

Regulating social media and influencers within Vietnam

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Abstract

Ms. Nguyen Phuong Hang is the CEO of Dai Nam Van Hien, a tourism complex in Binh Duong province in southern Vietnam, and in 2021 she started livestreaming on social media. Hang's livestreams would humiliate celebrities, include personal attacks, criticize media and charity organizations, and use harassing language, resulting in the Vietnamese government regulating social media influencers. Vietnam is a centralized government that promotes the regulation of social media influencers to control the population by censoring content and banning certain discussion topics. This is exemplary of Vietnam's media regulatory environment: Vietnam wants to take advantage of the opportunities that new media and technology bring to promote economic integration, yet the Vietnamese government prefers to accept them by enforcing their adherence to local regulations via regulatory and economic measures. As a result, the Vietnamese government has increased control over livestreaming influencers: any social media account with more than 10,000 followers must provide account holders' contact information to government authorities. Further, social media platforms will be asked to remove content that has been flagged as problematic by government officials, shoring up Vietnam's view on regulation toward foreign social media platforms. These regulations allow the government to control the narrative around social issues and prevent dissenting voices from being heard. Departing from the analysis of Hang's case study, this article examines the current regulatory status of social media users with a specific focus on Vietnamese influencers. The paper also extrapolates

the tension that the country faces as it invests and develops its digital and creative industries.

KEYWORDS

digital platforms, influencers, regulation, social media, Vietnamese media

INTRODUCTION

Hang Nguyen Phuong is the CEO and the owner of Dai Nam Joint Stock Company and Lac Canh Dai Nam Van Hien—a 1100-acre tourist complex in Binh Duong province, Vietnam. Hang is well-known for her charity fund, “Hang Huu” (Friends of Hang), a program that provides free cardiac surgery for less fortunate children with congenital heart disease. Between March and October 2021, she sparked debates on social and mainstream media with 53 livestreamed and high view count *exposés* of celebrities on her Facebook page and YouTube channel (Long-Nguyen, 2021; TTO, 2022). Hang livestreamed while making false and slanderous statements about individuals and businesses including famous actors and actresses, journalists, and even senior government officers without providing any evidence. Her livestreams attracted millions of viewers. The livestreams ignited enormous public outcry, based on the horrid Hang remarks directed at a number of individuals she said were well-known but dishonest celebrities in Vietnam. Ultimately, her actions caused public concern and negatively impacted the reputations of the individuals she accused. Following several claims of slander and insults, Hang was temporarily barred from leaving the country. In March 2022, Hang was detained and charged with violating Article 331 of the Vietnamese penal code for “abusing democratic freedoms to infringe upon the interests of the State, lawful rights and interests of organizations and/or citizens” (BBC, 2022a, 2022b; Onishi, 2021).

The Hang case study is exemplary of the sorts of tensions facing Vietnamese social media influencers. The social media approach within Vietnam—such as supporting Western-based social media platforms while tightly managing their stretch into the Vietnamese social discourse—exists within a burgeoning and dynamic digital media environment. With significant investment from the Vietnamese government into the information and communication technology (ICT) sector, it has also attracted a high level of interest from around the Asia Pacific region. The Australian Trade and Investment Commission (also known as Austrade) (2020), for example, has noted a significant sector increase year on year between 2016 and 2020 to the level of about 8%. Locally, the Vietnamese government has pledged an investment of \$415 million (USD) into the same ICT sector. These sorts of investment strategies in the IT sector are commonplace for countries wanting to establish an industry as a localized version of a Silicon Valley model: that is, one that attracts the brightest minds, start-up businesses, and agile development projects to contribute to a local economy. This investment strategy is facilitated by the Vietnamese government who provides the infrastructure, tax breaks, and capital investment by both state and commercial agencies.

With this as a backdrop towards significant investment in the ICT and digital media sectors, it is not surprising that social media has become a significant player within the media industries of Vietnam. The White Book of Vietnam (2017), a document published frequently by the Ministry of Information and Communications to summarize and update ICT in Vietnam, has highlighted that social media has been increasing since its introduction in the last decade. Much of the content that has been produced for the social media platforms

has been for electronic newspapers, e-commerce, e-libraries, online gaming, online entertainment, and digital television. Interestingly, the top two social media platforms that are accessed by smartphones in Vietnam are Facebook and YouTube.

This article makes a case for Vietnam as one of the fastest growing destinations for digital media and cultural industries within the Asia Pacific region based on its burgeoning economy and its large and growing online population. At the same time, the paper highlights the tension that appears between Silicon Valley-style social media and commercial platforms and the state-run media system in which it operates. The article then provides an overview of Vietnamese influencers while also focussing on the unique case study through Hang, whose actions have prompted calls for social media regulations to be changed in the country. Finally, the study offers a series of recommendations that provides a safe and productive environment for social media users within Vietnam without inhibiting an agile and innovative digital media industry.

SOCIAL MEDIA IN VIETNAM AND ITS INFLUENCERS

The top social media platforms in Vietnam, within the 16- to 64-year-old range are Facebook (90% of users) and Zalo (89%), followed closely by YouTube (74%), TikTok (62%), Instagram (66%), and Twitter (21%) (Statista, 2020). These data suggest that the majority of Vietnamese social media users are adopting a combination of Facebook, YouTube, Zalo, TikTok, and Instagram. Zalo is the country's private messaging app, similar to the Chinese messaging app WeChat or the South Korean messaging app by Naver, Line. It is reasonable, in that case, to argue that social media is the driving force behind the country's digital economy (Austrade, 2020) beyond its current growth outside of non-social media industries. With the holistic focus here on the growing digital media industry, the investment from the government, and the increased uptake of digital content across these platforms, the ideal conditions have emerged for the rise of influencers within Vietnam.

An influencer is an individual who has the power to sway people's opinions, either by the use of their position in society or by their skills in a particular field. Influencers can be celebrities (such as actors, musicians, or athletes) or experts in a particular field (Burns, 2021). With the increasing popularity of social media, a new type of influencer has emerged. These are individuals who have huge followings on platforms such as Facebook, Instagram, or YouTube. They are often called social media or digital influencers (Abidin, 2016) and can have an impact on the social, economic, and political decisions of their followers. Vietnamese social media influencers' approaches align with influencers from other countries, specifically those located in the Asia Pacific region, through the sorts of content production and audience engagement techniques (Hutchinson, 2022; Lee & Abidin, 2021). They typically focus on categories such as food, lifestyle, makeup, comedy, travel, fashion, and fitness as some of the key topics.

Vietnam is a country with a strong online presence, and influencers increasingly play a role in shaping the country's social media landscape. There are a variety of actors involved in the regulation and governance of influencers in Vietnam, including influencers themselves, their audiences, the state, platforms, and the press. The power dynamics between these actors vary, but there is a general understanding that the state and platforms have the majority power when it comes to regulating influencers given they control what content is published and how it is distributed (Bui, 2016). Additionally, they can impose punishments on influencers who violate the rules (Nguyen-Thu, 2018). As noted by the 2016 Vietnamese Press Law, the Vietnamese media is a state-owned system (Bui, 2016; Phuong, 2022) and is defined first and foremost as a mouthpiece of the Communist Party of Vietnam (CPV). Its first role is to inform and educate citizens but is also tasked with

disseminating official directives from leaders at any given time (Kerkvliet, 2019; Phuong, 2022). Therefore, news content has traditionally been primed and framed to serve the state's purpose. It is commonly understood that “serve the interests of the country”—the role of journalism which is determined by Vietnamese Press law—translates into a hegemonic ideology of being loyalists under CPV rule (Khanh, 2020). In Vietnam, the mainstream media plays a minor role in grassroots politics, especially in matters related to democracy or civil rights (Le, 2018, 2020).

Social media platforms must “negotiate” with the state as well as regularly receive requests to remove or block content and accounts spreading content that the Vietnamese government considers as “toxic and harmful” (Lam, 2022). Vietnam's social media influencer landscape is shaped by multiple actors with varying power and influence, with much of the power concentrated in state hands. However, the strong increase in the number of internet and social media users in Vietnam has led to a shift in that power towards influencers. According to the latest study of Vietnamese Millennials and Gen Z by ASEAN integrated marketing agency Vero (2019), online influencers impact on the attitude, perception, and behavior of social network users, especially generation Z. In Vietnam, influencers are responsible for setting trends and influencing public opinion on social media. Vero (2019) documents the ongoing rise of online influencers as part of broader generational changes in Vietnam and found that 95% of Vietnamese followers consume influencer content on Facebook, 72% also use YouTube, and 15% use Instagram to engage with their favorite influencers.

Numerous studies have examined the role of online influencers in consumer buying behavior in Vietnam. In terms of spreading and impacting awareness on political and social issues, Vietnam's “Hand washing dance” demonstrated proper hand-washing instructions on TikTok and then spread through influencers on social media, is considered an example of how to push “viral” content, especially during a pandemic when all eyes are on social media (Torres, 2021). However, the Hang case is a new phenomenon, where her influence was not to promote products or call for support of a brand, lifestyle, or entertainment, but to criticize individuals and their social behaviors. At times, Hang crossed the line of criticism to offend individuals and attack government-sponsored institutions (like the press and charity organizations). Despite the fact that the literature on influencers is growing, little research has been done on the scaffolding of how the regulation and governance of influencers in Vietnam take place, especially with individuals who influence public opinions.

Following this observation, we employ exploratory qualitative research using an induction method. The researchers used a mixed method approach including Google search by using phrase wording such as “Nguyễn Phương Hằng” on a variety of social media platforms including the “Livestream” functionality. The timeframe of coverage was from March, when Hang conducted her first livestream, to October 2021, when she was forced to stop. According to statistics of the Binh Duong Provincial Police Department in a press conference, as cited by TTO (2022) during this period, Hang organized 53 livestreams “showing signs of breaking the law” (TTO, 2022). For our research, we selected 44 livestreams of Hang that remain on the YouTube channel of Dai Nam Racecourse at the time writing this paper (<https://www.youtube.com/c/TruongDaiNam/videos>)—considered as one of the official YouTube channels by Hang. Document analysis of press documents and social media texts were also used to understand community response (on both mainstream media and social media). Articles in selected newspapers include three Vietnamese state-owned newspapers with the most circulation (i.e., *Thanh nien*, *Tuoi tre*, *Lao dong*) and the Vietnamese versions of two foreign media agencies (i.e., *BBC*, *RFA*). This coverage allows the authors to cover different assessments of the Hang case as well as that of the Vietnamese government and its approach toward social media influencer regulation.

VIETNAM'S DIGITAL MEDIA PARADOX

The paradox between the dynamic commercial digital media industry that is booming for Vietnam within its state-run media environment presents the Ministry of Information and Communications with complex decisions to make on localized issues and policy responses. For example, the Vietnamese government threatened to close Facebook to its country's users in 2020 due to Meta's inefficiency in removing antistate content. Meta, Facebook's parent company, responded by saying it was compliant with the government's requests and stood its ground by stating it would not further restrict the content on its platform (Pearson, 2020). While these sorts of dynamics are playing out between the Government and Meta, other agencies are not convinced this relationship is working for the people it serves. In 2020, Amnesty International released its "Let Us Breathe" report (Amnesty International, 2020), stating:

"social media platforms are fast becoming human rights-free zones, where any peaceful dissent or criticism of the Vietnamese government is liable to be censored and where users seeking to post such content face the risk of being suspended or otherwise barred from the platforms" (p. 5).

While other countries and regions are also engaging in negotiations with technology giants such as Facebook and Google especially, it is concerning that the Vietnamese Government and Facebook have citizen silencing mechanisms in place. The social media users in Vietnam have to drive between these rules to continue to operate: that is, they often operate between Vietnam's social media regulations and platform regulations.

In Vietnam, social media is a significant political space, as Logan (2018, para. 4) describes: "The online environment has long been a safe space for political discourse in a country where such discussion is often dangerous." Among the variety of content that appears on Vietnam's social media, users are continually navigating the area in which they can operate. Entertainment channels and accounts (dramas, unboxing, comedy, and the like) are generally more accessible than more critical spaces, including those that talk back about contemporary social and political environments. Thus, the Vietnamese government generally has negative views about people using social media and focuses on its potentially harmful effects on Vietnamese people's political compliance. In doing so, the conservative approach toward social media affects the country's political life by limiting dissent and contrary opinions amongst its users.

However, the Vietnamese digital content industries are part of a larger and growing creative economy emerging from the creative and technology industries. With the investment from the government establishing the need for this sector and signaling its significance to the broader sector, it suggests the creative economy is a significant driver of its broader economy within the country. The creative economy can be thought of here as a creative industry which identifies "activities which have their origin in individual creativity, skill, and talent and which have the potential for wealth and job creation through generation and exploitation of intellectual property" (Department for Digital, Culture, Media & Sport [DCMS], 2001). In this context, the media industries that accompany the creative industries are a key proponent and drivers of this sector for the Vietnamese case.

The first piece of internet infrastructure was installed in 1997 by the Vietnamese government which aligned the country with the explosion of global connectivity. However, this connectivity does not necessarily result in a diversity of content made available to Vietnamese audiences. Even with 850 newspapers in production at the time, the variety of content remained significantly limited as journalists were and continue to be sanctioned by the state, which in turn reduces the plurality of the media experiences for Vietnamese

audiences. “One reason for this is that only journalists licensed by the government are permitted to write and publish news” (Nguyen & Vuong, 2016, p. 3). However, in the digital media space, plurality is difficult to control which has resulted in a rising number of voices in this space for Vietnam. There were 54.7 million internet users in 2018, with predictions that this number will rise to approximately 75.7 million in 2023 (Statista, 2020). Mobile and smartphone use are on the rise as it has been in many other Asian Pacific areas with 136,230,406 subscriptions. This number compliments the static and fixed broadband connectivity rates where 14,802,380 subscriptions are currently in place. Collectively, 68.75% of the country is connected via the internet, suggesting there is still a potential 30% connectivity growth opportunity for Vietnam (World Bank, 2020).

The growing connectivity rates, increased mobile connection, and overall thirst for digital media content, place Vietnam as a central space for the growth of social media platforms. This shift has given voice to many who challenge the state-run media outlets, questioning the quality of the media that had previously been the norm in these spaces. “The Vietnamese are no longer hesitant to debate political issues and topics previously regarded as taboo or politically incorrect” (Nguyen & Vuong, 2016, p. 2). Social media users now hold officials and politicians to account through the use of platforms and channels where they express their demands and comment on a variety of social aspects, including their political environment. Strikingly, this moment arrives in parallel to the increased and somewhat booming digital media industries and creative economy, presenting the Vietnamese government with a delicate and difficult regulatory moment. This same social media environment includes local content creators alongside international voices.

Regulation and policy design in a time of digital growth

Attracting a “very bad” label for its world ranking by Reporters Without Borders, Vietnam currently sits at 175 out of 180 on the World Press Freedom Index (RSP, 2021). This ranking, according to Reporters Without Borders, suggests that Vietnam performs poorly at “pluralism, media independence, media environment and self-censorship, legislative framework, transparency, and the quality of the infrastructure that supports the production of news and information” (RSP, 2021). However, Vietnam is ranking considerably better in other comparative world rankings, including a literacy rate (population aged 15 years and older) of 95.8%, a population of approximately 96.4 million, and a GDP of USD 808 billion (UIS, 2021). Further to these development measures are the United Nations Sustainable Development Goals that most other countries are focused on to improve the livelihoods of their citizens. One of the central goals is from within the mass media, where Vietnam has 779 agencies operating in this sector (Vietnam News Agency, 2021). In the 2018 United Nations Vietnam report, “Viet Nam's voluntary national review on the implementation of the sustainable development goals”, the “innovation capacity of Viet Nam increased by 12 grades and it is ranked 47th in the world for the first time thanks to the important contribution of information technology” (UN Vietnam, 2018, p. 55). Given the ranking of press freedom against these somewhat impressive global rankings in other areas, a rugged regulatory experience for the Vietnamese people is imminent.

The media model in Vietnam is determined by the one-state government system which is applied to the traditional press space and now is also applied to the digital media environment through both legal and technical means. The state-owned Vietnam Post and Telecommunications (VNPT) ISP is one of the most popular internet providers in the country, which also only allows state-registered ISPs to operate. Domain name system filtering is in operation to align with state's control which will see users land at inoperable websites instead of banning them—a task undertaken by the ISPs. Legal control

is applied through the 1992 Constitution, which has an inherent tension with the inclusion of Article 69. Article 69 states that citizens are free to express themselves through opinion and speech have the right to assemble and have the right to demonstrate. However, Article 258 of the Criminal Code prohibits citizens from “abusing democratic freedoms to infringe upon the interests of the state.” “All information stored on, sent over, or retrieved from the Internet must comply with Vietnam’s Press Law, Publication Law, and other laws, including state secrets and intellectual property protections” (OpenNet Initiative, 2012, p. 388). In addition to these basic laws, Decree Number 97, Article 6, of the Management, Supply, and Use of Internet Services and Electronic Information on the Internet prohibits the “use the Internet to oppose the government; to undermine the state and state unity, national security, public order, or social security; to incite violence or crime, or to damage the reputations of individuals and organizations” (ibid.).

At the same time, technology giants are attempting to secure their market domination by working alongside local rules and regulations. Pearson (2020, November 20) believes that the Vietnamese government has a close relationship with the major technology giants through regular rounds of discussions, especially Facebook and Google, and they often strategically partner to minimize the impact of those users who speak out against the government. In other words, the technology providers have positioned themselves at the forefront of censorship and are being championed by the state-run party. YouTube is frequently approached to restrict content that speaks out against the government, which limits the visibility of it especially for international audiences (Amnesty International, 2020). What this means is that activists are free to say what they want, but the content they create will not necessarily be visible to users of the site. Below is a graph¹ that demonstrates the increasing frequency of those requests on YouTube by the government.

In itself, the graph above demonstrates the kind of regulatory tensions that is present within Vietnam. On the one hand, there is a huge push to develop and strengthen the digital media sector with significant government and private financial investment, alongside significant “kick-back” such as tax incentives, increased infrastructures, and a developing tech community. On the other hand, it is the state-mandated voice that runs the party line, which has been highlighted through the vast difference in Articles 69 and 258 of The Constitution. The Vietnamese case is quite rightly supportive of its cultural exports through social media, especially across YouTube and Facebook, highlighting its tourism, lifestyle, food, and people while being overly critical of those talking about more sensitive topics. This has been reinforced through the technology and platform providers who are, for the most part, following the best financial opportunities to increase platform use, exposure, and ultimately increased revenues through advertising (Hiep, 2019).

Regulation or visibility? Social media regulation in action

While the Vietnamese case is this unique blend of legislation and technological limitation, this is not dissimilar to the experience of other social media users and online content producers in other global regions. For the most part, the Vietnamese case has demonstrated increased activity that aligns with shadowbanning. Shadowbanning is the act of limiting the amount of visibility on one’s social media content without removing it. It is “a light yet debated censorship technique used by social media platforms to limit the reach of potentially objectionable content without deleting it altogether” (Are & Paasonen, 2021, p. 2). Shadowbanning is in lieu of de-platforming which is a much more obvious and restrictive measure to remove users from the social media space entirely. Shadowbanning, de-platforming, and other measures such as geoblocking are all technologically determined methods of limiting visibility, which is often done via algorithmic distortion. Beyond the shift

of content production and visibility that is associated with algorithmic decision-making (Hutchinson, 2021), algorithmic distortion demonstrates “growing ubiquity may also induce a certain number of biases in the processing and structuring of information and interactions, with respect to some baseline human behavior” (Roth, 2019, p. 1). Yet, it is the act of demonetization within YouTube especially that suggests the most important regulatory lever available to governments and platform providers.

Demonetization is the process that allows the content producer to publish their content, yet if it fails to align with the terms of service of YouTube, it will generate no income for the channel's author (for that piece of content alone). YouTube describes demonetization as:

1. Turning off ads on the YouTuber's channel.
2. Suspending participation in the YouTube Partner Program.
3. Suspend or terminate YouTube Channel.

In a panopticon-style of regulation, the implicit knowledge and understanding of how demonetization operates are enough to dramatically shift how content producers operate in these social media spaces. In describing how this approach of unseen regulation works for the act of shadowbanning, Hewa (2021) argues, “even the fear of having one's content quietly removed from their followers' feeds materially shapes how users interact with the platform, down to the hashtags used or content posted” (para. 12).

With this apparent tension in the Vietnamese media regulatory environment, on June 17, 2021, Vietnam introduced a nationwide code for the conduct of its users on social media. The crux of this code is that users are being encouraged to post positive content about the country, and for state employees to report any kind of conflicting information. The code states that “Social media users are encouraged to promote the beauty of Vietnam's scenery, people and culture, and spread good stories about good people” (Phuong & Pearson, 2021). This code is especially directed toward YouTube but also Facebook. To understand how this plays out in the contemporary regulatory space in Vietnam, the following section describes a key event in the build-up to this regulatory turn for social media users in Vietnam.

For influencers and key opinion leaders (KOLs), on the one hand, Vietnam leverages the role of influencers in spreading messages that the government considers positive (e.g., like the handwashing dance case above), or promoting lifestyles that are considered beautiful (as is the case with cheering for the rise of the national spirit to promote the tendency of Vietnamese to use Vietnamese goods). On the other hand, Vietnam also tries to limit influencers if it finds that these influencers stir public opinion towards social or political issues, or the influencers spread unsubstantiated information across social media and is able to capitalize on the attention and visibility. That is why Vietnam has “adopt[ed] a combination of repressive and responsive measures to mitigate the adverse effects of economic mal-performance and public frustration in cyberspace” (Bui, 2016, p. 92). These measures include technical restrictions like access limitation through firewalls, filtering, and list blocking, as well as political ones like the broad usage of compliant networks and legal measures to compel compliance (Bui, 2016; Luong, 2022). Another method is manipulating the online discourse by using Force 47 or Brigade 47, a unit whose ultimate objective is to control internet conversation to impose the CPV's message (Kumar, 2021).

It is clear that, as long as the Vietnamese government continues to inhibit online expression, there will be a tension between the platforms' commitment to liberal values and their need to maintain a presence in the country. The platforms' tension between their broader stance towards liberal self-governance and content moderation policies presents a dilemma for platforms developed with a Western liberal ethos but forced to accommodate centralist government policies to sustain a broad user base that feeds its profit-oriented model. For instance, Decree 72 (2013), on the “management, supply and use of internet

services and online information,” banned “abusing the internet” to oppose the government (Abuza et al., 2015). The Cybersecurity Law, passed in 2018 and effective from 2019, requires giant technology companies like Google and Facebook to store data, including personal information, and give it to authorities when required. It also mandates censorship of user posts that are antigovernment, threaten national security, defame people, or harm organizational reputations. It is being used as a legal framework to silence critics (Nguyen, 2018b; Zeng et al., 2019). According to the report “Democracy in Retreat—Freedom in the world” (Freedom House, 2019), at the end of 2018, Vietnam had 244 prisoners of conscience, including journalists, lawyers, civil and land rights activists, political dissidents, and religious believers. Furthermore, on some sensitive occasions, social media channels have been blocked. In May 2016, for example, Facebook was blocked to prevent the organization of environmental protests.

The Facebook platform also moderates the content posted, to prevent material being uploaded or staying online that violates its rules such as violence, pornography, and privacy violations (Gillespie, 2018). The boundary between acceptable and prohibited materials is not always clear, however. Notably, in Vietnam, Facebook may be under pressure from the state to hide dissenting content, which officials may see as “undermining national security, social order, and national unity” (Banyan, 2013). This prohibition is in addition to refusing to accept violence, defaming content, or fake news. For instance, in 2017 and 2018, online activists criticized Facebook for helping suppress dissent in Vietnam by removing the profiles of political “offenders,” blocking accounts of civil society activists and restricting online content. Such actions could increase the reach of government censorship (Nguyen, 2018a), even though the content suppressed does not violate Facebook’s community standards.

From zero to “hero”

Hang's case is typical of a Vietnamese social media influencer who had already made a name for herself as a businesswoman. Hang's influence on the online world began with her popularity in business and philanthropy. Hang represents the trend that is seen as the “democratization of KOLs,” who are characterized by “ordinary people such as bloggers or users of short videos with a sizable proportion of followers” (Wang, 2021) and distinguished from the traditional celebrity endorsement from the movie or athletic stars with higher social status. Despite the fact that many of her claims remain unsubstantiated, Hang's livestreams have drawn hundreds of thousands of viewers and lasted for hours. For instance, on May 25, her broadcast on the fan page “CEO Nguyen Phuong Hang” attracted more than 200,000 people, while her livestream on the fan page “Dai Nam Racecourse [Trường đua Đại Nam]” attracted around 84,000 viewers. Her YouTube channel had a viewership of 159,000. On May 31, its viewers numbers increased to over 1.3 million viewers. The claims she makes, and Hang's penchant for flaunting her money, have sparked serious debate across social media and mainstream media (Long-Nguyen, 2021).

The Vietnamese government is well-known for its attempts to clamp down on internet content that it believes jeopardizes the communist country's stability (Lam, 2022; Le-Thu & Nash, 2019; Nguyen-Thu, 2022; Onishi, 2021). In the case of Hang, the authorities worked with her representative to address statements broadcast live with nonstandard content that jeopardizes social order and safety. The case study draws further attention to Vietnam's media and social media regulation. Besides the usual division and fragmentation in online communities, among those who support and those against Hang's statements, many wonder why the Vietnamese authorities still allow Hang to organize such livestreams. The authorities have ignored Hang's constant profanity, disparaging language, and the

unevidenced accusation during her live streams. This has led to a growing sense of frustration among Hang's followers. Many feel that the authorities are not taking her seriously and are instead turning a blind eye to her antics (Joe, 2021b), which gives a degree of "plausible deniability."

The lack of timely prosecution may be because, although Hang's criticism is unproven or insulting, it remained personal and did not cross a red line: attacking government institutions. Hang's livestreaming created divisions on social networks, which users self-identify as the "righteous side" when they agree with Hang and as the "artist's side" when they have a voice to deny Hang's claims. The "online wars" from social networks to real-life stem from the livestreams of Hang—a disruption of life within Vietnam. Hang's case illustrates the specificity of Vietnam's "responsive-repressive party-state" (Kerkvliet, 2019, p. 6). In Vietnam, once influencers limit their influence to "subversive frivolity," which was defined as "the under-visibility and under-estimated generative power of an object or practice arising from its (populist) discursive framing as marginal, inconsequential, and unproductive" (Abidin, 2016, p. 1), they are still within the safety margin. Other researchers feel that Vietnam is more tolerant of social media (Kerkvliet, 2019; Nguyen, 2009). If their influence level rises, there is a danger of overstepping the frame, particularly when they are "broaching issues such as political multilateralism, improved human rights, freedom of speech, Vietnam's dealing with China, and regime change" (Luong, 2022, p. 27).

However, the winds turned after Hang and guests in one of her livestreams referred to the so-called "revolutionary Vietnamese press." On November 14, 2021, during her live-streamed discussion, its guests used harsh language to describe the state-owned media. The authorities believed that the content spoken in the livestream broke the law, spread false information, and insulted the honor, prestige, and credibility of the Vietnamese revolutionary press. After that, Hang also claimed Nguyen Thi Doan, former Vice President of Vietnam, and Chairwoman of The National Fund for Vietnamese Children, received VND 10 billion from Hang's contribution but used these funds to buy a car. In another livestream, Hang also criticized a senior officer in Vietnamese political system, Pham Van Mai.

The Vietnamese government, in this case, and all other cases has a "red line." Hang criticized multiple celebrities in Facebook livestream videos, which is fine under the current regulation, but if she talks about the revolutionary journalism system and other government officers, this encroaches on the "red line" of regulation. As Bui (2016) believes, the red line of online content "does not directly challenge political authority, the interests of powerful institutions, or the personal interests of powerful individuals, both locally and nationally" (p. 107). In fact, the state-owned media reported that Hang was prosecuted many times as she was "reminded" by the authorities, but she still deliberately streams inappropriate content. In other words, she intended to cross the "red line" which was pointed out by the authorities. A state-owned newspaper cited by BBC (2022a, 2022b) insisted that "Mrs. Nguyen Phuong Hang's extravagance has long gone beyond the limit, from many previous livestreams, and she has to pay the price" (BBC, 2022a, 2022b).

Hang's case is unique because from an influential CEO in real life, Hang became a KOL on social networks. However, this is not the only case where influencers use social media to spread and employ that influence to challenge social institutions. *Poly me movie*, a social media personality with 69,046 Facebook followers; Do Trung Quan, a well-known poet with more than 35,000 followers; and blogger Nguyen Huu Vinh, with more than 20,000 followers (Onishi, 2021) are examples. They have used their influence on social media to criticize the government's attitude to China's expansionist behaviors at sea, call attention to the marine environment, and the Vietnamese bill on cybersecurity law. In a "unipolar" press environment (only state-owned newspapers and radio and television stations), Vietnamese social media platforms have played a very important role for citizens to speak-out against,

which also threatens the position and legitimacy of the CPV (Kerkvliet, 2019; Luong, 2022; Nguyen-Thu, 2018).

DISCUSSION

The media in Vietnam has been constructed as an ideological apparatus that must primarily serve the CPV's political purposes (Heng, 1999, 2001). The CPV sees media as its promotional tool, prohibiting dissenting views and requiring it to support and explain its policies. Kerkvliet (2019) identifies two kinds of politics in Vietnam. First, discussion and argument among the leaders of the CPV, and second, a sphere of “public political criticism” made by citizens who have grievances with the state. If the discussions inside the party are secret and hidden from the public, only occasionally being revealed in criticism on government websites or on social media pages that include sources from within the party; the dialog between the state and critical citizens is conducted mainly through social media (online) and demonstrations (offline). However, there is another kind of politics—grassroots politics—relating to issues that do not threaten the regime's existence, such as a basic level of anticorruption or criticism of local governments. Mainstream media plays a more significant role in these issues than in affairs of the state. Heng (2004, p. 152) describes the Vietnamese press as a “struggle paradigm” that allows for “a form of media activism—not always friendly to the state—to take place despite the media being part of the state.” Heng maintains that although the media in Vietnam is still controlled by the state's censorship regime in all forms and at all levels, the “Doi moi” [Reform] policy has transformed the media, making it different from that which existed before. Under the slogan “struggle against negativism” [Đấu tranh chống tiêu cực], journalists now have the opportunity to speak critically in a way that previously would have been considered too sensitive for publication (Heng, 2004). The struggle paradigm gives media activism a certain ambiguity. There is a delicate boundary between the extent of criticism that the state would like to promote and what would be excessive. It is frequently negotiated depending on the individuals and the political interests involved in each situation.

Vietnamese social media has taken advantage of this gap to become an essential source of public information (Broadcasting Board of Governors, 2016), allowing people to be better informed about key political issues of public concern (Bui, 2016). Topics discussed on Vietnamese social media vary widely from items that include “small politics” (Keane as cited in Marolt, 2011, p. 61–62) and “everyday politics” (Highfield, 2016) to issues related to legitimacy and censorship or “big politics” (Keane as cited in Marolt, 2011, p. 61–62). Vietnamese social media users have found ways to overcome the barriers, both technical and via the suppressive policies of the state, to take advantage of the new affordances of social media to make everyday voices heard (Le, 2018). However, again, the “responsive-repressive party-state” system in Vietnam, as Kerkvliet (2019, p. 6) believes, is increasing pressure on what content can be shared on social media. Politically benign content, banal social debates, and harmless personal criticism are favored instead of stronger voices on political issues. Even prison sentences can be a “reward” for dissident voices. Vietnamese social media users have been “negotiating” (in Heng's, 2001 words) with the state. In a totalitarian society, the state represses dissent by creating a fear of suppression, putting up technical barriers, such as firewalls, and blocking sensitive words (Le, 2020). The dance on the line between what is allowed and what is taboo on social media is not always perfect, even for the connoisseurs of business and experienced in the marketplace like Hang.

After Hang's livestream and anticipating the difficulties of online influencers in the capacity of influencing public opinion in the “right” way, the Vietnamese government is looking to pressure social media influencers by significantly increasing control over

livestreaming: any social media account with more than 10,000 followers must provide the account holders' information to the authorities. Social media platforms will be asked to remove content that has been flagged as problematic by government officials, highlighting Vietnam's position on regulating foreign social media platforms, not only YouTube or Facebook specifically (Nguyen-Pochan, 2021). Vietnamese authorities have already requested that livestreamers who disrespect other organizations and individuals, as well as use inappropriate language that goes against "fine norms and traditions"—a direct reference to Hang's case—be dealt with in a more aggressive manner. The Ho Chi Minh City Police have also invited Hang to meet in relation to her livestream. They asked the local police department to prosecute Hang for "abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens" (Article 258 of the Penal Code). However, the "punishment-based-censorship" model (Nguyen-Thu, 2018, p. 904) does not work in the Hang case, where the Vietnamese people have raised the question of why "the Vietnamese Government stays inactive and keeps silent for months without moving even a finger" (Joe, 2021a).

The case of Hang showed a current state of social media regulation in Vietnam: significant investment in its digital media future while maintaining a consistent political line. To regulate and manage this situation, they have tried to limit the scope for open discussion on live streaming by social media influencers. This is similar to the idea of Chinese netizens suggested by Marolt (2011) that suggests they do not define themselves in opposition to China's party-state or censorship regime' (p. 60), they are not engaged in negotiations concerning political legitimacy and are neither supporting nor rebelling openly against the party-state in China. In Chinese online discussions, people are "ignoring or avoiding such discourses of legitimacy and their attendant narratives of control and censorship" (Marolt, 2011, p. 61). This view recalls Heng's (2004) perspective on the "struggle paradigm" in Vietnam. On the one hand, the media is used as a tool in the struggle against negativism or internal struggles; on the other hand, the media does not exceed the line between what the state would like to promote and what would be excessive (Le, 2018). In other words, the media plays a role in discussing minority issues such as fighting local corruption, struggling against social negativism phenomena, and significant issues like

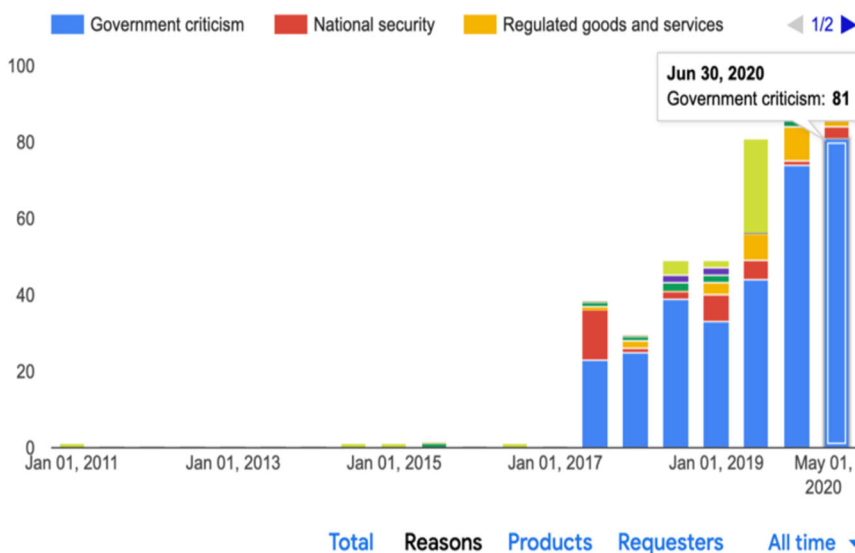


FIGURE 1 The frequency of content restriction requests by the Vietnamese Government to YouTube

democracy or the regime—a “rice-roots democracy” as Wells-Dang (2010) denotes it (Figure 1).

Hang's case shows that, on the one hand, the state is creating a narrow path for those who are comfortable in a limited way, on the other hand, unable to cross the line of what is said. When Hang mentions the “revolutionary journalism system,” a pillar in the CPV's “cultural-ideological front,” as the CPV has said, it means she is going too far. That's when the Vietnamese authorities need to “whistle.” Additionally, it is critical to recognize that social media influencers are a relatively new phenomenon in Vietnam. Globally, social media influencer regulation is a developing topic (Goanta & Ranchordás, 2020). Nonetheless, it poses a huge challenge to Vietnam's media regulating system, which is accustomed to a state-owned press in the absence of a private press. Vietnam has made significant efforts to regulate e-commerce platforms (Seck & Manh-Hung, 2021). The constraints of how a “struggle paradigm” system that works well in conventional media may work effectively in a social media context and with online influencers continue to be a source of consternation (Le, 2018, 2020). Hang's rare “border crossings,” such as when she discussed “revolutionary journalism” (on the live stream on November 14) or when she questioned the use of charity money of the Children's Support Fund which its chairwoman is former Vice President Nguyen Thi Doan (on the live stream on November 21), demonstrate “people find ways to exercise their political agency even under democratic duress” (Pham & Kaleja, 2021, p. viii). Those comments are alarming to the authorities in Vietnam, whether by requesting a report from inspectors (as mentioned in the first part of this paper) or by an article in a state-owned newspaper, Labour newspaper [Báo Lao động], for inspection (Thanh-Phong, 2021).

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ENDNOTE

- ¹ https://transparencyreport.google.com/government-removals/by-country/VN?country_request_amount=group_by:reasons;period::authority:VN&lu=country_item_amount&country_item_amount=group_by:reasons;period:;authority:VN

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