

# **NEW POINTS OF THE DOCTORAL THESIS: "LOCAL SELF-GOVERNMENT AND APPLICATION IN INNOVATION THE LOCAL GOVERNMENT IN VIETNAM"**

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Due to historical characteristics and many other causes, Vietnam has had a long time to apply centralized management mechanism. In the new political, socio-economic conditions, the transition from centralized to decentralized management model is imperative. However, after many reforms, the organizational model of local government in Vietnam is still struggling in the concepts of "vietnamese decentralization, delegation" which lack of adequate, radical and systematic research. Politically, the limitations of local government institutions will create resistance from the people because local democracy is lightly, the violated risk of human rights and civil rights. In terms of economy and society, it is a model hindering the development of the economy and sustainable development. Those consequences are absolutely not guarantee for building the socialist rule-of-law state.

Local autonomy theory and practice application in many countries show that, the local autonomy model can neutralize the reality local government and do not conflict with the Vietnamese political – legal tradition. Therefore, the main new points of the doctoral thesis include:

*The first*, analyze, demonstrate, interpret the theoretical, scientific and practical basis of local autonomy; whereby, the depth theoretical contents of local autonomy are presented comprehensively. The depth theories on local autonomy are first explained in detail, such as:

The doctoral thesis explains and demonstrates that the local autonomy is a type of local government whose content is the autonomy and self-responsibility, with the organizational technique is diversify the model of local government, having a high relevance to the territorial element (population, tradition, culture). Local self-government is proved to be a model with great value in promoting the highest local democracy, ensure the best human rights, civil rights and effective anti-corruption.

Accordingly, in order to ensure autonomy and self-responsibility, local autonomy is formed from solid theory, that is decentralization theory. Local autonomy is formed from devolution decentralization, in addition, can be combined with centralization, "deconcentration", delegation at different levels. The practical basis for ensuring the formation of local autonomy is the territorial administrative unit division into natural and artificial territorial administrative

units. These other theoretical contents of the local autonomy theory are also evidenced in detail in the doctoral thesis, include: the autonomy content of local autonomy includes: political, administrative and financial autonomy, local self-government has its own principles, the scope of self-government is determined by the scope of empowerment from central and local government's capacity.

Local autonomy model is the one reflects the characteristics decentralization relation between central and local government, so the assurance and protection local autonomy is an urgent issue. The central government paid attention to controll local self-government. Two issues are both political, legal and technical to ensure a balance relations between two sides.

The doctoral thesis has clarified and explained the territorial local autonomous organization diversification is the technical content of local autonomy theory. Rural or urban models are only representative models, it is essential to understand about the rules of the type of territorial local government organization, not just the rural or urban. It is necessary to confirm that the autonomy of local governments in urban or rural areas or in any territorial type is the common basis, and how the autonomous organization depends on its territorial naturea, it is necessary to transform the local autonomous characteristics in rural and urban areas into each country 's circumstances to ensure the suitability and flexibility of the local autonomy.

The doctoral thesis demonstrates that the local self-government in the world was born from the communes - a natural form of living of groups of people, present everywhere in the world for centuries before the state was identified. After the history of decentralization in the medieval and aftertha, it can be summed up that: Although the centralized regime with achievements about military, political, economic ... has left a deep impression, creating the risk of rising anytime in decentralization countries, but overcoming these barriers, devolution decentralization/ local autonomy still develop naturally, becoming the trend. This interpretation is reasonable when local self-government is proved that it base on the theory of natural rights, the formation and development of this regime is normative, natural.

**Secondly**, the doctoral affirms and explains the autonomy factor of the local government organization of Vietnam in the feudal period and outlines the experiences can be learned from this self-centered history in reforming the local government in Vietnamese nowadays.

**Thirdly**, with the situation analysis in Vietnamese local government and the consequences of this model, the doctoral thesis specifically explains the

application of rational nuclei of local autonomy in accordance with political-legal traditions with the following points: Existing political, legal, and historical premises are the basis for the application of local autonomy theory; the recent reforms of local governmental have shown that it is necessary to accept the new theories, and local autonomy theory has been shown have both many advantages and trends. In particular, the doctoral thesis explains the harmony between the characteristics of the local autonomy and the specific political and socio-economic conditions of Vietnam, do not conflicts with political regime and similar to the orientation of building a socialist rule of law state; explain the political and socio-economic effects that can be gained from reforming local governments towards acquite the nuclears of local autonomy regime.

*Fourthly*, proving and show the reason in establishing the regional local governments in renovation of Vietnamese local governments based on the the local autonomy theory.

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