

THE ROLE OF MEDIA IN GUARANTEEING AND PROMOTING THE RIGHTS TO INFORMATION OF PEOPLE IN VIETNAM

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The right to information is the fundamental rights of human beings, protected by the Constitution and Law. In these information channels, press information plays an irreplaceable role.

I. The function of information of the media and the guarantee of the people's right to information

The function of information is the primary important function of the media. That the media came into being was to meet the requirements of information and communication of the public and the development of the media is also based on the increase of the requirement of information and communication in society. A society in the primitive time did have the demand of information, social linkage, labor cooperation, against all dangers. The coming into being of the media is the very important milestone, marking the requirement of information and communication at a burning level, much more urgent and the possibility of meeting of the media facilities had reached a level much higher than that in the time before it.

The media that have performed the function of information and communication are aimed at performing

other functions. All the functions of the media have been performed through the information road. Press information should contain a lot of current affairs information, describing the most burning points and the biggest problems in life. However, the second aspect of press information is the one of thematic character, hidden with the knowledge depth. This has reflected clearly the objective of serving society, meeting all the legitimate information requirements of the public.

From the task of obvious nature, the media has made an important contribution to meeting the right to information of the public. This is the fundamental content recognized by the Constitution and law and proven in a lively manner by the fact. All the legal documents such as the Constitution, the Press Law, the Anti-corruption Law have all raised the role of the media in performing the function of giving information to the people. The regulation on the spokesperson, all the provisions on delivering information to

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the media have been paid attention to and perfected in order to help the media to get access to information in the quickest, most accurate and most effective manner.

The people have been ever better in getting access to the modern information technology, particularly the Internet, with about 20 million people surfing it, accounting for 23.5% of the population, much higher than the average level of Asia (18%). With over 850 printed publications, 68 radio and television stations at the central and provincial level and the digital terrestrial television station (with 85% of Vietnamese house holds being covered), 80 websites and thousands of web pages in the Internet, the media has become the main means in bringing information to the people and vice versa, bringing back the opinions, viewpoints, judgment and proposals of the people to the managerial agencies (1).

II. The contents of media information and the people's requirement of fundamental information

That the guarantee of the people's right to information through the media has been reflected in the main aspects as follows:

Firstly, the media give information on the guidelines, policies and the legal stipulations on all aspects of life. As stipulated by the law, the people are fully entitled to get access to these documents and in fact, the dissemination of the law among the people is also the priority of the Government's policy. However, due to the economic and social limits as well as the working

habits, there are still a lot of barriers in bringing the law to people by the authorized agencies. The media is the very effective channel to popularize the law among the public. Some statistical figures show that over 70% of the new provisions of the law have come to the public through the media (6). Actually, only a few could read in full the Resolution of the Government on the urgent solutions to reign in and reduce the traffic accidents, but when wearing the crash helmets became a must when joining the traffic, immediately tens of millions of people understood it and carried it out right away. It is the strength of the press information.

The people have also got access to information on the law when a lot of the legal documents are still being drafted, so they need the people's contribution of their opinions to these draft laws. The perfection of these documents, expected to be implemented in actual life, will be more than enough and convincing when right from the beginning, these draft documents can have the contribution of opinions from those people who will abide by them. Many codes such as the Civil Code and the Land Law had solicited opinions of the people through the media, so they have achieved positive results. Some sub-law documents had a lot of irrational elements, so they were rejected right from their drafts thanks to the media. Such problems as the "income tax levied on the high-income farmer households" or "the turnover tax levied on the passenger two-wheeled motor vehicles" had been strongly rejected by the public opinion.

Secondly, the media have given information to the people on the negative cases, exposing the wrongdoings of certain individuals inside and outside the administrative apparatus. This is a difficult work in any States, but in Vietnam, efforts made by the media men are worth being taken note of. The case relating to Mr Đoàn Văn Vươn who had been forced to leave the land he was living on in Tiên Lãng, Hải Phòng is a burning example. It is the rough treatment that had led to loss of his property by force he had sweated a lot to build, Mr Vươn, a farmer cum agro-engineer, had taken a spontaneous act by shooting at the local land recovery unit by force. With the precise, objective information and with bravery and responsibilities, the media had helped the public and the State agencies to get access to the problem in an objective, multi-faceted and fuller manner. It is an important information channel for the experts and leaders to raise their voices of analyzing the issue in different angles and the Governmental Prime Minister had made an official conclusion on the wrongdoings of the local administration in Tiên Lang and Hai Phong, the direct cause that had pushed Mr Đoàn Văn Vươn and his family to commit crimes.

Thirdly, as far as the information through the visual images is concerned, television has occupied the advantageous position in attracting the public. Our survey in the Red River delta in 2007 with 500 cards of questionnaires showed that 71.8% of the people asked had said that television was

the means they liked to get access best, while in Hanoi, the figures was 54.3%. On the contrary, 29% of people in Hanoi said that the means of information they liked to get access best was the Internet, as against 20% in other provinces. Particularly, the ratio of the people who selected the newspapers as the means of getting access to information was 11.4%, three times higher than the remaining areas under survey in the Red River delta with only 3% (6).

The demand for listening to the radio in Hanoi and other areas in the Red River delta is not so high, with only a small number of people regarding it as the means of getting access to (Hanoi: 5.2%; other areas: 5.0%). At first it was believed to be unreasonable when we still think that the number of radio listeners was mainly concentrated in the rural areas. But when the statistical figures were carefully analyzed, it was clear that the optimal selection of the rural public in the Red River delta, a region with higher cultural standards than other rural areas with the economic and infrastructure conditions being good enough, their number one selection was still television (up to 70.4%). In the rural areas, it is certain that the number of people getting information through the radio was still high, but it was not their number one selection, due to the attractiveness of the visual images brought about by television. On the contrary, the number of the people who listen to the radio in such big cities as Hanoi (regularly or not regularly) has never reduced, even this ratio is to some extent higher than in the

rural areas. The reason is that the spare time is not long enough, so many of them have availed themselves of the time to listen to the radio while doing morning exercises or when they take a bus, so on and so forth (6).

The number of people who read the printed newspapers in the urban areas as their number one selection is put at 9.2%, two times higher than that in the rural areas, whereas, the number of people who regard the Internet as their best information channel is only 10% higher in the urban areas than in the rural areas (29.2% against 21.2%). This shows that the Internet has gained ground in the rural areas, particularly the deep impact on the young people (about 40% of them were born since 1981 in both the rural and urban areas, so when they were asked, they regarded the Internet as their best choice) (6).

The power of the Internet and the web pages have also reflected the quick information with an abundant volume of information without being bound by the duration in the other media such as television, radio or the pages of the printed newspapers. This is not to mention about the fact that the spreading and linkage of information in the Internet can be much faster with the giddy speed without being barred by any factors.

III. The issues in relation to the guarantee of the people's right to information through the media

To guarantee the people's right to information through the media, the media activities need being supported by

the State agencies with the reduction of unnecessary barriers. Through our survey, while performing the job to get information, there are still a number of difficulties and limits as follows:

Firstly, there are still difficulties in the mechanism for the spokesperson and the application of this mechanism is yet to be unified in many agencies and units.

The regulation on spokesperson and supply of information to the media was promulgated by the Governmental Prime Minister in mid-2007. However, a number of agencies is yet to appoint their own spokesperson or if any, in many cases, the spokesperson is yet to update information or cannot grasp information so as to be able to provide it in a concrete and precise way. In fact, when the Government has provisions on the spokesperson, it means that it will help the media to get access to the official and transparent source of information so as to avoid the distorted, pavement news, causing no good public opinion. If this spirit is satisfactorily implemented, the people's right to get access to information through the media will be more favorable thanks to the official, precise information as well as its abundance. However, not a few authorized agencies have applied the mechanism of the spokesperson to "avoid" the media, because the "spokesperson" not only has a job of speaking, but also is busy doing other professional jobs, let alone finding him is so difficult. The individuals with other responsibilities have relied on this mechanism to refuse answering the media because it is the job of the

“spokesperson”. It is necessary to understand and make it clear that the spokesperson is an official representative of a ministry or a branch, so he is held responsible for pointing out the viewpoints of his ministry or branch with the media concerning the relevant issues. If for any reasons that the spokesperson cannot be able to have any contact, there should be another representative to act on his behalf to keep the regular contact with the media. It is necessary to raise the high sense of responsibility and the political awareness of the official in power when giving answers to the media, but it is not advisable to coin any reason for the official in charge to shirk his responsibility of giving his answers to the media, because it is quite a need for any official to meet face to face with the pressure of the supervision of the social public opinion in any civilized society.

Secondly, the mechanism of “top confidential” documents has been abused, causing a lot of difficulties, obstructing the media to get access to information and have orientation for the social public opinion. As far as this problem is concerned, Mr. Trần Văn Truyền, former General Inspector of the Government had to accept the fact that “there are still some agencies which had sealed the top confidential against the stipulation”. “Even in terms of inspection work, the law stipulates that any conclusions of the inspection must be made public, but in that document, a seal of top confidential was made. This had to be corrected in the process of operation, but in general, the stipulation

on the confidential aspect has still been wide” – he said, further stressing “*Only those things relating to the national security can be termed as confidential, the rest of it, ranging from the guidelines, policies, laws or the stipulations on administrative procedures will be made public*”. He reaffirmed: “*The media has the right to criticize the lack of good will of some agencies and we should do in such a way as to make them understand that they must do it even when they do not want because this is the responsibility*” (2). (“*It is impossible to fight against corruption without the media*”, the Youth magazine on November 29, 2008).

Many experts are also worried about it because “*there is still the state of affairs when the top confidential seal is made widespread on the documents of the agencies in order to avoid being exploited by the media, landing the reporters performing their jobs in great difficulties*”. This is not to mention the fact that when a reporter violates the Press Law, he will be treated, while other agencies which have violated the law are yet to be treated. This inequality is also a no small obstruction when the media has striven to meet the requirement of information of the public.

Thirdly, the media system has not enough resources and powerful to provide full and timely information needs of the people. To help the media perform well its role of supplying information to guarantee the people’s right to information, the first thing is that the media should create a deep

impact on the social life. The strategy of information development until 2010 worked out by the Government points out in detail the objectives concerning the expansion of the system of information facilities, in which the key is the media facilities, “in terms of the printed newspapers, by 2010, efforts are to be made to increase the quantity of the annual publication up to 900 million copies; the level of enjoyment averages 10 copies per person per year; reduce the rate of imbalance in the press distribution between the urban areas, provinces and the rural, remote areas to the level of 60% over 40%” (5,p.15); “in terms of radio and television, until 2010, the popularization of the radio and television facilities should be completed fundamentally in each family” (5,p.16); “improve the television quality, guaranteeing to produce 80% of the television programs, the remaining 20% is reserved for exploiting other sources” (5, p.18); “to develop the web sites and web pages on the Internet with the high quality of information, the lively form, fast loading so as to serve well the public at home and abroad. It is to strive until 2010 that all the media agencies in Vietnam are to set up their own web sites” (5, p.19).

So, the intensification of investment and development of the media system in quantity has been reaffirmed in the Government’s strategy. This is an important basis, a foundation for the media to strive to perform its tasks well in order to guarantee the people’s right to information. However, apart from the increase of the “quantity”, the urgent

demand now is still the “quality”. Apart from increasing the quantity of circulation of the printed newspapers and raising the number of the areas of being covered and the duration of the radio and television, an important and indispensable element is to raise the quality and attraction of all the forms of the media for the public. In the booming time of information, the public has the right to select the products suitable to them. If the media lacks its competitiveness and is unable to create any attraction to the public, even there is any increase in the number of the printed copies and in the duration of radio and television covering, the effectiveness of their impact remains low and it fails to obtain the set target. On the other hand, the social impact of the media is very great, so if the information deliverer does not weigh the pros and cons and examine thoroughly the effect of his article, so its influence on the social life could get out of hand, and a lot of efforts are to be made to correct the information and overcome the consequences. This demands the efforts of the contingent of the media people as well as the mechanism of treating information of the media agencies, trying to avoid the arisen complexities that could limit the people’s right to information.

Fourthly, media do not receive full support when doing surveys which help accurately and persuasively understanding the public’s demand on information. This will be useful for planning as well as organizing information. Major reasons for this demand are due to the poor finance

when there is only 10 out of 600 press and media who have ability to do posting accounts and balance their own financial situation by themselves. In addition, that is the habit of waiting for the “ready – done news” rather than learning about the demand and expectation of public in practice. (6)

The prior thing for now is to establish research centers on public and public opinion which support press and media activities, and only such centers, which work on only one specific duty, have the ability to analyze documents required for understand public demand on these activities. Big press agencies are required to set up a department working on public and public opinion studies. It might belong to or separate with the part of readers or television’s viewers, however, it is unacceptable for those just wait for public’s opinions and edit them passively, then do nothing else. Doing researches and understanding public’s demand and their opinions need to be done more actively, more usually in case of controversies such as PCI case, Bauxite mining in Vietnam’s Central Highland or scandals like “The Diary of Vang Anh”. Some press media, even big ones, are unable to hold a big survey on public’s demand but they should be able to plan as well as identify targets and “make orders” about the required concepts with research centers and then do researches on them. Also, it is necessary to avoid frantic but no practical surveys or those which the targets are to prove the existing viewpoints and purposes instead of

finding out the truth and real behavior of public.

Therefore, there are two directions when doing surveys on public’s information serving for press and media’s activities, as following:

Firstly, surveys need to be done periodically by functional offices of State, and on specific topics. This will help press and media to catch up information demands of public in each period of time. These figures will be the public’s properties in term of “open source code” by which press and media can use for setting information plans as well as identifying their developing methods. In order to make the best use of the above figures, however, functional offices should have a referendum about the demand on information required via surveys.

Secondly, surveys need to be done according to specific requirements of each press and media and depend on their needs and developing expectations. One, or some press, could collaborate to make orders for research offices so they will do special surveys. In fact, apart from big radios and television, there are only few of presses could do like this. If they worked together more effectively, for example, best using of project’s investment capital or being active to see them as the essential costs for market growth in the competitive conditions, this would be have a more suitable solution.

It is an important duty of press to meet the public’s demand on fundamental information. The activities of them as

well as the change of economic and social factors, however, have raised many issues which ask for the solution by which to improve its oriented role. For example, policies are unreasonable while working and equipments' conditions are difficult, and the trend of commercialization as well as writing articles only depends on the readers' favorite. Lots of them even feel good with the guarantee of State when only providing "clear" news and avoiding collisions therefore low effectiveness in meeting information demand. Also, there are objective factors such as level of reported and the limited ability to connection of various press and media

It has to sort out both internal and external limitations in order to improve the effectiveness of meeting public's demand on information, and to support reporters actively working. Firstly, they have to increase the ability to understand and research public's fundamental demand on information through institutes, specialized offices, therefore help them to build up reasonable strategies. On the other hands, press and media are required to have long term schedules which are close to the aims and purposes as well as the objects so that there will be any conflicts and one sided information.

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