



## SOME EXPERIENCES IN STATE MANAGEMENT FROM THE ISSUANCE OF STATE ADMINISTRATIVE DOCUMENTS IN VIETNAM DURING THE PERIOD 1986–2025

### ALGUMAS EXPERIÊNCIAS EM GESTÃO ESTATAL A PARTIR DA EMISSÃO DE DOCUMENTOS ADMINISTRATIVOS ESTADUAIS NO VIETNÃ NO PERÍODO DE 1986 A 2025

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#### ABSTRACT

**Objective:** The article aims to systematically analyze Vietnam's experiences in issuing state management documents in the period 1986-2025. The goal is to point out achievements, limitations, and lessons learned, thereby contributing to administrative reform and perfecting the state governance system in the direction of a socialist rule-of-law state.

**Methodology:** The study is grounded in the theoretical foundations of Marxism–Leninism, Ho Chi Minh's thought, and the viewpoints of the Communist Party of Vietnam on the socialist rule-of-law state. It employs various research methods, including historical and logical approaches, interdisciplinary perspectives, and specific techniques such as analysis, synthesis, comparison, and statistical evaluation. The primary sources include legal documents at both central and local levels throughout nearly four decades of administrative reform.

**Results:** The research reveals that the reform of the organization and operation of the state apparatus has been a crucial prerequisite for innovating the system of state administrative documents. Fundamental principles for drafting documents have been institutionalized, and the issuance process has become more scientific, democratic, and transparent. Particularly from 2020 to 2025, the push for digital transformation and the application of information technology and artificial intelligence has significantly modernized the legislative process, enhanced administrative efficiency, and promoted greater citizen participation in policymaking.

**Contributions:** This study makes important contributions by systematizing and clarifying the central role of administrative documents in state governance. It provides a solid theoretical and practical foundation for ongoing public administration reform and legal modernization. Furthermore, the article draws on valuable historical experiences and selectively inherits legal provisions to propose the development of a modern, effective, and coherent legal system that meets the demands of Vietnam's industrialization, modernization, and international integration.

**Keywords:** State administrative documents, legal normative documents, administrative reform, state management, Vietnam, 1986–2025





## RESUMO

**Objectivo:** O artigo visa analisar sistematicamente as experiências do Vietname na emissão de documentos de gestão estatal no período de 1986 a 2025. O objectivo é apontar conquistas, limitações e lições aprendidas, contribuindo assim para a reforma administrativa e o aperfeiçoamento do sistema de governação estatal na direcção de um Estado de direito socialista.

**Metodologia:** O estudo é fundamentado nos fundamentos teóricos do marxismo-leninismo, no pensamento de Ho Chi Minh e nos pontos de vista do Partido Comunista do Vietname sobre o Estado socialista de direito. Emprega vários métodos de investigação, incluindo abordagens históricas e lógicas, perspectivas interdisciplinares e técnicas específicas, como a análise, a síntese, a comparação e a avaliação estatística. As fontes primárias incluem documentos legais de nível central e local ao longo de quase quatro décadas de reforma administrativa.

**Resultados:** A investigação revela que a reforma da organização e do funcionamento do aparelho de Estado tem sido um pré-requisito crucial para a inovação do sistema de documentos administrativos do Estado. Os princípios fundamentais para a elaboração de documentos foram claramente institucionalizados, e o processo de emissão tornou-se mais científico, democrático e transparente. Principalmente de 2020 a 2025, o impulso para a transformação digital e a aplicação da tecnologia da informação e da inteligência artificial modernizaram significativamente o processo legislativo, aumentaram a eficiência administrativa e promoveram uma maior participação dos cidadãos na formulação de políticas.

**Contributos:** Este estudo traz importantes contributos ao sistematizar e clarificar o papel central dos documentos administrativos na governação estatal. Fornece uma base teórica e prática sólida para a reforma contínua da administração pública e para a modernização jurídica. Além disso, o artigo baseia-se em valiosas experiências históricas e herda selectivamente disposições legais para propor o desenvolvimento de um sistema jurídico moderno, eficaz e coerente que satisfaça as exigências da industrialização, modernização e integração internacional do Vietname.

**Palavras-chave:** Documentos administrativos estatais, documentos normativos legais, reforma administrativa, gestão estatal, Vietname, 1986–2025

## 1. INTRODUCTION

Writing, a human invention, has long been utilized to create documents that fulfill the communication needs of communities and regulate social interactions. Over centuries of development, documents have evolved into essential tools in the administrative activities of the state. The terms “document” and “state administrative



document” have varying interpretations, each with a distinct scope and meaning. The “issuance of state administrative documents” refers to the activities undertaken by authorized state agencies and individuals in the process of making management decisions and communicating information through written means. These activities must adhere to regulations and guidelines set forth by relevant authorities, covering principles for drafting and promulgating documents, the authority to issue documents in terms of content and form, procedures for drafting and issuance, as well as aspects such as language, style, document format, presentation techniques, and the responsibilities of agencies, organizations, and individuals involved in the drafting and issuance process.

The term “law on the issuance of state administrative documents” refers to legal norms and regulations issued by competent state bodies, which govern and guide the principles for document development and issuance. These laws outline the authority for issuance, procedures for drafting and dissemination, as well as standards for language, style, format, and presentation, alongside the responsibilities of those involved.

The organization and operation of the state apparatus are defined by the Constitution and state organization laws, further detailed in the regulations governing the issuance of legal normative documents. With a comprehensive legal framework spanning central to local levels and encompassing both content and form, the state has progressively refined its legal structure for issuing state administrative documents. Therefore, examining Vietnam's experiences in state management through the issuance of administrative documents from 1986 to 2015 offers valuable insights.

## 2. LITERATURE REVIEW

The promulgation of state administrative documents is a multidisciplinary field of research, drawing significant attention from disciplines such as Law, Document Studies, Archival Science, Public Administration, and History. Each discipline approaches the subject from a different perspective, contributing to a deeper understanding of the nature, mechanisms, and role of the promulgation of state administrative document issuance in the state apparatus from legal, administrative, to



historical and social dimensions. Numerous studies have been published, providing a comprehensive overview of the formation, development, and improvement of the legal framework governing the promulgation of state administrative documents, spanning from the feudal era to the contemporary period, especially during international integration (1986–2025).

A notable group of studies includes scholarly monographs, textbooks, and conference proceedings that lay essential theoretical and practical foundations for The promulgation of state administrative documents research. The monograph *State Management Documents and Clerical Work in Feudal Vietnam* (Quyen, 2001) provides a comprehensive analysis of document types and administrative processes during feudal dynasties. Works such as *Vietnamese Archives – Developmental Milestones* (Tham & Hong, 2006) and *History of Vietnamese Archives* (Tham, Quyen, Dien & Hong, 2010) also clarify the role of written documents and administrative records in feudal state management.

Another influential academic source is the textbook *History of the State and Law of Vietnam* (Tam & Nga, 2006), which outlines the legal and state development process from ancient times to the modern era. It highlights key historical periods, especially from 1945 to 2006, providing a critical foundation for understanding the legal framework governing the promulgation of administrative documents. The monograph *Commentary on the Law on the Promulgation of Legal Normative Documents* by Luu (2005) provides an in-depth discussion of the 1996 and 2002 laws, shedding light on academic debates and legal reasoning within the legislative process.

In addition to these major works, numerous scholarly articles have examined the historical development of the promulgation of state administrative documents. Tham (2011) provided an overview of the evolution of administrative documents from feudal times to the present; Phụng (1996) analyzed the document system during the French colonial period a pivotal phase in Vietnam's administrative modernization; and Hoc (2011) explored the formative legal foundations of the Democratic Republic of Vietnam during 1945–1946, emphasizing the crucial role of administrative documents in establishing a sovereign state apparatus.

Between 2015 and 2025, the issuance of the promulgation of state administrative documents in Vietnam witnessed continued improvement, particularly in



legal frameworks and the application of modern technology in policy-making. The passage of the 2025 Law on the Promulgation of Legal Normative Documents (Law No. 64/2025/QH15) marked a significant milestone, affirming Vietnam's commitment to building an effective, synchronized, and pragmatic legal system. A notable feature of the new law is the encouragement of artificial intelligence in researching and drafting legal documents an important step toward digital transformation in lawmaking.

The National Assembly and Government of Vietnam (2021–2025 term) have placed great emphasis on the issuance of implementing regulations. Under the direct guidance of the Prime Minister, the Ministry of Justice, Government Office, and dedicated task forces have actively monitored and resolved challenges in the drafting process, aiming to ensure timely and high-quality issuance of legal documents. These efforts reflect Vietnam's political commitment to building a socialist rule-of-law state following the strategic vision set out by the 13th National Party Congress.

In conclusion, the aforementioned research contributes significantly to the theoretical and practical understanding of the promulgation of state administrative documents promulgation throughout Vietnamese history, particularly in the reform period from 1986 to the present. These studies not only enhance academic knowledge but also serve as a vital foundation for proposing solutions to improve public administration and develop a modern, professional system of state management documents capable of meeting the demands of digital transformation and sustainable development in an era of deep global integration.

### 3. LITERATURE REVIEW

The research is rooted in the theoretical framework of Marxism-Leninism, particularly through the lenses of dialectical materialism and historical materialism. At the heart of this framework are views on the state and law, with a focus on the ideas surrounding the creation of a new type of state that is constitutional, lawful, democratic, and firmly committed to the principle of the rule of law. A robust legal system, rigorously enforced, is fundamental to protecting human and citizen rights. Additionally, Ho Chi Minh's thought on a constitutional and lawful state, which governs through the law, supports a democratic legal system and ensures the practical realization of human





rights, serves as an essential theoretical foundation. Moreover, the Communist Party's viewpoints further reflect its theoretical understanding of a socialist rule-of-law state.

The research methodology incorporates both historical and logical methods, which are foundational to historical science. Additionally, the study utilizes interdisciplinary approaches and specific techniques, such as statistical analysis, synthesis, and comparison. These methods provide a comprehensive and multifaceted understanding of the topic, drawing insights from history, law, public administration, and document studies. The research also involves the collection and analysis of legal and regulatory documents, contributing to the achievement of meaningful and relevant results.

## 4. RESULTS AND DISCUSSION

### 4.1. Experience in Reforming the Organization and Operation of the State Apparatus and Administrative Reform as the Foundation for Innovating State Management Documents

The renovation process initiated and led by the Communist Party of Vietnam since the Sixth National Congress in 1986 has marked the most comprehensive and profound reform period in the modern history of Vietnam. This transformation has significantly impacted all aspects of socio-economic life, particularly the organization and operation of the state apparatus, legal reform, and administrative reform. In return, these institutional and administrative reforms have had a far-reaching and decisive influence on the overall success of the country's renewal process.

From 1986 to 2025, the organization of the state apparatus and the implementation of administrative reform have undergone continuous reform, marked by significant milestones such as the promulgation and amendment of the Constitution (in 1992, 2001, and 2013), the Law on the Organization of the National Assembly, the Law on the Government Organization, the Law on the People's Procuracy, the Law on the People's Courts, and the Law on Local Government Organization (2015, amended in 2019), alongside numerous other legal and sub-legal documents. These reforms have progressively improved the functions, tasks, organizational structures, and operations of agencies within the political-administrative system.



The process of formulating and improving the system of state management documents has been closely intertwined with the reform of the organization and functioning of the state apparatus. Fundamental principles in state management such as clearly defining the functions, tasks, and powers of different levels and sectors; establishing effective coordination mechanisms among state agencies and between the state and society; and designing clear, procedural steps for drafting and issuing documents have served as the foundation for building a systematic and science-based legal framework on the promulgation of state management documents.

Conversely, a scientifically developed and practically relevant legal system for the promulgation of state management documents has contributed significantly to institutional strengthening, improved state governance capacity, a more efficient administrative environment, and greater democratization of public administration. The legal and procedural standardization of the document issuance process has advanced transparency and openness while enabling citizen participation in policy formulation and implementation consistent with the principles of “people know, people discuss, people do, and people supervise”.

In recent years (2020–2025), the national digital transformation agenda has placed increased demands on comprehensive administrative reform. The application of information technology, the construction of e-government, and the transition toward a digital government have posed new requirements for the development and issuance of state management documents, which must now be more responsive, streamlined, and yet legally sound and grounded in practical needs. This underscores the foundational and guiding role of legal frameworks in modernizing the state apparatus and enhancing administrative reform.

Thus, throughout the period from 1986 to 2025, one important lesson emerges: reforming the organization and operation of the state apparatus, along with administrative reform, has been a decisive prerequisite for innovating the legal system governing the issuance of state management documents. At the same time, an improved legal framework for state management documents has had reciprocal impacts on the structuring, functioning, and reform of the state apparatus. These two processes are closely interlinked, mutually reinforcing one another in the broader trajectory of modernizing national administration and building a socialist rule-of-law



state in Vietnam that is democratic, effective, and centered on serving the people.

## **4.2. Experience in Organizational and Operational Reform of the State Apparatus and Administrative Reform as a Prerequisite for Reforming State Management Documents**

The reform initiated and led by the Communist Party of Vietnam since the 6th National Congress in 1986 has been the most comprehensive in Vietnam's history. The reform has affected all aspects of the socio-economic life, including significant impacts on the organization and operation of the state apparatus, legal reforms, and administrative reform. Conversely, the fundamental contents and results of reforming the state apparatus, legal system, and administrative reform also have an overarching effect on all socio-economic sectors, contributing decisively to the overall success of the country's renovation process.

The process of building the system of State Management Documents is closely related to the reform of the organization and operation of the state apparatus in general, and the organization and operation of each state agency in particular. Fundamental issues regarding the organization and operation of the state apparatus, such as principles of state management, the demarcation of functions, tasks, and powers, the organization and operation of state agencies, and the relationship between state agencies and society in the implementation of law and duties according to the requirements of reality for scientific, effective, and efficient management, form the foundation for constructing legal systems on issuing documents. Conversely, the legal system for issuing documents, when organized, studied, and built scientifically and reasonably, and in line with the socio-economic development conditions of the country, contributes to the reform of the state apparatus and the management operation of the state, administrative reform, and the working style of government bodies, organizations, officials, and civil servants.

The guiding thoughts during the process of organizing the construction of legal systems for issuing documents are carried out based on the Communist Party of Vietnam's policy of building a state governed by law. The identification of principles in the document issuance process concretizes the fundamental principles of state management, ensuring consistency, hierarchy, and clarity in the relationships between





central and local state agencies, legislative, executive, and judicial bodies, etc. The clear demarcation of document issuance authority helps define the functions, tasks, and powers of state agencies, reducing and gradually eliminating overlaps and contradictions in the management activities between state agencies. Establishing document issuance procedures helps ensure that the decision-making process is scientific, contributing to making state decisions not only legally correct, but also reflecting the needs of the country's reality, as well as the needs of specific sectors, localities, and agencies.

Document issuance procedures that are legally grounded and scientific also contribute to the democratization of state management practices, allowing the people to participate in the document issuance process in line with the principle of public consultation, as well as ensuring transparency and openness in state management activities. In turn, these measures reduce bureaucratic inefficiencies and the subjective thinking of the authorities, minimize the lack of information provided for state agencies' operational management, and ensure that state decisions are based on the legitimate needs of the people.

In the period from 1986 to 2025, the organization of the state apparatus has gradually been reformed through the provisions of the Constitution (adopted in 1992 and amended in 2001, and further amended in 2013), the Law on the Organization of the National Assembly, the Law on the Organization of the Government, the Law on the Organization of the Supreme People's Procuracy, the Law on the Organization of the People's Courts, the Law on the Organization of the People's Councils and People's Committees, and other legal documents. From this reform process, the state apparatus performs its functions, tasks, and powers through various forms of management and administration, with one of the most important forms being the issuance of state management documents.

State management documents in Vietnam from 1986 to 2025 have provided important lessons in that the reform of the state apparatus and administrative reform has profoundly and decisively influenced the reform of the legal system for issuing documents. On the other hand, the legal system for issuing documents has had specific and effective impacts on the reform of the state apparatus and administrative reform. To build, reform, and perfect the system of state management documents, the state



must link this with the reform and development of the state apparatus and the implementation of administrative reform. Likewise, to reform the organization and operations of the state apparatus and implement administrative reforms, it is impossible not to organize the construction and perfection of the legal system for issuing state management documents.

### **4.3. Experience in the Selective Inheritance of Historical Regulations and Guidelines on the Promulgation of State Administrative Documents**

Following the policy of comprehensive reform of the state apparatus set forth at the 6th National Congress of the Communist Party of Vietnam in 1986, competent state agencies undertook a wide range of significant and strategic activities to realize this goal. These efforts included in-depth research on the structure and functioning of the state apparatus, broad-based consultations with the public and institutions to gather feedback on proposed revisions to the Constitution and key laws governing state organization, and comprehensive reviews of the legal normative document system across multiple sectors of state management at both the central and local levels. These activities were not only technical but also deeply political, reflecting a commitment to democratizing the law-making process and ensuring that reforms were grounded in social reality.

Simultaneously, the rapid pace of socio-economic transformation in the early years of the Renovation period created an urgent need for an updated and coherent legal framework. In particular, the growing complexity of governance tasks demanded the prompt development and issuance of legal documents both laws and sub-law regulations that would serve as a unified, standardized, and enforceable foundation for state management. This need was especially acute in the field of document promulgation, where the absence of clear legal norms was increasingly seen as a barrier to effective governance.

During the first decade of reform (1986–1996), the development of legislation governing the promulgation of state administrative documents was a focused and sustained effort. The initial idea of drafting a law on document promulgation can be traced back to the late 1970s. It was formally included in the five-year legislative



program of the State Council for the 1981–1985 period, but substantial progress was made only later, with the drafting process gaining momentum from 1989 to 1996. This period witnessed extensive inter-agency coordination and public consultation, reflecting a deliberate and inclusive approach to lawmaking. The process involved contributions from various government bodies, professional organizations, and ordinary citizens underscoring the importance of transparency, legitimacy, and practical applicability in shaping legal norms.

In parallel, competent state authorities issued numerous sub-law normative documents to provide regulatory guidance for the key institutions involved in the state's legislative and executive machinery. These included the National Assembly, the State Council, the Government, ministries, ministerial-level agencies, bodies attached to the Government, and People's Committees at the provincial and municipal levels. These regulatory texts clarified the responsibilities and procedures for document issuance across different levels of the state, thereby enhancing coherence and coordination in legal administration. Furthermore, this period also saw the formal adoption of national standards on the formatting and technical presentation of state administrative documents. These Vietnamese Standards served as a high-level benchmark, ensuring consistency, professionalism, and clarity in official documentation from the central government down to local authorities.

## **Experience in the Selective Inheritance of Historical Regulations and Guidelines on the Promulgation of State Administrative Documents**

State administrative activities and legislative development in the early years of the Renovation period gradually showed significant progress, as reflected in the central-level promulgation of legal documents. For example: "Many documents were issued that helped to resolve difficulties and obstacles in the implementation of the renovation process" (Ministry of Justice, 1991, p.2); "Newly promulgated legal documents quickly proved to be effective in practice, supporting economic and social development, and gradually forming a new management mechanism" (Ministry of Justice, 1992, p.3); At the local level, "many Departments of Justice took the initiative to coordinate with relevant sectors to research and develop regulatory programs and processes for decisions issued by People's Committees and People's Councils"



(Ministry of Justice, 1991, p.3).

However, competent state agencies also identified many limitations in the promulgation of documents and the quality of the documents issued. These included delays in the implementation of legislative programs, slow progress in the drafting and promulgation of legal normative documents relative to demands, and some documents that were poorly prepared. "It is worth noting that the legislative projects directly serving the renovation of mechanisms, production, business activities, and the reorganization of the state apparatus were slow to be implemented" (Ministry of Justice, 1992, p.5).

One of the most significant causes of the shortcomings in both the promulgation process and the quality of legal documents, as confirmed by state agencies, was: "Due to the absence of a Law on the authority and procedures for drafting and promulgating legal documents, the definition of functions, authority, and responsibilities of each agency in this task remained vague and insufficiently regulated" (Ministry of Justice, 1992, p.5).

Under the conditions of simultaneous implementation, research, and experience-based improvement, competent state agencies gradually developed regulatory documents and guidelines on the promulgation of state administrative documents to promptly meet the direct demands of state management activities. One of the key lessons learned was the gradual development and identification of the most critical aspects of document promulgation, including the principles guiding the promulgation process; the authority to promulgate documents based on content; and the procedures for enacting laws, ordinances, and documents issued by the central administrative system and provincial-level People's Committees.

The system of state administrative documents during the first decade of the Renovation period (1986–1996) aligned with the country's overall reform process, including the restructuring of the state apparatus based on the 1992 Constitution. It was also synchronized with legal reform and administrative reform, from the Party's guidelines to the practical implementation process. The development of laws regulating the promulgation of state administrative documents had a dialectical relationship with the broader legal system particularly with laws concerning the organization and operation of the state apparatus and played a key role in the scientific organization of state management activities. The organization and operation of the state apparatus

became increasingly scientific, with clearer definitions of functions, responsibilities, and authority. The process of making management decisions by state agencies gradually conformed to legal procedures and protocols, ensuring that state decisions were consistent with the Party's guidelines and policies, aligned with the Constitution and regulations issued by superior state authorities, derived from real-world needs, and upheld democratic, transparent, and public principles. All of this reflects the essential and evolving completeness of laws governing the promulgation of state administrative documents.

## 5. CONCLUSION

Following the first decade of the renovation period, the development of legislation on the promulgation of State Administrative Documents from 1996 to 2015 occurred within the broader context of continuing the Communist Party of Vietnam's policy to build a socialist rule-of-law state and advance administrative reform. This period was also marked by the country's industrialization and modernization efforts. During this time, competent state agencies continued to selectively inherit and refine past regulations, particularly the legal developments from 1986 to 1996. The State Administrative Documents issued between 1996 and 2025 were designed to address the core needs of state management, legal reform, and administrative modernization. Many provisions and guidelines included in these laws and sub-laws were widely implemented and proved effective in practice. Building on the legal foundation established in earlier periods and incorporating international best practices in the formulation of laws on Legal Normative Documents, Vietnam strengthened its ability to review, assess, and clarify the scope, target groups, and substantive content regulated by the law on State Administrative Documents from 1986 to 2025.

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