

Improving power control mechanism in the Socialist Rule-of-Law State of Vietnam: a modern theoretical perspective

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Abstract: *This article analyzes the theoretical foundations, current situation, and directions for improving power control mechanisms in the Socialist Rule-of-Law State of Vietnam. Based on the 2013 Constitution and Resolution No. 27-NQ/TW of 2022, the study argues that effective power control should not rely solely on the allocation and separation of powers but should be designed through a multidimensional approach that integrates institutional control, accountability, social oversight, and digital governance. The findings indicate that Vietnam has made significant progress in developing e-government, combating corruption, and enhancing transparency in public administration. However, challenges remain regarding accountability mechanisms, data interoperability, and the effectiveness of oversight of power. On this basis, the article proposes institutional reforms to strengthen early and preventive control mechanisms, clearly define individual responsibilities, develop integrated public data systems, promote social oversight, and foster a culture of integrity in the exercise of state power.*

Keywords: *Power control; socialist rule-of-law state; accountability; digital governance; social oversight; public integrity.*

1. Introduction

In a rule-of-law state, the central challenge is not the strength of state power itself but ensuring it is effectively controlled and accountable. Without robust control mechanisms, unchecked state power leads to abuse, corruption, and erosion of public trust. Thus, the control and oversight of state power are essential for the functioning of any modern rule-of-law state.

In Vietnam, the 2013 Constitution established the principle that state power is unified but subject to assignment, coordination, and control among the legislative, executive, and judicial branches. Resolution No. 27-NQ/TW, issued by the Central Committee of the Communist Party of Vietnam on November 9, 2022, called for tighter controls on power, stronger anti-

Received:
April 23, 2026
Revised:
June 12, 2026
Accepted:
June 22, 2026
[https://doi.org/
10.59394/JSM.141](https://doi.org/10.59394/JSM.141)

corruption efforts, and greater accountability in public administration. Recent anti-corruption efforts have improved discipline, integrity, and the effectiveness of state management.

Despite progress, the current power control framework still has limitations. Many measures focus on detecting and addressing violations after they happen. Preventive mechanisms, early-warning systems, and ex ante controls remain underdeveloped. Meanwhile, digital government and new data infrastructures require more transparent, data-driven mechanisms for power control.

Given these circumstances, this examination focuses on clarifying the core theoretical principles, assessing practical challenges, and advancing solutions to strengthen power control in Vietnam's Socialist Rule-of-Law State. This sharpened focus is critical for enhancing governance, preventing abuse of power, and fostering public administration grounded in integrity and accountability.

2. Literature review

After Resolution No. 27-NQ/TW was issued by the Sixth Plenum of the 13th Central Committee of the Communist Party of Vietnam on November 9, 2022, scholars have focused on the control of power in Vietnam's Socialist Rule-of-Law State. This article asserts that an integrated analysis combining modern governance theories and digital transformation is needed, rather than relying solely on traditional political-legal or administrative approaches. Studies in journals such as *Communist Review*, *State Management Review*, *Democracy and Law Journal*, and other forums have examined the political and legal foundations of power control, mechanisms for assigning, coordinating, and controlling state power, and the roles of anti-corruption efforts, inspection,

supervision, and leadership accountability in building a rule-of-law state.

Most studies support power control in a unified state power system. They stress strengthening accountability, transparency, and oversight in public administration. However, their focus remains traditional, primarily addressing ex post controls and responses to violations. The use of modern governance theories, such as accountability, principal-agent theory, polycentric governance, and digital-era governance, remains limited in explaining the nature and operation of power control.

Internationally, researchers study power control through accountability, governance, and anti-corruption. Ackerman (2005) describes social accountability as society's means of overseeing public institutions, while Behn (2001) calls accountability essential to democratic governance. In the context of digital governance, Heeks (2006) and Dunleavy et al. (2006) show that digital data and e-government strengthen traceability, transparency, and monitoring in the public sector. In the anti-corruption literature, Klitgaard (1988) and Rose-Ackerman (2016) link corruption to concentrated power, lack of transparency, and weak accountability, arguing that effective control of power is key to good governance.

Vietnam has made notable progress in digital transformation and e-government development. However, the links among digital data, electronic traceability, and state power control have not been systematically explored. Most current studies view digital transformation primarily as a tool for administrative reform and improved public services, rather than as a core component of mechanisms of power control.

Given this context, the article develops an integrated framework for analyzing power

control grounded in modern governance theories. It considers power control from legal and institutional perspectives, as well as through accountability, principal-agent relationships, social oversight, and data governance in the digital era. This broader approach extends beyond traditional legal controls. It views power control as a polycentric governance process involving state institutions, digital technologies, and social monitoring.

3. Theoretical framework

In modern rule-of-law theory, power control is not merely a principle for organizing state authority but also a prerequisite for ensuring the legitimacy of state power. Public power can only be considered constitutional and lawful when it is exercised within the framework of law, subject to accountability, and constrained by effective control mechanisms. In the absence of appropriate safeguards, power may be abused, thereby undermining the effectiveness of governance and public trust.

This perspective can be traced back to the ideas of Montesquieu (1748), who argued that political power should be organized so that “power checks power.” In the Vietnamese context, however, power control is not based on a rigid separation of powers but on the constitutional principle that state power is unified while being assigned, coordinated, and controlled among state institutions in accordance with the *2013 Constitution*. Resolution No. 27-NQ/TW (2022) further reaffirmed the importance of improving power control mechanisms as a central component of building the Socialist Rule-of-Law State of Vietnam.

Building upon this foundation, the article adopts an integrated analytical framework consisting of four pillars: (1) Institutional control of power; (2) Accountability-based

control of power; (3) Power control from a principal-agent perspective; and (4) Power control in the context of polycentric governance and digital transformation.

(1) Institutional control of power: From separation of powers to limitation of power

In classical political theories, control of power is commonly explained through the division and mutual checks among the branches of government. Contemporary governance theories, however, suggest that the essence of power control lies not merely in the distribution of authority but in the design of institutions that constrain power throughout the entire policy and administrative process.

From this perspective, power control is achieved through clearly defined mandates, standardized procedures, cross-checking mechanisms, and the assignment of responsibility at each stage of implementation. In Vietnam, the institutional approach is particularly relevant because the objective is not to establish rigid checks and balances among branches of government but rather to create appropriate limits on power within a unified state structure.

(2) Accountability-based control of power

While institutions establish the framework within which power is exercised, accountability serves as the mechanism that ensures power is used responsibly and transparently. According to Bovens (2007), accountability refers to a relationship in which an actor is obliged to explain and justify his or her conduct to a forum that has the authority to question, evaluate, and impose consequences.

The central idea of this approach is to shift the focus of power control from external supervision alone to the obligation of office holders to account for their actions. A public decision can be considered effectively

controlled only when it is possible to identify who made the decision, the grounds on which it was based, how it was implemented, and who bears responsibility for its outcomes.

In Vietnam's governance practice, the phenomenon of decisions being "procedurally correct but lacking clear responsibility" remains a significant challenge. This highlights the need to further strengthen accountability mechanisms so that the exercise of state power is consistently linked to the responsibilities of specific individuals and institutions.

(3) Power control from the principal-agent perspective

Principal-agent theory provides another important lens through which power control can be understood. According to Jensen and Meckling (1976), all delegation relationships are characterized by information asymmetry between principals and agents, creating opportunities for agents to pursue interests that may diverge from the objectives of those who delegated authority.

In a rule-of-law state, the people are the ultimate holders of state power, while public institutions and civil servants act as agents entrusted with exercising that power. Consequently, effective power control requires reducing information asymmetries through greater transparency, stronger oversight mechanisms, and higher costs for abuses of power.

From this perspective, mechanisms such as information disclosure, inspections, audits, parliamentary oversight, social monitoring, and media scrutiny are not merely administrative tools but also essential instruments for regulating principal-agent relationships within the state apparatus.

(4) Power control in the context of polycentric governance and digital transformation

Recent studies suggest that power control is no longer confined to the internal structures

of the state. According to Ostrom (2010), effective governance can emerge from multiple centers of authority that participate in monitoring and regulating public action. This perspective broadens the scope of power control to include non-state actors such as civil society organizations, the media, professional communities, and citizens.

In addition, theories of digital-era governance emphasize the growing importance of data and technology in enhancing transparency and accountability. Dunleavy et al. (2006) argue that digital governance is characterized by data integration, process digitization, and enhanced monitoring capabilities. These developments fundamentally reshape traditional mechanisms of power control.

From the perspective of power control, this implies that authority is constrained not only by legal rules but also by the possibility of being monitored, traced, and evaluated through digital data. When public decisions and administrative processes are digitized and electronically recorded, opportunities for arbitrary decision-making can be substantially reduced. This provides an important theoretical foundation for shifting from predominantly ex post control mechanisms toward real-time monitoring and preventive control in the context of digital transformation.

In summary, power control in the Socialist Rule-of-Law State of Vietnam should be understood as a multidimensional and integrated system encompassing institutional constraints, accountability mechanisms, principal-agent relationships, social oversight, and data governance. These elements are mutually reinforcing and collectively provide the theoretical foundation for improving power control mechanisms in the context of rule-of-law state building and national digital transformation.

4. Current situation and international experience

(1) Current situation and power control mechanisms in Vietnam

Overall, power control mechanisms in Vietnam have gradually evolved from a normative principle into a more institutionalized and operational governance practice. Whereas power control was previously emphasized primarily as a guiding principle in the construction of a rule-of-law state, it is now increasingly reflected in legal frameworks, oversight institutions, accountability mechanisms, and digital infrastructures supporting public governance. This transformation is consistent with the spirit of Resolution No. 27-NQ/TW, which identifies the effective control of state power as one of the key pillars of the continued development of the Socialist Rule-of-Law State of Vietnam.

From an institutional perspective, one of the most notable developments has been the strengthening of mechanisms to detect, investigate, and sanction abuses of power. This trend is particularly evident in anti-corruption efforts. According to the 27th Session of the Central Steering Committee for Anti-Corruption, Wastefulness, and Negative Phenomena, judicial authorities nationwide initiated 4,732 new criminal cases in 2024, involving 10,430 defendants for corruption, economic crimes, and abuse of official positions. Of these, 906 cases involving 2,068 defendants were directly related to corruption offenses. During the same period, civil judgment enforcement agencies recovered nearly VND 19 trillion from cases under the Steering Committee's supervision. These results demonstrate that power control has increasingly been institutionalized through legal enforcement mechanisms and concrete accountability measures. At the same time,

however, the large number of cases detected suggests that preventive and early-warning capacities have not yet kept pace with enforcement capabilities.

In the administrative and inspection sectors, power control has continued to expand in both scope and intensity. According to the Government Inspectorate's 2025 annual report, inspection authorities conducted 66,032 inspections and audits across 79,894 organizations, uncovering economic violations totaling VND 256.341 trillion and involving 1,414 hectares of land. Authorities recommended recovering VND 210.940 trillion and 1,027 hectares of land and transferring 153 cases involving 108 individuals to investigative agencies. Beyond the scale of detected violations, an important development is that inspection activities are increasingly linked to recommendations for improving policies, regulations, and legal frameworks. Nevertheless, the substantial volume of violations identified also indicates that power control remains predominantly *ex post*, focusing more on addressing misconduct after damage has occurred than on preventing risks during the decision-making and implementation stages.

From an accountability perspective, current mechanisms for controlling power exhibit both achievements and shortcomings. On the one hand, public officials and leaders are subject to increasing scrutiny from the Party, state institutions, and society. On the other hand, accountability practices often lack substantive effectiveness. Situations in which decisions are "procedurally correct but substantively flawed" continue to emerge in certain sectors, where formal procedures are followed while personal responsibility for policy outcomes remains unclear. This suggests that power control still tends to focus on identifying and sanctioning violations rather than overseeing the entire chain of responsibility that leads to those outcomes.

Another important dimension concerns the control of power in public service delivery. According to the Ministry of Home Affairs (2025), the Satisfaction Index of Public Administration Services (SIPAS) reached 83.94% in 2024, an increase of 1.28% compared to 2023. This improvement reflects progress in process standardization, service quality enhancement, and public officials' professionalism. However, SIPAS primarily measures citizens' perceptions of service quality rather than directly assessing the effectiveness of power control. Consequently, it should be viewed only as an indirect indicator of administrative standardization and reduced discretionary behavior.

In the context of digital transformation, power control is increasingly supported by digital platforms and data systems. According

to the United Nations E-Government Survey (2024), Vietnam achieved an E-Government Development Index (EGDI) score of 0.7709, ranking 71st among 193 countries and improving by 15 positions compared to 2022. This progress reflects significant advances in digital infrastructure, data integration, and online public service provision. The value of digital transformation extends beyond administrative efficiency; it also enhances the traceability of public decision-making through electronic records, approval workflows, responsibility chains, and interconnected databases. Nevertheless, effective power control depends not merely on the level of digitization but also on data interoperability, standardization, transparency, and the linkage between digital records and legal accountability.

Table 1. Key challenges facing power control mechanisms in Vietnam

Challenge area	Main manifestations
Predominance of ex post control mechanisms	Many violations are detected only after substantial losses to public resources have occurred, while preventive and early-warning mechanisms have yet to realize their full potential.
Limited substantive accountability	Individual responsibility is not always clearly identified in certain cases; avoidance, blame-shifting, and the diffusion of responsibility within administrative processes persist.
Room for improvement in transparency and public integrity	Vietnam's Corruption Perceptions Index (CPI) score for 2024 was 41/100, indicating continued scope to strengthen transparency, accountability, and anti-corruption effectiveness in the public sector.
Limited data-driven power control	Public administration data remain fragmented and insufficiently interoperable, limiting their capacity to support real-time monitoring, risk detection, and power control.
Social oversight has not yet reached its full potential	The linkage between societal feedback and policy formulation, implementation, and adjustment remains uneven; mechanisms for receiving, responding to, and utilizing input from citizens and businesses require further improvement.

Source: Compiled by the authors based on the Ministry of Home Affairs (2025), Transparency International (2025), the Government Inspectorate (2026), and related studies.

Despite these positive developments, Vietnam's power control framework continues to face several structural challenges.

These limitations indicate that although Vietnam has made substantial progress in institutional development, accountability enhancement, and the application of digital technologies in public governance, its system of power control has yet to achieve the level of integration and proactivity characteristic of a modern rule-of-law state. This underscores the need for further reforms to integrate legal institutions, accountability mechanisms, data governance, and social oversight in a coherent manner, thereby ensuring that state power is exercised for legitimate purposes, within appropriate limits, and under effective supervision throughout the governance process.

(2) International experience in power control and modern governance

International experience demonstrates that contemporary power control mechanisms are increasingly shifting from traditional models based primarily on inspections, audits, and legal sanctions toward integrated approaches that combine institutional arrangements, accountability, data transparency, and digital technologies.

In Singapore, power control is built on a highly professional, integrity-based civil service, strict accountability requirements, and an independent anti-corruption framework. The emphasis is not only on sanctioning misconduct but also on preventing abuses of power through rigorous ethics regulations, conflict-of-interest controls, and clearly defined individual responsibilities.

South Korea, by contrast, has strengthened power control through the development of e-

government systems, open data initiatives, and digital monitoring platforms. The digitization of administrative processes has enhanced transparency, reduced information asymmetries, and enabled citizens to participate more actively in monitoring public institutions.

Estonia provides another noteworthy example in which power control is closely linked to data governance and digital government. Its e-governance architecture allows for near-complete traceability of administrative processes, ensuring that virtually all public transactions are electronically recorded and verifiable. As a result, opportunities for arbitrary decision-making are significantly reduced, while accountability is strengthened across public institutions.

Although these countries differ considerably in terms of political systems, institutional arrangements, and levels of development, they share a common trend: effective power control increasingly depends not only on the allocation of authority or ex post oversight mechanisms but also on transparency, accountability, social participation, and real-time monitoring enabled by digital data systems. These experiences offer valuable lessons for Vietnam as it seeks to further improve mechanisms for controlling power within the framework of the Socialist Rule-of-Law State in the era of digital transformation.

5. Solutions for improving power control mechanisms in the Socialist Rule-of-Law State of Vietnam

First, improving the institutional design of power control by strengthening ex ante oversight and risk-based control mechanisms.

The improvement of power control mechanisms should begin with further operationalizing the principle of power control as stipulated in the *2013 Constitution* (as amended in 2025) and Resolution No. 27-NQ/TW. The focus should not be limited to defining authority but should also involve designing effective “control points” throughout the entire process of exercising state power.

Particular attention should be given to reviewing and improving control mechanisms in sectors with a high risk of abuse of power, including land administration, public investment, public procurement, management of public assets, personnel administration, and budget allocation. Priority should be given to establishing independent appraisal mechanisms for decisions involving large-scale public resources, strengthening regulations on conflict-of-interest control, and developing early-warning systems for institutional and policy risks.

During the 2026 - 2027 period, efforts should focus on reviewing and revising legal provisions related to power control in sensitive sectors. From 2027 to 2030, a gradual standardization of risk assessment and control mechanisms in policy formulation and implementation processes should be pursued. The National Assembly, the Government, the Ministry of Justice, the Government Inspectorate, and relevant line ministries should play central roles in this process.

Second, strengthening accountability and clearly defining individual responsibility in the exercise of public power.

Power control can only be effective when authority is accompanied by clear accountability and when responsibility can be

traced to specific actors. Accordingly, accountability mechanisms should be established on the principles of clearly identifying responsible individuals, assigning tasks, specifying legal grounds, setting implementation timelines, and defining legal consequences.

All major public decisions should be incorporated into a comprehensive accountability chain covering policy advice, appraisal, decision-making, implementation, and oversight. At the same time, a clearer distinction should be drawn between collective and individual responsibility to address the persistent problems of responsibility avoidance, blame-shifting, and the dilution of accountability within collective decision-making structures.

In addition, mechanisms for asset and income declaration and verification should be further strengthened, along with measures to manage conflicts of interest between the public and private sectors. Standards of public integrity should also be institutionalized and linked to personnel evaluation, appointment, dismissal, and disciplinary procedures.

During the period from 2026 to 2028, priority should be given to improving legislation and implementation mechanisms concerning accountability, asset and income control, and conflict-of-interest management. From 2028 to 2030, efforts should focus on gradually developing a public service management system based on performance outcomes, accountability, and integrity standards. The Government, the Ministry of Home Affairs, the Government Inspectorate, the Central Inspection Commission, and other supervisory bodies should take the lead in implementation.

Third, enhancing information transparency and strengthening control over power within the principal-citizen relationship.

Transparency should be promoted in a substantive manner to ensure that public information is comprehensive, accessible, and verifiable. Particular emphasis should be placed on expanding disclosure requirements in sensitive areas such as land use planning, budgeting, public investment, procurement, personnel management, and inspection outcomes.

At the same time, the oversight roles of the National Assembly, People's Councils, the State Audit Office, the Government Inspectorate, and citizen complaint and denunciation mechanisms should be further strengthened. Increased transparency and oversight not only reduce information asymmetry but also raise the costs of abusing power and limit opportunities to conceal misconduct.

During 2026 - 2027, priority should be given to improving regulations on access to information, data transparency, and disclosure responsibilities of public institutions. During 2028 - 2030, efforts should focus on developing open-data-based monitoring platforms and digital interaction mechanisms between citizens and government agencies.

Fourth, developing power-control mechanisms based on polycentric and digital governance.

In the context of digital transformation and the emergence of a digital society, power control should extend beyond internal state structures to incorporate broader societal participation. Mechanisms should therefore be established to receive, process, and publicly report on petitions, complaints, and feedback

from citizens, businesses, and social organizations, ensuring that all submissions are handled transparently and in a verifiable manner.

The roles of the media, academic experts, and civil society organizations should also be strengthened to identify institutional shortcomings, detect signs of abuse of power, and monitor conflicts of interest. These actors can complement internal oversight mechanisms through independent review, early warning, and social supervision functions.

At the same time, greater emphasis should be placed on data-driven and technology-enabled power control. Priority should be given to developing integrated databases covering population records, land administration, business registration, public finance, public investment, civil service management, and administrative procedures. Such systems should enable electronic traceability, cross-checking of data, and real-time anomaly detection for public decisions and administrative actions.

In the long term, digital transformation should move beyond the digitization of administrative procedures to the digitization of power-control mechanisms themselves. All significant public records should be fully documented electronically, while public decisions should be supported by digitized evidence, clearly recorded processing timelines, and traceable accountability. These measures are essential for establishing real-time power control systems and reducing "gray areas of power" within the operation of the state apparatus.

6. Conclusion

Power control is one of the fundamental requirements of a rule-of-law state and an

essential condition for ensuring that state power is exercised for its intended purposes, within its legitimate limits, and in the interests of the people. Drawing upon modern theoretical perspectives on institutional arrangements, accountability, principal-agent relationships, and digital governance, this article demonstrates that power control is not merely a matter of organizing state authority but also a critical component of contemporary national governance.

The Vietnamese experience indicates that significant progress has been made in strengthening control over power through institutional reforms, enhanced inspection and oversight mechanisms, anti-corruption efforts, greater transparency, and the promotion of digital transformation in public administration. Nevertheless, the current framework continues to face several limitations, including a predominant reliance on ex post control mechanisms, insufficient substantive accountability in certain cases, limited data interoperability, and the underutilization of social oversight mechanisms.

In the context of building the Socialist Rule-of-Law State of Vietnam, accelerating digital transformation, and deepening international integration, the improvement of power control mechanisms should focus on strengthening preventive risk management, enhancing accountability, expanding transparency, promoting social oversight, and developing data-driven approaches to power control. Only when power is embedded within a multilayered, transparent, accountable, and self-correcting system of control can the constitutional principle that all state power

belongs to the people be effectively safeguarded and fully realized in practice.

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