distribution – Circulation Comm.</td>
<td>Central Comm. on Culture &amp; Ideology</td>
<td>N/A</td>
</tr>
<tr>
<td>Central Science &amp; Education Comm.</td>
<td>Central Comm. on Financial Mgmt.</td>
<td>N/A</td>
</tr>
<tr>
<td>Central Comm. on Culture – Lit. &amp; Arts</td>
<td>Central Comm. for Internal Affairs</td>
<td>Merged with the Office of the Party Central Comm. in 2007; re-established in 2012</td>
</tr>
<tr>
<td>Central Comm. of Justice</td>
<td>No change</td>
<td>No change</td>
</tr>
<tr>
<td>Central Organization Comm.</td>
<td>No change</td>
<td>No change</td>
</tr>
<tr>
<td>Central Comm. for External Affairs</td>
<td>No change</td>
<td>No change</td>
</tr>
<tr>
<td>Central Control Commission</td>
<td>No change</td>
<td>No change</td>
</tr>
<tr>
<td>Central Comm. for Popular Mobilization</td>
<td>No change</td>
<td>No change</td>
</tr>
</tbody>
</table>


Whereas Vietnam and China similarly make use of party committees to influence policy formulation and oversight, the crucial role assigned to “leading small groups” (LSGs) (lingdao

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15 Dang and Beresford 1998, 44.
16 Ban kinh te Trung uong [Central Economic Committee] 2017.
18 Dang and Beresford 1998, 88..
19 Ban Chap hanh Trung uong Dang Cong san Viet Nam [Central Committee of the Vietnamese Communist Party] 2012.
20 Do Muoi 1995, 177.
xiaozu 领导小组) by the CCP to exert party authority and supersed state functions stands in marked contrast to Vietnam. The Vietnamese political system does not possess features like China’s LSGs. In China, LSGs functioned and continue to function as party satellites and coordinating bodies to enforce party control over government in nearly every policy area. First formed in the late 1950s, there were eight permanent LSGs that directly reported to the Party Politburo Standing Committee and the Party Secretariat. Beyond these, there are now a variety of LSGs housed in both party and state institutions. Some are permanent while others are more temporary and ad-hoc to address specific policy issues. Compared to previous terms, the importance of LSGs was especially heightened after the 18th Party Congress under Xi Jinping as Xi intently sought to secure party control of the state and society. As of October 2017, there were 17 LSGs under the central CCP apparatus, and 33 LSGs under the State Council across policy areas, including economy, external affairs and security, society, domestic politics, and others.

The difference in the degree of party interference between Vietnam and China can be gauged from the extent to which the party merges with state agencies to formulate and promulgate key policies. To illustrate the greater degree of party-state fusion in policymaking in China compared to Vietnam, I compile a list of party legislations (formal resolutions, decisions, decrees, notices, and/or opinion) on land issue in both countries. I select this issue because of its representative importance to the communist party as well as state and societal actors within both regimes. As the tables below illustrate, the CCP and the Central Leading Small Group for Rural Work (zhongyang nongcun lingdao xiaozu 中央农村工作领导小组) have issued a number of party legislations with the State Council, and various ministries. Instead, in Vietnam, party documents are unambiguously attributed to the Central Committee of the VCP (Ban chap hanh Trung uong Dang) and its units, rather than being jointly issued with executive and implementing agencies. This indicator reflects a distinction between the party and the state that more clearly delineates party and state functions in Vietnam than in China.

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21 The five original LSGs created in the late 1950s were: (1) The Leading Group of Foreign Affairs Work; (2) the Leading Group on Taiwan Work; (3) the Hong Kong-Macao Leading Group; (4) the Leading Group on Finance and Economy; (5) the Leading Group on Ideology and Propaganda; (6) the National Security Leading Group; (7) the Politics and Law Committee; (8) the Leading Group on Party-Building. See, Miller 2008.

22 Here, I exclusively used a count of groups that are explicitly called LSGs. The authors included in their compilation other groups that performed similar coordinating functions as LSGs, namely, “coordinating small groups” (xietiao xiaozu 协调小组), “coordinating working groups” (xietiao gongzu zu 协调工作组), and several commissions (weiyuanhui 委员会). This increased the count to 26 LSGs under the CCP, and 57 LSGs under the State Council Johnson, et al. 2017.

23 For instance, the Leading Group for the Lunar Probe Project, the Leading Group to Promote Logistics Reform in the People’s Leading Army (PLA), and the Leading Group on Outsourcing PLA Logistics Support were jointly formed by the CCP Central Committee and the state Council. See Miller 2008.

Table 2: Party Documents on Land Issues in Vietnam, 1986-2019

<table>
<thead>
<tr>
<th>Year</th>
<th>Promulgator</th>
<th>Party Legislations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988</td>
<td>Party Secretariat</td>
<td>Politburo Decree No. 47-CT/TW on Resolving a Number of Urgent Matter Concerning Agricultural Land</td>
</tr>
<tr>
<td>1993</td>
<td>Party Secretariat</td>
<td>Party Secretariat Decree No.18-CT/TW on Public Consultation on the Land Law (Revised)</td>
</tr>
<tr>
<td>1995</td>
<td>Party Secretariat</td>
<td>Party Secretariat Announcement No. 134-TB/TW on Fighting Corruption in Resolving Homestead, Residential Land</td>
</tr>
<tr>
<td>1995</td>
<td>Central Committee</td>
<td>Announcement of the Politburo’s Opinion No. 121-TB/TW on the Implementation of the Land Law in Agriculture</td>
</tr>
<tr>
<td>1996</td>
<td>Central Committee</td>
<td>Announcement of the Politburo’s Opinion No. 144-TB/TW on a Number of Problems Related to Land and Homestead</td>
</tr>
<tr>
<td>2001</td>
<td>Central Committee</td>
<td>Announcement of the Politburo’s Opinion No. 6-TB/TW on the Project of Amending and Supplementing a Number of Articles of the Land Law</td>
</tr>
<tr>
<td>2002</td>
<td>Politburo</td>
<td>Politburo Report at the Seventh Meeting of the Ninth Central Committee No. 100/TLHN on the Situation of the Implementation and Petitions to Continue Renovating Policy, Law on Land During a Period of Promoting the Industrialization and Modernization of the Country</td>
</tr>
<tr>
<td>2002</td>
<td>Politburo</td>
<td>Politburo Conclusion No. 18-KL/TW on the Project of Reporting the Situation of the Implementation and Petition to Continue Renovating Policy, Law on Land During a Period of Promoting the Industrialization and Modernization of the Country</td>
</tr>
<tr>
<td>2003</td>
<td>Politburo</td>
<td>Politburo Report No. 124/TLHN on Receiving the Opinions of the Central Committee on the Proposal of the “Situation on the Implementation and Petition to Continue Renovating Policy, Law on Land During a Period of Promoting the Industrialization and Modernization of the Country”</td>
</tr>
<tr>
<td>2003</td>
<td>Central Committee</td>
<td>Resolution of the 9th Central Committee at the 7th Party Plenum No. 26-NQ/TW on Continuing the Renovation of Policy and Law on Land During the Period of Promoting the Industrialization and Modernization of the Country</td>
</tr>
<tr>
<td>2003</td>
<td>Central Committee</td>
<td>Announcement of the Politburo’s Opinion No. 108-TB/TW on the Inspection of Investments in Construction and Management of Land</td>
</tr>
<tr>
<td>2003</td>
<td>Central Committee</td>
<td>Decision of the Politburo No. 86-QS/TW on Organizing the Steering Committee to Assist the Politburo in Inspecting Leadership and Instruction for the Implementation of the Politburo’s Conclusion on the Development of Land Use and Management</td>
</tr>
<tr>
<td>2003</td>
<td>Central Committee</td>
<td>Announcement of the Politburo’s Opinion No. 124-TB/TW on the Revision of the Land Law (Draft)</td>
</tr>
<tr>
<td>2003</td>
<td>Central Committee</td>
<td>Resolution 26-NQ/TW on Continuing the Renovation of Policy and law on Land During the Period of Promoting the Industrialization and Modernization of the Country</td>
</tr>
<tr>
<td>2012</td>
<td>Central Committee</td>
<td>Resolution 19-NQ/TW on Continuing the Renovation of Policy and law on Land During the Period of Promoting the Industrialization and Modernization of the Country</td>
</tr>
</tbody>
</table>

*Note: Documents compiled from Van kien Dang toan tap [Complete Collection of Party Documents], vol. 47 – 69, based on queries with the keyword “land” (đất, đất đai).
Table 3: Party Legislations on Land Issues in China, 1986-2019

<table>
<thead>
<tr>
<th>Year</th>
<th>Promulgator</th>
<th>Party Legislation (dang nei fagui 党内法规)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>CCP Center; State Council; State Council</td>
<td>Notice on Strengthening Land Management and Ceasing Arbitrary Occupation of Cultivated Land</td>
</tr>
<tr>
<td>1997</td>
<td>CCP Center; State Council</td>
<td>Notice on Further Strengthening Land Management and Practically Protecting Cultivated Land</td>
</tr>
<tr>
<td>1997</td>
<td>General Office of the CCP Center; General Office of the State Council</td>
<td>Notice on Further Stabilizing and Improving Rural Land Contract Relations</td>
</tr>
<tr>
<td>2001</td>
<td>General Office of the CCP Center; General Office of the State Council</td>
<td>Notice on Practically Safeguarding Rural Women's Land Contracting Rights and Interests</td>
</tr>
<tr>
<td>2004</td>
<td>CCP Central Commission for Discipline Inspection; Ministry of Supervision</td>
<td>Regulation on Leading Cadres Using Power in Violation of Existing Regulations to Intervene and Meddle in Bidding Construction Projects, Operating Land Use Rights Transfers, Real Estate Development and Management, and Other Market Economic Activities for Personal Benefits for Individuals and Relatives</td>
</tr>
<tr>
<td>2004</td>
<td>CCP Central Commission for Discipline Inspection; The Disciplinary Inspection Commission of the Ministry of Construction</td>
<td>Notice of promulgation on the Regulation on the Use of Authority to Violate the Provisions on Interventions in Bidding Construction Projects, Operating Land Use Rights Transfers, Real Estate Development and Management, and Other Market Economic Activities Personal Benefits, Relatives, and Friends</td>
</tr>
<tr>
<td>2011</td>
<td>Office of the Central Leading Small Group for Rural Work; Ministry of Land and Natural Resources; Ministry of Finance; Ministry of Agriculture</td>
<td>Opinion on the Registration and Certification of Rural Collective Land</td>
</tr>
<tr>
<td>2014</td>
<td>General Office of the CCP Center; General Office of the State Council</td>
<td>Opinion on Guiding the Orderly Circulation of Rural Land Management Rights to Develop Models of Agricultural Scale Operation</td>
</tr>
<tr>
<td>2015</td>
<td>Ministry of Agriculture; Office of the Central Rural Work Small Group; Ministry of Finance</td>
<td>Opinion on Diligently Carrying out the Registration and Certification of Rural Land Contract Management Rights</td>
</tr>
<tr>
<td>2016</td>
<td>General Office of the CCP Center; General Office of the State Council</td>
<td>Opinion on Improving Measures for the Separating the Management, Contracting, and Ownership Rights to Rural Land</td>
</tr>
<tr>
<td>2019</td>
<td>CCP Center; State Council</td>
<td>Opinion on Keeping the Land Contracting Relationship Stable and Permanent</td>
</tr>
</tbody>
</table>


Another significant institutional difference between Vietnam and China is the strength of the legislature. Schuler has persuasively documented the many ways in which the Vietnamese National Assembly (VNA) is highly more institutionalized than the National People’s Congress.

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25 As noted elsewhere, party documents are intentionally attributed to “CCP Center,” a more ambiguous designation, as opposed to “CCP Central Committee” (zhonggong zhongyang weiyuan hui 中共中央委员会) in China. Abrami, et al. 2013, 254.
(NPC) in China.\textsuperscript{26} It is worthwhile to reiterate these salient features here. While the NPC is formally endowed with similar legislative and oversight powers as the VNA, it differs from the legislature in Vietnam in several ways. By comparison with Vietnam, the NPC is relatively passive and less open to public scrutiny. Having increased the frequency of its meetings from less than a week to more than two months every year, the VNA considers and deliberates on proposed legislations in small committees that are closed off to the public, as well as in full plenary sessions that are publicly televised and transcribed.\textsuperscript{27} On the other hand, the full three thousand-member legislature in China meets only once per year, and holds legislative debates behind closed doors without any debates in full plenary sessions. Domestic and foreign journalists can be invited to cover NPC sessions, with press conferences and websites that publish information to the public.\textsuperscript{28} These, however, are also present in Vietnam.

Moreover, although reports on the work of the government are presented by the Premier of State Council, often at the first session of each legislative term, they are not publicly debated in China. By contrast, the VNA commonly devotes two to three days to comment on and evaluate the government report, televised to the public. Query sessions in which delegates can interrogate and demand responses from members of the executive government are also televised, usually lasting from three to four days per plenary session in Vietnam, whereas they are not televised in China. In these query sessions of members of the Government, Malesky and Schuler find evidence that the questions posed by VNA delegates indeed reflect the particular concerns and interests of their constituents.\textsuperscript{29} Lastly, whereas the VNA routinely casts public votes of confidence in government officials, the NPC does not.\textsuperscript{30} The Constitution grants the VNA the authority to cast a vote of confidence in persons holding positions elected or approved by the National Assembly, which includes the Prime Minister and President, who are both Politburo members, as well as all ministers. On November 21, 2012, the VNA adopted Resolution No. 35/2012/QH13, requiring state officials to be subject to an annual confidence vote by the legislature.\textsuperscript{31}

### Alternative Explanations

There are several overriding explanations in the existing scholarship. First, some suggest that authoritarian institutionalization is contingent on the extent to which the autocrat delegates greater authority to the state. As Schuler argues, under “unitary autocracies” like China in which the party tightly controls both the repressive and policy apparatus of the regime, there exists weaker incentives for the party to institutionalize constraints on executive state institutions. This explains why the legislature in China is less institutionalized than in Vietnam. For the party to do so would be synonymous with ceding and constraining its own power, which is unaligned with its own interest. In contrast, “delegated autocracies” such as Vietnam, because the party fails to control the executive government and delegates significant authority to the prime minister, there is a stronger incentive for the party to institutionalize greater constraints vis-à-vis the legislature to keep the executive apparatus in check, as well as a means for the party to shift blame onto the

\textsuperscript{26} Schuler 2020.  
\textsuperscript{27} Schuler 2018, 2020.  
\textsuperscript{28} For example, see "China Invites Journalists to Cover Big Political Meetings" 2016.  
\textsuperscript{29} Malesky and Schuler 2010.  
\textsuperscript{30} Sidel 2009, 35-36.  
\textsuperscript{31} Quoc Hoi [Vietnamese National Assembly] 2012.
legislature for unpopular policies. Schuler points to three particular instances after Renovation as evidence of this argument: (a) General Secretary Do Muoi’s support for empowering the VNA in his early debates with Prime Minister Vo Van Kiet between 1989 and 1992; (b) the support of then General Secretary Le Kha Phieu for the decision to televise legislative query sessions of government officials in 1998; and (c) General Secretary Nguyen Phu Trong’s support for the annual requirement of a vote of confidence by the VNA in 2012. In these instances, the General Secretary expressed preference for measures to strengthen the role of the legislature and its legislative powers against the Prime Minister, head of the executive Government, which indicated measurable support by the VCP to keep the Government in check vis-à-vis the legislature. Yet, it is puzzling why authoritarian delegation occurs in the first place. In other words, why would an autocrat delegate any authority to state institutions at all? Under what conditions do authoritarian regimes become unitary or delegated autocracies?

In searching for historical explanations, scholars studying Vietnam and China have primarily located their differences in the post-reform periods after Renovation (Doi Moi) in Vietnam and Reform and Opening (Gaige Kaifang) in China. Arguing that the VCP had deliberately delegated more authority to the legislature than the Chinese Communist Party (CCP) since 1986, Schuler points to Renovation as a critical juncture for legislative institutionalization in Vietnam. In this historical account, the dismantling of central planning is accompanied by an emergent separation between the party and the state in the 1980s in Vietnam, followed by a gradual strengthening of the legislature as an instrumental approach to check the executive authority of the Government. Malesky, Abrami, and Zheng, on the other hand, identify the suppression of Tiananmen protests in 1989, and the loss of liberal reformers Hu Yaobang an Zhao Ziyang to conservative factions backed by Deng Xiaoping’s paramount leadership as the critical juncture that set China on a divergent path from Vietnam. In the case of Vietnam, the authors point instead to clashes of power among three dominant groups of elites in the run up to the 1991 Seventh Party Congress: (1) conservative party ideologues and officials led by Do Muoi; (2) economic liberalizers led by Vo Van Kiet; and (3) supporters of military involvement in politics led by Le Duc Anh. Compromises necessitated by these broad coalitions were then institutionalized in the power-sharing arrangements widely coined as Vietnam’s “diffused troika” and formalized in the 1992 Constitution. But why did the VCP allow space for compromises among divergent groups of interests whereas the CCP opted for a more confrontational approach that crushed liberal forces? This question cannot be fully addressed by focusing only on these junctures.

My analysis does not contradict but build on these explanations and their valuable contributions insofar as the credece that they lend to critical historical junctures in the post-reform periods during which one can indeed observe salient differences between Vietnam and China becoming starker and more pronounced. At the same time, in limiting analysis to these singular moments, these explanations has opted for a narrower lens of the political trajectory that stretches across the canvas of history and extends well beyond these particular junctures. The central argument that undergirds this article is not merely that the root causes of institutionalized constraints on autocratic power cannot be fully explained and appreciated without bringing history

33 Schuler 2020.
34 Schuler 2020.
35 Malesky, et al. 2011, 408.
back in, but that history should be brought back in fuller force. I locate the origin and institutionalization of party-state separation within a broader macro-historical perspective that traces back to the divergent departures of the VCP and the CCP in their early party and state formation.

In contrast to existing explanations, I argue that power dynamics during party and state formation, and the prominent sequencing of these distinct processes fundamentally shape the relationship between the party and the state, and the institutionalization of constraints on autocratic authority within single-party regimes. Whereas the path to power taken by the VCP was marked by accommodation that incorporated broader divergent interests early on, the CCP charted its way to power through extensive confrontation that centralized authority within the party and penetrated the state to a much greater degree. The authority of the communist party in Vietnam, in other words, was severely curtailed from supplanting state institutions, and the legislature was empowered out of a need for accommodation due to significant structural constraints, which preceded well before the post-reform periods. These contrasting departures have fundamentally forged the ways in which party and state institutions are structured, and the institutionalization of constraints on the communist party in Vietnam, which are more rigorous than in China. In this sense, variation in inter-institutional constraints within single-party regimes and party-state cleavages is not merely contingent on rational calculus based on logic of consequences, elite and organizational politics, or coalition-building incentivized by impetus for post-socialist, market-oriented reforms. Rather, it is deeply rooted in the divergent historical pathways to party and state formation, the degree of party centralization and cohesion prior to state building, and the dynamics of this interrelationship over time.

My argument complements Meng’s theory that autocrats are more likely to pursue institutionalization when they are weak, which in turn becomes highly path-dependent even after the autocrats consolidate power. The controlled comparison of Vietnam and China, however, has distinct values due to the variation that it exemplifies and how the two cases are characteristically different from Tanzania and Guinea. Under Meng’s theoretical model, Guinea represents a stable regime that experienced violent leadership transition due to the absence of institutionalization, which originates with the existence of a strong leader. China, on the other hand, represents a case in which authoritarianism remained durable, in spite of violent leadership transition after the fallout of Mao.

Argument

The central thesis that underpins this study is that entrenched legacies of party and state formation strongly influence the relationship between party and state institutions of authoritarian regimes. I argue that variation in institutional constraints within authoritarian regimes derives from overlooked differences in variable paths to power historically undertaken by regimes, which determine the parameters of their institutional character. In Vietnam, accommodation has been the preeminent pattern that emerged from party fragmentation and state building based upon political compromises. By contrast, China has epitomized a pattern of confrontation in which the party exerts dominance over state and society, effectively supplanting state institutions.

37 Meng 2020.
During its early formation, the Vietnamese Communist Party (VCP)\textsuperscript{38} was a disparate organization that failed to coalesce power. In its endeavor to gain national independence, the party that was formed operated as a united front of many different political factions, irrespective of their commitment to communism or the party itself. Under this broad front by the communists’ own design, the party seized control in 1945 and founded the Democratic Republic of Vietnam. But given the party’s lack of organizational capacity, ideological coherence, discipline, and unity, the formation of the new state was built on compromises and a fragile coalition of communists and non-communists in which the party retained and greatly relied on the colonial apparatus along with the personnel of the former regime. To assuage fears of communism within the coalition, only two months after coming into power in the name of a united front with non-communist groups, the party even announced its self-dissolution. Thus, from the early outset the VCP had needed to compromise and incorporate broad divergent interests. These were reflected in the design of state structures, particularly the role conferred to the legislature, the diffusion of political power within the party, as well as its moderate policies. Organizational legacies of accommodation remained entrenched with the evolution of party and state institutions under the Socialist Republic of Vietnam established in 1976.

By contrast, the Chinese Communist Party (CCP) emerged from its struggle against the Guomindang more unified, disciplined, and consolidated than before. During its exile in remote areas of Jiangxi and Yan’an between 1927 and 1949, the party successfully centralized its authority and transformed the party through intensive cadre screening, routine purges, ideological training, and a full-scale rectification campaign. Rather than compromising with the Guomindang, the CCP eradicated its rivalry in an all-out civil war with the force of an army and an organizational apparatus that exceeded the VCP. The CCP exerted its dominance after it seized control and established the People’s Republic of China in 1949.

Unlike the VCP, the CCP held on to its power during the state formation process. Party consolidation and state building were tightly enmeshed. Expansion in party membership and the integration of new members into the state apparatus were accompanied by routine purges and mass campaigns to root out half-hearted cadres, and to maintain party discipline and unity. During the initial transition phase of state building and regime consolidation from 1949 to 1954, the CCP implemented the “Campaign to Suppress Counterrevolutionaries,” the “Three-Anti Campaign,” and the “Five Anti-Campaign.” In the second phase of the consolidation of the Chinese communist regime under Mao from 1954 to 1960, legislative developments were halted when the party unleashed the “Anti-Rightist Campaign.” Resorting to old repertoires and mobilizational tactics, the CCP purged deputies serving in the National People’s Congress by subjecting those labeled as “rightists” to public confessions, suspensions, labor education, and executions. By 1966 the National People’s Congress ceased to operate altogether for the next nine years during the Cultural Revolution. Concurrently, the party became increasingly and directly involved in policy and government administration through party committees, central leading small groups of the party, and the concentration of authority in the hands of the Standing Committee of the Politburo headed by Mao. These were evidence of the confrontational path undertaken by the CCP in the formation

\textsuperscript{38} The Vietnamese Communist Party (VCP) was called by different names at different phases of its historical development. In October 1930, the VCP changed its name to the Indochinese Communist Party (\textit{Dang Cong San Dong Duong}, or ICP. In 1951, the ICP changed its name to the Vietnam Worker’s Party (VWP). The party operated under this name until 1975 when it then adopted the official name of the Vietnamese Communist Party (VCP) to date. To avoid confusion, in this article, I will consistently refer to the communist party in Vietnam by the name of the Vietnamese Communist Party or VCP.
of the party and the state, and how party dominance supplanted state institutions to a much greater extent in China than Vietnam.

Table 4: Explaining Variation in Institutionalized Constraints Under Authoritarianism

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<th>Party &amp; State Formation</th>
<th>Institutionalization of Autocratic Constraints</th>
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<tr>
<td>Vietnam</td>
<td>Diffusion of political authority&lt;br&gt;Delineation between party &amp; state institutions&lt;br&gt;Legislative oversight of the government</td>
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<tr>
<td>Confrontation</td>
<td>Concentration of political authority&lt;br&gt;Party supplantation of state institutions&lt;br&gt;Legislative subordination</td>
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I advance this theoretical argument with a controlled comparison of two most similar systems, Vietnam and China. In asking whether controlled comparison still has a place in comparative politics, Dan Slater and Daniel Ziblatt cogently highlight the advantage of a “theoretically informed combination of control and variation” in a controlled comparison.³⁹ By selecting cases with comparable, similar properties, the design allows for intensive process-tracing to identify the precise mechanisms that explain variation, and to establish a robust internal validity of the argument.⁴⁰

Through comparative historical analysis, I advance the central argument that divergent paths in party and state formation fundamentally shape the institutional arrangements and the nature of institutionalization within single-party regimes. In doing so, I take a longer view of history to identify the overarching macro-historical origins that undergird Vietnam’s greater institutionalized responsiveness compared to China. In line with the comparative advantage of this research tradition, the analysis thus places importance on the sequencing of events, the context in which they occur, and the path dependence of the resulting decisions and outcomes that structure the development of authoritarian institutions and their character.⁴¹

This analytical framework makes use of primary materials, including documents that I collected during fieldwork from the National Archives Center III in Hanoi, Vietnam, leaders’ speeches and writings, party and government documents in Vietnamese, Mandarin, and English translations, as well as secondary materials that help enrich and fill gaps in the historical analysis. Translations of materials in Vietnamese and Mandarin are my own, unless otherwise noted and cited.

³⁹ Slater and Ziblatt 2013.
⁴⁰ Collier 2011; Ricks and Liu 2018.
⁴¹ Thelen 1999; Mahoney 2003; Pierson 2004, 2015; Thelen and Mahoney 2015.
Pathway of Accommodation and Institutionalized Constraints in Vietnam

Party Formation and Early Compromises, 1925-1945

The Vietnamese Communist Party (VCP) was founded at a time when the political arena was highly fragmented. On October 27, 1929, the Comintern issued a directive to the communist groups, calling for an end to the existing sectarianism in Indochina.\textsuperscript{42} Heeding the Comintern’s call, Ho Chi Minh organized a conference in Hong Kong to unify the various communist groups. Out of this conference, the Vietnamese Communist Party (\textit{Viet Nam Cong San Dang}, or VCP) was officially established on February 3, 1930, with the backing of Moscow.\textsuperscript{43}

Subject to formidable constraints, the VCP was constantly forced to reconstitute itself by moderating its communist aspirations and accommodating other competing political groups. The VCP compromised its socialist vision to strategically expand the party. At the Eighth Plenum of the VCP Central Committee chaired by Ho Chi Minh in Pac Bo, Cao Bang province on May 10-19, 1941, the VCP adopted a formal resolution to form the League for Vietnam’s Independence (\textit{Viet Nam Doc Lap Dong Minh}, or Viet Minh).\textsuperscript{44} Even the agrarian question of land reform, once a central platform of the VCP, was postponed indefinitely.

From the outset, the Viet Minh constituted a broad front by design. Its pronounced platform aimed “to unite all social classes of the people irrespective of their religion, parties, political inclinations, or social classes” to fight against France and Japan for Vietnam’s independence, and to create “a people’s government of the Democratic Republic of Vietnam.”\textsuperscript{45} Under the umbrella of the Viet Minh, the VCP incorporated and formed alliances with other existing groups, regardless of whether they were communist or not. The condition for joining was simple. According to the Viet Minh’s bylaws, “Any political party or organization of the Vietnamese or minority people living in Vietnamese territory — regardless of their social class, religion, or political inclination — that accepts the objectives, principles, and program of the Viet Minh Central Committee is allowed to participate in the Viet Minh Front.”\textsuperscript{46} Consequently, noncommunist groups joined the Viet Minh under these broad terms. The New Vietnam Association (\textit{Tan Viet Nam Hoi}) founded in North and Central Vietnam by intellectuals and professionals active in the journal \textit{Thanh Nghi} quietly dissolved in August 1945 and joined the Viet Minh.\textsuperscript{47} This broad alliance practically diluted the dominance and cohesiveness of the VCP. As Tuong Vu concludes, “In the rush to expand, the [VCP] failed to maintain boundaries between itself and its united front organizations. Over time, it became a united front with its membership incorporating all social classes.”\textsuperscript{48}

\textsuperscript{42} Quoted in, Turner 1975, 16.
\textsuperscript{43} The Vietnamese Communist Party (VCP) was called by different names at different phases of its historical development. In October 1930, the VCP changed its name to the Indochinese Communist Party (Dang Cong San Dong Duong, or ICP). The Executive Committee of the Third International wanted the name to be changed to the Indochinese Communist Party as opposed to Vietnamese Communist Party (Tønnesson 1991, 100.). This Indochinese Communist Party (Dang Cong San Dong Duong), however, is not to be confused with the other Indochinese Communist Party (\textit{Dong Duong Cong San Dang}), also known as the Tonkin Group, founded earlier in 1929. In 1951, the ICP changed its name to the Vietnam Worker’s Party (VWP). The party operated under this name until 1975 when it then adopted the official name of the Vietnamese Communist Party (VCP) to date. To avoid confusion, in this article, I will consistently refer to the communist party in Vietnam by the name of the Vietnamese Communist Party or VCP.
\textsuperscript{44} At this meeting, Truong Chinh was selected as Party General Secretary.
\textsuperscript{45} “Chuong trinh Viet Minh [Viet Minh Program], Hoi nghi Ban chap hanh Trung uong, Khoa I”.
\textsuperscript{46} Quoted in, Huynh 1982, 264.
\textsuperscript{47} Vu 1997, 197-228.
\textsuperscript{48} Vu 2010, 135.
**Accommodation in State-Making and Party-Building, 1945-1953**

When the Vietnamese Communist Party (VCP) first embarked on state-making under the Democratic Republic of Vietnam formed after the 1945 August Revolution, it made important compromises that further incorporated divergent interests and competing factions. Motivated by political expediency, the party bound itself to Viet Minh and diluted its communist platform to adopt more inclusive arrangements. These are most evident in the composition of the government formed after the 1945 August Revolution, and the institutional features inscribed in the 1946 Constitution. As a result, the state formed was characterized by divided leadership, moderation, and restraint.

There was a stark difference between the VCP and the Chinese Communist Party (CCP) at this critical juncture. Compared to Vietnam, the CCP was more cohesive and centralized by the time the party embarked on its state-building project in 1949. During the time when communists were forced into exile in the mountainous and rural areas, the CCP had consolidated and solidified its organizational base in ways that the VCP had failed to do. In particular, the CCP carried out a Rectification Campaign from 1942 to 1944 that intensified purges of “half-hearted” and “disloyal” party members, and subjected members to intensive ideological submission in order to forge party discipline and unity. After Japan surrendered in World War II, the CCP ultimately defeated its rival opposition, the Guomindang, and exerted its dominance in the construction of the Chinese communist state. By contrast, in the formation of the Democratic Republic of Vietnam, not only did the VCP need to incorporate and rely on non-communist groups to form the new government, but the VCP also exercised its role as part of the nationalist united front of Viet Minh rather than as a stand-alone, dominant, and cohesive ruling party.

The VCP kept the composition and legal framework of the colonial bureaucracy mostly intact, to the extent that it could be termed a “colonial graft”. Many Vietnamese bureaucrats formerly working under the French administration continued working under the Democratic Republic of Vietnam in 1945-46, “as if nothing that revolutionary had occurred.” In his written account of the August Revolution, Truong Chinh bemoaned the fact that the VCP did not take a more confrontational approach toward the opposition: “We did not firmly eliminate the various categories of traitors and failed to take sufficient energetic measures against the French colonialists and their agents.” In addition to granted many former officials leading positions in key ministries of the new government, the VCP also incorporated other political groups, irrespective of whether they were supportive of communism. As a result, “the state had a divided leadership with communists sharing substantial power with many non-communists,” Vu describes.

In fact, the composition of the new government was shuffled several times. Changes were made to form a broader government consisting of not only VCP members and representatives of other groups within the Viet Minh, but also of those outside the Viet Minh. At the time, the main rival parties of the VCP in North Vietnam were the Vietnamese Nationalist Party (*Viet Nam Quoc...*)

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49 Goscha 2016, 229.
50 Goscha 2016, 230.
53 Beresford 1988, 23; Lockhart and Duiker 2006, 68.
54 Vu 2010, 115.
Dan Dang)\textsuperscript{55} and the Vietnamese Revolutionary League (Viet Nam Cach Menh Dong Minh Hoi)\textsuperscript{56}. There were other rival parties and factions as well.\textsuperscript{57} What these groups all had in common, as Goscha describes, was that, “None of them were pro French; all of them were nationalist; and each was anticommunist.”\textsuperscript{58}

By early November 1945, the nationalists had set up a coalition bloc dominated by the Vietnamese Nationalist Party and the Vietnamese Revolutionary League, demanding that the provisional government be restructured with participation by all major political groups. After extensive negotiations, the Vietnamese Revolutionary League, the Vietnamese Nationalist Party, and the Viet Minh reached an agreement on December 22, 1945.\textsuperscript{59} According to this agreement, leadership would be split between nationalists and communists, with Ho Chi Minh as President, and Nguyen Hai Than, leader of the Vietnamese Revolutionary League, as Vice President. Two cabinet posts in the Ministry of Health and the Ministry of National Economy were also reassigned. As part of the compromise, it was also agreed that the Vietnamese Nationalist Party would be guaranteed 50 seats and the Vietnamese Revolutionary League 20 seats in the upcoming legislative election. Not long after, the provisional government was dissolved to form a new government at a legislative meeting on March 2, 1946. Curiously enough, former Emperor Bao Dai, going by the name of Nguyen Vinh Thuy, was also incorporated as head of the Consultative High Council of the new coalition government.

On November 11, 1945, the VCP proactively announced its dissolution in order to present a more united front for a coalition government. One of the main reasons for the self-dissolution of the VCP was to assuage nationalist fears that the government would be dominated by communists,\textsuperscript{60} and other international factors compounded the VCP’s reluctance to forcefully eliminate the opposition in the first place. The Political Report of the Central Committee at the Second Party Congress in 1951 explained the rationale behind this decision:

Faced with such severe and pressing circumstances, the party needs to use every means to survive, operate, and develop in order to lead in secret and more effectively, and have time to gradually consolidate the people’s forces, consolidate the People’s United Front. At that time, the party cannot hesitate. Any hesitation would wreck everything. The party must be decisive and prompt, using all means – even painful means – to save the situation.\textsuperscript{61}

\textsuperscript{55} The Vietnamese Nationalist Party (Viet Nam Quoc Dan Dang) was founded in 1927 by Nguyen Thai Hoc, a primary school teacher in Hanoi. Composed chiefly of students, small merchants, civil servants, and ethnic Vietnamese in the French armed forces, it was modeled after the Kuomintang and was heavily influenced by Sun Yat Sen’s ideas (Pike, 25).

\textsuperscript{56} The Vietnamese Revolutionary League (Viet Nam Cach Menh Dong Minh Hoi) was created under pressures from Chinese commanding officer Zhang Fakui and with the backing of the Kuomintang in August 1942 as another nationalist front that specifically excluded the ICP. The membership was primarily made up of members of the VNP. See Duiker 1996, 81.

\textsuperscript{57} The Greater Vietnam (Dai Viet), for instance, was a non-communist, nationalist coalition composed mostly of northern urban elites led by Truong Tu Anh.

\textsuperscript{58} Goscha 2016, 206.

\textsuperscript{59} Fall 1956, 8.

\textsuperscript{60} “Dang Cong san Dong Duong bo tu giai tan [The Indochinese Communist Party Announced Its Self-Dissolution]” 1945.

\textsuperscript{61} Ban Chap hanh Trung uong Dang Cong san Viet Nam [Central Committee of the Vietnamese Communist Party] 1951, 21.
The fact that the party chose to dissolve rather than confront or suppress opposition suggests that it was still relatively weak. In short, as Goscha simply puts, “a party that chooses to dissolve itself, even on paper, is not in a position to be totalitarian.”

As a clandestine organization, the VCP conducted massive membership drives, and widely accepted members into the party without any vetting from 1945 to 1949. Party membership increased from 5,000 in August 1945 to 20,000 members by mid-1946, and to 700,000 members by 1949. Despite its rapid expansion, there was little coherence or cohesion to the VCP. Many members were poorly trained, unreliable, and opportunist rather than ideologically committed to communist ideas. As Truong Chinh remarked at the Second National Party Congress in 1951:

Since the August Revolution, especially since [the war of] resistance, although [the party] operates half publicly, the influence of the party among the people has increased day by day. Party growth has been outstanding (vượt bậc), but that growth has given birth to one big shortcoming: the education of party cadres has not caught up with the development of the party. Many opportunist elements, desiring status, have joined the party, exploiting the title of party cadre for personal gains . . . The number of party members is high, the quality of the party is low.

The indiscriminate approach that the VCP took to expand party membership was constitutive of its accommodation approach to state-making.

With the same tone of coalition-building, the process of drafting the 1946 Constitution incorporated a multitude of voices and factions staking their claims in the configuration of key state institutions. As Bernard Fall perceptively notes of the broader context within which the debates on Vietnam’s first constitution unfolded, it was “a time when the regime of Ho Chi Minh still operated on a coalition basis, with French troops and American observers still in Viet-Nam [sic] and the nearest major communist armed forces almost three thousand miles away.” A Launching Committee (Uy ban khoi thao hien phap) was first formed for the purpose of drafting the Constitution. On September 20, 1945, Decree 34-SL announced the seven members on the committee: (1) Ho Chi Minh; (2) Nguyen Vinh Thuy (former Emperor Bao Dai); (3) Dang Thai Mai; (4) Vu Trong Khanh; (5) Le Van Hien; (6) Nguyen Luong Bang; and (7) Dang Xuan Khu (more widely known as Truong Chinh). Except for Vu Trong Khanh and Nguyen Vinh Thuy, five out of the seven committee members were communist. Next, the draft was prepared and completed by the executive branch known then as the Council of Ministers (Hoi dong Chinh phu) before it was handed over to an expanded Constitutional Drafting Committee consisting of 11

63 Beresford 1988, 24.
64 Truong 1951, 162 (emphasis added).
65 Fall 1959, 178.
66 Along with a proclamation of the election date for the legislative election, Decree 14-SL (Sac lenh so 34-SL) mandates the establishment of a constitutional drafting launchin committee of seven members in order to prepare a draft of the constitution. See, Decree 14-SL, art. 6, dated September 4, 1945.
67 "Sac lenh So 34-SL cua Chu tich Chinh phu lam thoi lap mot Uy ban du thao va de trinh Quoc hoi mot ban hien phap cho Viet Nam Dan chu Cong hoa".
68 Vu Trong Khanh was nominally listed as independent. He formerly served as Governor of the City of Hai Phong in Tran Trong Kim’s administration. After the 1945 August Revolution, Vu became the first Minister of Justice in the Provisional Government of the DRV. See Nguyen 2014.
members elected by the legislature at the first plenary session.\(^69\) Then VNA Deputy Ton Duc Thang of the VCP summed up subsequent steps in this extensive process:

Elected by the first plenary session, the Constitutional Drafting Committee (Uy ban Du thao Hien phap) was composed of 11 deputies, which included multiple political parties, non-party members, women, religious representatives, and various professions. Based on the draft proposed by the government, on suggestions collected from the people, on the experience of constitutions in other European and Asian countries, and compared with the draft of the Committee for National Reconstruction (Uy ban Kien quoc),\(^70\) this Committee has presented a draft of the Constitution to the National Assembly. At the meeting on October 29, the Committee was again expanded, adding ten representatives from various groups, including moderate representatives, southern representatives, and representatives of ethnic people, in order to revise and supplement other necessary provisions, and to begin putting forth the draft for deliberation at the November 2 meeting. Thus, in the matter of drafting the Constitution, we have placed importance on the wishes and opinions of nearly every social class, every political color, every citizen from upper or lower currents, from the South, from the North, and people who followed religion as those without any beliefs.\(^71\)

The drafting and deliberation of the 1946 Constitution of Vietnam markedly differed from China’s first Constitution in 1954. Whereas the process in Vietnam bore the imprint of an expansive coalition in which the VCP exercised restrained influence, the CCP exerted its dominance and concentrated power vis-à-vis the Politburo in the making of the country’s first Constitution. Vietnam’s 1946 Constitution and China’s 1954 Constitution embodied this notable difference between the two countries. Dubbed as “a charter for independence and unity,” the 1946 Constitution in Vietnam established “an inclusionary tone for a regime that had not yet consolidated authority.”\(^72\) The Communist Party and socialism were not formally cited and mentioned at all in the text of the 1946 Constitution of Vietnam, whereas China’s 1954 Constitution unequivocally pronounced in its preamble that the People’s Republic of China was “led by the Communist Party of China” and that it had been in the midst of a gradual transition to socialism since 1949.

A central focus of the constitutional debate was the role of the legislature and its standing committee in Vietnam. In the 1946 Constitution with seven chapters and 70 articles that inscribed the consensus among various actors on the configuration of state institutions, chapter three on the “People’s Parliament” (Nghi vien nhan dan) consisted of 21 articles. It was the largest chapter in the Constitution, suggesting that there was greater attention devoted to the legislature compared to other sections. The Vietnamese legislature was directly elected, and was headed by a Speaker of the Parliament (Nghi truong) and two Vice-Speakers (Pho nghi truong), the equivalent of the

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\(^69\) The eleven members in the expanded committee included: Ton Quang Phiet, Tran Duy Hung, Nguyen Thi Thuc, Do Duc Dung, Cu Huy Can, Nguyen Dinh Thi, Huynh Ba Nhung, Tran Tan Tho, Nguyen Cao Hach, Dao Huu Duong, Pham Gia Do. See Anh Hung 2018.

\(^70\) The Committee for National Reconstruction is a broad committee that further increase the number of actors involved in the constitutional drafting process, with 50 of 90 members were intellectuals from various groups and interests, including the wife of former emperor Bao Dai. See Phan 2006.


Chairman and Vice-Chairman of the VNA today. It established a Standing Committee (Ban thuong vu) comprised of the Speaker and Vice-Speakers, 12 official members, and three alternate members. In setting up the Standing Committee, deputies disagreed among each other over the scope of its authority and responsibilities. It was first proposed that the VNA Standing Committee would have the following authority: (1) To conduct the work of the legislature; (2) to resolve projects of the Government; (3) to monitor the Government’s work and performance; (4) to propose and vote on problems of administration and justice; and (5) to convene the full National Assembly if necessary. Some contested that this authority was too expansive, and that there should only be a few members on the committee. Others argued that the number of committee members should be increased to be fully representative of the VNA.\footnote{Quoc Hoi [Vietnamese National Assembly]. 1946. “Khoa Hop Thu I Ngay 2 Thang 3 Nam 1946: Bien Ban: Buoi Hop Toan The Dai Hoi Lan Thu Nhat,” Bien Ban Ky Hop Va Danh Sach DBQH: Bao Cao, Quyet Dinh Ve Viec Thanh Lap Chinh Phu Khang Chien, Tuyen Ngon, Dien Van Cua Quoc Hoi Va Loi Phat Bieu Cua Ho Chu Tich. Phong Quoc Hoi 3, Ho So Ky Hop Thu Nhat, Quoc Hoi Khoa I Ngay 02.03.1946. Hanoi: Trung Tam Luu Tru Quoc Gia III [National Archive III].}

There was a perceived tradeoff between the need to centralize power to maintain political stability and the need to incorporate more actors into decision-making structures to safeguard against threats of power monopoly. As the Vietnamese Democratic Party Deputy Do Duc highlighted:

> We need to compromise between two principles due to the unique circumstances of our country: (1) During this time when we need to pursue [a war] of resistance, there should not be two opposing state organs, but instead a granting of [full] authority to the Government; (2) Democracy is inviolable, meaning that the National Assembly must have the highest authority, and hence must have enough authority to monitor the Government.\footnote{Ibid.}

In response, the Viet Minh Deputy Cu Huy Can\footnote{“Ky niem 100 nam Ngay sinh Nha tho Cu Huy Can [Commemoration of 100-Year Birthday of Poet Cu Huy Can]” 2019.} asserted:

> I do not approve granting all authority to the Standing Committee because only the National Assembly with all representatives of the people has complete authority. If the National Assembly selects a Standing Committee with only ten or 15 people but gives it all authority, then that is very dangerous because the Standing Committee can hand that authority over to another smaller group in its place. Like that, one day we can turn into a place of authoritarianism.\footnote{Quoc Hoi [Vietnamese National Assembly]. 1946. “Khoa Hop Thu I Ngay 2 Thang 3 Nam 1946: Bien Ban: Buoi Hop Toan The Dai Hoi Lan Thu Nhat,” Bien Ban Ky Hop Va Danh Sach DBQH, Bao Cao, Quyet Dinh Ve Viec Thanh Lap Chinh Phu Khang Chien, Tuyen Ngon, Dien Van Cua Quoc Hoi Va Loi Phat Trien Cua Ho Chu Tich. Phong Quoc Hoi 3, Ho So Ky Hop Thu Nhat, Quoc Hoi Khoa I Ngay 02.03.1946. Hanoi: Trung Tam Luu Tru Quoc Gia III [National Archive III].}

Concerned about the potential for institutional discretion and abuse of power, it was decided that the Constitution needed to clearly specify and delineate the authority and duties of the Standing Committee. As opposed to making decisions on its own, specific conditions under which the Standing Committee would be required to convene the Vietnamese National Assembly were listed. The VNA could hold a vote of confidence in and form a new Standing committee.\footnote{1946 Constitution, art. 36.} The VNA
Standing Committee, and by extension the VNA itself, were vested with the authority to monitor, criticize, and question the Government in its legislative query sessions.\textsuperscript{78}

By comparison, the Government received less emphasis in the 1946 Constitution with just thirteen articles. The 1946 Constitution defined the executive branch as consisting of the President, the Vice President, and the Council of Ministers, including the Prime Minister, Vice Premiers, Ministers, and Vice-Ministers. There were overlapping linkages between the executive institution and the legislature. The President was chosen by the VNA. The Prime Minister was chosen by the President, and ministers were in turn chosen by the Prime Minister. It was required that the Prime Minister and Ministers be chosen from among VNA deputies, and that they were subject to approval by the legislature.\textsuperscript{79} Vice Ministers could be selected from among those within or outside of the VNA.\textsuperscript{80} Decrees issued by the Government had to be signed by both the President and one or more Ministers who were then responsible before the legislature.\textsuperscript{81} Lastly, the 1946 Constitution introduced the vote of no confidence as a mechanism for the VNA to remove ministers.\textsuperscript{82} The motion could be put forward by the Prime Minister, the VNA Standing Committee, or one-fourth of deputies in the VNA.

The tension between the legislature and the executive was palpable during the “error rectification campaign” implemented by the VCP between 1956 and 1957 to address and amend the grievances of those who erroneously suffered from purges during the land reform (1953-1956).\textsuperscript{83} At a legislative meeting on October 1, 1956 during the Sixth Plenum of the Second Party Congress, the VNA attributed the errors to the Government tasked with the implementation of the land reform. As recorded in the meeting minutes, the VNA demanded a detailed performance evaluation from the Government:

In the Government’s report [to the National Assembly], the Government should review and specify concrete results and errors in its implementation of the resolutions [passed by] the National Assembly in the previous plenum and key policies in recent times. The Government should specify concrete measures that the Government will implement to promote [its] advantages, especially in order to rectify the errors that the National Assembly has [reviewed]. Among the proposed measures to rectify these errors, the Government should clearly stipulate the measures used toward organizations or individuals so that the National Assembly can express a clear attitude (thai do ro ret), because the National Assembly cannot not bear responsibilities before the People for the grave errors, some of which were caused by the Government, causing damage to the lives and properties

\textsuperscript{78} For instance, in the next plenary session on October 28, 1946, VNA deputies put forth 88 questions on domestic policies and individual rights which it required the Government to address. See, Quoc Hoi [Vietnamese National Assembly]. 1946. \textit{Tap I: Tong Hop Bien Ban Cac Phien Hop Cua Quoc Hoi}. Phong Quoc Hoi 4, Ho So Ky Hop Thu 2 Quoc Hoi Khao I Tu Nay 28.10-09.11.1946. Hanoi: Trung Tam Luu Tru Quoc gia III [National Archive III].

\textsuperscript{79} 1946 Constitution, art. 45.

\textsuperscript{80} 1946 Constitution, art. 47.

\textsuperscript{81} 1946 Constitution, art. 53.

\textsuperscript{82} 1946 Constitution, art. 54. This mechanism was later removed in the 1959, 1980, and 1992 Constitution until it was reinstated in 2001.

\textsuperscript{83} When it was evident by 1956 that the implementation of the land reform resulted in negative consequences and rural grievances, the VWP ceased the reform, admitted errors, and apologized to the public. Concrete steps were taken to readjust and restore the status of those who were wrongly classified as landlords or rich peasants, and wrongly punished. Compensation was offered to victims for the restitution of their property. Furthermore, disciplinary measures were taken along with the re-indoctrination of local party cadres and high-ranking Politburo members. Consequently, there was a significant change in party leadership with severe political repercussions for the power distribution within party and state institutions.
of the people, heavy losses to the united people front, and to [people’s] trust and confidence (uy tin) in the Government and the National Assembly.  

In response, government members on the Land Reform Committee contested:

The reason why the work of land reform committed errors is mainly because the implementation instructions did not thoroughly reflect or instantiate the spirit of the policy orientation . . . and [because of ] organization. The Government has sternly criticized itself for those errors and has accepted its responsibility in front of the National Assembly. We request that the National Assembly shows an approving attitude for the appropriate spirit of self-criticism of the Government.

The exchange reflected the competitive relations between the legislature and the executive. The VNA was viewed as the elected legislative body with a claim to popular mandates and formal authority vested by the Constitution to approve the appointments of members of the Government, as well as to monitor and to hold executive agencies accountable.

**Organizational Legacies of Accommodation, 1960-1976**

Prior accommodation produced organizational legacies that reinforced the underlying institutional differences between Vietnam and China. These were manifest in the distinction between party and state, and the diffusion of power over existing institutions. In particular, the legislature retained important functions in the state apparatus under the 1959 Constitution, and became a central arena for power contestation under Truong Chinh as VNA Chairman. By contrast, in China, the ascendancy of the CCP under Mao stultified legislative developments for nearly two decades from the Anti-Rightist Movement (1957-1958) to the Great Leap Forward (1958-1960) and to the Cultural Revolution (1966-1976). In sum, in Vietnam, legacies of accommodation and power diffusion were enmeshed in and influenced by the evolution of party and state institutions which bore distinctive differences from China.

Starting at the Third Party Congress in 1960, the VCP invigorated the focus on party-building in the revision of the Party Statute. First, in the new bylaws, the VCP affirmed party leadership as integral to all aspects of the State and to achieving socialism and national reunification among the masses. Given these imperatives, there was an emphasis on ideological work to promulgate and reinforce the party’s socialist orientation, as well as on the quality and capacity of party membership. The rationale for stricter membership criteria was clearly articulated, “If we promote the party in an indiscriminate manner, not paying attention to workers and poor peasants (ban co nong) in grassroots construction or value number more than quality, then [we] cannot construct a cohesive party with high fighting capacity.” The report further reflected on the

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86 Ban Chap hanh Trung uong Dang Cong san Viet Nam [Central Committee of the Vietnamese Communist Party] 1960, 711.
specific shortcomings of the land-to-the-tiller reform, and specifically identified the following organizational weaknesses based on the reform experience: “[P]arty cadres did not have the attitude of unconditional obedience (thai do chap hanh vo dieu kien),” “put forth their own policies,” and failed to implement central guidelines and policies. On account of these weaknesses, there was a renewed emphasis on party centralization aimed at addressing principal-agent problems between central and local party cells.

However, even while the VCP undertook steps to strengthen its grip, it was recognized that some moderation and flexibility were necessary. Rather than restricting party membership solely to the proletarian class and the peasantry, the VCP embraced a relatively open and lenient approach. Le Duc Tho explained the reason behind this accommodation:

[I]f the party has a narrow-minded (hep hoi) attitude, not paying attention to fostering the party in other working and intellectual social classes, then it also cannot construct a party with a strong mass character (tinh chat quan chung manh me) conducive to the unique social conditions in our country, unite, [and] lead the entire people in the revolution toward victory.

On this basis, drives to recruit new members in the early 1960s and the early 1970s tripled the membership, but failed to improve organizational coherence. In 1966, the party gravely expressed concerns about the quality of nearly 300,000 new members who had been admitted to the party since 1960. In a later report dated 1971, the party assessed that 15 percent of the new members admitted in 74 factories since 1970 were “below the standards” and 19 percent were “of poor quality.”

In this context, the VCP grappled with the problem of incoherence in party policy at various levels. To promote coherence in policy development and implementation, greater deliberation and contestation at each horizontal level were perceived as complementary rather than antithetical to the renewed emphasis on party centralization. As the most concentrated authority of the party, the Politburo (Bo chinh tri) expanded from 7 to 11 full-time members. The VCP maintained a structure of collective leadership by keeping the most important positions of the party and the state separate. After Ho Chi Minh passed away in 1969, Le Duan, as General Secretary, did not replace Ho as Chairman of the VCP. Nor did he coalesce power by acquiring other state titles. “Because no single individual can concentrate power in his or her own hands,” Melanie Beresford argued, “it is possible to reach compromises.”

There was a simultaneous push to delineate the specific functions and responsibilities of party and government institutions at each level. Rather than merging party and state institutions, the functions of party and state were conceived as separate and distinct. The VCP did not possess the organizational capacity to displace the essential functions of state institutions. Le Duc Tho spoke directly on this point at the Third Party Congress, “[T]he State apparatus and mass organizations are indispensable . . . Because of this, to marginalize the role of these organizations, mistaking the party and authority organs of the state as one, [and] putting forth the party as a pooh-

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87 Ibid., 692.
88 Ibid., 692.
89 Ban Chap hanh Trung uong Dang Lao dong Viet Nam [Central Committee of the Vietnam Worker's Party] 1960, 667.
90 Quoted in, Vu 2014, 29.
91 Ibid.
92 At this time the position of Prime Minister was still called Premier of the Council of Ministers (Chu tich Hoi dong Bo truong), who oversees and administers the bureaucracy.
93 Beresford 1988, 87.
bach (bao bien) to replace [those] official [state] organs and mass organizations would be erroneous.\textsuperscript{94} The aim therein was to build a strong and rational state bureaucracy with complexity, differentiation, and calculability, rather than entirely displacing the state with the party apparatus.

In particular, the marginal role of the legislature became a subject of heavy public criticism. Some voiced frustration with the absence of systemic legislations for protecting individual rights and freedoms, and the fuzziness between laws governing the people and non-legislative guidelines governing the party. “Violations against the democratic freedoms of the people become inevitable when there are no clear-cut laws regulating relations between the people and the cadres,” said one article published in \textit{Thoi Moi} newspaper in 1956.\textsuperscript{95} VNA deputies also expressed dissatisfaction with delays in the issuing of implementation regulations, decisions, and decrees by various ministries to put laws passed by the legislature into effect. The impetus to replace the patchwork of decrees and decisions by the Council of Ministers with a systematic body of law generated greater emphasis on the role of the legislature.\textsuperscript{96}

While the 1959 Constitution was a more centralized constitution that stressed the primacy of the communist party in a similar manner to China’s 1954 Constitution,\textsuperscript{97} the constitution maintained and specified the functions and power of the VNA in greater detail. These included the rights and responsibilities of the legislature to enact and amend the Constitution and laws, to supervise the constitutional enforcement, to elect and remove the President and Vice President and other senior officials, approve the President’s recommendation for Prime Minister, and to determine and approve the national economic plans and state budget, and others. Reflecting the increasing complexity of the legislature, as the “executive body of the VNA,” the Standing Committee was tasked with more specific duties, and more committees were established under the legislature, including a law committee, and a planning board and budget commission.\textsuperscript{98} The right of the VNA deputies to question senior government officials and ministries was maintained, with further stipulation that government officials must reply to legislative queries within five days (as opposed to ten days under the 1946 Constitution) in cases when no further investigations was required, or within one month under other circumstances.\textsuperscript{99}

On the one hand, it is important to acknowledge that the VNA did not meet as frequently during the 1960s and 1970s under the external constraints of the Second Indochina War, which leads observers to dismiss the legislature as nearly non-existent altogether.\textsuperscript{100} Yet, the nature of legislative inactivity in Vietnam during this period could not be attributed to the paramount dominance of a communist party intended to emasculate the legislature as the fate of the NPC during the decade under the Cultural Revolution in China.

Even under a period of personalism under General Secretary Le Duan, the VNA maintained its prominence and became an active political arena for power contestation among party leaders, particularly Truong Chinh as VNA Chairman and Le Duan as the new General Secretary replacing Truong Chinh after his demotion for errors during the land reforms. In his role as VNA Chairman, a post which he would hold on to for the next twenty years from 1960 to 1981, Truong Chinh clashed on fundamental issues with the new General Secretary, Le Duan. Specifically on the issue of collectivization, Le Duan endorsed a less radical and more pragmatic approach, whereas Truong

\textsuperscript{94} Ibid., 711.
\textsuperscript{95} \textit{Thoi Moi} (\textit{New Times}), Hanoi, October 21, 1956. Quoted in, Fall 1959, 182.
\textsuperscript{96} Porter 1990, 74.
\textsuperscript{97} Sidel 2009.
\textsuperscript{98} 1959 Constitution, arts. 51, 53 and 57. See Sidel 2009, 53.
\textsuperscript{99} 1959 Constitution.
\textsuperscript{100} Huy 2012; Nguyen 2017.
Chinh advocated for stricter adherence to socialist principles. In pursuit of socialist construction in North Vietnam, collectivization was supposed to follow after the completion of land reform, but there was not always a clear consensus between Truong Chinh and Le Duan on how the policy should unfold. On the one hand, Le Duan argued for a cooperative system that would incorporate market incentives and the private household economy by implementing a “three-contracts with families” system.\(^\text{101}\) The system allowed households to keep and sell any excess produced beyond the quota contracted between each family and the cooperative for personal profit and consumption. In Le Duan’s view, this would provide incentives for peasants to maximize their productivity:

> Work done for the society must be duly paid. Those whose contribution to the society is greater and better must be paid higher wages than those whose contribution is smaller and of a lower quality. If all people are paid the same salaries, the result will be that labor productivity goes on decreasing and that society cannot advance.\(^\text{102}\)

This emphasis on the private economy was heavily criticized by Truong Chinh. By May 1968, Truong Chinh’s criticism of Le Duan’s policy had spilled into the public:

> Aside from our successes and good points which are predominant, there have been shortcomings and mistakes in one respect or another. For example, since the North has fallen a victim to U.S. destructive raids, economic management and control of the market has been somewhat relaxed and this state of things has made possible the small producers' spontaneous growth . . . The management of collective land and the application of the ‘three assignments policy’ has not been free from shortcomings and faults [. . . ] In the countryside, it is necessary to oversee and guide the cooperatives . . . to check all tricks to appropriate collective land and property [for private use]; to make good the mistakes committed in the application of the ‘three assignment policy.’\(^\text{103}\)

In particular, Truong Chinh opposed the practice of direct contract agreements between cooperatives and individual households rather than between cooperatives and production teams on behalf of the peasants. In many cases, the land would be assigned to individual households outright as though land was private property, or peasants would produce as though they had individual use-rights to the land in practice and simply surrender some of their crops as “rent” to the cooperative in return.\(^\text{104}\) Clearly directed at Truong Chinh, Le Duan later wrote in the August issue of the party’s theoretical journal, *Hoc Tap*:

> To abolish the secondary economy at this time would be not to understand the present stage of development of the cooperatives and of our country’s agriculture. *Our Party is leading the peasants onto the path of collective livelihood principally to improve their living standards and create conditions for developing agriculture. But at present the collective economy can only resolve some basic aspects, and is certainly not yet able to satisfy all needs of the lives of cooperative members.* Therefore, to restrict or abolish the secondary economy the lives of the peasants will encounter

\(^{101}\) The “three contracts” refer specifically to agreements between individual peasant household with a cooperative on: (a) the expected output by the peasants; (b) the production expenses required to achieve the output; and (c) the number of work days and points the family would receive for fulfilling the contracted quota (Turner 1975, 207.) Referred by Robert Turner (1975) as the “three-contracts with families,” this system differs from the “three-contracts” (*ba khoan*) system, which specifically refers instead to agreements between a cooperative’s managerial board and the leadership of each brigade within the collective—not between cooperatives and households. For a greater discussion on the “three-contracts” (*ba khoan*) system, see Vickerman 1986, 162; Nguyen 1987, 474-475; Kerkvliet 2005, 99-100.

\(^{102}\) Le 1965, 2, 121.

\(^{103}\) Truong 1969a, 119-121 (emphasis added).

difficulties, production will decline, and the collective economy cannot be strong. At present, about 40 percent of the cooperative members’ income is derived from the secondary economy.\textsuperscript{105}

Truong Chinh then wrote in response: “With the ‘three contracts with families’ policy, the cooperative members’ tendency toward private ownership develops while their collective-mindedness is decreased . . . It destroys the meaning of the agricultural cooperativization movement, and makes the cooperatives a mere form.”\textsuperscript{106} In summary, while Le Duan placed greater emphasis on the practical implications of the policy and the extent to which the policy would gain popular support by offering material incentives and satisfying societal demands for better living standards, Truong Chinh was concerned with the ideological correctness of the policy, and its potential to divert the country’s socialist path.

Ultimately, Truong Chinh succeeded in advancing his position, and leveraged the role of the VNA to inscribe his policy preference through formal laws and regulations. On April 18, 1969, the VNA Standing Committee adopted a new statute for high-level agricultural cooperatives that decisively outlawed contracts with families and households.\textsuperscript{107} Chapter six of the new statute specifically states that, “A cooperative must manage production according to socialist principles . . . Land and agricultural tools principally belonging to the cooperative must not be contracted to individual cooperative households.”\textsuperscript{108} Truong Chinh put forth his ideological agenda using the Vietnamese legislature, and prevailed over Le Duan. Albeit the VCP maintained its leadership over the policy orientation of key issues, the VNA was not entirely defunct to the same degree as the NPC in China.

In summary, the political apparatus that the VCP inherited at the end of the Second Indochina War in 1976 embodied organizational legacies of accommodation from the preceding regime. Although the VCP established a single-party rule and affirmed its leadership over government, certain institutional features persisted and became more salient over time. Specifically, in Vietnam, historical developments conceived a communist regime with greater power diffusion, distinction between party and state, and emphasis on a strong legislature over government.

Pathway of Confrontation and Non-Institutionalized Constraints in China

\textit{Party Centralization, Discipline, and Rectification, 1927-1945}

During its initial years, the Chinese Communist Party (CCP) was a fledgling organization that first entered into an alliance with the Guomindang (GMD). Although the communist parties in China and Vietnam in their early formation both deemed cooperation with rival groups as tactically necessary, the nature of their cooperation differed in important ways. In Vietnam, the VCP rushed to incorporate all social and political groups into the League for Vietnam’s Independence (Viet Minh), and failed to maintain distinct boundaries between the VCP and non-communists. This diluted the party’s membership and organizational cohesion from the start. By contrast, the CCP effectively made use of its alliance with the GMD to widen its influence. As part of the united front, the CCP maintained its operation independently from the GMD. This meant that the CCP

\textsuperscript{105} Quoted in, Turner 1975, 209-2010 (emphasis added).
\textsuperscript{106} Truong 1969b, 22, 31; Quoted in, Turner 1975, 210-211.
\textsuperscript{107} See Uy Ban Thuong Vu Quoc Hoi [Standing Committee of the Vietnamese National Assembly] 1969.
\textsuperscript{108} Uy Ban Thuong Vu Quoc Hoi [Standing Committee of the Vietnamese National Assembly] 1969, Chapter 6 (emphasis added).
could now openly receive Soviet aid without suppression by the GMD. Moreover, the CCP gained access to areas in southern and central China where it was free to mobilize peasants and workers to further broaden the party’s influence. As a result, the party increased from merely 57 members in July 1921 to 57,967 members by May 1927.\footnote{Zhonggong zhongyang zuzhi bu 中共中央组织部 2000, 39.}

In the wake of the 1927 Shanghai massacre and Chiang Kai-shek’s ongoing purge of communists, the CCP decisively diverged from an expectation to “gain power by making concessions” with the GMD to a more confrontational approach.\footnote{“Report of the Representative of the CC Standing Committee Qu Qiubai, dated August 7, 1927” 1996, 314.} As a corrective to the former moderate measures, the CCP adopted a policy that called for arms and insurrections. Mao staked out an unequivocal position: “We cannot expect to win without arms . . . From now on, we ought to concentrate on the military problem. We must understand fully that political power grows out of the barrel of a gun.”\footnote{“Comments on the Report of the Comintern Representative Mao Zedong, dated August 6, 1927” 1996, 317.} In the coming years, Chinese communists began building the Red Army, which grew from less than 10,000 in 1928 to nearly 300,000 troops by 1933.\footnote{Harrison 1972, 200.} Consistent with the party’s revised policy, the CCP also took up arms against the GMD in the Nanchang Uprising and the Autumn Harvest Uprisings in the fall of 1927.\footnote{Harrison 1972, 120-137; “Outline of the CCP CC on the Peasant Autumn Harvest Uprising in the Four Provinces of Hunan, Hubei, Guangdong, and Jiangxi, dated August 3, 1927” 1996.} Although these uprisings were ineffective and resulted in heavy losses of communist forces, they reflected the rupture in the CCP’s cooperation with the GMD.

Suppression by the GMD forced communists to abandon their urban bases and to regroup in remote areas. In 1931, the CCP formally relocated the party’s Central Committee from Shanghai to Jiangxi Province. There, the party established the Chinese Soviet Republic, “a state based on the democratic dictatorship of the workers and peasants,” complete with separate state and military structures.\footnote{“Outline of the Constitution of the Chinese Soviet Republic, dated November 7, 1931” 1996, 553.} Mao was appointed as chair of the new government. These developments were interrupted when relenting attacks by republican troops forced the CCP to again abandon its bases and embark on the Long March to Yan’an, Shaanxi Province.

In the process, the CCP persistently underscored the need for greater discipline and unity within the party. At the Emergency Conference on August 7, 1927, the Central Committee stressed:

The most urgent organizational problem now facing us is the formation of solid, hard-fighting secret Party organs . . . In each branch committee a standing committee of five to seven men shall be elected to act as the leading Party organ and perform all party functions. Every Party branch shall maintain extremely close and secret relations with higher level and lower level branches, and must maintain strict secrecy and discipline. . . [Party branches] shall be completely subordinate to their respective Party committees in matters of organization and political guidance. They must submit to all resolutions passed by Party organs and all tasks imposed by the Party. Any Party members, no matter what his position, must be severely punished if he is derelict in the duties of his position.\footnote{“Resolutions of the August 7 Emergency Conference, dated August 7, 1927” 1966, 120.}

As chair of the Jiangxi Soviet government, Mao aimed not only to expand the influence of the party in rural areas and strengthen the quality and quantity of the Red Army, but also to build a highly disciplined and unified party.\footnote{Hsiung 1970, 61-62; Wang 2002, 13.} Although the Long March during 1934 to 1935 decimated
the party membership, the experience effectively reinforced the commitment of surviving members and further crystallized the party’s cohesion. As Mao narrated,

Through many, many difficulties, across some of its highest and most hazardous mountain passes, through the country of fierce aborigines, through the empty grasslands, through cold and through intense heat, through wind and snow and rainstorm, pursued by half the White armies of China, through all these natural barriers, and fighting its way past the local troops of [Guangdong], Hunan, [Guangxi], [Guizhou], Yunnan, Szechuan, [Gansu] and [Shaanxi], the Red Army at last reached northern [Shaanxi] in October 1935 . . . The victorious march of the Red Army, and its triumphant arrival in [Gansu] and [Shaanxi] with its living forces still intact, was due first to the correct leadership of the Communist Party, and secondly to the great skill, courage, determination and almost super human endurance and revolutionary ardour of the basic cadres of our Soviet people.

It was also during the Long March that Mao began his ascendency to paramount leadership. At the Zunyi Conference in January 1935, three months after the Long March began, Mao first became a member of the Politburo Standing Committee and assistant to Zhou Enlai in overseeing all military affairs. As Benjamin Yang argues, although Mao was not yet the Chairman of the Politburo or the Military Council at this time, Mao became one of the five top leaders in the party, and a key military commander who had developed a “reputation as the only man who had represented a correct Party line in the past and who had the potential to lead the Revolution to victory in the future.”

When Japan invaded China, a temporary truce between the CCP and the GMD from 1936 to 1940 allowed communists to recover its losses. During this period, the party expanded from around 20,000 members in 1936 to 800,000 members in 1940. By 1945, party membership had increased to as many as 1,211,128 members. Like the VCP when the party rapidly grew in number without proper vetting under the League for Vietnam’s Independence, the exponential increase in party membership in the CCP similarly threatened to erode the cohesion of the party. However, the key difference between Vietnam and China was that the CCP undertook comprehensive measures to forge a highly disciplined and unified party prior to defeating the opposition party, the GMD, thereby commencing on the construction of the Chinese communist state, whereas Vietnam did not.

In particular, the Rectification Campaign (zheng feng or cheng feng yundong 整风运动) during 1942 to 1944 had radically transformed the party into a cohesive and formidable organization. Cognizant of the fragmentation caused by the party’s rapid growth, the CCP pursued concrete policies to tighten party discipline and achieve party unity. Preparation and initiatives for the Rectification Campaign had, in fact, begun much earlier. Adopted on August 25, 1939, as the “Politburo Resolution on the Consolidation of the Party” stated,

Precisely because the party has undergone a tremendous expansion in a short period of time, however, party organization lacks cohesion and strength. There are serious mistakes and

117 From 1934 to 1935, in terms of sheer number, party membership dropped from 150,000 to only 20,000 members by the end of the Long March Wang 2002, 14.
118 Snow 1961, 167.
119 Braun 1982, 104.
120 Yang 1986, 258. Also see, Liu 1978, 8-9; Peng 1981, 193-195. for autobiographical accounts and reflections from Liu Bocheng and Peng Dehuai, who were both participants at the Zunyi Conference.
121 Harrison 1972, 271.
weaknesses in the work of recruiting new party members. In some places, local party organizations launched a so-called storm movement to increase the number of party members. There were group inductions into the party, as well as admission of individuals who had not been thoroughly screened. Therefore, many ordinary people who are fighting the Japanese or who have temporarily sided with the party have become members. Members of other classes, opportunists, and even spies have also taken the opportunity to infiltrate the party, thus depriving the organization of its role as the vanguard of the proletariat and seriously undermining the level of solidarity of party organization. Therefore, the party's ideological, political, and organizational consolidation have become an extremely crucial task for us today and the decisive factor for fulfilling the party's political mission.122

Critical of “the emphasis on quantity but not quality” in the party’s method, the Politburo immediately suspended the expansion of the party and acceptance of new members.123 Second, the Politburo ordered investigations of the class background of all existing party members from top to bottom. This work was primarily carried out by the party’s Organization Department of the Central Committee.124 As the Politburo also instructed, it was “imperative” for the party to purge landlords, rich peasants, and merchants as well as opportunists, spies and informers in the party.125 Third, “systematic and planned educational work” was to be intensified at all levels in order to “raise the political and cultural level of their party members.”126 Both the Central Committee cadre education department and the cadre and party schools were established with the aim to impart a systematized education and training to party members and cadres.127 The CCP Politburo concluded:

To consolidate the party, we must improve discipline and strengthen party unity. Correct ideological struggles must be waged within the party to ensure ideological harmony, strengthen the party’s iron discipline, and guarantee harmonious actions. Only through making all efforts to consolidate party organization, to fortify party ranks, and to unite the party as one can the party be prepared to overcome the current difficulties, oppose the danger of domestic surrender and division, unite all the people of China, and guide the War of Resistance to its final and complete victory.128

On the 20th commemoration of the founding of the CCP on July 1, 1941, the Politburo also adopted the first formal decision devoted to the subject of “strengthening party spirit” (zengqiang dangxing 增强党性).129 The decision demanded all party members and units to possess “united will, united action, and unified discipline” (tongyi yizhi, tongyi xingdong he tongyi jilu 统一意志，统一行动和同意纪律) in order to become a consolidated whole.130 In this sense, to strengthen the “party spirit” was essentially to “subordinate individual interests to the interests of the entire party, and subordinate the interests of the various organizational units of the party to the interests of the entire

123 Ibid.
124 For a detailed and exemplary account of how the background check was conducted, see Gao, et al. 2018, 251-257.
126 Ibid., 889.
127 Harrison 1972, 327.
129 Zhongyang zhengzhi ju 中央政治局 [CCP Politburo] 1989, 698. Indicative of its importance, the “Decision on Strengthening Party Spirit” was included in the series of twenty-two documents that all party cadres were required to learn.
party, so that the entire party can sufficiently unite as one person.” As the party expanded its influence, these central principles and concrete policies thus formed the very basis for the ensuing phases of organizational rectification and consolidation of the CCP.

Consequently, from 1942 to 1944, the CCP advanced the Rectification Campaign (zheng feng or cheng feng yundong 整风运动). Initiated by Mao as a mass movement, the campaign embodied the “dual content of ‘destruction’ and ‘construction’,” by which Mao sought to build and institute a new canon of party traditions while eliminating his political rivals.132 At the start, the Central Committee ordered cadres to study and read a series of documents, that is, to “gain a thorough comprehension of the spirit and substance of these documents and make them their weapon.” The eighteen documents originally designated by the Central Committee enshrined Mao’s revisionist history of the CCP, his personal philosophy, and emphasized the centrality of leadership, theory and practice.134 Only two of the original eighteen documents in the designated list of essential readings for all party cadres were works by Stalin and/or from the Soviet Union, albeit the Central Committee’s Propaganda Department later added four more documents from Comintern head Georgi Dimitrov, Stalin, and Lenin.135 Not only did cadres have to demonstrate their grasp of the designated materials, but they also had to criticize themselves and others for their “past mistakes.” Adopted on April 3, 1942, the “Decision Regarding Discussions in Yan’an of the Central Committee’s Decisions and Comrade Mao Zedong’s Talk on Rectification of the Three Work Styles,” specifically instructed,

[A]ll comrades must read each document, take notes, and afterward debate the separate documents or several documents together in small committees. . . . In reading and in debate, all must deliberate deeply and thoroughly, examining their own work and thought and their own life history in its

131 The original statement in Chinese was: “ba ge ren liyi fucong yu quandang de liyi, ba ge bie dang de zucheng bufen de liyi congfu yu quandang de liyi, shi quandang neng gou jietuan de xiang yi ge ren yiyang 把个人利益服从于全党的利益, 把个别党的组成部分的利益服从于全党的利益, 使全党能够团结得象一个人一样” Zhongyang zhengzhi ju 中央政治局 [CCP Politburo] 1989, 698.. For English translation of the decisions, see “Decision on Strengthening Party Spirit, dated July 1, 1941” P. 1006-1008.
133 “Decision Regarding Discussions in Yan’an of the Central Committee’s Decisions and Comrade Mao Zedong’s Talk on Rectification of the Three Work Styles, dated April 3, 1942” 1996, 1073..
134 The eighteen essential readings first designated by the Central Committee were: (1) Mao Zedong’s [I] February report at the party school; (2) Mao Zedong’s report to the 8 February cadre meeting; (3) Two reports by Kang Sheng, who oversaw security and intelligence operations of the party, and was deeply involved with the Yan’an Rectification Campaign; (4) The CC resolution on strengthening party spirit; (5) The CC resolution on investigation and research; (6) The CC resolution on the Yan’an Cadre School; (7) The CC resolution on the education of cadres in service; (8) Mao Zedong’s address to the Border Region Assembly; (9) Mao Zedong’s report on the reconstruction of study; (10) Mao Zedong, “Oppose Liberalism”; (11) Mao Zedong’s second preface to Village Investigations; (12) “Conclusion,” from The History of the Communist Party of the Soviet Union; (13) Stalin, “The Bolshevization of the Party”; (14) Liu Shaoqi, The Training of the CP Member, chapter 2, sections 2, 3, 4, 5; (15) Chen Yun, "How to Be a CP Member"; (16) Ninth Representative Assembly of the Fourth Red Army on incorrect tendencies within the party [Gutian Resolution]; (17) Handbook for guidance in propaganda; and, (18) “Report of the Propaganda Bureau of the CCP CC on the CC Resolution Concerning the Discussions at Yan’an and Comrade Mao Zedong’s Report on the Reform of the Three Styles.” See, Decision of the Propaganda Bureau of the CC on the Discussion in Y an’an of the Decision of the CC and Comrade Mao Zedong’s Report on Rectification of the Three [Unorthodox] Work-Styles (3 April 1942), p. 1076
135 The four readings later added to the series were: (1) Stalin, "Leadership and Inspection"; (2) Lenin and Stalin, "Party Discipline and Party Democracy"; (3) Stalin, "Egalitarianism"; and (4) Dimitrov, "Cadre Policy and Cadre Educational Policy." See "Decision Regarding Discussions in Yan’an of the Central Committee’s Decisions and Comrade Mao Zedong’s Talk on Rectification of the Three Work Styles, dated April 3, 1942” 1996, 1076.
In later stages, the Rectification Campaign intensified into a large-scale purge based on cadre screening and suppression. As Mao announced at a conference attended by senior cadres on October 19, 1942, “The Rectification Movement should not only clarify the difference between proletarian and non-proletarian (half-hearted) thought but also the difference between being revolutionary and counterrevolutionary (totally disloyal), and it should be mindful of the struggle against espionage.” Toward this end, Mao alternated between “the application of educational transformation and coercion” to make cadres submit fully to the party. In order to purge “half-hearted” or “disloyal” elements, rigorous examinations of cadre backgrounds as well as investigations to eliminate secret agents applied many methods, including extracted confessions, psychological pressures, and torture. Xie Juezai, a notable revolutionary party veteran who later served as Minister of Civil Affairs from 1949 to 1959, described the process that party members underwent in his poem with palpable imagery:

Parboil and then slow steam,
[. . .] Do not be like a steak on a grill,
With the outside burned and the inside raw.
Parboiling is brief and steaming slow,
Perfection made with pure blue flame aglow.

As Gao Hua et al. simply put it, “Under the dual pressures of the self and the collective, the individual spirit was intensely shaken and assaulted, as if in a protracted mental purgatory.” The submission of cadres to intensive screening, ideological training, and discipline instituted by the Rectification Campaign was like a “baptism in fire” that significantly transformed and cemented the cohesiveness of the CCP.

By contrast, in Vietnam, a campaign to purge contaminated elements and centralize party control was only enacted after the Democratic Republic of Vietnam was formed. As noted earlier, the VCP announced its self-dissolution and operated as a clandestine organization in the interest of forming a coalition government with opposition parties and non-communist groups in 1945. It was only later when the Second Party Congress convened in 1951 that the VCP reemerged under a different name, out of the shadow of the broad united front of the League for Vietnam’s

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137 Harrison 1972, 51.
141 Van de Ven 1995.
142 The Vietnamese Communist Party, or as it was called then the Indochinese Communist Party (ICP), changed its name to the Vietnam Worker’s Party (VWP) in 1951. The party operated under this name until 1975 when it then adopted the official name of the Vietnamese Communist Party.
Independence (Viet Minh). Following a freeze on party membership in 1950, the VCP then launched a party rectification campaign from 1951 to 1953, as well as corrective training of cadres in preparation for more radical socialist reforms. From 1953 to 1956, party purges were continued in parallel with land reforms.

However, the rectification campaign executed by the VCP was not nearly as systematic in terms of both its scale and scope as was the case in China. In fact, the VCP suspended the rectification campaign and land reforms half-way, apologized, and implemented an error rectification campaign in response to social discontent. On the contrary, as Liu Shaoqi remarked at the Seventh Party Congress of the CCP on May 14, 1945,

Our party has overcome various kinds of erroneous ideas and achieved unprecedented ideological, political, and organizational unity and solidarity through a rectification movement. Past opportunist lines have been liquidated, and nonproletarian ideas have been largely defeated in the Rectification Campaign, while the proletarian, Marxist-Leninist ideology and line as represented by Comrade Mao Zedong have won an unparalleled, solid victory throughout the party and attempts to undermine the nation have been combed out. Thus, our party has become united and consolidated ideologically, politically, and organizationally as never before.143

By the time that the CCP embarked on the state formation of the People’s Republic of China, the party had achieved a high level of coherence, discipline, and organizational complexity that the communist party in Vietnam did not possess. Amid resistance against France and followed by the partition of Vietnam starting in 1954, the VCP continued to struggle with organizational legacies of accommodation as it sought to tighten its grip on the Democratic Republic of Vietnam, whereas the CCP firmly and forcefully asserted its dominance in the development and consolidation of the Chinese communist regime.

State Building and Regime Consolidation, 1949-1953

In an essay entitled, “On the People’s Democratic Dictatorship,” published on the anniversary of the founding of the CCP on June 30, 1949, Mao declared with utmost conviction, “The CCP is no longer a child; nor is it a youth in its teens; it is an adult.”144 As Tuong Vu insightfully notes, “With the hard work dedicated to organizing governments in base areas and with the massive victory in the civil war, by 1949 the CCP could form a state in which it monopolized power.”145 The sharp contrast between China and Vietnam hinges on this significant difference. Compared to China, the communist party in Vietnam was still a fledgling organization without an equivalent degree of organizational discipline, unity, and centralization of authority, particularly at the commencement of its state formation.

For the CCP, in China, the early years under communist rule from 1949 to 1953 was a transitional period of state building. Like Vietnam, the CCP had various reasons to integrate non-communist groups during its initial transition to establish and consolidate the communist regime.146 As Mao stated in his early essay, “We have no reason not to cooperate with political

145 Vu 2010, 92.
146 Ezra Vogel’s account of the early years under communist rule in Guangzhou (Canton) depicts top-down pressures from the party to integrate communists and non-communist groups in order to alleviate an early shortage of skilled cadres for the new government apparatus. See Vogel 1971.
parties, social groups, or individuals outside the [Communist Party], who adopt a cooperative, but not a hostile, attitude.”\footnote{147} However, unlike the VCP in Vietnam, in which “noncommunists shared real power with communists” in a “wobbly coalition” during 1945 to 1949,\footnote{148} real power firmly remained in the hands of the CCP even amid its transition to establish a communist regime in China. Simply put, the nature of the so-called cooperation between communists and non-communists during the initial phase of state building in Vietnam and China was not at all the same. For one, the victory of communists in Vietnam was built on the back of the broad united front of Viet Minh (Vietnam’s League for Independence) and the incorporation of officials and personnel from the former regime—so much so that party leader Truong Chinh reflected with regrets on the party’s restraint from the use of violence to weed out rival groups in 1945. In China, Mao was determined to eradicate the opposition and favored confrontation over compromises and moderation. In the Report to the Second Plenary Session of the Seventh Central Committee of the CCP on March 5, 1949, even as Mao spoke of strategic considerations for a solution to reduce “casualties and destructions” by “a form of struggle without bloodshed,” Mao impressed on the minds of party cadres that purges, suppression, and rectification would surely ensue:

\begin{quote}
To dispose of the enemy forces by fighting . . . must still be the primary object of our attention and preparations . . . . The possibility has increased for solutions . . . to compel enemy troops to reorganize peacefully, quickly and thoroughly into the People’s Liberation Army . . . . For the purpose of rapidly eliminating the vestiges of counter-revolution and liquidating its political influence, this solution is not quite as effective as the solution by [sic] fighting. However, it is bound to occur and is unavoidable after the main force of the enemy has been destroyed . . . But there is not the slightest doubt that they will eventually be eliminated. It must never be assumed that, once they yield to us, the counter-revolutionaries turn into revolutionaries, that their counter-revolutionary ideas and designs cease to exist. Definitely not. Many of the counter-revolutionaries will be remoulded [sic], some will be sifted out, and certain die-hard counter-revolutionaries will be suppressed.\footnote{149}
\end{quote}

In China, the party undertook effective measures to put in place state infrastructures, to recruit and submit new cadres to rigorous training, to suppress domestic opposition, to penetrate society, and to solidify communist control. During this period, the party never ceased to tighten its grip, centralize, and consolidate its authority with greater organizational discipline, rectification, and mass campaigns. The CCP went on to wage the “Campaign to Suppress Counterrevolutionaries” (1950-1953), the “Three-Anti Campaign” (1951 – 1952), and the “Five-Anti Campaign” (1952) to suppress and weed out opposition elements.

Through these campaigns, the CCP also elicited a high level of mass participation, effectively penetrating society with both persuasion and coercion,\footnote{150} control and mobilization\footnote{151}. Julia Strauss referred to the use of mass campaigns by the CCP as a distinctive blend of “paternalist terror,” that is, “paternalism alternated with coercion,” and “populism with monocratic control.”\footnote{152} As Strauss further elaborates, the campaigns unleashed by the party between 1950 and 1953 constituted a strategy of state building and regime consolidation, a “modus operandi of the new government,” with “paternalist care for those whom it deemed to be within the realm of

\begin{footnotes}
\item[147] Mao 1996, 1222.
\item[148] Vu 2010, 92.
\item[149] Mao 1961, 362., emphasis added.
\item[150] Teiwes 1978.
\item[151] Vu 2010.
\item[152] Strauss 2007, 45.
\end{footnotes}
revolutionary society, terror unleashed against those beyond the pale of revolutionary society, and the coercive power to make both stick.” Not only were these forceful campaigns as integral to state building as they contributed to party consolidation for communists under the PRC, they were also evidence of the far more confrontational approach to state formation undertaken by the CCP in comparison with Vietnam.

**Party Dominance and Supplantation of State Institutions, 1954-1960**

By 1954, having secured communist control and the necessary apparatus for executing government programs and policies, the CCP replaced the provisional representative body of the Chinese People’s Political Consultative Conference (CPPCC) with the National People’s Congress (NPC), which is the functional equivalent of the Vietnamese National Assembly (VNA), and enacted the first Constitution of the PRC. The adoption of the 1954 Constitution and the NPC marked an important departure by the party from a transitional phase of economic reconstruction and state building to one of greater consolidation in which the party put down permanent institutional structures, codified its powers, and advanced its socialist agenda.

The legislature and the executive institutions were initially conferred with many powers similar to those in Vietnam. Designated as the “highest organ of state authority,” among an array of legislative powers, the NPC possessed the authority to amend the Constitution and make laws, as well as to elect members of the State Council, the executive and administrative apparatus of the state, including the State Chairman, Vice Chairman, Premiers, and members of the State Council. The NPC was also empowered to supervise the work of the government, including the right to question the State Council, ministries, and commissions, which were “under obligation to answer.” The State Council was named “the highest organ of state administration,” which then consisted of the Premier, Vice Premiers, Ministers, Chairmen of Commissions, and Secretary General. As an executive organ, among other functions, it could submit legislative proposals, formulate administrative measures, issue decisions and orders without contravening those already enacted by the legislature, and coordinate the work of various ministries and commissions. Despite the apparent similarities in the functions of these institutions with Vietnam, closer study of their developments during the period from 1954 to 1960 illustrates how their powers were eroded by party dominance and centralization of power in the CCP.

Scholars have described the early years after the NPC was formed, particularly the years of 1955 and 1956, as “the heyday of Chinese legal and legislative development” during which the NPC was actively exercising its newfound constitutional functions. In 1957, the CCP launched the Hundred Flowers Movement that, encouraged open criticism and freedom of expression as a way of resolving “various kinds of contradictions [that] still exist in a socialist society” and enabling “a socialist culture to thrive.” Criticisms of the CCP spread like wildfire among

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153 Strauss 2002, 81.
154 Starting in 1954, the Chinese People’s Political Consultative Conference (CPPCC) became only a consultative body comprised of various mass organizations and groups similar to the Vietnam’s Father Land Front, with not binding legislative authority.
156 1954 Constitution, art. 36
157 1954 Constitution, art. 48.
158 1954 Constitution, art. 49.
159 O’Brien 1990.
intellectuals as well as workers and peasants, even inciting student demonstrations and counter-suppression by the CCP.\textsuperscript{161}

Invigorated by the Hundred Flowers Movement, calls for legislative reforms escalated into scathing criticisms of the legislature’s subordination to the paramount leadership of the party. Some deputies contested, for instance, that the NPC was poorly informed about government work, and not notified of the subjects to be discussed on the legislative agenda in advance of the actual sessions. Others questioned whether legislative deliberation and approval were merely regarded as a formality by communist members, and proposed that it was most necessary to limit party control such as through free elections and campaigns in order to strengthen the NPC competence.\textsuperscript{162} In a report published in \textit{Shenyang Daily} on June 10, 1957, Zhang Bosheng, a professor and intellectual critic, forcefully voiced his contention:

\begin{quote}
[T]he National People’s Congress is nothing but a mud idol, while all power is in the hands of the Party centre [sic]. The National People’s Congress merely carries out the formality of raising hands and passing resolutions. In all these years, one has seldom seen a Standing Committee member putting forward an important motion, though occasionally one has seen some of them publish unimportant notes on inspection tours in the press. Is this not laughable? Why did the National People’s Congress deputies see no contradictions among the people during their inspection tours? They saw only what the Party said and saw nothing when the Party did not say anything [. . .] [T]he Party must be removed from its position of superiority to the National People’s Congress and the government, the government must be placed below the National People’s Congress, and the National People’s Congress must be made an organ of genuine power.\textsuperscript{163}
\end{quote}

Such criticisms had in effect breached the parameters that the party intended. In the Political Report of the Central Committee of the CCP at the Eighth National Party Congress on September 15, 1956, Liu Shaoqi was unequivocal about the necessity for the party to maintain monopoly of power over state institutions:

\begin{quote}
In the work of our socialist construction there are comrades though very few who have tried to weaken the leading role of the Party. They confuse the question of the party giving leadership to various spheres of state affairs in regard to principles and policies with the question of purely technical matter; they think that since the Party is still a layman in the technical side of these things, it should not exercise leadership over such work, while they themselves can go on taking arbitrary action. We have criticized this wrong viewpoint. \textit{In all work the Party should and can play a leading role ideologically, politically, and in matters of principle and policy}.\textsuperscript{164}
\end{quote}

The objective of the Hundred Flowers Campaign was not to promote liberty or democracy itself, but to deepen the socialist commitment to consolidate party authority in Chinese society. The two most important criteria among those prescribed by Mao as the basis for the masses to distinguish between “right ideas” and “wrong ideas,” “fragrant flowers” and “poisonous weeds,” were whether they would be “beneficial, not harmful, to socialist transformation and socialist construction,” and

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\textsuperscript{161} Domes 1973, 59-62.  \\
\textsuperscript{162} O’Brien 1990, 39-40.  \\
\textsuperscript{163} Quoted in, MacFarquhar 1960, 108-109.  \\
\textsuperscript{164} Liu 1956, 38-39., emphasis added.
\end{flushright}
whether they would “tend to strengthen, not to cast off or weaken, the leadership of the Communist Party.”

The CCP resorted to old repertoires and tactics by halting the Hundred Flowers Movement and unleashing an intensive assault against party critics in the “Anti-Rightist Campaign” between mid-1957 and 1958. Those labeled as “rightists” were subject to public confessions, suspensions of their positions, labor education, and executions. NPC deputies were not exempted from the party’s counterattacks to reestablish its authority and reemphasize party unity. Seeking to regain control over legislative criticisms, the party first postponed the NPC session from June 3 to June 20, to June 19, to June 26, 1957. At the 1957 session, the CCP orchestrated denouncements of NPC deputies who were labeled as “rightists” along with their proposals to strengthen the NPC. As Kevin O’Brien concluded, “After 1957, the NPC would not be a forum for nonparty government officials, intellectuals, democratic party members, or former capitalists to express their views or to urge the party to reform or compromise. Doubtful converts would not question party dominance again under the bright lights of national publicity. The leadership would sacrifice the benefits of further legislative development before it would allow the NPC to undermine party rule.”

Bowing to the CCP’s pressure, the NPC Standing Committee itself recommended that thirty-eight deputies from the Ethnic Group Committee, the Legal Committee, and the National Defense Committee, all labeled as “rightist elements” (youpai fenzi 右派分子) be removed, and barred from attending the 1958 legislative session. It was claimed that, because of their “rightist” orientation, they had lost the “legitimate basis” (hefa genju 合法根据) to carry out their representative position. In 1958, allocations for deputies’ working expenses were withdrawn. The frequency of the NPC Standing Committee’s meetings was also reduced from thirty-seven to thirteen per year. As legal scholar Wu Jialin wrote, “Until 1957, the development of the system of people’s congresses in our country had been rapid and healthy. After 1958, this system was not as highly respected as before; meetings became fewer and fewer and the role of the people’s congresses at all levels gradually weakened.”

Instead, party committees were increasingly and directly involved in the development of policy and government administration, supplanting both the NPC and the State Council. Referring to a “virtual fusion of political and administrative roles” in which the party assumed increasing roles in routine state affairs, Gordon White notes, “The party exercises its leadership role over other sectors of the state through a hierarchically organized system of committees, branches, and groups, each of which is subject to one of the specialized departments under the

165 Mao 1963, 83. Allegedly, the published version of Mao’s speech was a revised version which noted how criticisms should not contravene with the goals of socialism and party leadership, whereas the original speech conveyed a greater promise for intellectual freedom and encouragement of public criticism. See Spence 1990, 572.

166 During this period, between 300,000 and 550,000 “rightist deviationists,” for instance, were sent to labor camps. Domes 1973, 67.

167 O’Brien 1990, 44.

168 O’Brien 1990, 44.


171 Wu 1982, 95.

172 O’Brien 1990, 45.
Central Committee and the Politburo.” By 1966, the NPC ceased to operate altogether for the next nine years during the Cultural Revolution until it was reconvened in January 1975. As Figure 6-1 shows below, between 1954 and 1976, legislative activities reached their peak in 1957, but drastically declined thereafter. From March 1966 to 1974, the number of legislative acts passed by either the NPC and its Standing Committee and/or the State Council was zero (Figure 7). In 1975 when the NPC was restored, it was stripped of its powers to supervise and enforce the Constitution, to supervise the work of and to question the State Council, to appoint commissions of inquiry, and to decide on questions of war and peace. By 1976, after Mao died and the fall from power of radicals in support of Mao, the NPC had become a “battered shell.”

**Figure 7: Legislative Acts Adopted, 1954 – 1976**

![Graph showing legislative acts adopted, 1954-1976](image)


**Conclusion**

To explain variation in the institutionalization of party-state delineation within single-party regimes, I have argued that it is imperative to look beyond proximate organizational factors, and to locate the deeper causes rooted in macro-historical forces which account for why authoritarian institutions differ in the first place. More specifically, I attribute the differences between the two most similar, single-party, communist regimes of Vietnam and China to the variable paths of their party and state formation, which determine the parameters of institutional constraints on the communist party and its relative separation from state institutions. In Vietnam, a pattern of accommodation has been deeply embedded through party and state formation dynamics, whereby state building occurred on the back of an inchoate party and the incorporation of divergent interests. Greater emphasis was placed on delineating the functions of party and state institutions. The

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177 O’Brien 1990, 60.
legislature, in particular, became increasingly institutionalized and empowered with oversight authority over executive state organs, serving as an input channel for receiving and responding to societal demands.

By contrast, China epitomizes an entrenched pattern of confrontation characterized by the imposition of party dominance over state structures. By the time that the CCP embarked on state formation, the party was a formidable political apparatus that was highly disciplined, cohesive, and consolidated to a degree that the VCP could not match. State building and party consolidation were tightly enmeshed under the paramount leadership of Mao Zedong in ways that effectively stripped state structures of their functional differentiation from party institutions. The Chinese legislature, in particular, was muzzled and severely weakened during the Anti-Rightist Campaign and the Cultural Revolution. Despite legislative developments and renewed efforts to restore the centrality of law in the post-Maoist period in China, the legislature in China remains markedly less institutionalized compared to Vietnam.
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People’s Councils].  


"Sac lenh So 34-SL cua Chu tich Chinh phu lam thoi lap mot Uy ban du thao va de trinh Quoc hoi mot ban hien phap cho Viet Nam Dan chu Cong hoa."


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