

Contents and Values of Ho Chi Minh's thought on Human Rights

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***Abstract---** President Ho Chi Minh (1890 -1969) was a hero of national liberation and a great man of culture of Vietnam. He was one of the first great people of the 20th century to contribute greatly to solving issues of human rights. His whole life was devoted to class liberation, national liberation and human liberation. The paper aims to clarify contents of Ho Chi Minh's thought on human rights, which stem from traditional values of Vietnamese people and universal values of humanity regarding human rights in the context of the world and Vietnam from late 19th to mid-20th century, especially from the urgent need for human rights of a country that had fell victim to slavery like Vietnam at that time, which led it to have profound and unique features. From which, the paper presents values of Ho Chi Minh's thought on human rights in terms of theory and practice, especially in the current period.*

***Keywords---** Human Rights, Ho Chi Minh's thought, Self-determination, Freedom, Independence.*

I. RATIONALE

Among all issues of human, human rights have the longest history, in terms of both theory and practice. Each development period of human rights is associated with and is the result of class conflict and social revolution, and reflects the self-liberation of humanity. Human rights consist of many contents that are sensitive and complicated, and even more so when they are involved in different political regimes. Historically, many researchers have different perspectives on human rights due to different approaches. A very unique perspective, which contributed greatly to humanity's system of perspectives on the issue is Ho Chi Minh's thought on human rights. Ho Chi Minh approached human rights from practical, comprehensive and specific historical viewpoint of Marxism-Leninism, first and foremost from the position of an enslaved person who is searching for a way to liberate and fight to take back the basic rights of the entire nation as well as of each and every person. Thus, Ho Chi Minh's thought on human rights both inherits and develops, both combines and surpasses the existing values of Vietnamese people and humanity. Ho Chi Minh's thought on human rights reflects the achievements of the thought on human rights in a time when enslaved and oppressed people bounce back to fight for their rights to live like human beings and to select the development path that fits their own historical and cultural tradition. Therefore, it is no coincidence that Resolution 24C/18.65 of United Nations Educational, Scientific and Cultural Organization (UNESCO) on the commemoration of the centenary of the birth of President Ho Chi Minh asserted: President Ho Chi Minh was a hero of national liberation and a great man of culture of Vietnam. The resolution also said that: "President Ho Chi Minh, an outstanding symbol of national affirmation, who devoted his whole life to the national liberation of the Vietnamese people, contributing to the common struggle of peoples for peace, national independence, democracy

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and social progress"¹, and that "the important and many-sided contribution of President Ho Chi Minh in the fields of culture, education and the arts crystalizes the cultural tradition of the Vietnamese people which stretches back several thousand years, and that his ideals embody the aspirations of peoples in the affirmation of their cultural identity and the promotion of mutual understanding"².

II. HO CHI MINH'S CONCEPT OF HUMAN

Ho Chi Minh's thought on human and human rights was born and developed from Vietnamese traditional human values and universal values of humanity, in association with his abundant practical career and thorough study of the theory. Ho Chi Minh made a very distinctive definition of human: "The word "human", specifically, means family, siblings, relatives and friends. In broader sense, it means people of a nation. More generally, it means the entire mankind"³. Ho Chi Minh's concept of human shows that, specifically or generally, human is always considered in the relationship with the society and carries social nature. The social nature of human, according to Ho Chi Minh, is reflected in different levels: family - country - humanity. Despite the simple interpretation, Ho Chi Minh's idea of human's social nature is consistent with the conception of Marxism-Leninism on the social nature of human, as written by K.Marx in *Theses on Feuerbach*: "But the essence of man is no abstraction inherent in each single individual. In reality, it is the ensemble of the social relations"⁴.

When considering "human", Ho Chi Minh always stood on a comprehensive, historical and specific point of view and considered it from different angles in different periods of time. In the 20s of the 20th century, when Vietnam was colonized by the French, Ho Chi Minh's concept of human was "those who lose their country", "local workers", "enslaved men", "proletarians in colonies", "the outcast", etc., which clearly reflected the situation in Vietnam at that time. However, after the success of the August Revolution (1945), which allowed Vietnamese people to freely lead their country, hold their fate in their hands, and unite to fight against the second invasion of French colonial empire, "human" as referred to by Ho Chi Minh had a different nuance, such as: "fellow countrymen", "people", "national people", "citizens", etc. This proves that Ho Chi Minh always considered human in the close relationship with national community, associated personal responsibilities with the society to call for every Vietnamese person to chase out the invaders. During the construction of socialism, with the new spirit, "human" was seen by Ho Chi Minh through a new prism with concepts of "owners of the collective", "collective farmers", "manual workers", "knowledge workers", etc. to promote the will, wisdom and physical strength of everyone in the development of the country. In addition, Ho Chi Minh also considered human in terms of gender, age, occupation, ethnic group, religion, etc. Especially, during his journey to continents, Ho Chi Minh had witnessed the oppression placed by the bourgeoisie on the proletariat in the late 19th and early 20th century. Thus, he also expanded the concept of human to humanity, such as: "negroid", "mongoloid", "proletarians in the mother- country", "proletarians in colonized countries", etc. Opposite to them are "colonizers", "cruel colonizers", "spongers of all sizes", etc. With

¹Unesco. (1987). Records of the General Conference, 24th session, Paris, 20 October to 20 November 1987, Vol.1: RESOLUTIONS, *Resolution 24C/18.65 of UNESCO on the commemoration of the centenary of the birth of President Ho Chi Minh*, Paris.

² Unesco. (1987). Records of the General Conference, 24th session, Paris, 20 October to 20 November 1987, Vol.1: RESOLUTIONS, *Resolution 24C/18.65 of UNESCO on the commemoration of the centenary of the birth of President Ho Chi Minh*, Paris.

³Ho Chi Minh. (2011). *Full Collection*, Vol. 6, National Political Publishing House, Hanoi, p. 130.

⁴. K.Marx and F.Engels. (1995). *Full Collection* (Vol. 3), National Politics Publishing House, Hanoi, p. 19.

his love and respect for oppressed people, he thought that "proletarians everywhere are brothers"⁵ and "despite complexion, there are only two types of people in life: the oppressor and the oppressed. Also, there is only one true fraternity: proletarian friendship."⁶ Such concept of human proves that Ho Chi Minh had a very humane political viewpoint. The *Fight Newspaper*, People's Republic of Congo, special edition, September 12, 1969, dedicated an editorial to honor this humane thought of Ho Chi Minh: "President Ho Chi Minh, one of the most resilient figures in the world's socialist movement, has become a legend in the fight of our times, symbolizing the struggle between the oppressed and the oppressors on earth in order to win a better life for human."⁷

III. CONTENTS OF HO CHI MINH'S THOUGHT ON HUMAN RIGHTS

Born into an oppressed country, Ho Chi Minh had witnessed countless crimes committed by colonialism that severely violated human rights. He deeply understood the humiliation suffered by colonial people. Since his childhood, Nguyen Tat Thanh (Ho Chi Minh) had already harbored the will to save the country and its people. In the interview with the poet Osiv Mandenstam (Soviet Union) in 1923, Ho Chi Minh recounted: "When I was about 13, I heard three French words for the first time: Freedom, Equality, Fraternity. To us, every Caucasian is a French. That's what the French said. And since then, I really longed to get familiar with the French civilization, to see the meaning behind those words"⁸. With his iron will, Ho Chi Minh had spent 30 years (1911-1941) travelling to different countries to find the way to save his own. Ho Chi Minh had surveyed many countries, from capitalist ones to colonies, and gained abundant knowledge of human rights in the process. He approached human rights from the perspective of traditional values and specific practice of Vietnam; at the same time selectively inherited the legitimate contents of the thought on human rights in the world. On that basis, he proposed new and profound arguments of human rights in accordance with the characteristics of the particular situation in Vietnam as well as the world context.

First, Human Rights Must be Associated with the Right of Self-determination of the Nation

In Ho Chi Minh's thought, human rights are not only those which belong to individuals, but first and foremost are culture values of communities, peoples, and nation-states. Ho Chi Minh's great contribution to the development of arguments of human rights and international law on human rights is that he combined two subjects of those rights, two connotations that previously seemed to be completely opposing each other (human rights to individuals and human rights to a nation, nation-state) into one concept of human rights. Along with the successful revolutionary struggle of Vietnamese people, those two legal concepts were developed into fundamental national rights. These include the rights to live, to be independent, to have sovereignty, unity and territorial integrity, which have become universal categories of modern international law.

In the fight against colonialism, Ho Chi Minh, from the perspective of a citizen in a colony, took advantage of bourgeois legal principles, concepts of natural rights, human rights, citizen rights, etc. to ask for freedom, democracy and the right to resist against the oppression of the natives. In the article *Mr. Albert Sarraut and the*

⁵Ho Chi Minh. (2011). *Full Collection*, Vol. 12, National Political Publishing House, Hanoi, p. 670.

⁶Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p. 287.

⁷Group of Authors. (1979). *President Ho Chi Minh in the hearts of people around the world*, Truth Publishing House, Hanoi, p. 129.

⁸Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p. 461.

Declaration of Human Rights, Nguyen Ai Quoc (Ho Chi Minh) quoted a sentence from the *Declaration of the Rights of Man and of the Citizen of the French*: “Men are born and remain free and equal in rights. These rights are liberty, property, safety and resistance against oppression”⁹. That sentence was developed by him into resistance of colonial peoples against oppression: “Freedom, resistance against oppression, those are what the minister wants to do for “his non-caucasian brothers” to understand. Those brothers, despite being under the most terrible oppression of the most heinous empire, are deep in an interminable coma”¹⁰. Accordingly, he called out for people: “We, the children (people) of the colonies, we will be cowards if we don't rise up to answer the call from “our elder brother”: here we are!”¹¹. The right to be safe and to resist against oppression as emphasized by Ho Chi Minh here is the national right of self-determination, inviolability and not interfering with the internal works of any nations. Therefore, Ho Chi Minh had developed and expanded the connotation of human rights, lifting it to a new level by applying it to the crucial and integral part of human rights - the right for a nation to determine its fate. Moreover, he also asserted that, just like the obvious and “inviolable” characteristics of human rights, the rights of the peoples (nation-states) are also “natural”, “inherent” and “inviolable”.

Ho Chi Minh had exquisitely inherited and skillfully combined humane values of humanity with traditional values of Vietnamese people to compile the *Declaration of Independence* (1945) of Vietnam. This *Declaration* is not only for the people of Vietnam in particular, but also the voice of oppressed peoples in general about the desire to claim freedom, independence and human liberation. Ho Chi Minh had generalized that thought into an obvious truth: “an enslaved people has no free men.” Therefore, whether in Vietnam or other colonized countries, the issue of human rights can not be excluded, or stand higher than national sovereignty, because only when the sovereignty of nation is taken back does every human being have freedom. For every Vietnamese, “nothing is more precious than independence and freedom”. This has become the highest value of human rights. Therefore, Ho Chi Minh once said: “Freedom for my citizens, independence for my homeland, those are all I want, those are all I understand”¹². The *Declaration of Independence* (1945) marked a remarkable development in argument of human rights as well as international law on human rights, because for the first time in history, the right to live and to have freedom of peoples was identified with the right to live and have freedom of human beings. President Ho Chi Minh started the *Declaration* with evident arguments that are widely recognized by the international community: “All men are created equal. They are endowed by their Creator with certain inalienable Rights; among these are Life, Liberty, and the pursuit of Happiness”¹³. The declaration also gave an exquisite and profound affirmation: “This immortal statement was made in the *Declaration of Independence* of the United States of America in 1776. In a broader sense, this means: All the peoples on the earth are equal from birth, all the peoples have the right to live, to be happy and free”¹⁴. President Ho Chi Minh then quoted the *Declaration of the French Revolution on the Rights of Man and the Citizen* made in 1791: “All men are born free and with equal rights, and must always remain free and have equal

⁹Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p. 260.

¹⁰Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p. 260.

¹¹Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p. 260.

¹²Tran Dan Tien. (1995). *Stories of Ho Chi Minh's career*, National Political Publishing House, Hanoi, p.53.

¹³Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.1.

¹⁴Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.1.

rights”¹⁵. From the two famous declarations, he came to a timeless conclusion: “Those are undeniable truths”¹⁶. However, under the colonial regime, such "natural" rights - which are supposed to be enjoyed by human beings - were not applied to people of colonies. Citizens of colonized countries were stripped of the right to be human beings, and colonialism "still and always will see them as stinky and dirty" ¹⁷. In *Prison Diary*, Ho Chi Minh was painful to speak of human rights of a colonial nation: “People's lives are cheaper than pigs', just because they are without sovereignty”¹⁸. Ho Chi Minh strongly accused the colonial regime in *Group of Bandits*: “Colonial bandits are like octopuses whose many tentacles of salt monopoly, liquor monopoly, opium monopoly, etc. are squeezing our miserable country and suck to the last drop of our blood. Mr. Combane, a French adventurer wrote: Speaking of exclusive dishes, one can visualize Indochina as a beautiful, fatty deer which is being ruthlessly tied up and dying under the sharp, hooked beaks of the hawks that are tearing the meat with greediness.”¹⁹ From there, he concluded the articles as follows: “There has never been a time when, or in a country where, people violate all human rights in such a wicked and brazen manner”²⁰. Therefore, struggling for human rights is indispensable. In *Declaration of Independence*, he strongly affirmed the oath of Vietnamese people: “Vietnam has the right to be a free and independent country and in fact it is so already. The entire Vietnamese people are determined to mobilize all their physical and mental strength, to sacrifice their lives and property in order to safeguard their independence and liberty ”²¹. That immoral oath expressed the burning aspiration of freedom and the immense spirit of President Ho Chi Minh as well as the Vietnamese people - a shining example that fueled revolutionary strength and will of the time. At a seminar on Ho Chi Minh in Tokyo, Japan, Professor Shingo Shibata said: "Ho Chi Minh also made an important contribution in terms of theory and thought. He especially deepened the theory of democracy, self-determination right of a nation and fundamental national rights. In this field, we must not overlook the *Declaration of Independence* of the Democratic Republic of Vietnam, which was drafted and read by Ho Chi Minh on September 2, 1945”²². It can be seen that, struggling to win the right to freedom and democracy of human must be associated with the struggle for national independence; in other words, national independence and sovereignty are the foundations and the most important elements of human rights. This is a decent and creative perspective, a great contribution of President Ho Chi Minh to the development of theory and thoughts on human rights.

Second, Rights to Welfare, Intellect and Democracy are the Core of Human Rights

Ho Chi Minh approached human rights from the perspective of holism, integrity and inseparability between the right to freedom of individuals and the right to freedom of the entire nation, between the sacred private right of individuals and the whole of economic, political, cultural and ideological rights of the entire community. During his life, Ho Chi Minh not only fought for human rights, but also emphasized the right to be human beings (the right to implement human rights in practice). Human not only has the needs for food, clothes and accommodation, but also strives to improve and develop themselves, especially in a society with class division and state. Those include rights

¹⁵Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.1.

¹⁶Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.1.

¹⁷Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p.94.

¹⁸Ho Chi Minh. (2011). *Full Collection*, Vol. 3, National Political Publishing House, Hanoi, p.366.

¹⁹Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p.401.

²⁰Ho Chi Minh. (2011). *Full Collection*, Vol. 1, National Political Publishing House, Hanoi, p.406.

²¹Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.3.

²² Group of Authors. (1979). *President Ho Chi Minh in the hearts of people around the world*, Truth Publishing House, Hanoi, p. 94.

in economy, politics, culture and society. In the history of humanity, after overthrowing feudalism, the bourgeoisie built the capitalist society. When the bourgeoisie held power, they made absolute the role of individual freedom, of the "sacred and inviolable" individual ownership; and emphasized, in a one-way manner, on the individual element, separating the rights of each human being from the rights of the collective, the society and the nation. When studying the capitalist revolution, Ho Chi Minh clearly pointed out: "capitalist revolutions are incomplete - they claim to be republic and democratic, but in fact, they steal from workers and farmers in its country and oppress people in colonies"²³. Under the capitalist regime, social injustice, exploitation and oppression constantly increased. Especially, in colonial countries, human rights were nothing but a big guise. In his struggle to take human rights back to colonial peoples, Ho Chi Minh exposed that guise. He wrote: "Dominant corporations in major empire countries are stifling the most basic freedoms of colonial and dependent peoples, while at the same time, in prisons and interrogation places, they are raising the slogan of "Freedom, Equality and Fraternity". Under the oppression of capitalism and colonialism, such slogan sounds so sarcastic."²⁴ Therefore, Ho Chi Minh talked about his ideal as follows: "I have only one desire, the utmost desire, for our country to be completely independent, for our people to be completely free, for everyone to have enough food to eat and clothes to wear, and to be able to go to school"²⁵.

To gather forces for the resistance against the colonial invaders, Ho Chi Minh compiled many articles on human rights, which would be implemented when the revolution was successful and the country was independent. In *Viet Minh Program* (1941), whose chief author was Ho Chi Minh, rights to welfare, democracy and intellect of human beings were mentioned: "Every Vietnamese, whether male or female, has the right to vote and stand as candidate when they turn 18, except the traitors. Rights to freedom and democracy for people are announced: Freedom of speech, freedom of publishing, freedom of organization, freedom of religion, freedom of travelling in the country, freedom of emigration"²⁶. The Viet Minh Program also presented contents such as: equality between men and women; workers to work 8 hours a day; minimum wage; similar wage for similar work; unemployment allowance; social insurance; ban on fights and cursing; old workers to enjoy pension; all farmers to be allocated fields to work on; lowering land tax; support for farmers in bad harvests, etc.²⁷

After gaining power in 1945, Vietnam found itself in a very difficult situation. Due to the plundering and exploitation of the French colonizers and the Japanese Empire, along with disasters and floods, more than 2 million Vietnamese people died of hunger in 1945. In that context, human rights, especially the right to live of Vietnamese people, did not beg for beautiful words or wishful thinking, but rather urged to save people, especially women and children in rural areas, from hunger, coldness and illiteracy, since at that time more than 90% of population in Vietnam were farmers. President Ho Chi Minh thoroughly contemplated these rights. He said: "The independence and liberty we have won mean nothing if our people die of hunger and coldness. People only understand the value of independence and liberty when they have enough food to eat and clothes to wear."²⁸ Immediately after the Declaration of Independence was read, in the first meeting session of the Research Committee for Construction of

²³Ho Chi Minh. (2011). *Full Collection*, Vol. 2, National Political Publishing House, Hanoi, p.296.

²⁴Ho Chi Minh. (2011). *Full Collection*, Vol. 11, National Political Publishing House, Hanoi, p.168.

²⁵Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.187.

²⁶Ho Chi Minh. (2011). *Full Collection*, Vol. 3, National Political Publishing House, Hanoi, p.629.

²⁷Ho Chi Minh. (2011). *Full Collection*, Vol. 3, National Political Publishing House, Hanoi, pp.630-631.

²⁸Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.175.

the Country, he strongly advised the promptly implementation of the *rights to welfare and intellect*: "We must immediately: 1. Provide people with *food*, 2. Provide people with *clothes*, 3. Provide people with *accommodation*, 4. Provide people with *education*. It's our goal to achieve those four, so that our country deserves and is able to contribute to liberty and independence"²⁹. He directed the Government to implement urgent tasks: providing food aid, preventing hunger, erasing unreasonable taxes imposed by the French colonial regime, promulgating rights to freedom and democracy for people, preparing for the general election, promoting equality between men and women, freedom of belief, implementing people's education, etc. For everyone to have lots of food to eat and clothes to wear, and to go to school, Ho Chi Minh required an emulation to develop production and suppress the feeling of satisfaction for the already earned achievements. According to him, constant increase of productivity is needed "for the poor to have enough food, for those who already have enough food to become quite rich, and for those who are already quite rich to be richer. Everybody knows how to read and write, unites with each other and has patriotism"³⁰. After launching the movement of "destroying hunger, illiteracy and foreign invaders", President Ho Chi Minh paid attention to ensure the implementation of *right to democracy* of the people. This was a very sensitive issue, relating to the nature and vitality of the new regime. First of all, it was necessary to organize the compilation of a *Constitution*, because human rights can only be exercised when the system of constitution and laws is ensured. Second, it was necessary to hold the *General election* in a free and direct manner on the basis of universal suffrage. The General election really became a big festival of the Vietnamese people. After 80 years of being under the oppression of the French colonial empire, people finally got the chance to vote, to exercise their democratic right and freely choose those who deserve to represent them.

Under the circumstances of dealing with enemies both from the inside and outside of the country, President Ho Chi Minh, as the head of the committee for compiling the Constitution timely completed the draft, which was approved by the National Assembly in the 2nd meeting session on November 9, 1946 as the first Constitution of Vietnam. The 1946 Constitution consisted of 70 articles, in which dozens were for recognizing human rights and citizen rights, as well as political-civil rights and socio-economic rights, etc. For example: "All Vietnamese citizens are equal before the law" (Article 7); "Women are equal to men in all aspects (Article 9); "Vietnamese citizens have freedom of speech, freedom of publishing, freedom of organization and meeting, freedom of belief, freedom of residence, travelling in the country and going abroad (Article 10); "The right to private property of Vietnamese citizens is ensured (Article 12); "The elderly, disabled people and children are taken care of and helped (Article 14); "Foreigners who have to go into hiding because they fight for democracy and freedom can live in the territory of Vietnam" (Article 16); "People has the right to reject stipulations of the Constitution on issues relating to the fate of the nation" (Article 24), etc. It can be said that the 1946 Constitution was the generalization, improvement and institutionalization of human rights and citizen rights proposed by Ho Chi Minh in the *Eight Demands* (1919) and *Viet Minh Program* (1941). The 1946 Constitution also reflected the very high, if not the highest, level of awareness and demands of the Vietnamese people for human rights, which was the earliest among Asian countries right after World War II.

²⁹Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, p.175.

³⁰Ho Chi Minh. (2011). *Full Collection*, Vol. 5, National Political Publishing House, Hanoi, p.81.

To exercise the Constitution, Ho Chi Minh organized to build a state that is truly of the people, by the people and for the people, because human rights should be ensured not only legally but also through policies and mechanisms, first and foremost the operation of the state apparatus. Due to that reason, Ho Chi Minh especially emphasized the nature and role of the state: "OUR COUNTRY IS A DEMOCRATIC COUNTRY.

All benefits are for the people.

All rights and powers are of the people.

The works of renovation and construction are the people's responsibilities.

The career of resistance and building the country are the people's works.

Governmental bodies from communes to the central level are voted by the people.

Organizations from the central level to communes are formed by the people.

In short, powers and forces lie in the people³¹. The state must represent the will and power of the people, pursue happiness for the people, strive to bring benefits to the people and satisfy the legitimate needs of classes of people in the society. That's what a democratic and progressive state looks like. Those benefits and needs must be expressed in a just and fair manner, ensuring a harmonious combination between personal development and social development goals. With the establishment of the first democratic state in Vietnamese history, Ho Chi Minh made a huge contribution to the realization of human rights in Vietnam in particular and in the world in general.

Third, Exercising Human Rights in Association with the Nature and Conditions of each Country

According to Ho Chi Minh, human rights are the result of a long struggle of mankind. Achievement of awareness of human rights has been recorded in many international treaties and conventions, but their exercise is the work of each country depending on historical-social and economic-culture conditions of each. The exercise of human rights is associated with each certain culture, mode of production, and socio-political regime. To Vietnam, human rights are the rights of each human being, and the exercise of human rights is associated with the nature and conditions of Vietnamese society, so that everyone can enjoy peace, independence, freedom and equality; at the same time strive for the harmony and balance between the rights and benefits of each individual in the relationship with the community, nation and the entire humanity.

In Vietnam, human rights are not only the issue of individual, but first and foremost a matter of the society and the state. According to Ho Chi Minh, in the socialist regime in Vietnam, the guarantee of human rights is firstly the work of the Communist Party of Vietnam and the socialist state. Ho Chi Minh said that the Party not only cares about big issues, but also needs to pay attention to small works: "People lack salt, the Party must take care of it. People do not have enough rice to eat or clothes to wear, the Party must take care of it. Children have no schools, the Party must take care of it (...) The Party must take care of everything."³² In his *Will*, he advised: "The Party needs to have a really good plan for economic and cultural development, to continuously improve the lives of the people"³³. According to Ho Chi Minh, taking care of the people's daily self-interest, providing adequate food and clothes to

³¹Ho Chi Minh. (2011). *Full Collection*, Vol. 6, National Political Publishing House, Hanoi, p.232.

³²Ho Chi Minh. (2011). *Full Collection*, Vol. 13, National Political Publishing House, Hanoi, p.272.

³³Ho Chi Minh. (2011). *Full Collection*, Vol. 15, National Political Publishing House, Hanoi, p.623.

them and enabling them to go to school, to have good health, etc. are expressions of caring for human rights in parallel with creating the motivation to build and develop the country.

The Communist Party of Vietnam leads the society through the state and the political system. The state monitors the society by law, thus the state must establish a legal system to protect people and must have a state apparatus that is strong enough, along with a team of officials that are both qualified and ethical to exercise human rights. President Ho Chi Minh once said: "Due to the nature of our State, our economic and social regime, the State not only recognizes the rights and benefits of citizens, but also ensures necessary material conditions for citizens to truly enjoy them."³⁴ He reminded the officials in the political systems: "Governmental agencies, from central level to villages, are public servants who work for the people instead of oppressing them like when the country was still under the rule of the French and the Japanese. What benefits the people, we must do our best. What harms them, we must avoid as much as possible."³⁵ At the same time, he also called for and promoted the right of people to master the society: "If the local officials make any mistakes, if you fall victim to injustice, you can send a representative to talk to me and the Government. I guarantee that the Government and I will punish the officials who are at fault, and bring justice to you."³⁶ However, he also noted that: "The state ensures the rights to freedom and democracy of citizens, but strictly forbids such rights to be taken advantage of to violate the benefits of the state and the people."³⁷

Under the socialist regime, together with the Party and the State, other legal organizations creating the political system all have the right, responsibility and obligation to protect human rights. He once said: "Our country is a democratic country. All works are done for the benefits of the people. People's organizations, such as People's Council, People's Front, Trade Union, Association of Country-saving Farmers, Country-saving Women, etc. are everywhere. Those organizations are of the people, strive for the people, stand on the people's rights, and act as the bridge between people and the Government. When someone falls victim to injustice, those organizations can report it to the higher level. That's the democratic right of all Vietnamese citizens. You must clearly understand and decently use that right."³⁸ However, Ho Chi Minh also paid attention to the association between right and obligation. Since people in a socialist society are cared for by the Party, the State and other legal organizations, they also have their own obligations. Ho Chi Minh believed that: "benefits of the State and the collective are essentially in consistence with benefits of individuals. Therefore, while enjoying the rights brought by the State and the collective, every citizen also needs to fulfill their obligations to the State and the collective. It's duty of the citizens to comply with the Constitution, laws, labor discipline, public order and rules of social activities. Citizens are obliged to respect public assets, pay taxes according to law, do military service and defend the homeland"³⁹.

In fact, Ho Chi Minh not only raised the flag of human rights in the fight for independence and liberty, but also after the government was established and in the positions of Chair of the Party and President, he tried his best to gradually realize those rights. To Ho Chi Minh, the process of realizing human rights is associated with the continuous improvement of economic and cultural conditions; at the same time, it is also the process of completing

³⁴Ho Chi Minh. (2011). *Full Collection*, Vol. 12, National Political Publishing House, Hanoi, p.377.

³⁵Ho Chi Minh. (2011). *Full Collection*, Vol. 4, National Political Publishing House, Hanoi, pp.64-65.

³⁶Ho Chi Minh. (2011). *Full Collection*, Vol. 6, National Political Publishing House, Hanoi, p.466.

³⁷Ho Chi Minh. (2011). *Full Collection*, Vol. 12, National Political Publishing House, Hanoi, p.378.

³⁸Ho Chi Minh. (2011). *Full Collection*, Vol. 6, National Political Publishing House, Hanoi, p.397.

³⁹Ho Chi Minh. (2011). *Full Collection*, Vol. 12, National Political Publishing House, Hanoi, p.378.

the legal system, improving the role of the political system, awareness and courage of each person, each citizen. This is also the content that reflects the profoundness in Ho Chi Minh's thought on human rights.

Ho Chi Minh was a practical theorist and was considered as a "professional revolutionary", thus, Ho Chi Minh's thought on human rights was expressed throughout his course of revolutionary activities and was the ideal and reason for him to live. That is also the ideal and reason to live of the Vietnamese people and humanity. All his life, Ho Chi Minh fought for national independence, freedom and basic human rights. Throughout his works, from "*Demands of the Annamite People*" (1919), "*Speech at the Congress in Tours*" (1920), "*Indochina*" (1921), "*French Colonialism on Trial*" (1925), "*Declaration of Independence*" (1945), etc, to "*Will*" (1969), the struggle for national liberation, human liberation and regain of basic human rights emerged and dominated the thought and action of Nguyen Ai Quoc (Ho Chi Minh). Perhaps, among political activists in the world, not many harbored such persevere will and actually fought for basic human rights in such a profound and earnest way. It is no coincidence that Osiv Mandenstam, the Soviet journalist, exclaimed as follows when meeting with him: "From Nguyen Ai Quoc radiates a culture that is not European, but perhaps a future one"⁴⁰.

IV. VALUES OF HO CHI MINH'S THOUGHT ON HUMAN RIGHTS

In terms of theory, Ho Chi Minh's thought on human rights has contributed to laying the foundations for a new, qualitative and truly significant development of theory on human rights. Ho Chi Minh's thought on human rights expresses the common aspiration of oppressed peoples in the world. The profound and unique perceptions of human rights reflect the aspirations of independence and freedom of peoples of the world during the time of imperialism. Ho Chi Minh raised the traditional ideals of the 18th-19th centuries, which were "freedom", "equality" and "fraternity" to par with the ideals of the new era: The era of national liberation from colonial oppression around the world; the era of oppressed peoples regaining their right to life, independence, freedom, democracy and mutual development in international solidarity. The important and great contribution of Ho Chi Minh was that right from the beginning of the 20th century, he had been deeply aware of the key issue of human rights: they must be attached to the right to self-determination of a nation. In order to have true human rights, first and foremost it is necessary to implement the social revolution to bring about independence and freedom to people, and to ensure human rights, socialism must be built. By promoting the decisiveness and inseparability of self-determination, liberty and freedom for the nation with human rights, Ho Chi Minh's thought on human rights has become the guideline for contemporary theory on human rights: Individual rights are associated with community and collective rights; independence and freedom for the nation; human rights include rights to welfare, intellect and democracy, which are basic rights of human beings; and human rights can never be higher than national sovereignty. Assessing this, the Telegram sent by the National Committee of the American Communist Party to the Communist Party of Vietnam wrote: "The great example of Ho Chi Minh, who struggled his whole life to serve the people of Vietnam as well as workers in the world and all oppressed humanity will forever cheer up the hearts and guide the thought of those fighting for peace, freedom and communism"⁴¹.

⁴⁰ Ho Chi Minh. (2011). *Full Collection*, Vol. 12, National Political Publishing House, Hanoi, p.461

⁴¹ Group of Authors. (1979). *President Ho Chi Minh in the hearts of people around the world*, Truth Publishing House, Hanoi, p. 142.

The humanistic values of Ho Chi Minh's thought on human rights have not only had a profound impact on the formulation and realization of legal documents of constitutional and statutory nature of Vietnam, but also become one of the foundations of modern international law in establishing the "basic national right". Since the mid-20th century, many countries in Asia, Africa and America have acknowledged the great contribution of President Ho Chi Minh to the establishment of a new international legal institution - the public international law to protect the rights to freedom and equality of all peoples in the world, especially those to escape from the oppression of colonialism and imperialism, national self-determination (especially in terms of freely choosing the way for political, economic, cultural, etc. development) and the rights of the most vulnerable groups in the society (such as women, children, the elderly, the poor, etc.) The Editorial of *Today's World* (USA), edition II, vol. 38, published on September 5, 1969 wrote: "Uncle Ho was "George Washington" of Vietnam, because in the struggle for national liberation, he led the Vietnamese people to victory. But he was also "Lenin" of Vietnam, because the Vietnamese people that he helped liberate does not stop there, but continues with a socialist revolution on the basic of Marxism-Leninism, which has become the beacon to light the way for all oppressed peoples all over the world."⁴² For Ho Chi Minh's contemporary thought on human rights, especially the Declaration of Independence (1945), at the ceremony of awarding the honorary doctorate of laws to President Ho Chi Minh in 1959, Director of University of Bandung (Indonesia) affirmed: "It is a new law of people in the world that affirms the rights to freedom, independence and inviolability of oppressed peoples"⁴³. That comment is still valid today. Ho Chi Minh's thought on human rights has contributed to enriching the theoretical arguments of humanity, promoting the development of argument on human rights in Vietnam and around the world, especially to expanding the concept of human rights to a basic national right in the modern international legal system.

In practice, Ho Chi Minh's thought on human rights contributed to stimulating patriotic movements and national liberation for colonized and oppressed people in the world. In today's time, protecting human rights is always closely linked to major goals of mankind and is one of the common problems of the international community, among national independence and social progress, democracy and development, peace and sociopolitical stability, anti-racism and anti-terrorism. Human rights are an international political issue that has profound nature of class, country and nation. Currently, human rights are a very sensitive and complex issue. Human rights are being used by many countries, especially the great powers, as a cause or an excuse to make foreign policy. Such policies have ignored international law (which established the fundamental principle of respecting the independence, sovereignty, territorial integrity and self-determination of nations in the human community) by violently interfering with the internal affairs of sovereign states. Therefore, more than ever, Ho Chi Minh's thought on human rights has been lighting and pointing the way for awareness and practical action not only for Vietnam but also other developing and vulnerable countries in fighting against wrong allegations of human rights as well as in respecting and realizing basic rights to freedom of human, which were affirmed in international instruments and documents of sovereign states. Reality has proved an obvious truth: A nation without sovereignty is without freedom, and vice versa, a

⁴² Group of Authors. (1979). *President Ho Chi Minh in the hearts of people around the world*, Truth Publishing House, Hanoi, p. 148

⁴³ Ministry of Justice - Institute of Legal Science. (1996). *President Ho Chi Minh's 1945 Declaration of Independence - values and meanings of the times*, National Politics Publishing House, Hanoi, p. 69.

nation that uses its power to dominate, enslave, violently interfere with or violate the sovereignty of another, cannot claim to act in the name of true freedom, democracy and equality. Reality also proves that, the indifference, denial or deprivation of the sacred values of rights to self-determination, life, freedom and pursuit of happiness that every citizen deserves are against Ho Chi Minh's great thought.

Ho Chi Minh's thought and his colorful revolutionary activities regarding human rights are a shining example to encourage nations of the world in the struggle for national independence, peace and social progress. Because of that, in 1987, for his 100th birthday, United Nations Educational, Scientific and Cultural Organization (UNESCO) honored Ho Chi Minh as a hero of national liberation and a great man of culture. Ho Chi Minh's thought on human rights has been highly appreciated by the international community not only for its keen humanity, great moral and political values for colonial peoples and working people all over the world, but also for its coherent and creative legal science. These ideas have been and will continue to pave the way for the cause of human liberation, national liberation and humanity liberation in the context of contemporary world. Dr. Modagat Ahmet, Director of UNESCO in Asia-Pacific region, emphasized that: "Only a few historical figures already became part of the legend when they were still alive, and it's clearly that Ho Chi Minh was one of them. He will be remembered not only as the liberator of his homeland and its colonized people, but also a modern sage who brought new hope and new vision to those who are struggling uncompromisingly to eliminate injustice and inequality from this earth"⁴⁴.

V. CONCLUSION

Human rights are the product of human history and human society, which are formed after many struggles, sacrifices and hardship under the dominance of natural and social forces. Ho Chi Minh's thought on human rights is a clever, scientific and creative combination of theory and practice. That thought was harbored and accumulated throughout his journey to find a way to save the nation, and has been realized in Vietnam. It is the expression of the profound contents of the most genuine humanism; a dialectical unity between human rights and right to self-determination of nations, between traditional and modern values, national values and values of the era; the agreement between national and international laws; the assertion of an eternal truth of humanity that "every human being is born free and equal in dignity and rights", and thus "all peoples are born free and equal in dignity and rights". The contents of human rights in Ho Chi Minh's thought are very unique with a scientific and revolutionary point of view. Ho Chi Minh's thought on human rights contains universal values of humanity; at the same time, it also has its own contribution. These characteristics stem from the experience of a hero of national liberation, a humanist who fought all his life for the noble goal of national liberation, social liberation and human liberation. Therefore, it is one of the most advanced thought on human rights in the 20th century. Today, that thought still preserves its values for oppressed peoples as well as for the entire humanity that are fighting for peace, freedom, equality and happiness!

⁴⁴ UNESCO and the Vietnam Committee for Social Sciences and Humanities. (1990). *International Conference "President Ho Chi Minh - Hero of national liberation, Great man of culture"*. Social Sciences Publishing House, Hanoi, 1996, p.22

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