

Ho Chi Minh's Thought on Human Rights and Applying in Vietnam Today



Assoc. Prof, Dr. Pham Ngoc Tram

Thu Dau Mot University (TDMU), Binh Duong, Vietnam

ABSTRACT: Ho Chi Minh is a great man whose life, career, ideology and actions are associated with a heroic historical period of the Vietnamese nation. He is not only loved and respected by the Vietnamese people but also admired and honoured by the world. Resolution of the United Nations Educational, Scientific and Cultural Organization on the 100th anniversary of the birth of President Ho Chi Minh: "The national hero of Vietnam and a great cultural man". Ho Chi Minh's revolutionary career has left the Communist Party and people of Vietnam invaluable heritage of reasoning on particularly important issues, including the profound philosophy of human rights, up to now, there remains theoretical and practical values.

KEYWORDS: Ho Chi Minh thought, human rights, applying, Vietnam today

INTRODUCTION

Ho Chi Minh's philosophy on human rights or human rights is the awareness, making use of and creative development of the basic principles of Marxism-Leninism on human rights in specific conditions of the Vietnamese revolution. At the same time, it shows the inheritance and development of good traditional cultural values of the nation and the quintessence of human culture. Ho Chi Minh's thought on human rights is not only a theoretical basis and guideline of the Party and State of Vietnam in recent years, but also a methodological basis for the cause of renovation for wealthy people, strong country, justice and civilized society of our people won. The article contributes to clarify Ho Chi Minh's thought on human rights and its implications for promoting human rights in Vietnam today.

RESEARCH RESULTS AND DISCUSSION

Basic content in Ho Chi Minh's thought on human rights

Right from ancient times, the idea of human rights has appeared in doctrines, philosophical and political-social ideas. In ancient times, in the West, the philosopher Protagoras asserted: "Man is the measure of all things" (Vui, N, 2007: 180) and So crate with the famous thesis: "Man has to acknowledge himself" (Vui, N, 2007: 25). In the East, Confucianism thought that man was the most precious of all species, equal to Heaven and Earth (Tam Tàì); or the thought of "be equally fraternal to everyone" of Mac Tu promotes equality between people in society, human's natural rights, and personal rights to participate in socio-political life. However, it was not until the period of modern European bourgeois revolution in the seventeenth and eighteenth centuries that the issue of human rights was considered and thoroughly resolved as a doctrine.

According to Karl Marx, human rights are legalized into citizenship according to the principle: "There are no interests without obligations, no obligations without interests" (Marx.K & Engels. F, 1995d: 25) and "Rights never may be at a level higher than the economic regime and the cultural development of society determined by that economic regime" (Marx.K & Engels. F, 1995b: 36)corresponding to different eras and different socio-economic bases have different rights. In other words, human rights depend on the historical tradition, political regime, and development level of each nation. Human rights, if considered holistically, include the right to life, the right to labor and freedom. Because these rights represent three core aspects of human life: Man must first exist (right to life); the human being must be active (labor rights); Man must be affirmed, developed (freedom).But under capitalism, private property rights evolved into human rights (Marx.K & Engels.F, 1995a: 187); and the hierarchy of human rights is profoundly revealed. Human rights are first of all "the will of the ruling class that is put into law". In capitalism, due to the limited scope of the "bourgeois rule of law", human rights are only the prerogative of a minority of social members. In order to ensure a realistic and comprehensive guarantee of human rights, Marxism-Leninism emphasizes the struggle for democracy; consider "wresting democracy" as the basic goal of the socialist revolution. On that basis, promoting the socialization of production relations and fully implementing democratic rights, to gradually ensure human rights for the majority of social

Ho Chi Minh's Thought on Human Rights and Applying in Vietnam Today

members. On that basis, step by step implementing the highest goal of human society is to liberate and develop the whole person in order to ensure "the free development of each person is a condition for the free development of everybody" (Marx.K & Engels.F, 1995c: 628).

Human rights under socialism, first of all, practically guarantee the rights of human existence and development (including economic, social and cultural rights). Human rights under socialism must be comprehensive: ensure all civil, political, economic, social and cultural rights; guarantee both individual and collective rights; ensure freedom and fairness, equality, and human rights in accordance with civil rights, as mentioned in the "Declaration of the interests of the exploited working people" by V.I.Lenin drafted in January 1918. In "National Credo" (1913), V. I. Lenin asserted that the basic national rights are democratic rights, including equality, self-determination and the right to unite workers of all ethnic groups. These rights are also the principles for maintaining peace and friendship among peoples, aiming to link the exercise of these rights with the promotion of living standards, health protection, cultural education and respect for the rights human.

President Ho Chi Minh combined the humanist ideology of Marxism - Leninism to thoroughly liberate people with the traditional ethic and compassion of the Vietnamese nation "to love people as if they loved themselves" to propose an aim, and ideals of the entire Party and the whole nation of Vietnam is to strive to build an independent nation, and people are free. Originating from that ideal purpose, Ho Chi Minh thought out the idea of human rights with basic contents:

Firstly, views on human rights. Human rights are a universal value and a matter of long-term history both in practical and theoretical terms. Human rights have rich content, sensitive and complex. Ho Chi Minh approached the human rights issue stemming from the Vietnamese national tradition and from the specific practical context of the country, and at the same time selectively inheriting the reasonable contents of modern human rights ideology. On that basis, he made new, profound and comprehensive arguments on human rights, consistent with the characteristics of the specific situation in Vietnam.

From the characteristics of the nation being lost independence, oppressed and exploited heavily under the colonial empire and feudal landlord, all human rights as well as national rights were abolished. Therefore, the human rights issue in Vietnam can only be resolved through revolution to resolve the conflict between the entire Vietnamese people and the French colonialists and the conflict between the people, mainly farmers with feudal landlords, the foundation for the domination and exploitation of French colonialism. The struggle for national independence must be closely linked to the struggle for human rights and civil rights. That is a requirement of Vietnamese practice, the revolution needs to be solved, and it can be solved in order to fully implement human rights for all people.

Thus, Ho Chi Minh's ideas on human rights are rooted in the nation's history and practices, and selectively inherit the progressive human rights ideas of the East as well as the West. Especially the creative application of the human and social liberation thought of Marxism - Leninism. This is a prominent feature of Ho Chi Minh's thought on human rights.

Secondly, carrying out human rights on the basis of national independence and sovereignty. In the difficult years to find a way to save the country, Ho Chi Minh has drawn a common truth: national independence, national sovereignty is always the burning desire of each and every oppressed nation, including Vietnamese people. A slave nation cannot have free people; Nothing is more precious than independence and freedom! His lofty ideal is "Freedom for my fellow-citizen, independence for my Fatherland, that's all I want, that's all I understand" (Tien. T, 1995: 53). It can be said that in Ho Chi Minh's thought about human rights, independence for the nation is an extremely valuable and prerequisite premise to liberate people and ensure human rights. Indeed, only national liberation and class liberation bring independence to the people, freedom for the people and people from slavery, exploitation and domination. He said that once national independence is established, socialism must be built, because socialism is not only an indispensable development trend of the era, but also a basis for realizing human rights more comprehensive way. Building a new society - socialist society is for the working people to have a prosperous, happy, fair and civilized life; People are truly liberated in terms of economy, politics, culture, society, have conditions to satisfy their material and spiritual needs, and have opportunities to develop comprehensively in terms of physical strength, mental power and moral education; it is possible to promote all abilities to contribute the most to society. He wrote: "We have gained freedom and independence but people starved to death and cold, then freedom and independence did nothing. People only know the value when they have a comfortable material life" (Minh, H.C. 2000a: 158). This view represents the goal of the implementation of human rights, which is the duty of the Party and the Government and the driving force of national development for people and for people. Therefore, in the early days of building a new regime after the August Revolution, when interviewing journalists, President Ho Chi Minh said: "I have only one desire, that ultimate desire is: How to make our country completely independent, our nation completely free, everyone have food, clothing, everyone can study" (Minh, H.C. 2000a: 161). Ho Chi Minh's characteristic of the "natural" human rights of each individual becomes the natural right of all nations; summarizing the core ideas of human rights into values: independence - freedom - happiness for each and every person; in it, "if the independent country and the people do not enjoy the happiness of freedom, then independence does not mean anything" (Minh, H.C. 2000a: 56). In other words, national independence, national sovereignty is the foundation, is the most important premise to ensure human rights.

Thirdly, approach human rights issues in the dialectical relationship between theory and practice. Concerning the theory and human rights of the nature - society of human nature, showing the ideal of liberation - developing the whole person and freedom;

Ho Chi Minh's Thought on Human Rights and Applying in Vietnam Today

In terms of practice, the process of forming and ensuring human rights has always been socially specific, such as national cultural traditions, the level of material and spiritual production of society and class. Meanwhile, other contemporary theories approach the issue of human rights in a superficial way, such as natural human rights theory which is considered universal human rights theory but when expressing the value of Western human rights, they often encounter worship. In response, when applied in practice with the different cultural traditions of the peoples of the world. The concept of legal human rights does not see the necessary value of ethics and culture in ensuring human rights. Meanwhile, cultural relativism emphasizes, sometimes inclined to cultural traditions in ensuring human rights. The overall consequence of such superficial approaches is blather, breach, or justification for weaknesses in human rights practice.

The unity between theory and practice has become a prominent feature of Ho Chi Minh compared to other thinkers and leaders. He is a perfect example of human rights and the struggle for human rights. Throughout his life, Ho Chi Minh devoted all his mind and mind to leading the people to gain independence for the nation, to gain the people's sovereignty, to build and develop the country to bring happiness and rights. to be a people for the whole people, to make Vietnam rich and strong and strong, to be on par with the powers of the five continents ... then that independence has no meaning. People only know the value of freedom and independence when they are well fed and clothed. From there, Ho Chi Minh stated that our country's goals were:

- “1. Make people have food to eat
2. Make people have clothes to wear
3. Making people have accommodation
4. Making people well educated

The purpose they go to 4 things. Going to make our people worthy of freedom and independence and helping to make freedom and independence” (Minh, H.C. 2000a: 152).

With this concept, it can be affirmed: In the new regime, the highest value of national independence is to bring real ownership to the people, and to give them all power. Democracy is democracy, which means that in the people's society, the owner of the country is the country of the people. Party and State agencies are organizations entrusted by the people to act as public servants for the people. The task of a democratic government is to serve the people, the cadres and party members are servants of the people. Servants and public servants of the people, for the common good, should shoulder the work of the people and must be loyal and devoted, devoted to the people. Officials must be like soldiers obeying the national mandate to carry out their duties, make decisions on behalf of the people, and wholeheartedly and whole-heartedly serve the country to serve the people. In his speech at the Conference on Famine Production in 1955, he also pointed out: “It is the policy of the Party and the Government to take great care of the lives of the people. If the people are hungry, our Party and Government are at fault, if the people are cold to our Party and Government; if the ignorant Party and our Government are at fault, if the people are ill Party and our Government is at fault. Therefore, party and government officials from top to bottom must pay special attention to the lives of the people; must know how to educate, lead and help people to increase production and save” (Minh, H.C. 2000d: 572).

Understand the value of human rights, right after the successful revolution, after only one day of Declaration of Independence, in the first meeting of the Government of the Democratic Republic of Vietnam (September 3, 1945), he pointed out 6 urgent tasks including the promulgation of the constitution to ensure the democratic freedoms of the people and suggest the earliest organization of the General Election with universal suffrage. All citizens and girls of 18 years of age and older have the right to stand for election and to vote in accordance with the law, regardless of wealth, ethnicity, religion and race.

The first Constitution in our nation's history headed by him was drafted by the National Assembly on November 9, 1946. Right in the preamble has identified: "guaranteeing the democratic freedom of the people" is one of the basic principles of the Constitution. In the 1946 Constitution, the second chapter was devoted to "rights and obligations of citizens" including 18 specific articles defining civil, political rights as well as economic, cultural and social rights.

Fourthly, to realize human rights, it is necessary to build a rule-of-law state of the people, by the people and for the people. Considering the slave, feudal and capitalist societies, Ho Chi Minh pointed out that the social regimes of those societies were incomplete, because they did not represent the majority of the working population, It only represents a minority of the rich, the powerful. According to him, only socialism and communism are the path of liberation of oppressed and exploited humanity, a complete social regime that brings basic human rights to the majority of working people. He said: "Our country is a democracy, the highest position is the people, because the people are the masters" (Minh, H.C. 2000c, 286) He also said: "Our regime is a democracy, that is, the people are the masters" (Minh, H.C. 2000d:190). Therefore, he pointed out: “Democracy is government, government must be servant. If the government harms the people, they can dismiss it” (Minh, H.C. 2000c: 160). This is the vivid and profound ideology that emphasizes the role of the people and autonomy of the Vietnamese people in Ho Chi Minh thought.

Building a state owned by the people in 1927, in the work of The Line of Destiny, he noted that the new state of democracy is the state of the people and by the people. The social basis of the state is the entire Vietnamese people, based on the alliance between the working class, the peasantry and the intellectual team under the leadership of the Communist Party of Vietnam. At the same time, right after our country's independence, Ho Chi Minh affirmed:

Ho Chi Minh's Thought on Human Rights and Applying in Vietnam Today

“Many benefits are for the people. Many powers are of the people. Renewing and building the Party is the responsibility of the people. The cause of resistance war and national construction was the work of the people.

The government from commune to government is elected by the people. Central unions come to the commune organized by the people. In short, power and forces are in the people” (Minh, H.C, 2000b: 689).

That is the difference in nature between the new-style state of the people, by the people, for the people and the states of the exploiting class that existed in history. The state of the people: according to Ho Chi Minh, the state of the people is the state in which the people are the owners, the people with the highest status, the highest power and the right to decide all matters related to destiny people, country. This is reflected in the 1946 Constitution, which was drafted by Ho Chi Minh: "Vietnam is a democratic republic. All authority in the country belongs to the entire Vietnamese people, regardless of race, girl, rich and poor, class and religion". The state must make every effort to form democratic institutions to exercise its ownership. In that sense, the representatives of the people, appointed by the people, are just the mandate of the people, just the "public servant" of the people in the proper sense of the word. The people-led state: According to Ho Chi Minh, the policy of building a state by the people means that the state is chosen by the people, elects its representatives, the people are the owners, the people support and help, pay taxes in order for the state to operate and the people will also participate in state affairs. Therefore, that state is always supported, supported and contributed by the people, mainly by taxes, so that the State can facilitate its activities; that state is also criticized, built and controlled by the people so that its members are always aware of their representative responsibilities to the people. The state for the people: according to Ho Chi Minh, it is a real state of the people, organized, built and controlled by the people in reality. That state always serves the interests and aspirations of the people, does not have privileges, rents, is really pure, needs integrity, and impartial justice. In that state, officials are the "public servant" of the people. So, what is beneficial to the people no matter how small, they must do their best, anything harmful to the people, no matter how small, must be avoided. Ho Chi Minh's view of the state for the people surpassed the people's guidelines of the ruling states at its most advanced stage. The term "public servant" means both to be the leader and to be the servant of the people, but not to each other. Government officials must be those who know how to bring the people's talents, their labor, their wealth to the benefit of the people, protect the people and must not violate human rights and civil rights in process of performing its duties. Building a new state of the people, by the people, for the people following Ho Chi Minh's thought is to build a socialist rule of law state. It is the duty of the state to eliminate poverty, injustice, and inequality, and to bring freedom to the working people. The purpose of a socialist regime is to always bring and guarantee fundamental human rights to the working people, such as freedoms, equality, democracy, other civil rights and duties. Thus, it can be seen that the content of human rights in Ho Chi Minh's thought was developed very richly in both breadth and depth, creating a system of human rights from a scientific and revolutionary perspective.

APPLYING HO CHI MINH'S THOUGHT ON HUMAN RIGHTS IN VIETNAM TODAY

Ho Chi Minh's thought on human rights is a rich, profound and comprehensive system of views; is an important foundation for our Party and State to plan human development strategies in the past years and the coming time. Recognizing the role of human rights for the Vietnamese revolution, inheriting Ho Chi Minh's human rights ideology, the Party always affirms: "All for the people, all for the freedom, happiness and the rich and comprehensive development of each person in the harmonious relationship between the individual and the community, between society and nature" (Communist Party of Vietnam, 1998: 10). Continuing to assert that thought, the credo of building the country during the transition to socialism (Supplement, development in 2011) of the Communist Party of Vietnam wrote: "The revolutionary career is of the people, by the people and for the people. It is the people who make historic victories. All activities of the Party must come from the interests and aspirations of the people. The Party's strength lies in its close attachment to the people" (Communist Party of Vietnam, 2011: 65).

Institutionalizing the above view, Article 3 of the 2013 Constitution, affirms: "The State guarantees and promotes the People's sovereignty; recognize, respect, protect and ensure human rights and citizens' rights; realizing the goal of rich people, strong country, democracy, justice and civilization, all people lead a prosperous, free and happy life and have conditions for comprehensive development". The Document of the 12th National Party Congress wrote: "Carrying out human rights, basic rights and obligations of citizens, in the spirit of the 2013 Constitution; attach rights with responsibilities, obligations, uphold social morality. Continuing to well implement democracy at the grassroots level; perfecting the legal system, respecting, ensuring and protecting human rights, civil rights and obligations” (Communist Party of Vietnam, 2016: 169). In terms of building and perfecting institutions, policies and laws for the implementation of human rights, the 12th National Conference of Representatives of the Communist Party of Vietnam assessed: "The Party and the State continue promulgating many guidelines, policies and laws to promote socialist democracy, ensuring the exercise of people's ownership. Human rights, basic rights and obligations of citizens are more fully defined in the 2013 Constitution and in the newly promulgated and amended legal system. Clearly affirming the political, civil, economic, cultural and social human rights and civil rights recognized, respected, protected and guaranteed in accordance with the Constitution and laws; associate citizen's rights with social obligations and responsibilities" (Communist Party of Vietnam, 2016: 166-167).

Consistent views of the Party and the State on ensuring and promoting human rights have been deeply understood by the Party

Ho Chi Minh's Thought on Human Rights and Applying in Vietnam Today

Committees and authorities at all levels, creating fundamental and positive cognitive changes in both political system. Recently, Conclusion of the XII Secretariat on the continued implementation of Directive No.44-CT/TW, dated July 20, 2010, of the X Secretariat on the work of human rights in The new picture clearly stated that the institutionalization of the Party's line and the legal system has been gradually improved, especially the National Assembly passed the 2013 Constitution; Since then, creating a solid legal basis for the protection and enforcement of human rights and to prevent and handle violations of human rights.

In the context of the economy gradually changing the economic growth model, especially with achieving comprehensive results in the socio-economic fields in 2018 and the initial results of anti-corruption, fostering people's beliefs and creating an exciting atmosphere in the whole society.

Vietnam's sustainable development index in 2017 increased by 20 levels to 68/157 countries and territories. Social security is guaranteed; The poverty rate according to the standard has decreased from 14.2% (in 2010) to 4.5% (in 2019). Subjects participating in social insurance increased steadily every year, as of October 31, 2019, the total number of people participating in compulsory social insurance was 14,915 million, reaching 97.5% of the plan. Increasing 146 thousand people compared to September 2019; an increase of 462 thousand people compared to December 2018. As of December 31, 2018, the total number of people receiving monthly social insurance benefits was 1.2 million, a decrease of 1.3% compared to 2017, estimated at VND 46,129 billion ... The effect of unemployment benefits, increased vocational training support, and job placement have all increased sharply. Currently, all 63 provinces and cities pay the monthly pension and social insurance benefits through the postal system. The percentage of malnourished children has decreased from 50% to about 13, respectively. 4%; the percentage of children under one year old fully vaccinated accounted for 96.4%; Their average age is 73.5 years old today, compared to regional healthcare, it is clearly a great achievement of health policy (Thailand's average life expectancy is 72 years old; Malaysia has an average life expectancy of 73.3 years old). Currently, the rate of participation in health insurance covers 83% of the population (equivalent to 75915.2 thousand people) (Tri. N, 2019)...

Achievements on national development have created material conditions and resources to respect, ensure and better promote the basic rights and freedoms of the people. The material and spiritual life of the people has been clearly improved and increasingly improved; Along with promoting social equality, the enjoyment of human rights of the people in all areas has been significantly improved.

These achievements are recognized by the international community, especially in the field of assurance, promoting sustainable poverty reduction and the rights of vulnerable groups. Over 30 years of innovation, ensuring and promoting human rights has achieved great achievements that are important for the cause of building socialism and protecting the Socialist Fatherland our country.

However, the implementation of policies to ensure human rights is still limited, such as the risk of re-poverty is still high, especially in ethnic minority, remote and isolated areas; The area of regular social assistance beneficiaries is still narrow, the standard of social assistance is low; the coverage rate of supportive policies as well as low subsidies has not kept pace with the development of a socialist-oriented market economy; The quality of social services in general is still low, there are still many negative, troublesome ... These limitations were identified by the Communist Party of Vietnam: "Separation, even opposition between democracy and discipline still exist in many places. People's ownership in many places and many areas is still in violation. At times, in some areas, the exercise of democracy is limited or formal; there is a situation that divides, disrupts internal solidarity, disrupts, affects national security, social order and safety" (Communist Party of Vietnam, 2016:168), and has been negatively affecting the building goals that the Party and our people choose.

CONCLUSION

Ho Chi Minh's thought on human rights is the creative application of the Marxist - Leninist theory of human rights to the actual conditions and circumstances of the Vietnamese Revolution. By acquiring, inheriting and creatively developing Ho Chi Minh's thought on human rights and by the correct guidelines, and policies of our Party and State, the revolutionary cause of our nation in general and the comprehensive renovation of our country in particular, "has achieved great achievements and historical significance"(Communist Party of Vietnam, 2016: 65). However, like every other progressive country, the struggle and guarantee of human rights in Vietnam is a long-term, continuous and there are limitations that need to be repaired. Therefore, at present, the values of human rights in Ho Chi Minh's thought remain forever valid, with great significance directing the thoughts, guidelines and practical activities of our Party and State. It is a source of great potential strength, a strong driving force in the struggle to ensure human rights, firmly defending the Socialist Republic of Vietnam in an multi-polar world which is unpredictably changing with mishaps

ACKNOWLEDGEMENTS

I would like to take this opportunity to express my warm thanks to Board of editors, my family, colleagues and brother in assisting convenient conditions for my research paper.

REFERENCES

- 1) Communist Party of Vietnam (1998), Document of the Fifth Conference of the Central Executive Committee Session VIII. Publisher. National politics, Hanoi, Vietnam.
- 2) Communist Party of Vietnam. (2011). *Document of the 11th National Delegate Congress*. Publisher. National politics, Hanoi, Vietnam.
- 3) Communist Party of Vietnam. (2016). *Document of the 12th National Delegate Congress*. Publisher. National politics, Hanoi, Vietnam.
- 4) Minh, H.C. (2000a). *Entire episode*, ep. 4. Publisher. National politics, Hanoi, Vietnam.
- 5) Minh, H.C. (2000b). *Entire episode*, ep. 5. Publisher. National politics, Hanoi, Vietnam.
- 6) Minh, H.C. (2000c). *Entire episode*, ep. 6. Publisher. National politics, Hanoi, Vietnam.
- 7) Minh, H.C. (2000d). *Entire episode*, ep. 7. Publisher. National politics, Hanoi, Vietnam.
- 8) Marx.K & Engels. F. (1995a). *Entire episode*, ep. 2. Publisher. National politics, Hanoi, Vietnam.
- 9) Marx.K & Engels. F. (1995b). *Entire episode*, ep. 3. Publisher. National politics, Hanoi, Vietnam.
- 10) Marx.K & Engels. F. (1995c). *Entire episode*, ep. 4. Publisher. National politics, Hanoi, Vietnam.
- 11) Marx.K & Engels. F. (1995d). *Entire episode*, ep. 16. Publisher. National politics, Hanoi, Vietnam.
- 12) Tien. T. (1995). *Stories about the life of President Ho Chi Minh*. Publisher. National politics, Hanoi, Vietnam.
- 13) Tri, N. (2019). Human issues in President Ho Chi Minh's Testament. Available at:
<http://www.tapchiconsan.org.vn/web/guest/chi-tiet-tim-kiem/-/2018/815667/van-%C4%91e-con-nguoi-trong-di-chuc-cua-chu-tich-ho-chi-minh.aspx>
- 14) Vui, N. (Editor, 2007). *History of philosophy*. Publisher. National politics, Hanoi, Vietnam.