

# Legal beliefs in law enforcement activities in Vietnam

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## Abstract:

The Constitution of the Socialist Republic of Vietnam stipulates *that "Everyone is equal before the law. No one shall be discriminated against in political, civil, economic, cultural and social life"*, as well as the entire Chapter 2 of the Constitution stipulating human rights and the rights and obligations of citizens. These provisions of the Constitution must be institutionalized by laws and enforced, this is also the belief of all people in the Constitution and the law. The problem is how to build and nurture trust in the law? Perhaps it is impossible to rely only on hope, on the reassurance of the kindness of others. Trust needs to be protected by law. No matter how optimistic you are, it must be admitted that it seems that a pessimistic view of society is quite common at present. When others do not do what they say, say differently what they have done and are contrary to the provisions of the Constitution and the law, skepticism will appear. In fact, behind the hardships of making a living, employees are gradually being deprived of trust by corruption and corruption in the administrative apparatus; education frauds, health care lies, or shortages of social security and benefits.

**Keywords:** belief in the law; implementation of the law; Vietnam

## 1. Introduction

No matter how reassuring they are about each other, people still need to believe in the law that: Violations of professional ethics, failure to fulfill duties, violations of contracts, etc. will be governed by law. Accordingly, the adjustment of behavior by legal standards should be considered before moral standards. A clear and stable legal system and a fair law enforcement apparatus are the basis for us to live in a safe society and also a good motivation to create trust in the law. Belief in the law expresses morality as standards and principles of conduct that regulate people's behavior and relationships with each other and society, are recognized by the public opinion, and are respected and voluntarily obey the law without the need for coercive power. [12-13]

In the concepts of justice, good, evil, humanity, freedom, conscience, honor... there is no opposition between law and morality. The law is the support and basis for the formation of a new morality. The basic principles of ethics are institutionalized into legal norms.

Therefore, the law protects and develops morality, protects fairness, humanitarianism, freedom, trust and human conscience. Moral education creates the necessary prerequisites for forming in citizens a deep respect for the law. On the contrary, legal education creates the ability to establish in daily practical life the principles of morality, strengthen moral obligations, establish an attitude of intolerance to antisocial expressions.[4-5]

It can be said that legal education and moral education both affect people's belief in the need to follow the basic principles of the new morality, trust in the social value of the law and trust in moral norms and laws in daily life. towards perfecting mutual relationships between people. Laws are made to regulate social relations according to the will and in accordance with the interests of the ruling class in society, set by the state or recognized by the state. To do so, the law must be known, understood and obeyed by the subjects it regulates. To achieve this, the first thing the state must do is to convey the law to the subjects through many different forms and measures with many different resources, that is, to believe in the law. In today's society, every state implements the belief in the law. Of course, depending on the nature of the state, political regime, socio-economic conditions, and the intellectual level of each country, the interest, investment, methods, and measures of legal trust of each country cannot be the same, or even very different.[9-12]

For Vietnam today, when the conditions of people's legal literacy are still quite low, the economic life of the majority of people still faces many difficulties; The majority of working people in society do not have access to the law, so trust in the law plays an even more important role and needs to be promoted. Because our law is a socialist law - the law expresses the will of the working class and the working people (accounting for the vast majority in society). Legal trust is to convey information, requirements, contents and legal regulations to the people, help people know, grasp the law in a timely manner, understand the spirit and content of the law so that they have faith in the law and use the law in life. At the same time, the promotion of the effectiveness and efficiency of the law not only depends on the subject of compliance but also depends a lot, directly affected by the law enforcement activities of State agencies.[11] One of the causes of law violations is the low level of legal culture of a part of cadres and civil servants. To do so, state agencies, cadres, civil servants - those who perform official duties need to be regularly updated with legal knowledge in a timely and complete manner. To achieve this, in addition to their personal efforts, they always need orientation and help from the state, first of all, from legal belief activities.

## **2. Methodology**

So far, we have not had an official definition of legal belief. However, through the practice of directing and organizing the implementation of legal beliefs over the past time, we can

understand the concept of legal beliefs as follows: *legal beliefs are a part of political and ideological education, a stage of organizing the implementation of laws, is an organized and intentional oriented activity aimed at forming in the affected subjects legal knowledge, emotions and behaviors in accordance with the requirements of the current legal system, contributing to improving the effectiveness and efficiency of state management, strengthen the legal system, promote democracy, and improve the level of legal culture for citizens.*

Discussing this issue, it is necessary to agree on the perception of 3 concepts:

- The subject's legal awareness is formed from two factors: legal knowledge and emotions and attitudes towards the law.
- Legal knowledge is the awareness and understanding of law through studying and understanding the law, accumulating knowledge of practical activities and work.
- Emotions and attitudes towards the law are the psychological states and behaviors towards the legal system and specific legal documents and regulations.

The affirmation of the role of law in social life is associated with the process of constantly raising the awareness and active participation of all classes of people in protecting the law. Strengthening socialist legislation (one of the constituent elements of which is the development of legal awareness and legal culture of the people), expanding and perfecting democracy will be meaningless if it is not comprehensively and effectively implemented for cadres and people. The enforcement and observance of the law depends on many different factors, including the legal consciousness and legal culture of individuals and organizations of all strata in society. [1-3]

A clear feature of legal consciousness is the expression of the attitude of members of society towards discipline and law; is the evaluation and recognition of the fairness of socialist law. The law can only become a tool that has the effect of regulating correct behavior when its necessity for society is recognized and accepted, when the obligation to obey the provisions of the law really becomes the need to comply voluntarily and consciously by each person. Therefore, legal consciousness can be considered as an ideological premise for the consolidation and development of the legal system.[7]

Therefore, in the current conditions, the role of legal belief is to form a sense of law, contributing to helping each person realize the fairness of the law, obey the law on a voluntary basis, stemming from their own needs, not due to fear of punishment. Moreover, the level of legal culture not only reflects the understanding of the provisions of the law in a holistic way, which is necessary for each person, associated with their obligations, but

also a deep understanding of the meaning of the law in social life. respect for the law and know how to apply the law correctly.[16]

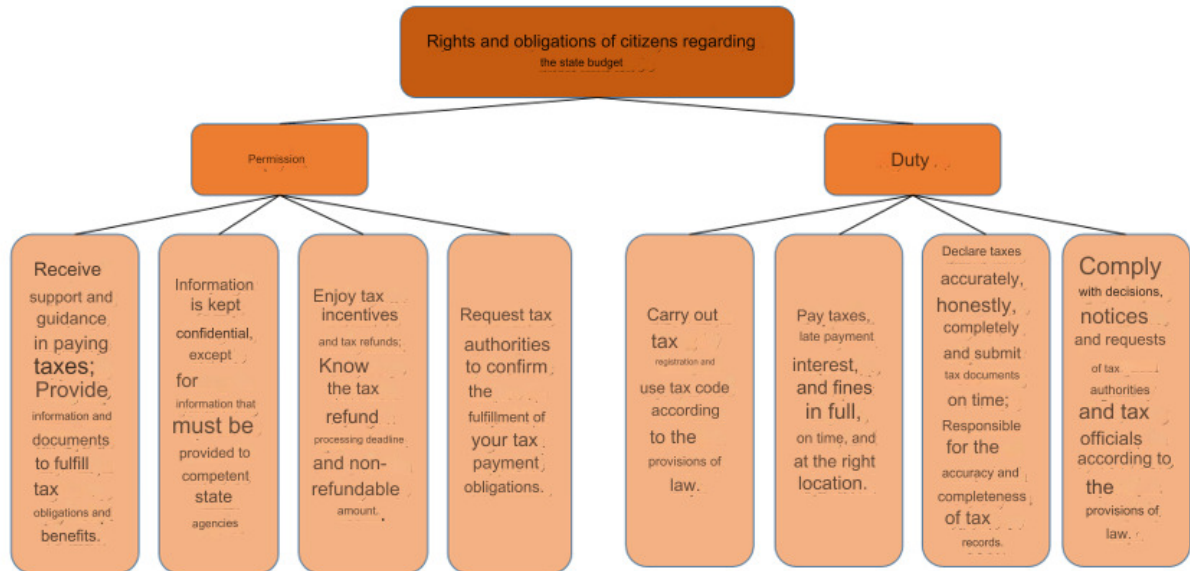
The people's sense of self-observance of the law is an important factor in building the ability to evaluate and choose actions in accordance with the law, which can only be enhanced when the belief in the law is carried out regularly, promptly and convincingly. legal trust is to convey to the subject specific regulations and legal documents, making regulations and legal documents spread and promote their effectiveness in life. At the same time, the belief in the law also performs the task of criticizing and condemning acts of violating the law, expressing sympathy and support for acts of complying with the law, forming public opinion and sympathizing with legal acts, condemning illegal acts. Through this, legal belief plays a very important role in forming and strengthening people's feelings and attitudes towards the law, improving their understanding of QPPL documents and legal phenomena in life, thereby helping them improve their sense of self-compliance with the law. In other words, legal trust makes an important contribution to the formation, consolidation and development of legal culture.[19-21]

In the conditions of building a fair, democratic and civilized society, one of the important conditions is how to allow people to actively participate in social management activities by law. Strengthening democracy also means expanding the participation of the people in legislative, executive and judicial activities, implementing supervision of the activities of State agencies. This has raised the responsibility of each person in society.

### **3. Result**

Discussing the effectiveness of legal trust is a comparison between the results achieved through different practices. Building legal trust is an activity that mainly affects the field of people's ideology and awareness of legal understanding, changing people's perceptions, attitudes and behaviors towards the current law. The effective assessment of legal trust is not simple and easy. For a long time, we have evaluated the effectiveness of legal beliefs more or less based on sentiment and experience. In order to have a basis for finding solutions to improve and improve the effectiveness of legal trust, it is necessary to scientifically determine the criteria for evaluating the effectiveness of this work, including criteria for awareness, criteria for attitudes towards objects of legal trust, criteria for the subject's behavior after being trusted by the law (Figure 1)

#### **Figure 1: Rights and obligations of citizens under Vietnamese law**



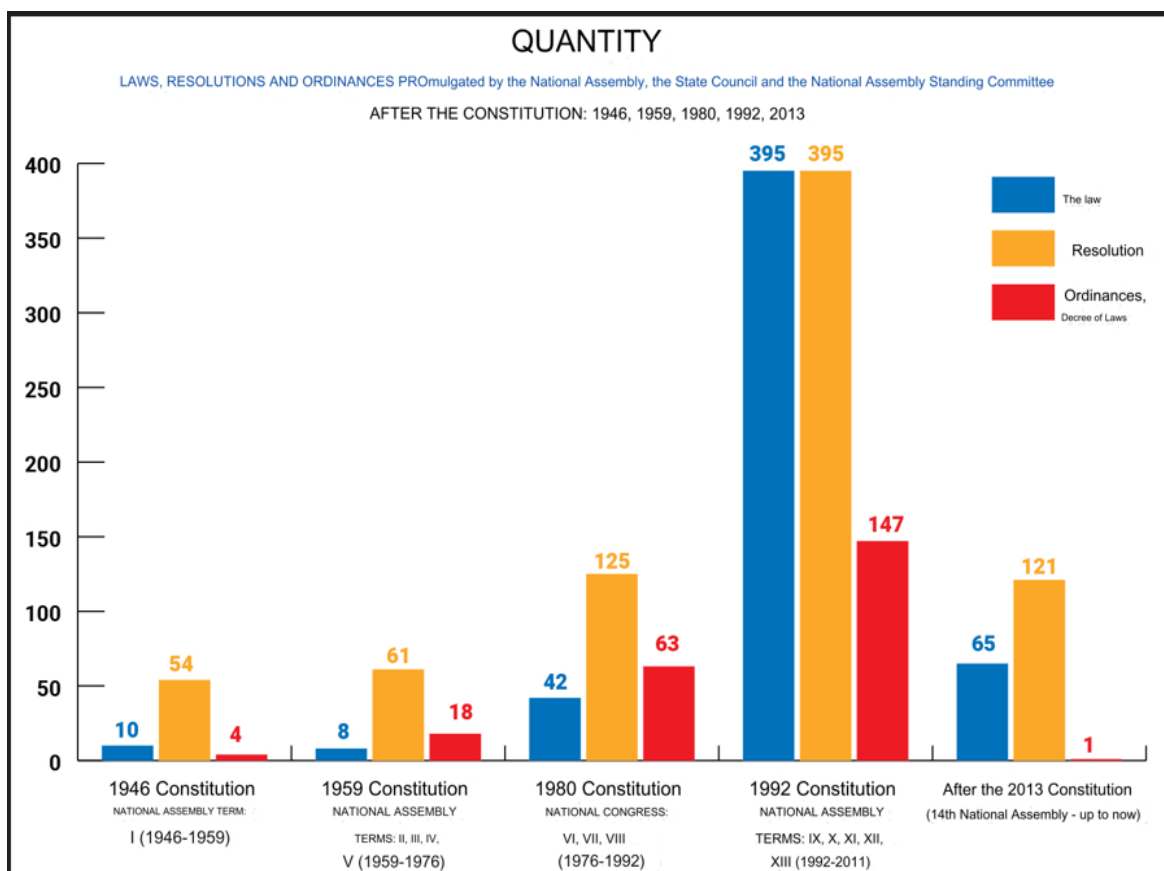
*Source: Constitution of the Socialist Republic of Vietnam, 2013*

The effectiveness of legal trust is the implementation of many forms, measures and methods by agencies, organizations and individuals to ensure that citizens understand and master the law and implement the law. Subjects who are trusted by the law must be aware of these noble values of the law and know how to use the law as an effective means in their daily lives, and at the same time contribute to building a socialist state under the rule of law, with the lowest input cost of this work but bringing the highest output results is to help subjects create confidence in the law. When they have faith, the subject will know how to adjust their behavior in accordance with the provisions of the law, live and work according to the Constitution and the law. Not only that, they also have a sense of criticizing and condemning violations, contrary to the provisions of the law.[5-7]

Discussing the measure of the effectiveness of legal belief, it is necessary to put it on all 3 aspects, namely: Criteria for awareness, criteria for attitude towards the subject with legal belief, criteria for the behavior of the subject after having legal belief. When evaluating these criteria, it is necessary to understand the characteristics and methods of evaluating the effectiveness of the law-building work of the subjects from their perceptions, attitudes and law-abiding behaviors. The State's laws are not always known, studied, supported and strictly implemented by everyone in society. Although the legal nature of our State is very good, it reflects the will, aspirations and desires of the masses of people in society. The State's laws can be studied, interested and grasped by some people stemming from their needs for study, research or from their production and business needs. These people always follow the new legal regulations that are issued to directly serve their work, but the number of these subjects is not large. In the condition that the intellectual level of the people is still

not high, the economic life of the majority of the people still faces many difficulties, so the subjects are subject to the adjustment of legal documents, that is, the majority of working people in society do not have access to the law. Legal trust is a means of conveying information, requirements, contents and legal regulations to the people, helping people understand and grasp the law in a timely manner without spending too much time and effort on self-study and self-study. That is an active means of support to improve legal understanding for the people. (fig. 2) [4]

**Figure 2: The number of laws in Vietnam developed over the years**



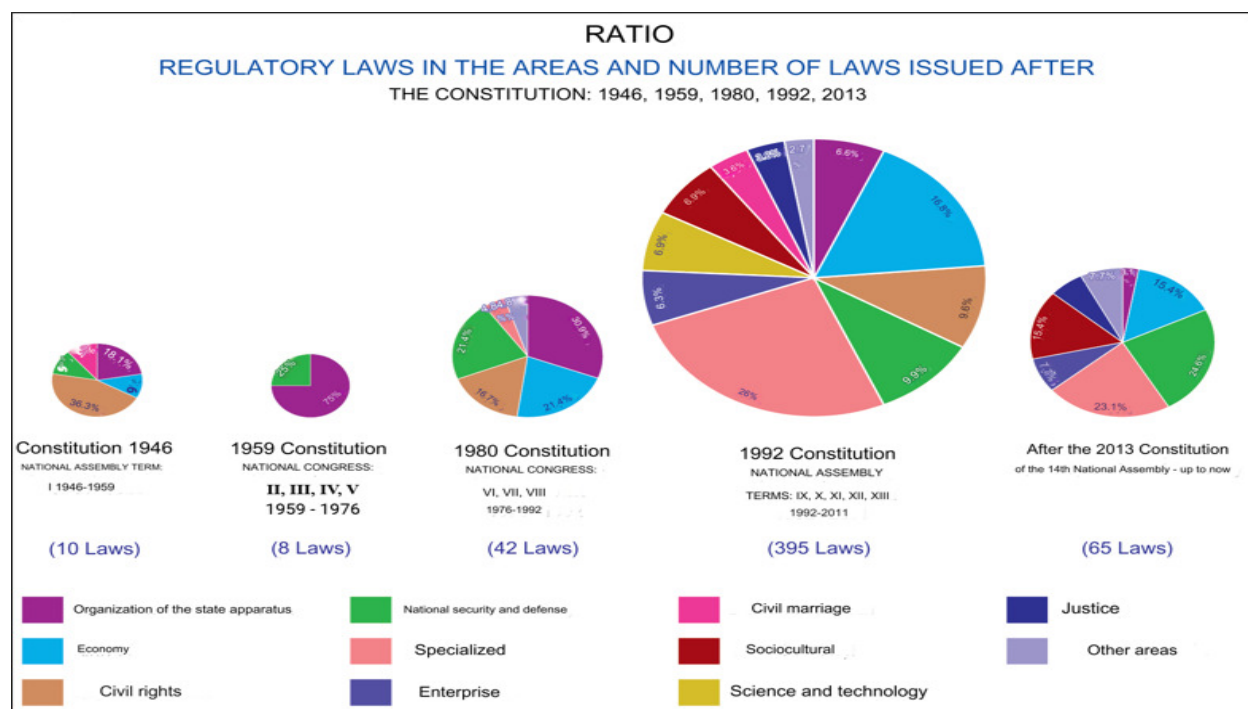
*Source: National Assembly of Vietnam, 2023*

The law can only be strictly implemented by people when they believe in the provisions of the law. The law was developed to protect the rights and interests of the people, ensure the common interests of the community, and ensure social justice and democracy. When people are fully aware of this, the law does not need any coercive measures that people still voluntarily implement. Building trust in the law for each person and the community requires a combination of factors. One of the important factors is to disseminate and educate people about the law, understand the process of implementation and application of

the law, propagate about the advantages and complicated difficulties of the implementation and application of the law, the advantages and limitations of the process of adjusting the law.[4]

The law, like all other phenomena in society, always has two sides, it is not always satisfactory, fully reflecting the aspirations and desires of everyone in society. The process of adjusting the law will take the interests of a large number of cadres, civil servants, public employees and people in society as criteria and measures, so there will be a few who will not be satisfied. It is the limiting factors and downsides of legal regulations that make it even more necessary to build LEGAL TRUST so that everyone understands the law correctly and agrees to support the law. Only in this way can the trust in the law of the majority of people in society be formed (figure 3) [21-23]

**Figure 3: Adjustment of Vietnamese law over the years**



Source: National Assembly of Vietnam, 2023

Some argue that trust in the country and the rule of law is extremely important for maintaining social stability and security. They explained that the legal system is built on the principles of fairness and human rights, and that trust in it is the basis for building a united community. First and foremost, trust in the government plays a decisive role in maintaining social order and security. The government has the responsibility to protect the rights and well-being of its citizens, and to maintain fairness and transparency in the

exercise of power. When people trust the government, they feel more secure and peaceful in their daily lives. This creates a stable, healthy environment that stimulates economic and social development. Trust in the legal system is an important milestone that shapes the morality and values of a society. The law is not only a framework for regulating behavior, but also a tool to support fairness and protect the rights of individuals. When people believe in the fairness and transparency of the legal system, it will be easier for them to accept and comply with regulations, and to ensure that society always operates under a high standard.[14-16]

Trust in government and the law also plays an important role in promoting citizenship and social responsibility. When people believe that they live in a just and rules-abiding society, they are more motivated to participate in community activities, support each other, and maintain a strong sense of solidarity. This is key to building a diverse, prosperous, and sustainable community. Governments around the world have implemented many measures and policies to prove and strengthen people's trust in them and in the legal system. Here are some of the points that world governments often take to prove the problem of trust in government and the law:

#### **4. Discussion**

Legal acts are people's attitudes expressed by actions (implementing the law correctly or illegally) or not taking action (not implementing the provisions of the law); stemming from people's awareness, legal sentiment and legal awareness: (i) Legal knowledge is the legal understanding of subjects obtained through studying and understanding the law, through the process of accumulating knowledge of practical activities and work. (ii) Legal sentiment is the psychological state of subjects when implementing and applying the law, they can agree and support the acts of complying with the law, condemning acts of violating the law. (iii) The sense of self-observance of the law of cadres, civil servants, public employees and the people can only be enhanced when the legal education for the people is carried out regularly, promptly and convincingly. Believing in the law is not only propagating legal documents in force but also condemning acts of violating the law, agreeing to support acts of complying with the law, forming public opinion and sympathizing with legal acts. condemn illegal acts.[15]

In response to this task, the state government needs to create a Transparent and Fair Legal System: The government regularly invests to build and maintain a transparent and fair legal system. This includes publishing and teaching about laws, regulations, and legal processes clearly so that people can understand and trust them. The government tries to strengthen the politics of responsibility through the creation of monitoring and control mechanisms. Holding people accountable and handling cases of corruption or abuse of power is a way



to demonstrate the seriousness and transparency of the government. The administration regularly ensures that a fair management system is established and maintained. This includes fair distribution of resources, treatment of all citizens, and transparent and fair dispute resolution.[18-20]

Governments often invest in educational programs about civic rights and obligations. This helps people better understand the legal system and their role in maintaining and developing society. Holding Referendums and Open Communication: The government regularly holds referendums and open communication sessions to listen to opinions, suggestions, and objections from citizens. This helps create an interactive environment between the government and the people, thereby strengthening trust. Supporting Economic and Social Development: Governments often put in place policies and measures to support economic and social development. This helps improve the quality of life and increases people's trust in the government's leadership. Legal belief aims to form and strengthen people's good feelings for the law, and at the same time increasingly improve people's understanding of legal documents and legal phenomena in life, thereby raising the people's sense of self-observance of the law.

## **5. Conclusion**

In modern life, trust in the country and the law is not only a personal matter but also a community responsibility. Whether there are passionate sympathizers or dissatisfied critics, the view of blind trust is a challenge for every citizen. Finding a balance between trust and criticism is perhaps the key to building a strong and transparent society. The persistent existence of the law left by the old regimes has a certain impact on the implementation of the law. Some people have the misconception that the law is only mainly a tool for punishment, due to their ignorance, they have a fear of the law. That fear mentality makes people's behavior unstable, so it is difficult to have a card, leading to positive behavior before the law and towards the law. Indifference to the law or disregard for the law in some people negatively impacts the implementation of the law by others. There is still a situation of non-compliance with the law, indifference to the law. This not only adversely affects the implementation of the law but also has a significant impact on society and the community. People's awareness and belief in the law have an important influence on the implementation of the law. Because, if there is a lack of trust in the law, there is no firm belief in the fairness and strictness of the law... the implementation of the law cannot be good and strict. The activities of the authorities in the implementation of the law have an important impact on the implementation of the law. The intervention of the authorities to ensure that the law is respected and implemented every time a violation or dispute occurs is necessary and correct

## References:

1. Au, Thi Tam Minh. "Vietnam implements international law on the political rights of its citizens." (2021).
2. Dinh, Hai Thinh. *Controlling state power in law-making activities in Vietnam today*. Diss. Academy of Journalism and Propaganda, 2023.
3. Dinh, Tran Ngoc Huyen. "Practice of implementing regulations on the protection of the ozone layer according to Vietnamese law." (2024).
4. Doan, Thanh Hai, and Thi Phuong Diep Doan. "Feminist legal theory-Recognition and application in the making and implementation of the law in Vietnam nowadays." (2022).
5. Duong, Duc Chinh, Thi Thanh Tam Pham, and Vo Nhu Y. Tran. "The role of treaties in the implementation of environmental protection laws in craft villages." (2020).
6. Hang, Chu Thi Thuy. "Vietnam with the internalization of the provisions of international law on freedom of expression."
7. Hoang, Vinh Long Assoc. Prof. "Analysis of the relationship between economics and law – the basis for the study of legal economics in Vietnam." (2015).
8. Huyen, Dinh Tran Ngoc. "Practical implementation of regulations on the protection of the ozone layer according to Vietnamese law." *Journal of Science and Development Economics* 29 (2024): 89-98.
9. Khai, Pham Quang. *Law on franchise contracts in Vietnam*. MS thesis. Ho Chi Minh City University of Economics, 2024.
10. Minh, Do Duc. "The mechanism of university autonomy governance and the requirement to improve the law on university autonomy in Vietnam." *Journal of Science, Hanoi National University, Law* 34.4 (2018): 62-74.
11. Nguyen, Hoang Chuong. *Guarantee measures in current Vietnamese Civil law*. Diss. Tay Do University, 2021.
12. Nguyen, Phu Loi. "Vietnam's policies and laws in relation to international law on religion." (2022).
13. Nguyen, Van Giang Investor. "Implementing the principle that the Party operates within the framework of the constitution and law in Vietnam in the current period." (2010).
14. Nhung, Cao Thi Cam. *Vietnamese law on collective bargaining and implementation practices in Ho Chi Minh City*. MS thesis. Ho Chi Minh City University of Economics, 2021.
15. Oanh, Nguyen Thi. "Implementing the law on social assistance for people with disabilities." *State Management* 338 (2024): 94-98.
16. Pham, Thuy Duy. *Vietnamese law on sales promotion activities. Current situation and solutions*. Diss. Tay Do University, 2021.

17. Phan, Cong Thanh. "Some issues on ensuring the implementation of the law on the management of consultants in the provincial party organization of Vietnam = Regarding the implementation of the law on the management of consultants in the provincial party organization of Vietnam." (2022).
18. Phung, Bich Phuong. ""The influence of village institutions on the implementation of law in the context of building a rule of law state in Vietnam today." (2016).
19. To, Tuan Anh. "Contract for sale and purchase of goods under Vietnamese law." (2020).
20. Tran, Hoang Hanh, and Ba Hung Le. "Singapore's law system and some recommendations for the process of promulgating and enforcing laws in Vietnam." (2022).
21. "Ho Chi Minh Thought on Law and Its Application in the Cause of Renewal in Vietnam." (2014).
22. Tran, Thi Ngoc. "Legal Culture of Lawyers in Vietnam." (2015).
23. Trinh, Duc Thao. "Implementation of the law on the responsibilities of heads of state administrative agencies – Some theoretical and practical issues." *VNU Journal of Science: Legal Studies* 31.4 (2015).