

**JEAN - JACQUES ROUSSEAU IDEAS ON STATE POWER****Van Khac Vu**Ho Chi Minh City College of Economics, Ho Chi Minh City, Vietnam.  
vankhacvu@yahoo.com**ABSTRACT**

*The history of thought about state power has witnessed many great achievements formed in the eighteenth century, especially in France. Among the French Enlightenment philosophers of the 18th century, Jean - Jacques Rousseau (1712 - 1778) was a radical-thinking philosopher who fought for people and state power. Rousseau's thesis on state power has made many contributions in terms of theory and practice. According to Jean - Jacques Rousseau, the rule of law is the institution that exercises natural human rights; Therefore, it is extremely necessary to have methods of organization, division, operation, and control among branches of state power. That is the basis for establishing legislative, executive, and judicial powers. The systematic study of Jean - Jacques Rousseau's ideas on state power has profound theoretical and practical significance for the socialist rule of law state in Vietnam. Within the scope of the article, the author focuses on analyzing Jean - Jacques Rousseau's thought on decentralization to avoid the risk of abuse of power by state power agencies; thereby drawing historical significance for the control of power in Vietnam today.*

**Keywords** - Jean - Jacques Rousseau, State power, Control of power, Vietnam.**Introduction**

Up to now, it can be affirmed that, in terms of the form of governance, the rule of law state is the most advanced state organization model in history. Compared with the long history of theocracy and kingship, the rule of law has been around for just over 200 years. Currently, in the world, not many countries have organized according to the model of the rule of law, but in terms of the trend of democracy being expanded, the world is striving for a rule of law.

In the history of human thought, the issue of the rule of law state has been studied since ancient times and flourished in the Renaissance-modern era in Europe with such prominent thinkers as John Locke, Montesquieu, Jean - Jacques Rousseau. Later, when the bourgeois revolution was successful in many countries, developed countries follow the capitalist path to organize the state follow the rule of law model. Over the centuries, nations. The participants who chose this model have achieved many successes in operating the state apparatus. Up to now, this model has been supplemented and further developed, but its core contents remain unchanged, still valid.

With Vietnam, the thought of building a socialist rule of law state in Vietnam, a state of the people, by the people and for the people has been formed since the 90s of the twentieth century and is

increasingly evident in Vietnam. At the 10th National Congress of Deputies, our Party determined: "Building the operating mechanism of the socialist rule of law state, ensuring the principles of principle that all state power belongs to the people; power is unified, with assignment and coordination among agencies in the exercise of legislative, executive and judicial powers" (Communist Party of Vietnam, 2006, p.126). The Party's policy is to build a scientifically organized and operated state according to the principle of unification of power, with close coordination among state agencies. In the 2011 Party Building Platform, our Party continues to affirm: "Our State is a socialist rule of law state of the people, by the people, for the people. All-State power belongs to the people, whose foundation is the alliance between the working class and the peasantry and the intelligentsia, led by the Communist Party of Vietnam. State power is unified; there is an assignment, coordination, and control among agencies in the exercise of legislative, executive, and judicial powers. The State promulgates laws; organize and manage society by law and constantly strengthen socialist legislation" (Communist Party of Vietnam, 2011, p.62). To carry out the correct line of the Party Communist Vietnam on building a state ruled by the law of the people, by the people and for the people, in our opinion, the study of valuable ideas and views about the rule of law in

history is one of the most important factors in the history of the Communist Party of Vietnam important factor to be able to successfully build a socialist rule of law state in Vietnam.

Jean - Jacques Rousseau is one of the French Enlightenment philosophers whose researches on the division of state power and determination of the role and position of each right in the state are very value himself, like many thinkers of the same time, made active contributions to fight against feudalism and establish basic principles for building a new political institution. The article focuses on analyzing Jean - Jacques Rousseau's thought on state power; thereby drawing historical significance for the control of power in Vietnam today.

### Literature review

Rousseau's ideological studies on state power are quite diverse, in many different fields, but can be generalized in some main directions as follows:

First, the research works on Rousseau's life, career, and thought in general, including the thought on state force. These include translations of typical works of Rousseau such as *Émile ou De l'éducation* translated by Le Hong Sam, Tran Quoc Duong translated, *Les Confessions* Le Hong Sam translated, *Du Contrat social* by translated Hoang Thanh Dam. Besides, works in this direction also include French and English philosophers: Decarters – Rousseau – Voltaire – Hobbes of Kessinger Publishing, Montana, 2004; the work *Jean-Jacques Rousseau* by Bui Xuan Linh translated from chapters I, VI, VIII, XXXV of volume X in the *History of Civilization* by Mr. and Mrs. Will and Ariel Durant, National University Publishing House, HCMC, 2015; *John - Giac Ru - Bucket* by Phung Van Tuu, Culture Publishing House, 1978...

Second, the ideological research works on human state power in human history and the French Enlightenment period of the 18th century, including Rousseau's, thought on human rights. The *History of Human Rights: From Ancients can be mentioned Times to the Globalization ERA* by Micheline Ishay, University of California Press, Los Angeles, 2008; *Inventing Human Rights – A History* by Lynn Hunt, W.W. Norton & Company Ltd, London, 2008; *Thoughts on Human Rights (Anthology of World Documents and Vietnam)* by La Khanh Tung, Vu Cong Giao, Nguyen Anh Tuan (2011), Faculty of Law, Hanoi National University, 2011; *Socialism and human rights* by Dang Dung Chi and Hoang Van Nghia, National Political

Publishing House, Hanoi, 2014; *French Revolution and Human Rights* by Lynn Hunt, Bedford/St.Martin's, Boston, 1996; *Democratic Enlightenment: Philosophy, Revolution, and Human Rights, 1750 – 1970* by Jonathan Israel, Oxford University Press, 2012...

Third, the research works on history in general and the history of philosophy, in particular, are related to Rousseau's thought on state power. These include the work *The History of the World* by John Morris Roberts, Oxford University Press, New York, 2013; *Modern World History* by Vu Duong Ninh and Nguyen Van Hong, Education Publishing House, Hanoi, 2003; *History of Western Philosophy, Volume 1: From ancient philosophy to classical German philosophy* by Doan Chinh and Dinh Ngoc Editor-in-Chief Thach, National Political Publishing House, Hanoi, 2018; *History of Philosophy* edited by Nguyen Huu Vui, National Political Publishing House, 1998; *The history of Western philosophy* includes 4 books by Do Minh Hop, National Political Publishing House, Hanoi, 2014...

From the overview of the research situation, it can be seen that the research works related to the thesis are quite diverse and rich. However, there is no monograph that directly and systematically explains Rousseau's idea of state power, thereby evaluating the historical value of this thought in terms of theory as well as practice.

### Research Methods

**Theoretical basis:** The article is made based on the point of view of Marxist-Leninist philosophy, mainly on the issue of the state and the rule of law. At the same time, the article is developed based on the guidelines and lines of the Party and the laws of the State of Vietnam on building a socialist rule of law state.

**Research method:** This article is made based on materialist dialectical methodology with the use of several research methods such as historical-logical unity, analysis-synthesis, deductive-inductive, comparative, generalize, statistics, academic texts.

### Results and Discussion

**Jean - Jacques Rousseau's view of decentralization to avoid the risk of abuse of power**

Studying Jean - Jacques Rousseau's entire thought system, we find that the basis and foundation of his political philosophy is the concept of the origin of

social inequality as well as the recognition of natural human rights. Therefore, his thought is always towards a rational state built based on the social contract and the common will; in which the supreme power belongs to the people to eliminate inequality in society and protect the natural rights of people. Jean - Jacques Rousseau gave the fundamental theories on the rule of law state such as the issue of state power belongs to the people, the law is supreme, the compliance with the common will... These are principled issues. in the construction and operation of the rule of law state.

Inheriting the ideas of his predecessors but directly from the thought of Montesquieu, Jean - Jacques Rousseau said that, as an institution that guarantees the natural rights of people, the rule of law state must necessarily have divided into legislative, executive, and judicial powers. To demonstrate the need for a division of state power, he elucidated the role of specific branches of power. Jean - Jacques Rousseau said that the legislative power is the supreme power, which is responsible for making a legal system with codes for the country (Rousseau, 2004, p. 179) based on the social contract. Because he considers the social contract to be an effective method to eliminate inequality in society, the embodiment of the common will; Therefore, the enforcement of the social contract must be truly and unconditionally observed, because it ensures that state power belongs to the people. Therefore, the legislative power is the most direct expression of the will of the people and can only belong to the people. Since the legislative power is the supreme power that can dominate other powers, the legislature has the right to propose the formation of a government to perform the executive role and at the same time has the right to propose methods of selecting select judges, court officials in the judiciary.

According to Jean - Jacques Rousseau, "the supreme authority has no power but legislative power" (Rousseau, 2004, p. 170), and "the legislator is the engineer who invented the machine; The king is just a mechanic who sets up and operates the machine... The legislator is not a magistrate or a king" (Rousseau, 2004, p. 100). The decision here has shown that state power cannot fall into the hands of one or a few people; because with the king's character, he will be dictatorial, taking all power into his own hands. that, when using the legislator, it means creating a republic.

Regarding the role of the executive (legally called government), Jean - Jacques Rousseau argued that the government "should not have legislative power and the people, even if they wanted to, could not give the law-enforcement power to legislate" (Rousseau, 2004, p. 102). Accordingly, the executive can only obey the social contract ie the constitution, but cannot both hold executive power and be empowered to legislate. As stated above, the legislative power belongs to the people and the people's power is the supreme power that governs other powers; therefore, the government does not hold legislative power, meaning that there should be a separation of executive power from legislative power.

To further clarify the government's role as the executive branch, Jean - Jacques Rousseau asserts, "government is an intermediary mechanism between the subjects and the supreme authority, so that the two parties correspond to each other, enforce the laws, preserve civil liberties as well as political liberties. treat. The members of this intermediary mechanism are called magistrates or kings, that is, rulers. This whole intermediate body is called the government" (Rousseau, 2004, p.123). Thus, he proposed a triangle of relations between three successive levels, between the supreme authority, the government, and the people; in which, "the intermediary role of the government is reflected in the fact that the government receives orders from the supreme authority and transmits it to the people" (Rousseau, 2004, p.123). If the function of the supreme authority is to make laws, then the function of government is to govern directly and the function of the people is to submit. According to Jean - Jacques Rousseau, it is necessary to have a very clear distinction between the above functions, if there is ambiguity between them, improper execution of those functions will lead to tyranny or anarchy.

Regarding the role of judicial power, according to Jean - Jacques Rousseau that is an independent agency, "not involved in any part", carrying out the task of adjudicating according to the law to punish, prevent illegal acts, and protect the common will. According to Jean - Jacques Rousseau, the judiciary "must have no legislative or executive power at all. But that is why the judiciary has the upper hand because it does nothing, but can prevent everything. It is the most sacred and most respected body because it is the guardian of the law: the law is

enacted by the supreme authority and is enforced by the government” (Rousseau, 2004, p. 124).

Although the legislative, executive, and judicial powers are independent of each other, there is a very close relationship, mutually influencing each other and making state power strong. To explain the necessity of decentralization, Jean - Jacques Rousseau writes: “Because whoever commands him cannot command the law. And he who commanded the law should not command him. Otherwise, the law, which is a tool to control ambition, will become a tool to perpetuate injustice, and personal opinions will tarnish the purity of the work’. In short, the legislator cannot be both the king who directly rules and the jurist who directly judges in the courts; cannot accept the situation of kicking the ball and blowing the whistle, both as a football player, as a referee, and as someone who arbitrarily changes the football rules on the football field (Fetscher, 1989p. 151-159).

According to Jean - Jacques Rousseau, when state power is divided into three independent branches, the risk of abuse of power is avoided. He pointed out, "The judiciary will turn into an abuser when it takes over the executive power, which is itself the moderator. The judicial authority will also abuse its power if it stands to make the law, but it is only a defender" (Rousseau, 2004, p. 129). At the same time, he also outlined situations of conflict between the executive branch and the legislature and said that, "when the government abandons or departs from the general will, it acts autocratically according to its own will". By using the force they hold in their hands, there will be a great danger: in a country, there will be two supreme authorities, one supreme authority in law, and supreme authority in practice. As a result, the social unity will disintegrate, the political body will perish (Rousseau, 2004, p. 120). In necessary cases, the government can be dissolved. Jean - Jacques Rousseau argues as follows: "it is always possible to be willing to sacrifice government for the people, not the people for government" (Rousseau, 2004, p. 128). Jean - Jacques Rousseau further explained, the executive is established based on the law and operates by the law, not basis on the social contract. The government is set up by the legislature which must enforce the laws. Therefore, they are the ones who are entrusted with the executive power, not the people's masters; To be more specific, it is the officials who perform their duties in the state apparatus. This means that the people and the

supreme authority can promote but also remove them. The legislative body or the supreme authority has the power to enact, amend the government election laws as well as change the executive apparatus at any time as it suits (Fetscher, 1989, p. 151). Similarly, regarding the abuse of power by the judiciary, Jean - Jacques Rousseau argued that the judicial body should not be allowed to become a permanent body forever, but must clearly define a time limit for it. The deadline should be specified to ensure a moderate level; that is, not too long for the abuse of power to form. Judicial officers must work for a term, be elected according to the provisions of the law, and work according to the law, not based on their predecessors who have supported them.

Regarding the causes leading to government degradation and abuse of power, Jean - Jacques Rousseau pointed out that: Due to the government tightening itself, going from the majority to the few; namely, from democracy to aristocracy, from aristocracy to monarchy, this is the "natural corruption of government". Due to the government's self-indulgence, the shift from the few to the majority; namely from monarchy to aristocracy, from aristocracy to democracy. Those are the two main reasons why the government abuses power, causing the country to decline (Rousseau, 2004, p.163-165). According to him, it is necessary to dissolve the government in both cases. When the head of government does not comply with the rule of law, becomes dictator and breaks the social contract. When cabinet members compete for power; The more magistrates there are, the more prime ministers will lead to the state of government and the country beiiisvided and disbanded. Jean - Jacques Rousseau considers the phenomenon of state disintegration and government abuse as anarchy (Rousseau, 2004, p.165-166). Government abuse of power and usurpation of power can only be prevented if and only by convening a periodical assembly of the entire people. At this conference, delegates focused on two issues: "Are the people satisfied with the existing form of government?" and "Are the people satisfied with the rule of the trustees?" (Rousseau, 2004, p.189). It can be affirmed that the All-People's Conference is an effective brake for the government and opens the law of no-confidence of the legislature towards the government. It can be no confidence in the government as a whole or no confidence in each member of the government because the government is inefficient or illegal

(Rousseau, 2004, p.189). Currently, the statute of no confidence is quite widespread, it is present in the operation of most modern states.

Thus, decentralization is considered an effective method to avoid the influence of subjective factors, to be dominated by personal interests, in the name of the common will in the implementation and protection of the law; thereby ensuring the objectivity of the law (Fetscher,1989), p.151-158). If Montesquieu said that: "The executive power must exercise the restraining function to participate in the legislative, otherwise, it will be deprived of its prerogative. But on the contrary, if the legislative power participates in the executive, then executive power will be annihilated" (Montesquieu, 2006, p.117), Jean - Jacques Rousseau emphasized that the legislative, executive, and judicial powers should be divided into independent branches of power. Because according to him, if state power is concentrated in the hands of one person (or several people), an organization, it will be extremely dangerous. Abuse of power by powerful authorities is inevitable. Whether noble or commoner, Jean - Jacques Rousseau warned of the danger of losing everything if state power fell into the hands of the few. Defending the view that all state power belongs to the people, Jean - Jacques Rousseau never mentioned any special privileges for the rich and high-status; and at the same time, he did not discuss the establishment of an aristocratic Parliament. This is easy to understand; because he always supported the freedom and equality of all people and the state power belongs to the people.

#### **The historical significance of the decentralization view to avoid the risk of abuse of state power by Jean - Jacques Rousseau for the control of power in Vietnam today**

Jean - Jacques Rousseau's thought of the separation of state powers had a profound influence on the bourgeois revolution in France and the United States, on the French Declaration of the Rights of Man and the Citizen (1791), and the American Declaration of Independence (1776). particular and to the political-philosophical ideas of philosophers of the later era in general. For Vietnam, Jean - Jacques Rousseau's thought of dividing state power to avoid the risk of abuse of power has important theoretical and practical significance for the construction of a rule of law state. Although be avoided, Jean - Jacques Rousseau's ideas about the rule of law state contain many positive elements. The principles of the rule of law that he introduced

such as the supremacy of the law expressing the common will of the people, the state power belong to the people, the equality of all citizens before the law, the division and controlling state power to avoid the risk of abuse of power... is always a topical issue.

The issues raised by Jean - Jacques Rousseau are even more meaningful in terms of the socialist rule of law state in Vietnam; Because of the influence of socio-political history, the problem of decentralization in our country must both comply with the universality of political life in the world and reflect the specificity of historical and economic conditions. Vietnamese culture and society; means that the assignment and coordination must be based on the principle of centralization and unity, under the leadership of the Communist Party of Vietnam. In the condition that there is only one ruling party, all activities of the state must comply with the leadership of the Communist Party of Vietnam, which is a huge challenge to our country's state control mechanism. It is a power control mechanism that must adhere to the principle of centralization and unity. The fact shows that, no matter how the Constitution stipulates the division of powers (in the spirit of absorbing the rational kernel of the theory of decentralization), it is impossible to achieve the decentralization of powers in one country to some extent according to the theory of decentralization; because when placed under the sole leadership of the Party and the supreme supervision of the National Assembly, it is difficult for state power agencies to be completely independent and autonomously exercise their control. Therefore, when decentralization is not clear, it is difficult to control state power. So the urgent question is: how to both ensure the leadership of the Communist Party of Vietnam and ensure clear decentralization to create an effective state power control mechanism? This is a rather complicated problem. To thoroughly solve it, it is necessary to return to the true nature of state power and simultaneously implement the following solutions:

Firstly, the most basic basis for the implementation of the power control mechanism is to clearly define three legislative, executive, and judicial powers, with three corresponding agencies to exercise their powers. When it comes to controlling state power, it is important first of all to organize the state apparatus to be properly and coherently assigned and assigned tasks between the three powers of

making, executive and judicial. There is a new division of responsibility to have a basis for controlling power. Previously, we had demarcated but not clearly, so in reality, we still confused between functions, making it difficult to organize the implementation; at the same time, it also weakens the branches of power and causes a great obstacle to the implementation of democracy in society. To facilitate the power control mechanism and create a balance in the exercise of state power, the 2013 Constitution specifically stipulates the division between branches of power. Specifically, Article 69 affirms that "The National Assembly exercises constitutional and legislative rights"; Article 94 clearly states that "The Government is the highest state administrative agency of the Socialist Republic of Vietnam, exercising executive power..."; Article 102 stipulates that "The People's Court is the judicial organ of the Socialist Republic of Vietnam, exercising judicial power". It is the clear and specific division of power branches that has created a mechanism to control state power from within the state apparatus, which is the basis for controlling state power, the people have the right to control the state power. the basis for commenting and evaluating the effectiveness of the exercise of state power of each right.

Power must be divided and strictly controlled so that state agencies and officials can fully demonstrate their responsibilities, wholeheartedly serve the people, and overcome abuses of power in performing their duties. service. Therefore, it is extremely necessary to creatively apply the power control mechanism in the condition that a single party leads, in otolith internal constraints on power, especially the power of the Government. government. Therefore, it is necessary to focus on internal control between branches of power, with the focus being on the control of the Government - the highest administrative organ of the state, which holds resources, finance, and budget and is the place of concentration. most central, most substantive of state power. That requires the National Assembly and the Court to become powerful agencies to perform well their controlling role.

But in fact, the National Assembly has not fully exercised its responsibilities and powers as stipulated in the Constitution; the quality and work of law-making, the organization, and apparatus of the National Assembly are still inadequate; Supervision is still not active and not focused on

pressing issues of society... Weak quality and lack of full-time National Assembly deputies are important reasons why the National Assembly works. poor quality does not meet the requirements and increasingly large tasks that practice sets. Therefore, enhancing the quality of National Assembly deputies and gradually increasing the proportion of full-time National Assembly deputies, moving towards eliminating the status of part-time deputies becomes the central issue and top priority in the organization's work. reorganization and reform of the National Assembly. At the same time, it is necessary to build a truly democratic electoral mechanism so that all capable and qualified individuals have the opportunity and favorable conditions to stand for election; so that voters have more information and opportunities to choose their delegates; and importantly, it is important to create a truly democratic and open environment for delegates to promote their role of representing voters, sticking with voters, always grasping and fully expressing their will and aspirations. voters' expectations. Only then will the National Assembly truly become a strong orstrongrforming its functions and powers.

The third branch of power, performing the most effective power monitoring function is the Judiciary. But, the judicial work in our country today, from the organization of the apparatus to the operating mechanism, still reveals many limitations. That causes negative effects such as injustice or omission of people and omissions in investigation, arrest, prosecution, and trial; The people's legitimate rights and interests are also violated.

To overcome the above situation, it is required to quickly implement the Judiciary reform strategy, implement the principle of Judicial independence to build this industry into a strong, separate, and powerful organization. supervise and minimize the manipulation of the legislative and executive organs, and ensure the rights and obligations of citizens. Article 103 of the 2013 Constitution, amended in 2013, stipulates that "when adjudicating judges and jurors, they are independent and only obey the law". It is the legal basis that guarantees judicial independence in practice. "The judicial power must be extended to the subjects of the trial including legislative and executive acts. In the not-too-distant future, the activities of the legislative and executive organs will also have to be put in the court of law" (Dung,

2007, p. 646). Only when the Judiciary (but first of all the Court) becomes an independent branch, the Judicial right can show its role as a place in the name of justice; practice fair, equal, and objective treatment in all relationships. Because then, all decisions of the Court are completely independent, not governed by or dependent on any organization or individual and are not subject to any pressure from the outside... but only based on the rules and regulations. provisions of the Constitution and the law. Therefore, for the Judiciary to become an independent activity, the first requirement is to separate the judiciary from the legislature and the executive to limit the interference of government agencies in the judicial system, and the judiciary must have the ability to monitor and limit the above two branches of power.

Because the legislature and the judiciary have not wrong authorities, have not performed well their controlling role over the executive, leading to the situation: the executive field in our country does not cumbersome, multi-layered, slow... but also lacks a mechanism to exercise power, reduce the effectiveness of power, and corrupt power... Therefore, aiming for a modern, clean, and strong government Streamlining, a compact, effective operation associated with the delimitation of power, control, and personal responsibility of the head is a requirement of building and perfecting the rule of law in society communism in Vietnam.

In addition to being the basic basis of power control, the clear delineation between state power agencies according to their respective functions and areas of activity will increase the agencies' ability to make correct decisions, create should be professional in the operation of the state apparatus, promptly solve difficulties and solve problems in people's lives; thereby creating people's confidence in the capacity and expertise of agencies and making the state's operations highly effective.

Thus, the powerful agencies perform their control functions by the provisions of the Constitution and the law. Therefore, to control power effectively, the Party must show its leadership role through lines and policies; but those lines and policies must be institutionalized by clear laws and specific regulations of the authorities; avoid the case where the Party leads by Party cadres directly instructing state officials to perform, the party acts on behalf of State agencies; This will lead to a situation where the leadership lacks rigor, unity, has no legal basis and is ineffective.

Second, create a mechanism of restraint and counterbalance. In our country, the implementation of the principle of democratic centralism, ensuring that the people through their representatives can control the entire state power in the most comprehensive most comprehensively, and thoroughness method of controlling the state power. State power is mainly controlled through the supreme supervisory function of the highest state power agency, the National Assembly. However, in terms of actual performance, both the National Assembly and the courts have not played their roles well. Therefore, to control power most effectively, it is necessary to create a mechanism of restraint and counterbalance.

Restrain and balance is a set of rights and responsibilities prescribed by law as the basis for branches of power to exercise control over each other. It creates a political-legal relationship so that the branches of power can independently carry out their tasks; at the same time can prevent abuse of power, autocracy, bureaucracy, corruption... from other branches of power. In our country, the Constitution only stipulates the assignment, coordination, and mutual control between the branches of power, but in terms of supervision, only the National Assembly - the highest authority - has the ultimate supervisory power. high for the executive and judicial authorities, but not vice versa. This more or less limited the role of mutual control between the authorities.

The essence of the mechanism of restraint and balance is to use power to control power, to control power by state power. The best way to combat abuse of power is to limit power by legal means. It is based on the use of law to limit the scope of rights, and when they use of power exceeds its permissible that, it automatically leads to the suppression and restriction of the respective powers. To do so, controlling power must be balanced with controlled power and must be outside of controlled power. Only when power is equal among branches of power can control be unrestricted. In this regard, we have to absorb the doctrine of decentralization even more. That power control mechanism requires professionalized and institutionalized branches of power. The more specific and stricter the institutionalization, the better control of power.

Third, build a systematic and comprehensive control mechanism. The revised 2013 Constitution initially recognized the right of mutual control

between powerful agencies. That is the basis for later promulgating laws to build appropriate state power control mechanisms. For the control work to be highly effective, it is necessary to build a systematic and comprehensive control mechanism from the central to local levels, similar to the method of controlling law compliance of state agencies and employees. government. the statstateer is done in two ways. If divided horizontally, state power will include legislative, executive, and judicial powers; and if divided vertically, it will include central and local agencies. Corresponding to it, the rights control mechanism must also be implemented in the above two ways; that is, there is mutual control between agencies at all levels (Central and local) and between agencies at the same level (legislative, executive, judicial, and within themselves).

In addition, the implementation of the state power control mechanism requires the participation of actors from outside the state apparatus such as the Party, people, socio-political organizations, the media. mass...; because in fact, there are many violations discovered and denounced by the people, the press, and media channels, and then the authorities get involved. Only then, the new power control mechanism can cover; creating relationships and binding each other between elements, parts; and receive multi-dimensional information from various sources to promptly handle violations; creating the highest capacity against corruption, corruption, group interests...; At the same time, building a systematic and comprehensive control mechanism will ensure the principle of organization and operation of the entire political system of our country as "the Party leads, the state manages, the people do the work "owner". Therefore, state power control can only promote its maximum effectiveness when closely combining the control of all three forces: Party - State - People. Only when there is such a synchronous combination will the organization and activities of the State operate smoothly, in harmony, and smoothly; both ensure

the Party's leadership role and effectively control power.

Simultaneous implementation of the above solutions will contribute to the creation of a tight and effective power control mechanism; and ultimately to ensure the principle that "all state power belongs to the people". However, all the above solutions must be associated with the leadership function of the Party and the management and administration function of the state. Therefore, strengthening the leadership role of the Party does not mean that the Party makes excuses, alters, or interferes too deeply in the affairs of the state. The Communist Party of Vietnam has the nature of the working class and the entire working people and is the vanguard representing the interests of the people and the nation. Therefore, the Party's leadership role is shown in orienting the State's activities to the right trajectory, not far from the interests of the people and the nation; that the people are the subject of state power and the subject of control over state power. Therefore, the leadership of the Party with the principle of centralization and unification does not lose the effectiveness of decentralization and control of power but is also a decisive factor to achieve the highest goal of decentralization and control. Controlling power is affirming the people's right to mastery.

### Conclusion

One of the great contributions that Jean - Jacques Rousseau left to humanity is the ideas about the organization and division of state power into legislative power, executive power, and judicial power; and at the same time put forward the idea of controlling power to limit the risk of abuse of power. Thoughts on asserting that all power belongs to the people; the government of the people, by the people and for the people; the law is paramount; respecting the freedom and equality of citizens... which he has put forward contains many positive values, which is a goal for many countries to strive for.

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