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HO CHI MINH THOUGHT ON HUMAN RIGHTS

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Abstract: President Ho Chi Minh was among the earliest and most extensive Vietnamese thinkers on human rights. His thought grew from Vietnamese humanistic traditions in creative synthesis with progressive thought from the East and the West and with Marxism-Leninism. This study examines the core content of that thought through a documentary analysis of primary sources, including Ho Chi Minh's complete works, the 1945 Declaration of Independence and the 1946 Constitution, alongside secondary sources such as Party documents, journal articles and biographies. It asks how individual rights and national rights are related in his thought, how he grounded rights in law and institutions, how his thought addresses vulnerable groups, and what tensions and contemporary relevance it carries. The findings identify four pillars: (1) individual rights are inseparable from national rights; (2) human rights must be recognised and protected by law; (3) special attention must be given to vulnerable groups, with the documentary evidence presented here concerning women's equality above all; and (4) realising human rights requires building a rule-of-law state of the people, by the people, for the people. The study concludes that Ho Chi Minh's ideology remains relevant to Vietnam's policies across civil, political, economic, social and cultural fields. Vietnam's election to the United Nations Human Rights Council in 2013 illustrates the international resonance of that legacy, while the tensions within it, between liberty and security and between guidance and accountability, remain open to scholarly debate.

Keywords: Ho Chi Minh, human rights, national rights, rule-of-law state, Vietnam.

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INTRODUCTION

Ho Chi Minh's thought on human rights represents a creative and systematic application of Marxist-Leninist doctrine on human rights to the specific historical conditions and revolutionary realities of Vietnam (Ho Chi Minh, 2000, vol. 4). Unlike many contemporary thinkers who merely adopted Western human rights frameworks, Ho Chi Minh developed an indigenous perspective that prioritised national liberation as the prerequisite for individual freedoms. This ideological foundation emerged from his direct experiences with colonial oppression and his extensive travels across both Eastern and Western societies. Consequently,

his human rights thought is not a theoretical abstraction but a practical guide for revolutionary action, deeply rooted in the struggle for national independence and social justice.

The universal value of human rights, as recognised by the international community today, affirms that every individual is entitled to fundamental freedoms without discrimination based on gender, race, language, religion, or social status. These rights are protected by international treaties, customary international law, and the domestic legal systems of sovereign states (Ho Chi Minh, 2000, vol. 1). The framework of international human rights standards has gradually been formed and accepted by nations worldwide, requiring all social institutions and organisations to respect, protect, and fulfil these obligations. However, Ho Chi Minh observed that such universal standards often remained unattainable in colonial contexts where national independence had not yet been achieved. Recent work on human rights in contemporary Vietnam (Kvanvig, 2022) and on decolonisation as a neglected dimension of human rights history (Jensen, 2019) frames the same difficulty: standards formulated within established states fit colonial contexts poorly, where independence had not yet been achieved.

The values embedded in Ho Chi Minh's human rights thought retain profound validity and practical significance for contemporary Vietnam. They continue to guide the ideology, policies, and practical activities of the Communist Party of Vietnam and the Vietnamese State in addressing modern human rights challenges (Central Party History Research Board, 1984). His insistence on linking human rights with national sovereignty remains particularly relevant in an era of globalisation, where economic integration and international cooperation must be balanced with the preservation of national identity and self-determination. Moreover, his emphasis on legal protection for human rights has shaped Vietnam's constitutional development and legislative reforms from the 1946 Constitution to the present day.

Ho Chi Minh's approach to human rights was distinguished by its dialectical integration of diverse intellectual traditions. He selectively absorbed the progressive human rights ideals of the Western Enlightenment, particularly those articulated in the American Declaration of Independence (1776) and the French Declaration of the Rights of Man and of the Citizen (1789). Simultaneously, he remained deeply rooted in the noble humanistic traditions of the Vietnamese people, which emphasised community solidarity, mutual assistance, and respect for human dignity (Tran Dan Tien, 1975). Most importantly, he synthesised these influences with the scientific principles of Marxism-Leninism regarding human liberation, class liberation, and national liberation. The relationship between Marxism and human rights has itself been revisited as an old debate with new terms (O'Byrne, 2019), including the claim that human rights figured as a revolutionary concept against orthodox readings (Copello, 2021) and as a critique of capitalism (Hedlund & Nilsson, 2022).

The creative dimension of Ho Chi Minh's thought lies in his expansion of the concept of human rights from the individual to the national level. He argued that individual rights, such as the right to life, liberty, and the pursuit of happiness, could not be meaningfully realised in a nation that remained colonised or subjugated (Ho Chi Minh, 2000, vol. 6). Therefore, national independence became the fundamental human right upon which all other rights depended. This theoretical innovation addressed a critical gap in Western human rights discourse, which had traditionally focused on individual entitlements within established nation-states without adequately considering the colonial context.

The practical translation of Ho Chi Minh's human rights ideology into legal and institutional frameworks began immediately following the August Revolution of 1945. The Declaration of Independence of the Democratic Republic of Vietnam, proclaimed on September 2, 1945, explicitly invoked the universal principles of the American and French declarations while asserting the Vietnamese people's right to self-determination (Ho Chi Minh, 2000, vol. 4). Subsequently, the 1946 Constitution, the first constitutional document of independent Vietnam, codified specific civil and political rights, including freedom of speech, freedom of the press, freedom of assembly, and equality between men and women. This institutionalisation demonstrated Ho Chi Minh's commitment to a rule-of-law state where human rights are not merely rhetorical but legally enforceable.

Understanding Ho Chi Minh's human rights thought is essential for comprehending the contemporary human rights policies and practices of Vietnam. His ideology provides the philosophical foundation for the Vietnamese State's engagement with international human rights mechanisms, including its election to the United Nations Human Rights Council in 2013. Furthermore, his emphasis on the interdependence between individual rights, national rights, and social development continues to inform Vietnam's approach to economic, social, and cultural rights alongside civil and political freedoms. Thus, an examination of Ho Chi Minh's human rights thought contributes not only to historical scholarship but also to contemporary debates about the universality and cultural specificity of human rights.

This study is guided by four research questions. RQ1: What is the core content of Ho Chi Minh's thought on human rights, and how are individual rights related to national rights? RQ2: How did Ho Chi Minh ground human rights in law and institutional practice, from the 1945 Declaration of Independence to the 1946 Constitution and the rule-of-law state? RQ3: How does his thought address vulnerable groups, and what does the documentary evidence presented here establish about women's equality? RQ4: What internal tensions does his thought contain, and what contemporary relevance and limits follow from them?

LITERATURE REVIEW

The intellectual foundation for understanding Ho Chi Minh's conceptualisation of human rights and national independence lies in his own writings, speeches, and political treatises. The Complete Works of Ho Chi Minh (Ho Chi Minh, 2000, 2009, 2011) remain the most

authoritative reference, providing systematic insight into his synthesis of universal human values, revolutionary praxis, and national self-determination. These texts illustrate his pragmatic and strategic engagement with Enlightenment ideals, particularly the U.S. Declaration of Independence (1776) and the French Declaration of the Rights of Man and of the Citizen (1789). Rather than adopting these documents uncritically, Ho Chi Minh strategically reinterpreted them within the context of anti-colonial struggle, positioning the principles of liberty, equality, and fraternity as universal norms that colonial powers had failed to uphold in practice (Ho Chi Minh, 2000).

The idea of human rights was formed early in human history, especially clearly through two major bourgeois revolutions: the American Revolution (1776) and the French Revolution (1789). Famous declarations such as the American Declaration of Independence or the French Declaration of the Rights of Man and of the Citizen affirmed basic, inalienable human rights, such as the right to life, the right to liberty, and the right to pursue happiness. This is the foundation of the Western human rights perspective, which values the individual and universality. However, Marxism-Leninism approaches human rights from a social and class perspective. Accordingly, human rights cannot truly exist if people still live in injustice, oppression, and exploitation. Therefore, only revolution and socialism can ensure human rights in a comprehensive and equal manner. Ho Chi Minh absorbed both of these schools of thought but did not follow a stereotype (Van & Ngat, 2025). From the Vietnamese experience, he believed that human rights must be linked to national rights: there can be no individual freedom if the country still lacks independence. This is a unique way of thinking, very suitable for the context of colonial countries at that time (Van & Ngat, 2025).

These foundational writings underscore the distinctive feature of Ho Chi Minh's thought: the inseparability of human rights from national independence. In his view, the liberation of the Vietnamese people from colonial domination was not only a political necessity but also a moral imperative rooted in the recognition of human dignity. Thus, for Ho Chi Minh, sovereignty itself constituted a human right, and national independence was both a precondition and an expression of fundamental freedoms (Van & Ngat, 2025). This understanding aligns with recent scholarship by Nguyen and Nguyen (2024), who argue that Ho Chi Minh's philosophy of human emancipation evolved from a deep understanding and development of national, Eastern, and Western thoughts, especially influenced by Marxist-Leninist ideals, and was tailored to Vietnam's unique context and the global trends emerging post the Russian October Revolution.

Beyond his collected works, biographical studies have contributed to contextualising Ho Chi Minh's political formation and ethical commitments. Early comprehensive accounts of his life trace his intellectual development from early exposure to Western revolutionary thought to his leadership in Vietnam's anti-colonial struggle (Tran, 1975). These works emphasise his capacity to integrate diverse ideological influences, Marxism-Leninism, Confucian ethics, and Enlightenment principles, into a coherent vision for Vietnam's liberation and development.

Historical analyses further underscore the role of Ho Chi Minh in shaping Vietnam's constitutional and political frameworks. His leadership in drafting the 1945 Declaration of Independence, for instance, exemplified his ability to situate Vietnam's national liberation within a broader discourse of universal rights. This moment is often cited as the crystallisation of his synthesis of human rights and sovereignty, blending local aspirations with global legitimacy (Central Party History Research Board, 1984).

Not stopping at theory, Ho Chi Minh soon laid the foundation for the institutionalisation of human rights by law, typically the 1946 Constitution, the first document affirming the basic rights of Vietnamese citizens. The 1946 Constitution included a Preamble and 70 articles written in 7 chapters (Nguyen, 2025a). Chapter I stipulated the form of government; Chapter II stipulated the duties and rights of citizens. As reported by Nguyen (2025a), the Preamble affirms: 'The unity of the entire people, without distinction of race, gender, class, or religion. Guaranteeing democratic freedoms and rights. Implementing a strong and wise government of the people.' As reported by Nguyen (2025a), Ho Chi Minh is recorded as affirming: 'That Constitution declares to the world that Vietnam has achieved independence. That Constitution declares to the world that the Vietnamese people have all the rights and freedoms. That Constitution declares to the world that Vietnamese women have been granted equal rights with men to enjoy all the freedoms of a citizen.' The progressive provisions of the 1946 Constitution contributed to strengthening national unity, creating immense internal strength that helped the fledgling revolutionary government overcome countless difficulties (Nguyen, 2025a).

Recent scholarship continues to examine Ho Chi Minh's thought in the present. Tram (2021) examines Ho Chi Minh's thought on human rights and its application in Vietnam today. Contemporary work on human rights in Vietnam (Kvanvig, 2022; Huong & Lien, 2023) extends the discussion across civil, political, economic, social and cultural fields, including the effects of climate change on rights. Scholarship on the rule of law in Vietnam debates the 2013 Constitution (Xuan Ly, 2021), understandings and prospects of the state of law (Cong Giao, 2021) and the place of civil society within it (Xuan Son, 2021). Work on gender equality legislation in Vietnam (Buchhave et al., 2023) and on gender equality in Vietnamese labour law (Dang, 2024) provides the present-day context for the women's equality pillar discussed below. Studies of human rights education in Vietnam note opportunities and constraints where academic freedom is not guaranteed (Thi Minh Ngo, 2019), which matters for the legal-education implications discussed in the conclusion.

Recent decades have witnessed a growing scholarly interest in Ho Chi Minh's thought on human rights, approached through multiple disciplines including political science, law, philosophy, and education. Studies highlight the application of Ho Chi Minh's ideas in legal education, particularly their role in strengthening a rights-based approach to governance in contemporary Vietnam (Van & Ngat, 2025). This research underscores how Ho Chi Minh's emphasis on the people as the foundation of political authority continues to inform legal

reforms and the promotion of human rights awareness within socialist institutions. Interdisciplinary research has also expanded the scope of analysis by examining Ho Chi Minh's ideas through cultural, ethical, and comparative perspectives. Scholars argue that his human rights framework transcends liberal individualism by situating rights within a broader matrix of social justice, collective welfare, and national identity (Nguyen & Nguyen, 2024). This approach aligns with contemporary debates on non-Western models of human rights, highlighting the importance of cultural contextualisation in rights discourse.

In addition to emphasising gender equality, Ho Chi Minh paid special attention to vulnerable groups in society, particularly women and ethnic minorities, who had long been disadvantaged under previous social regimes (Van & Ngat, 2025). For the first time in Vietnamese constitutional history, women were officially and fully affirmed in terms of their social and legal status. The 1946 Constitution not only recognised equality between men and women but also guaranteed women's participation in the government apparatus, a voice in national development, and full enjoyment of fundamental freedoms such as freedom of speech, freedom of association and assembly, freedom of religion, and freedom of residence (Nguyen, 2025a). This attention to vulnerable groups demonstrates Ho Chi Minh's comprehensive and humane approach to human rights that extends beyond formal legal equality to substantive social inclusion. Anticolonial feminist scholarship on human rights (Odih, 2024) offers a comparative lens for reading this attention to women within a liberation struggle, rather than as an addition to it.

Furthermore, studies exploring the continuing relevance of Ho Chi Minh's ethical leadership model in the moral development of Communist Party cadres suggest that his legacy not only informs political governance but also shapes the ethical orientation of public officials, emphasising accountability, service to the people, and moral integrity (Pham, 2024). From a philosophical perspective, Pham (2024) interprets Ho Chi Minh as 'a theorist of humanisation, namely, as a critic of dehumanisation and an architect of rehumanisation.' As a critic of dehumanisation, Pham (2024) explains that Ho Chi Minh identified the racial dehumanisation faced by the Vietnamese as a consequence of capitalism and colonialism. As an architect of rehumanisation, Ho Chi Minh envisioned 'paternalistic democracy', where Party cadres must cultivate their revolutionary moral virtue, making them trustworthy in the eyes of 'the people' whom they are to serve, enabling them to effectively guide 'the people' toward the goals of independence and communist revolution (Pham, 2024).

The philosophy of human emancipation in Ho Chi Minh's ideas encompasses several interconnected dimensions. According to Nguyen and Nguyen (2024), key aspects of Ho Chi Minh's philosophy include exploring themes of liberation on national, class, and human levels, and addressing liberation from oppression, exploitation, and enslavement towards the goal of fostering human development. This multi-layered approach distinguishes Ho Chi Minh's human rights thought from Western liberal frameworks that tend to focus primarily on individual rights (Nguyen & Nguyen, 2024). Ho Chi Minh's framework is holistic and

contextual, recognising that individual rights cannot be fully realised without national liberation, and national liberation cannot be sustained without social justice and human development.

However, the comparison of Ho Chi Minh's human rights ideology with other human rights ideologies in the world remains relatively understudied. Despite these contributions, several gaps persist in the scholarship. First, while Vietnamese sources have extensively documented Ho Chi Minh's human rights thought, international scholarship has yet to fully situate him within the broader genealogy of global human rights theory. Compared to figures like Gandhi, Fanon, or Nkrumah, Ho Chi Minh's contributions remain relatively understudied in international academic discourse (Pham, 2024). Second, there is limited comparative analysis between Ho Chi Minh's integrated framework of rights and dominant Western liberal paradigms. His conception that sovereignty itself constitutes a human right offers a distinct alternative that challenges the individualist bias of mainstream human rights theory. Situating Ho Chi Minh within debates on postcolonial and decolonial thought could enrich global understandings of rights and justice (Nguyen & Nguyen, 2024). Comparative scholarship on decolonisation and human rights (Heiss, 2020; Johnson, 2020; Khan, 2020; Keys, 2020; Winter, 2020) shows how the link between self-determination and rights was negotiated in different settings, and recent work extends that discussion to postcolonial states and to decolonisation and racial justice in the present (Spear, 2024; Smith, 2024). Situating Ho Chi Minh in that comparative conversation, rather than treating his thought as an isolated national doctrine, is the gap this study addresses. Finally, there is a need for greater interdisciplinary dialogue that connects Ho Chi Minh's thought with contemporary issues such as climate justice, sustainable development, and global governance.

A distinctive feature of Ho Chi Minh's thought is that he did not view national independence merely as a political-territorial category, but rather as a condition for Vietnamese people to live in freedom, to be masters of their own destiny, and to enjoy happiness through practical rights in their daily lives. The goal of building a society where the people are masters and their happiness is guaranteed was pursued by Ho Chi Minh through the creation of state and legal institutions immediately after seizing power. The 1945 Declaration of Independence not only inherited the universal values of humanity regarding the right to life, liberty, and the pursuit of happiness, but also elevated the natural rights of human beings to the sacred rights of nations (Ho Chi Minh, 2000, vol. 4). This is a major contribution of Ho Chi Minh's thought, placing national rights in a unified relationship with human rights and linking national independence with the freedom and happiness of the people (Van & Ngat, 2025).

Ho Chi Minh's legacy remains present in Vietnam's contemporary approach to human rights on the global stage. Vietnam's election to the United Nations Human Rights Council in 2013 is treated in the literature as an extension of his commitment to human dignity and sovereignty (Van & Ngat, 2025). The Council is the United Nations' principal intergovernmental human rights body (Tistounet, 2022; Freedman, 2020), so election to it marks international

engagement rather than measuring domestic implementation, a distinction this study keeps in view. In the current period, the Communist Party and State of Vietnam continue to promote his ideology, gradually respecting, ensuring, and implementing human rights in the civil, political, economic, social, and cultural fields (Van & Ngat, 2025).

METHOD

This study employs dialectical materialism and historical materialism as its theoretical framework, following the Marxist-Leninist tradition of social analysis (Ho Chi Minh, 2000). These philosophical approaches enable the examination of Ho Chi Minh's human rights thought within its specific historical, economic, and social contexts, rather than as abstract or timeless ideals. By applying dialectical materialism, the study analyses the internal contradictions within colonial society that shaped Ho Chi Minh's revolutionary consciousness and his critique of oppression. Simultaneously, historical materialism provides the lens to understand how material conditions, particularly French colonial exploitation and the suffering of the Vietnamese peasantry, influenced the formation and prioritisation of national rights over individual rights in Ho Chi Minh's ideology (Van & Ngat, 2025). This dual theoretical basis ensures that the research captures both the dynamic evolution of Ho Chi Minh's thought and its rootedness in concrete historical realities.

The framework is operationalised through four indicators, applied explicitly in the analysis that follows: (1) contradiction, passages where colonial rule contradicts its own proclaimed universal rights; (2) material conditions, French colonial exploitation, peasant suffering, illiteracy, and women's subordination under the Confucian and feudal order; (3) synthesis, the elevation of individual rights into national rights and their mediation through law; and (4) historical movement, the sequence from the 1919 Demand through the 1945 Declaration and the 1946 Constitution to contemporary policy. These indicators are interpretive lenses, not a coding scheme with counts: no passage is scored, and no frequency is reported. They are used to organise the reading of the sources and to test, in the Discussion, whether each pillar of Ho Chi Minh's thought survives its own tensions.

The study conducts a documentary analysis of primary and secondary sources. It does not claim a systematic review protocol: there is no pre-registered search string, no database count, and no screening flow, and none is reported. The primary sources are original writings, speeches, and declarations by Ho Chi Minh, particularly the Complete Works (Ho Chi Minh, 2000, 2009, 2011), the 1945 Declaration of Independence, the 1946 Constitution, and historical documents such as the 'Demand of the Annamese People' (1919). Secondary sources consist of official Party documents, including resolutions and directives of the Communist Party of Vietnam (Central Party History Research Board, 1984), scholarly books, peer-reviewed journal articles, and biographies that discuss Ho Chi Minh's human rights thought (Nguyen & Nguyen, 2024; Pham, 2024; Tran, 1975). Comparative and contemporary literature on decolonisation, the rule of law, gender equality, and the United Nations human rights system

is used only for framing and comparison, not as evidence about Ho Chi Minh's thought itself. A source was included if it treated Ho Chi Minh's rights thought, Vietnamese rights institutions, or a directly comparable dimension of rights theory, and if its scope and date could be stated. Works that mentioned Ho Chi Minh only in passing, sources that could not be located, and all sources dated after 2025 were excluded.

Analysis followed four steps. First, the primary texts were read closely for rights claims, distinguishing what the documents state from what later commentators attribute to them. Second, the material was organised thematically around the four pillars identified in the abstract, rather than around chronology alone. Third, each pillar was examined through the four framework indicators, so that a pillar supported only by assertion, without a contradiction answered, a material condition addressed, or a legal mediation shown, would stand out as weak. Fourth, Ho Chi Minh's perspective was compared with Western and Marxist-Leninist human rights traditions as presented in the literature, and the tensions that survived that comparison were carried into the Discussion instead of being smoothed over. Documentary analysis requires distinguishing description of what sources say from interpretation of what they mean (Sheard, 2022), and treats documents as situated products of their political moment rather than transparent records (Gorsky & Mold, 2019). Quotations from the 1946 Constitution and from decrees are therefore presented as reported in the secondary sources cited, not as independently verified readings of the primary legal texts.

Five limitations apply. First, the study relies on published editions and, for some quotations, on secondary renderings; where a quotation reaches this article through a secondary source, the citation says so. Second, no archival research, interview, survey, or fieldwork was undertaken, and no finding in this article rests on such data. Third, claims about contemporary Vietnamese policy rest on secondary literature and are not an independent assessment of implementation outcomes. Fourth, the study examines thought and texts, not the realisation of rights in practice, so it cannot settle whether a constitutional promise was fulfilled. Fifth, comparative remarks on other anti-colonial thinkers are gestural in the sources used and are treated here as directions for future research, not as findings.

RESULT AND DISCUSSION

The Inheritance of Progressive Human Rights Thought

During his years abroad, Ho Chi Minh devoted himself to studying bourgeois revolutions. At the same time, he found the 'inalienable human rights' in the American Declaration of Independence (1776) and the French Declaration of the Rights of Man and of the Citizen (1789). The human rights ideas of these two documents were raised to a new level by him in the Declaration of Independence of the Democratic Republic of Vietnam in 1945, affirming a truth: the Vietnamese people must also enjoy those 'inalienable rights' (Ho Chi Minh, 2000).

The year 1919 marked an important change in Ho Chi Minh's ideology. At the Versailles Conference, on behalf of Vietnamese patriots, he sent the 'Demand of the Annamese People' with 8 points, in which he requested the French Government to return some basic freedoms and democracy to the Vietnamese people as well as the Indochinese countries, specifically the right to freedom of the press, freedom of speech, freedom of association and assembly, freedom of residence abroad and freedom to travel abroad, freedom of study and opening technical and professional schools for natives in all provinces (Ho Chi Minh, 2000). However, that demand was not of interest to the French Government as well as the countries attending the Conference. That failure helped him understand clearly: 'to be liberated, nations can only rely on themselves, rely on their own strength' (Tran, 1975). This petition once again affirms the idea of a regime that respects the minimum freedoms and democracy of the people that was formed in the early years when Nguyen Ai Quoc left to find a way to save the country.

The influences of Marxism-Leninism and the Russian October Revolution had a profound meaning in the formation of Ho Chi Minh's thoughts on human rights. After reading Lenin's Theses, he realised that only the path of proletarian revolution could liberate the nation, liberate the people, and gain independence, freedom and democracy for the people (Ho Chi Minh, 2000). The nature of socialism is humanity, respect and protection of human rights. Ho Chi Minh creatively applied the views of Marxism-Leninism to form unique, contemporary thoughts on human rights (Van & Ngat, 2025).

From the above analysis, it can be seen that President Ho Chi Minh's human rights ideology not only selectively absorbed the quintessence of humanity, but also elevated it to suit the historical context and requirements of the Vietnamese revolution. The above content shows that Ho Chi Minh's human rights ideology was formed from the smooth combination of Western universal values and the spirit of national liberation struggle. The absorption of the ideology of human rights in the American and French Declarations was not a copy, but was elevated and concretised by Ho Chi Minh in the actual conditions of colonial Vietnam (Nguyen & Nguyen, 2024). From the failure at the Versailles Conference, he drew a fundamental lesson: only the path of revolution and self-reliance can ensure freedom and democracy for the nation. This shows that human rights in Ho Chi Minh's thought are not only a goal, but also a means to achieve national independence, thereby laying the foundation for a revolutionary, national and deeply humanistic human rights ideology.

Core Elements of Ho Chi Minh's Thought on Human Rights

The four pillars below are read through the framework indicators defined in the Method: each pillar is examined for the contradiction it answers, the material conditions it addresses, the synthesis it performs, and its place in the historical movement from 1919 to 1946 and beyond.

Individual Rights Are Inseparable from National Rights

The Declaration of Independence of Vietnam, directly drafted and announced by President Ho Chi Minh on September 2, 1945, affirmed a truth: 'All peoples in the world are born equal, every people has the right to live, the right to happiness and the right to freedom' (Ho Chi Minh, 2000, vol. 4). That truth was developed by him from quoting the content of the two Declarations of Independence of the United States (1776) and the Declaration of the Rights of Man and of the Citizen of France (1789). In the two declarations, the right to life, equality in rights, freedom and the pursuit of happiness are sacred and inviolable. That is also the content of the Preamble of the Declaration of Independence on September 2, 1945. He declared to all the people and international friends: 'All men are born equal. Their Creator has endowed them with certain inviolable rights; among these are the right to life, the right to liberty and the right to the pursuit of happiness' (Ho Chi Minh, 2000, vol. 4).

It can be seen that the creative development of President Ho Chi Minh's human rights ideology lies in this core value. He 'extended' from individual rights to national rights, in which human rights and national rights are inseparable. Human rights can only be realised when the nation is independent. He pointed out that human rights can only be achieved through the revolutionary struggle against colonial oppression and exploitation, gaining national independence, and uniting the entire people to build and defend the Fatherland (Van & Ngat, 2025). That is the prerequisite for individual rights and national rights to be guaranteed in a sustainable manner.

With dialectical thinking and sharp reasoning from 'obvious facts that no one can deny' (Ho Chi Minh, 2000, vol. 4), he proved that human rights are natural, so the rights of nations are also natural. That must have been a clear proof that the acts of oppression and exploitation of the Vietnamese people by imperialist forces were against the natural order, a violation of the declarations of the American bourgeois revolution and the French revolution. That also once again affirmed that the right to equality between all people and all nations is natural, an undeniable truth (Ho Chi Minh, 2000, vol. 4). And that the birth of the Democratic Republic of Vietnam was also completely in accordance with natural order, no one can deny it. The nations of the world must respect the independence and freedom of the Vietnamese nation. That has great significance not only for a young nation in the early days of its establishment, but also for colonial and dependent nations around the world. Thus, President Ho Chi Minh expanded human rights into national rights, abstract human rights into concrete rights to live in independence and freedom. Moreover, he also developed from the right to national independence into the rights of nations in the world. This is his important contribution to the history of the development of Vietnamese human rights ideology.

Human Rights Must Be Recognised and Protected by Law

Practices in the world and in Vietnam show that human rights, in order to be effectively implemented, must be recognised and protected by law. Ho Chi Minh was soon aware of a

progressive rule-of-law state with a complete legal system to enforce and protect human rights. In the 'Demand of the Annamese People' (1919) that he sent to the Versailles Conference, Article 7 requested: 'Replace the regime of issuing decrees with the regime of issuing laws' (Ho Chi Minh, 2000, vol. 1). In addition, in those 8 articles, there are 5 articles related to the law with the recognition of human rights, such as freedom of the press, freedom of speech, freedom of residence abroad or freedom of study. In Article 2, there is a request for 'reforming the legal system in Indochina by giving the natives the same legal guarantees as the Europeans; completely abolishing the special courts used as tools to terrorise and oppress the most honest part of the Annamese people' (Ho Chi Minh, 2000, vol. 1). These are specific requests for a rule-of-law state with the important role of law in managing and operating society. He was aware of those ideas very early in the first years of his journey to find a way to save the country.

In August 1945, the revolutionary situation in the country was developing rapidly, Ho Chi Minh convened the Tan Trao National Congress to prepare for the General Uprising. At the Congress, 10 major policies of the Viet Minh Front, which can also be considered as those of the Provisional Government of the Democratic Republic of Vietnam, were approved. These are 10 policies of historical significance, including policies that recognised specific human rights, including: 'Human rights; Property rights (ownership); Civil rights: universal suffrage, democratic freedoms (freedom of belief, freedom of thought, speech, assembly, movement), national equality, gender equality; Building a national education, fighting illiteracy, universalising and compulsory education to primary level, and building a new culture' (Central Party History Research Board, 1984).

Also because of the deep awareness of a State that manages society and ensures human rights by law, immediately after gaining independence, President Ho Chi Minh directed the drafting of the 1946 Constitution with basic constitutional principles. The first Constitution of the Democratic Republic of Vietnam recognised 13 articles on human rights and civil rights (Nguyen, 2025a), established the legal status of citizens associated with an independent nation, and affirmed the rights and obligations of citizens in protecting and building the Fatherland. Right in the Preamble of the 1946 Constitution, it was determined: Ensuring the people's freedom and democratic rights is a constitutional principle (Nguyen, 2025a). These contents were inherited and developed by the amended Constitutions of 1959, 1980, 1992 and 2013. He also signed and issued many laws and decrees to protect human rights and civil rights. He promoted the strictness of the law, but that law must be closely combined with ethics, tolerance, and humanity. Generalising Ho Chi Minh's thoughts on a rule-of-law state that ensures human rights, it can be clearly seen that the goals are all aimed at respecting and protecting the interests of the people, bringing true mastery to the people, and giving back all power to the people.

The Rights of Vulnerable Groups and Women's Equality

During his lifetime, Ho Chi Minh paid special attention to ensuring women had equal rights with men in order to liberate women. He repeatedly affirmed the important role and position of women in the history of the Vietnamese nation. He wrote: 'The beautiful mountains and rivers of Vietnam are woven and embroidered by our women, young and old, to make them more beautiful and brilliant' (Ho Chi Minh, 2000, vol. 6). In the work 'The Revolutionary Path', he mentioned the role of women when quoting Karl Marx: 'Anyone who knows history knows that if you want to reform society without the help of women, it is certainly impossible' (Ho Chi Minh, 2000, vol. 2). He quoted Lenin when he emphasised the importance of women in the success of the revolution: 'The revolutionary party must teach women to cook and do national work, only then can the revolution be called successful' (Ho Chi Minh, 2000, vol. 2).

Despite its important position in society, due to the influence of Confucian ideas in society, with the idea of male superiority and female inferiority still existing as a habit, deeply rooted in all classes, all individuals and all families, the struggle for women's equality is still a problem with many obstacles. However, He also pointed out the erroneous and simple notions about this equality in the article 'Male and female equality': 'Many people mistakenly think that it is easy, just: today you cook, wash dishes, sweep the house, tomorrow I sweep the house, cook, wash dishes, that is equality, equal rights, big mistake' (Ho Chi Minh, 2000, vol. 6). He analysed that it is just a simple division of household chores, wanting true equality between men and women requires a change in the way of thinking that has been deeply ingrained by the feudal mindset of an entire nation.

Besides emphasising gender equality, Ho Chi Minh required ensuring women's rights and respecting women. He criticised acts of violence against women, considering it a manifestation of serious gender inequality. Domestic violence makes women feel physically and morally violated, causing them physical and mental pain. He emphasised: 'The most barbaric thing about women is the habit of beating their wives. Among the people and among some cadres and party members, this bad habit still exists. From now on, the Party Committee, the government and mass organisations (especially women's and youth organisations) need to make more efforts to propagate the Law on Marriage and Family more widely and must strictly comply with it. The barbaric habits of beating wives and forcing children must end. Women's rights must be truly guaranteed' (Ho Chi Minh, 2000, vol. 12).

Words go hand in hand with actions, right after the country gained independence, he advocated training male and female cadres. By issuing a series of legal documents to manage society, he did not forget to pay attention to the content of women's liberation, creating conditions for women to be equal in all fields. In the 'Appeal against illiteracy' (October 1945), he stated: 'Every Vietnamese person must understand their rights, their duties, must have new knowledge to be able to participate in the construction of the country... Women need to study even more, they have been held back for a long time. This is the time for women to try to catch up with men, to be worthy of being a part of the country, to have the right to vote and

run for election' (Ho Chi Minh, 2000, vol. 4). Decree No. 14 dated September 18, 1945 recognised the equal rights of women: 'All Vietnamese citizens, both male and female, from 18 years of age and older, have the right to vote and run for election' (Van & Ngat, 2025).

Before leaving for eternity, he did not forget to advise in his Will: 'In the cause of fighting against the US to save the country, our industrious women have made worthy contributions in combat and production. The Party and the Government need to have a practical plan to train, promote and help so that more and more women can take charge of all tasks, including leadership. Women themselves must strive to rise up. That is the revolution that brings true equality to women' (Ho Chi Minh, 2000, vol. 12). His heartfelt words before passing away were a brief summary of his lifelong concerns about national liberation, human liberation and women's liberation, realising equal rights for every nation, every person and true equality for women.

The documentary evidence examined in this section concerns women's equality. The literature also notes ethnic minorities among disadvantaged groups (Van & Ngat, 2025), but no separate evidence on minorities is presented here, and no claim about minorities is developed beyond that note.

Building a Rule-of-Law State of the People, by the People, for the People

International law on human rights identifies the main subject in ensuring and implementing human rights as the State. President Ho Chi Minh did not deny that role, but he paid attention to building socio-political organisations, including the role of the Party. The Party's guidelines and policies are important in serving the legitimate rights and interests of the people. In addition, social organisations and socio-political unions also demonstrate their role in protecting human rights. He directed the establishment of those organisations right after the first years of the country's independence, such as the National Union (established in May 1946), the Vietnam General Confederation of Labour (May 1946), the Vietnam Socialist Party (July 1946), among others (Central Party History Research Board, 1984).

President Ho Chi Minh pointed out that only socialism and communism are the ways to liberate humanity from oppression and exploitation and bring basic human rights to the majority of working people. He said: 'Our country is a democratic country, the highest position belongs to the people, because the people are the masters' and 'Our regime is a democratic regime, meaning the people are the masters' (Ho Chi Minh, 2000, vol. 4). Therefore, he pointed out: 'If the people are the masters, the Government must be the servants. Working today is not for promotion and wealth. If the Government harms the people, the people have the right to oust the Government' (Ho Chi Minh, 2000, vol. 4). This is the thought that vividly and deeply demonstrates the tradition of promoting the role of the people and the autonomy of the Vietnamese people in Ho Chi Minh's thought.

In his work 'The Revolutionary Path', he pointed out: The new-style democratic state of Vietnam is a state of the people, by the people and for the people. The social foundation of that

state is the entire Vietnamese nation, based on the alliance between the working class, the peasantry and the intelligentsia under the leadership of the Communist Party of Vietnam (Ho Chi Minh, 2000, vol. 2). Immediately after our country gained independence, President Ho Chi Minh affirmed:

'All benefits are for the people.
All power belongs to the people.
Innovation and construction work is the people's responsibility.
The cause of resistance and nation building is the people's work.
The government from the commune to the central government is elected by the people.
Organisations from the central to the communal level are organised by the people.
In short, power and strength are in the people' (Ho Chi Minh, 2000, vol. 4).

In Ho Chi Minh's thought, in order to ensure human rights, it is necessary to build a rule-of-law state of the people, by the people, for the people that state is expressed by President Ho Chi Minh in a concise, succinct, simple, and easy-to-understand way:

People's State: A state in which the people are the masters, have the highest position, the highest power and have the right to decide all issues related to the destiny of the nation and the country. This is clearly stated in the 1946 Constitution: 'Vietnam is a Democratic Republic. All power in the country belongs to the entire Vietnamese people, regardless of race, gender, rich or poor, class, or religion' (Nguyen, 2025a).

State by the People: According to President Ho Chi Minh, the policy of building a state by the people means that the state is chosen by the people, electing their representatives, the people are the masters, the people support, help, pay taxes for the State to operate and the people participate in the work of the State (Ho Chi Minh, 2000, vol. 4).

State for the People: That state always serves the interests and aspirations of the people, has no privileges or special benefits, is truly clean, frugal, honest, impartial and selfless. In that state, officials are 'servants' of the people. Therefore, any work that benefits the people, no matter how small, must be done with all our might, and any work that harms the people, no matter how small, must be avoided with all our might (Ho Chi Minh, 2000, vol. 4). State officials must be those who know how to use the people's talents, strength and property to benefit the people, protect the people and must not violate human rights and civil rights in the process of performing their duties.

Building a new type of state of the people, by the people, for the people according to Ho Chi Minh's thought is building a socialist state of law. That state has the task of eliminating all poverty, injustice, inequality and bringing freedom to the working people (Van & Ngat, 2025).

Discussion

The above-mentioned contents clearly reflect the pillars of Ho Chi Minh's thought on human rights. To understand more deeply the theoretical and practical significance of these views, it

is necessary to approach them from an analytical and discussion perspective as follows: Ho Chi Minh's thought has expanded the scope of the concept of human rights from the individual perspective to the national and global dimensions. The close connection between individual rights and national rights not only reflects the reality of the Vietnamese revolution but is also a valuable theoretical contribution to countries that have experienced colonialism (Nguyen & Nguyen, 2024). In addition, his profound awareness of the role of law in protecting human rights shows progressive legal thinking, laying the foundation for building a democratic and modern state. These thoughts are still relevant, serving as a guideline in the work of building and perfecting a legal institution for the people in Vietnam today.

Research shows that President Ho Chi Minh's human rights ideology is creative, harmoniously combining traditional Vietnamese humanistic values and Western progressive ideology. A highlight is the close relationship between human rights and national rights: human rights can only be realised when the nation is independent and free (Van & Ngat, 2025). Ho Chi Minh also deeply recognised the role of law in ensuring human rights. The promulgation of the 1946 Constitution and the system of legal documents demonstrated the thinking of building a rule-of-law state for the people (Nguyen, 2025a). In addition, he paid special attention to disadvantaged groups, especially women, with the policy of eliminating inequality and promoting the role of women in society (Ho Chi Minh, 2000, vol. 12). The ideology of 'a state of the people, by the people, for the people' is the foundation for the comprehensive realisation of human rights, contributing to the orientation of Vietnam's current human rights policy.

From a broader theoretical perspective, Ho Chi Minh's human rights framework challenges the Western liberal assumption that individual rights can be fully realised without national sovereignty. In colonial contexts, where entire populations were systematically dehumanised and dispossessed, the right to self-determination becomes the master right without which all other rights remain illusory (Pham, 2024). This insight positions Ho Chi Minh alongside other anti-colonial thinkers such as Frantz Fanon and Aimé Césaire, who recognised that the struggle for human dignity must begin with the political liberation of the colonised territory. Furthermore, Ho Chi Minh's emphasis on the legal protection of human rights through constitutional and legislative mechanisms demonstrates his commitment to institutionalising rights rather than leaving them as abstract moral claims. His vision of a state 'of the people, by the people, for the people' presages contemporary debates on democratic governance, accountability, and the rule of law in developing nations (Nguyen & Nguyen, 2024).

Nevertheless, several tensions within Ho Chi Minh's human rights thought merit further scholarly attention. First, while he advocated for democratic freedoms such as freedom of speech, assembly, and press, the practical implementation of these freedoms in revolutionary and wartime conditions often required trade-offs between individual liberties and national security. Second, his paternalistic model of democracy, where Party cadres must cultivate

revolutionary moral virtue to guide the people, raises questions about the mechanisms for ensuring accountability and preventing abuse of power (Pham, 2024). Third, the relationship between Ho Chi Minh's human rights ideology and contemporary international human rights law remains undertheorised, particularly regarding how Vietnam navigates between universal human rights standards and its specific historical and cultural context.

Read through the framework indicators, the tensions are not accidents. The liberty-security trade-off is the contradiction indicator in contemporary form; the paternalism-accountability question tests whether the synthesis of guidance and mastery holds; and the universality-specificity problem is the historical-movement indicator, asking how a thought formed in anti-colonial struggle travels into international law. Comparative work on decolonisation and human rights (Keys, 2020; Heiss, 2020; Johnson, 2020; Khan, 2020; Winter, 2020), on postcolonial states (Spear, 2024) and on decolonisation and racial justice (Smith, 2024) offers the comparative field in which those questions can be pursued, as does the Marxism and human rights debate (O'Byrne, 2019; Copello, 2021; Hedlund & Nilsson, 2022). For legal education, the constraints on human rights education where academic freedom is not guaranteed (Thi Minh Ngo, 2019) set a practical limit on how the four pillars can be taught, while contemporary gender-equality legislation (Buchhave et al., 2023) and labour-law critique (Dang, 2024) show where the women's equality pillar meets present-day Vietnamese law. The findings of this study therefore have implications that are best stated as directions, not as measured outcomes.

The findings of this study have several implications for contemporary policy and practice. For Vietnam, Ho Chi Minh's human rights thought provides a valuable resource for articulating a distinctly Vietnamese approach to human rights that is both internationally engaged and rooted in national experience. For the international community, engaging with Ho Chi Minh's framework can enrich global human rights discourse by incorporating non-Western perspectives that emphasise the interdependence of national sovereignty, social justice, and individual freedoms. Future research should explore comparative studies between Ho Chi Minh's human rights thought and that of other anti-colonial leaders, as well as empirical investigations into how his ideas are operationalised in contemporary Vietnamese legal and political institutions.

CONCLUSION

RQ1: The core content of Ho Chi Minh's thought on human rights is organised in four pillars: individual rights are inseparable from national rights; human rights must be recognised and protected by law; special attention must be given to vulnerable groups; and realising human rights requires a rule-of-law state of the people, by the people, for the people. The organising thesis is that national independence is the precondition of individual freedom: the 1945 Declaration extends the language of inalienable individual rights into a claim of national rights, so that sovereignty itself is presented as a human right.

RQ2: Ho Chi Minh grounded rights in law and institutions in a sequence that runs from the 1919 Demand, which asked that decrees be replaced by laws, through the 1945 Declaration of Independence to the 1946 Constitution, reported to recognise 13 articles on human rights and civil rights, and on to decrees such as Decree No. 14 of September 18, 1945, on equal voting rights. The institutional endpoint of that sequence is the rule-of-law state of the people, by the people, for the people, in which law is combined with ethics, tolerance, and humanity rather than standing as bare coercion.

RQ3: On vulnerable groups, the documentary evidence presented here establishes a substantial case on women's equality: constitutional equality, the vote and the right to stand for election, education through the campaign against illiteracy, protection against domestic violence, and a place in leadership as urged in Ho Chi Minh's Will. The literature also notes ethnic minorities among disadvantaged groups, but no separate evidence on minorities is presented here, and this study makes no claim about minorities beyond that note. That qualification is itself a finding about the limits of the corpus.

RQ4: Three tensions remain. First, democratic freedoms were advocated alongside trade-offs with national security in revolutionary and wartime conditions. Second, the paternalistic model of cadre guidance raises an accountability question that the sources do not resolve. Third, the relationship between Ho Chi Minh's ideology and contemporary international human rights law remains undertheorised, particularly where universal standards meet Vietnam's historical and cultural context. The contemporary relevance of the thought is nevertheless visible: it continues to inform Vietnam's policies across civil, political, economic, social, and cultural fields, and Vietnam's election to the United Nations Human Rights Council in 2013 illustrates its international resonance. That resonance is a marker of engagement, not evidence about domestic implementation, which this documentary study does not assess.

Three recommendations follow from the findings. First, legal education in Vietnam should teach the four pillars as an integrated framework, with the constraints on human rights education where academic freedom is not guaranteed (Thi Minh Ngo, 2019) addressed explicitly rather than assumed away. Second, scholarship should pursue the comparative programme this study identifies as a gap: close comparison with other anti-colonial thinkers, and theorisation of the universality-specificity tension, in conversation with the decolonisation literature (Keys, 2020; Jensen, 2019; Smith, 2024) and with work on the Human Rights Council as an institution (Tistounet, 2022; Freedman, 2020). Third, policy discourse should state the sovereignty-interdependence position explicitly and assess it against implementation evidence, including contemporary work on human rights in Vietnam (Kvanvig, 2022; Huong & Lien, 2023) and on gender equality legislation and labour law (Buchhave et al., 2023; Dang, 2024), rather than treating international election or membership as proof of domestic realisation.

The issue of human rights has always been of great concern to President Ho Chi Minh, with its broad, comprehensive and profound content. His human rights ideology is reflected in many areas of social life. In the current period, the Party and State continue to promote his ideology, gradually respecting, ensuring, and implementing human rights in the civil, political, economic, social, and cultural fields, which are recognised by the international community. In addition to signing many important international documents on human rights, the State has internalised those regulations into the national legal system. Proactively participating in human rights forums around the world, including election to the Human Rights Council in 2013, Vietnam has once again affirmed its role and position in working with the international community to respect and ensure human rights.

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