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FOUNDATIONAL THEORIES OF RULE-OF-LAW CULTURE AND THEIR APPLICABILITY IN THE CONTEXT OF THE DIGITAL INDUSTRIAL ERA IN VIETNAM

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Abstract

This article examines the theoretical foundations of rule-of-law culture through four classical theoretical frameworks, namely: the internal morality of law theory developed by Lon L. Fuller, the legal culture theory advanced by Lawrence M. Friedman, rule-of-law theory, and comparative legal culture and global rule-of-law governance approaches. On that basis, the study elucidates how procedural standards of law, socio-cultural factors, and institutional rule-of-law structures jointly constitute the normative foundation that ensures law is respected, fairly enforced, and effectively operationalized. The article further identifies key bottlenecks of legal culture in the context of digital transformation in Vietnam, including lack of transparency, inconsistent enforcement, the tendency to “flexibilize” legal rules, the persistence of informal mechanisms, and limitations in digital legal awareness. Drawing upon the aforementioned theoretical foundations, particularly the internal morality of law and legal culture theories, the study proposes key implications for the development of a digital rule-of-law culture in Vietnam. These include enhancing legal transparency, strengthening digital legal trust, standardizing public service conduct, fostering a culture of compliance among enterprises, advancing digital legal education, and eliminating informal institutional practices. These implications contribute to the ongoing process of building and perfecting a socialist rule-of-law state in Vietnam in the context of globalization and digital transformation.

Keywords: Rule of law; Digital platforms; Rule-of-law culture.

1. Introduction

Rule-of-law culture is understood as a system of values, norms, beliefs, and social practices that embody respect for the supremacy of law, fairness, and accountability, while harmonizing law and ethics and placing the people at the center. It is continuously constructed, maintained, and reinforced to ensure that law becomes the foundational framework governing political and social life in a stable, equitable, and rational manner. Alternatively, rule-of-law culture may be conceived as the aggregate of values, norms, beliefs, and practices that shape society's orientation toward law. On the one hand, it is an abstract concept; on the other, it constitutes the normative foundation that ensures law is respected, fairly enforced, and serves as a general standard for regulating behavior.

A rule-of-law culture is first manifested in an attitude of respect for the supremacy of law, whereby individuals and organizations regard law as the ultimate constraint and comply with it in a consistent and voluntary manner. At the same time, it requires that law be enforced in a fair, transparent, and impartial manner, thereby strengthening public confidence in the integrity of both the legal system and public authorities. Moreover, rule-of-law culture is inherently associated with accountability, requiring that those who exercise power remain subject to legal control, act within proper bounds, and do not stand "above the law." It also reflects a balance between legality and morality, combining the coercive force of law with social ethical standards to guide behavior in a sustainable manner.

In the context of Vietnam, rule-of-law culture is oriented toward socialism, reflecting the interrelationship between the common good, the role of the people, and leadership exercised within the framework of law. Its core lies in the principle of "for the people and by the people," placing the people at the center, safeguarding rights and dignity, and expanding opportunities for development. Finally, rule-of-law culture is not a static condition but an ongoing process that requires the integration of legal education, the cultivation of social awareness, the enhancement of enforcement capacity, and institutional reform. Only through consistent and sustained development can rule-of-law culture become a normative foundation ensuring that law operates effectively, legitimately, and contributes to the stable and sustainable development of the nation.

In contemporary legal and governance scholarship, multiple theoretical approaches have been developed to explain the nature, structure, and functioning of law in society. Each theory offers a distinct analytical lens, ranging from the procedural morality of law and the legal culture of society to institutional rule-of-law structures and mechanisms of global governance. Among these, four major theoretical frameworks are widely regarded as foundational and influential, forming a core analytical framework for the study of rule-of-law culture in the modern context. These include: (1) the theory of the internal morality of law developed by Lon L. Fuller, which emphasizes that law can only properly exist if it adheres to procedural moral standards that ensure legality and systemic integrity; (2) the theory of legal culture advanced by Lawrence M. Friedman, which views law not merely as a set of rules or institutions but as a socio-cultural phenomenon shaped by societal attitudes, beliefs, and legal behavior; (3) rule-of-law theory, encompassing approaches from Anglo-American traditions, continental European systems, and socialist rule-of-law models, which provides criteria for assessing legal systems based on legality, control of power, and protection of human rights; and (4)

comparative legal culture and global rule-of-law governance theories, which extend analysis beyond the national level, highlighting the interaction, convergence, and mutual influence of legal systems in the context of globalization and digital transformation.

These four theoretical strands, although approaching the subject from different perspectives—ethical, cultural, institutional, and global—converge on a fundamental insight: the rule of law is not merely a legal structure or an instrument of governance, but a cultural, moral, and social value, constructed and sustained through the ways in which individuals and institutions create, implement, and engage with law. This convergence provides a robust theoretical foundation for analyzing rule-of-law culture in contemporary Vietnam, where the development of a socialist rule-of-law state is intrinsically linked to globalization, technological transformation, and digitalization.

2. Literature Review and Research Methodology

2.1. Literature Review

Research on rule-of-law culture in contemporary legal scholarship has been approached from multiple theoretical perspectives, reflecting the multidimensional nature of inquiries into the essence, structure, and functioning of law in society. Synthesizing these approaches reveals a relatively coherent theoretical framework in which rule-of-law culture is understood not merely as a system of legal norms, but also as a value–social–ethical structure that shapes how individuals perceive, comply with, and enforce the law.

First, there is broad scholarly consensus that rule-of-law culture constitutes the aggregate of values, norms, beliefs, and social practices that embody the supremacy of law, fairness, transparency, and accountability, while maintaining a close interrelationship between law and social ethics. From this perspective, law is not only an instrument for regulating behavior but also a normative foundation that orients social order, with human beings and human rights at its center. Accordingly, rule-of-law culture is not a static condition but a dynamic process, continuously constructed and reinforced through legal education, law enforcement, and institutional reform.

Among the foundational theoretical frameworks, the theory of the internal morality of law developed by Lon L. Fuller is widely regarded as one of the most influential approaches. This theory posits that the legitimacy of law depends not solely on its substantive content but also on procedural moral standards governing its creation and implementation. Accordingly, a legal system can function properly only when it satisfies criteria such as publicity, clarity, stability, consistency, and practicability. These principles constitute the internal moral foundation of law and serve as a prerequisite for fostering societal trust in the rule of law.

In parallel, the theory of legal culture advanced by Lawrence M. Friedman offers a socio-legal perspective in which law is conceptualized as a socio-cultural phenomenon. According to Friedman, the effectiveness of a legal system depends not only on its institutional structure (legal structure) or normative content (legal substance), but decisively on legal culture—namely, the attitudes, beliefs, and behaviors of individuals toward law. This perspective explains why, in many cases, even well-designed and modern legal systems fail to operate effectively in practice when an appropriate legal culture is lacking.

Beyond these two foundational theories, scholarship has increasingly situated rule-of-law culture within broader frameworks of rule-of-law theory and comparative and global approaches. These perspectives extend the scope of analysis beyond the national level to encompass globalization and digital transformation, emphasizing the interaction among legal systems and the role of rule-of-law standards in contemporary governance. A common thread across these approaches is the recognition that the rule of law is not merely a legal institution but also a cultural and social value constructed through the practical operation of law.

In the context of Vietnam, existing studies indicate that rule-of-law culture is oriented toward socialism, with a distinctive emphasis on placing the people at the center and ensuring a balance between public interests and human rights. However, in the context of digital transformation and international integration, rule-of-law culture faces significant challenges, particularly the gap between legal provisions and their implementation, inconsistencies in law enforcement, and limitations in legal trust and legal awareness within society.

Overall, the literature demonstrates a critical theoretical convergence: rule-of-law culture cannot be established solely through the formal improvement of the legal system; rather, it requires the integrated development of procedural legal ethics, effective enforcement institutions, and a robust legal culture within society. This constitutes an essential theoretical foundation for further research and for proposing solutions to strengthen rule-of-law culture in the context of ongoing digital transformation.

2.2. Research Methodology

This study employs a doctrinal and analytical–synthetic approach to systematize the foundational theories of rule-of-law culture, combined with a comparative legal method to examine and contrast different theoretical perspectives. In addition, a qualitative analytical method is applied, drawing on practical cases in the context of digital transformation in Vietnam, in order to elucidate the operation of theoretical principles in practice.

3. Research Gap

Although foundational theories of rule-of-law culture have been relatively well developed—particularly through the approaches of Lon L. Fuller and Lawrence M. Friedman—several significant research gaps remain.

First, existing studies predominantly analyze rule-of-law culture within traditional contexts, while the digital transformation context has largely been treated as a supplementary factor rather than as a central analytical variable. In practice, however, the digital environment is fundamentally reshaping how law is created, implemented, and complied with, thereby necessitating a reconfiguration of the criteria used to assess rule-of-law culture.

Second, although the theory of the internal morality of law has established universally applicable criteria of legality, the application of these criteria within the domain of digital law remains underexplored in a systematic manner. Issues such as algorithmic transparency, data consistency, and predictability in automated systems have yet to be adequately incorporated into the analytical framework of the internal morality of law.

Third, while legal culture theory has identified the decisive role of “law in the mind,” existing scholarship has not sufficiently clarified how this element is transformed within the digital environment, where legal behavior is increasingly shaped by

technological platforms, social media, and non-traditional forms of interaction. This gap limits the ability to explain phenomena such as the widespread occurrence of digital legal violations, the erosion of digital legal trust, and the persistence of informal norms within digital settings.

Fourth, in the context of Vietnam, studies on rule-of-law culture have begun to align with the objective of building a socialist rule-of-law state; however, there remains a lack of integrated analytical models that connect rule-of-law theory, legal culture, and digital transformation. In particular, there is limited systematic research examining the interrelationship among legal transparency, accountability, legal trust, and the operational effectiveness of digital government as core pillars of a digital rule-of-law culture.

In light of these gaps, there is a clear need to develop an integrated analytical approach in which rule-of-law culture is examined concurrently across procedural ethics, socio-cultural dimensions, and the technological context of digital transformation.

4. Discussion

4.1. The Theory of the Internal Morality of Law First, the core content of the theory of the internal morality of law

The theory of the internal morality of law was developed by Lon L. Fuller in 1969. In his seminal work *The Morality of Law*, Fuller articulated a theory that has exerted a profound influence on modern legal philosophy. This theory conceptualizes law, on the one hand, as a system of rules enacted by the State, and, on the other, as a purposive enterprise aimed at guiding human conduct through rules that are rational, intelligible, and capable of being followed. Accordingly, for law to exist in its proper sense as “law,” it must be grounded in an internal morality—namely, the morality of legality.

From Fuller’s perspective, a natural question arises: what constitutes the internal morality of law? Fuller rejects the view that law can be reduced to commands issued by sovereign authority. Instead, for law to function as law, it must be created and applied in accordance with a system of procedural moral standards that derive directly from its fundamental purpose of guiding human behavior through rules. Thus, when addressing the notion of “internal morality,” Fuller is not primarily concerned with whether a rule is substantively good or bad, just or unjust, but rather with how such rules are formulated, promulgated, maintained, and applied in practice.

On this basis, Fuller identifies three central characteristics of the internal morality of law.

First, law is inherently purposive, as it represents a deliberate effort to regulate human conduct through rules. To fulfill this purpose, law must operate within a framework of internal moral standards that prevent arbitrariness.

Second, because human beings are the subjects of legal regulation, law must respect their dignity and rational capacity. This entails that individuals must be able to know the law, understand it, anticipate lawful conduct, and comply with it accordingly. In this sense, legality itself constitutes an expression of respect for human rational agency.

Third, a legal system cannot be procedurally “immoral.” This means that if law is enacted or enforced in arbitrary or unreliable

ways, then, regardless of how substantively reasonable its content may be, such a system cannot properly be regarded as “law.”

To further elucidate this internal morality, Lon L. Fuller identifies eight ways in which a legal system may fail, corresponding to eight indispensable principles of procedural morality. Where these principles are seriously violated, the system loses its character as law, even though it may formally claim that status. These eight principles are as follows:

- 1) The absence of general rules, resulting in governance by arbitrariness.
- 2) Failure to promulgate rules, preventing individuals from knowing and complying with them.
- 3) The enactment of retroactive legislation, undermining legal certainty and predictability.
- 4) The promulgation of unclear or obscure rules, allowing divergent interpretations and enabling arbitrariness.
- 5) The existence of contradictory rules, making simultaneous compliance impossible.
- 6) The imposition of requirements that are impossible to perform, thereby undermining the rational foundation of governance.
- 7) Frequent changes in the law, preventing individuals and organizations from planning or assessing legal risks.
- 8) A divergence between rules as promulgated and their actual administration, thereby eroding the legitimacy and integrity of the State.

From the foregoing analysis, it is evident that the essence of the theory of the internal morality of law does not lie in determining the substantive rightness or wrongness of legal rules, but rather in ensuring the technical–moral conditions under which law can exist, function, and generate a fair order based on transparent rules. For this reason, the theory is widely regarded as a foundational framework for explaining why the rule of law constitutes not only an instrument of governance (rule by law) but also a cultural and ethical value reflecting the quality of the entire legal system. Fuller thus asserts that “the rule of law has an internal morality,” and that rule-of-law culture consists in adherence to these principles.

Accordingly, a rule-of-law culture can only emerge when both the State and society recognize Fuller’s eight principles as common ethical standards governing legislation, administration, and legal compliance. This implies that rule-of-law culture does not arise spontaneously; rather, it is cultivated through the consistent respect for, maintenance of, and adherence to procedural standards that ensure law functions as a rational instrument for regulating human conduct, rather than as a vehicle of arbitrary power. In Fuller’s view, it is impossible to speak of a “rule-of-law culture” where law fails to satisfy these eight criteria of legality, as any serious violation of them deprives the legal system of its integrity and undermines the foundation of public trust.

Second, implications for Vietnam in the era of digital platforms

In the context of deep and pervasive digital transformation, Vietnam is advancing toward the objective of building a socialist rule-of-law state, in which rule-of-law culture is identified as a central pillar. The theory developed by Lon L. Fuller not only carries philosophical significance but also provides important practical guidance. From Fuller’s perspective, five key implications may be drawn for Vietnam:

(1) Enhancing transparency and predictability in digital law. Digital infrastructure—including digital government, open data, artificial intelligence, and other digital platforms—can function effectively only when legal rules are clear, transparent, duly promulgated, and readily accessible. In addition, the updating and monitoring of legal documents must be consistent and interoperable with national data systems. Where transparency is compromised, digital trust among citizens and businesses is eroded, thereby impeding the implementation of digital services. This requirement directly reflects Fuller’s principles of publicity and clarity.

A practical illustration can be found in the widespread deployment of automated traffic enforcement systems (traffic cameras) in major cities such as Hanoi, Ho Chi Minh City, and Da Nang. While these systems constitute an important component of digital governance and smart transport infrastructure, a persistent source of controversy concerns whether vehicles passing through a yellow traffic signal are subject to administrative penalties. This ambiguity has become a salient issue in practice, producing several adverse consequences: uncertainty as to lawful conduct (undermining legal clarity); discretionary and inconsistent application (contrary to Fuller’s eighth principle, as enforcement may vary across authorities and officials, thereby generating perceptions of unfairness); lack of legal predictability (individuals cannot reliably foresee whether their conduct will incur sanctions); and a decline in both legal and digital trust due to the perceived opacity of the legal framework.

(2) Ensuring policy stability in the digital economy. Legal stability and predictability are essential conditions for the digital economy, where investment and innovation decisions are highly sensitive to legal risk. Vietnam should therefore avoid frequent or abrupt legal changes and ensure appropriate transitional arrangements for both enterprises and citizens. This requirement is consistent with Fuller’s seventh principle, which cautions against excessive legal fluctuation as it undermines societal predictability.

A pertinent example in the Vietnamese context is the frequent and inconsistent changes in regulations and guidance concerning electronic identification (VNeID) since 2023. At certain points, public authorities indicated that VNeID could substitute for physical identification documents in transactions and travel; subsequently, however, individuals were required to continue presenting chip-based citizen identity cards. Moreover, acceptance of VNeID has varied across agencies. As a result, digital service providers have been compelled to repeatedly update their systems within short periods to comply with evolving requirements. Such rapid and unstable regulatory changes hinder the ability of citizens and businesses to anticipate their legal obligations, increase compliance costs, and erode legal trust—precisely the consequences anticipated under Fuller’s seventh principle.

(3) Bridging the gap between law and enforcement in the digital environment. A persistent challenge is the divergence between law as enacted and law as implemented. Digital technologies provide an opportunity to mitigate this problem through tools for monitoring enforcement, supervising public officials, and assessing compliance by public authorities. These mechanisms help reduce the risk of abuse of power and ensure consistency between promulgated law and its application, in line with Fuller’s eighth principle.

A clear example arises in the reissuance of chip-based citizen identification cards. Although national regulations permit individuals to submit applications online via the National Public Service Portal or the VNeID application, track processing status, and receive results at home, in practice many local authorities continue to require in-person submission, the completion of paper forms, or the provision of additional documents not prescribed by law. In some instances, online applications are refused, while in others processing times significantly exceed those publicly committed on digital platforms. Such inconsistencies illustrate Fuller's eighth principle: when the law as implemented diverges from the law as promulgated, the legal system loses its internal morality and public trust in digital transformation is correspondingly diminished.

(4) Building data-driven public administration based on clear rules. Digital government can operate effectively only when administrative processes are designed on the basis of clear logic, coherence, transparency, and automation-readiness. This implies that legal norms must satisfy Fullerian criteria such as clarity, consistency (absence of contradiction), and feasibility (i.e., not requiring the impossible). Only under such conditions can data and algorithms replace manual procedures that are prone to error and arbitrariness.

A clear illustration of the need for data-driven, rule-based public administration is the implementation of online vehicle inspection systems. In practice, although appointments can be scheduled online, individuals are still required to queue on-site, re-enter information using paper forms, or submit additional documents not prescribed within the electronic process. Moreover, data between digital platforms and inspection centers are not interoperable, resulting in inconsistent procedures across locations. Such practices directly contravene Fuller's principles of clarity, non-contradiction, and feasibility, and demonstrate that only when administrative processes are grounded in accurate, consistent, and integrated data can digital government achieve effective automation and operation.

(5) Strengthening legal trust and accountability in the digital environment. To foster a rule-of-law culture in the digital age, Vietnam must place particular emphasis on legal trust and the accountability of public authorities in the digital sphere. According to Lon L. Fuller, a legal system can function properly only when the public believes that laws are enacted, applied, and enforced in accordance with their internal moral standards. In the context of digital transformation, this requirement becomes even more critical.

First, digital legal trust can be sustained only when the State ensures transparency in legal information, such that all administrative decisions, public procedures, and regulatory actions are grounded in clear, consistent, and timely promulgated legal bases. This directly reflects Fuller's principles of promulgation, clarity, predictability, and non-contradiction.

Second, accountability in the digital environment requires the establishment of mechanisms enabling citizens to monitor, supervise, and provide feedback on the activities of public authorities. Digital tools—such as public service portals, national databases, enforcement monitoring dashboards, and algorithmic transparency mechanisms—facilitate what Fuller describes as congruence between law as promulgated and law as applied (principle eight). When accountability is strengthened, law is not

only enacted properly but also implemented properly, thereby reinforcing public trust in the rule of law.

Finally, digital legal trust and accountability constitute the foundational pillars for the development of a digital rule-of-law culture, in which law functions as an instrument for the protection of human rights, the promotion of innovation, and the establishment of a safe, humane, and sustainable digital environment.

4.2. The Theory of Legal Culture

First, the core content of legal culture theory

The theory of "legal culture," developed by Lawrence M. Friedman, is widely regarded as one of the most foundational and influential frameworks in modern legal science and the sociology of law. This theory marks a significant shift from a purely technical approach to law—viewing law merely as texts and institutions—toward an understanding of law as a socio-cultural phenomenon shaped by human cognition, beliefs, attitudes, and behavior in social life.

Observing that many countries have enacted modern and sophisticated legal systems that nevertheless fail to function effectively in practice, Friedman poses a central question: why do well-designed, even highly advanced, legal systems fail to achieve effective implementation? He argues that the answer lies not only in the quality of legal texts or the capacity of enforcement institutions, but more fundamentally in legal culture—that is, how individuals think about, perceive, and respond to law. Accordingly, to understand how law operates in practice, it is essential to examine legal culture as the decisive component of rule-of-law culture.

According to Friedman, the legal system operates through three interrelated and mutually reinforcing components:

- 1) Legal structure, which encompasses the entirety of legal institutions, including legislative, executive, and judicial bodies, as well as enforcement mechanisms. This constitutes the institutional framework of the legal system.
- 2) Legal substance, which refers to the body of legal rules, sanctions, rights, and obligations prescribed in legal texts—commonly described as "law in the books."
- 3) Legal culture, which comprises the social and psychological dimensions of law, including public attitudes toward law, trust in the legitimacy of the legal system, the degree of willingness to comply with or resist legal norms, societal expectations regarding the implementation of law, and the social norms that shape legal behavior. Friedman characterizes this dimension as "law in the mind."

From this perspective, legal culture is the decisive factor determining whether law effectively operates in practice. Even where a legal system possesses well-organized institutions and comprehensive legal norms, it will not function effectively if legal culture is weak—namely, where society lacks trust in law, fails to respect legal norms, or where public authorities enforce the law in an arbitrary manner. Thus, legal culture is not a peripheral factor but a determining element of the effectiveness of the rule of law in practice.

It is therefore evident that Friedman's theory is directly linked to the concept of rule-of-law culture, as he considers legal culture to

be the normative foundation underlying rule-of-law culture in any society. If rule-of-law culture is understood as a set of values and norms that uphold the supremacy of law, equality before the law, and the legal accountability of all actors, then legal culture constitutes the operational core of these values. Legal culture is reflected in public trust in law, the willingness to comply with legal norms, the manner in which individuals assess the legitimacy of the legal system, and whether law is perceived as an instrument for protecting rights and maintaining order or merely as a procedural burden.

These psychological and social factors determine whether law truly penetrates social life and, consequently, shape the strength of rule-of-law culture. Accordingly, the robustness of rule-of-law culture depends directly on the quality of legal culture. A society cannot effectively develop a rule-of-law culture where individuals lack trust in the judicial system, perceive law as merely formalistic, rely on informal mechanisms for dispute resolution, or fail to regard law as a standard for behavior. In such circumstances, even if the State enacts a modern legal framework and organizes effective enforcement institutions, the practical effectiveness of the rule of law will remain limited.

According to Friedman, legal culture serves as a measure of both the depth and sustainability of rule-of-law culture and is the determining factor in the effectiveness of legal implementation in practice. Only when legal culture is robust—meaning that society trusts the law, respects it, and acts in accordance with it—can rule-of-law culture be formed in a substantive and sustainable manner, independent of reliance on coercive administrative measures.

Second, implications for Vietnam in the digital technological context

From the perspective of Lawrence M. Friedman, legal reform can only succeed when it is accompanied by the construction and consolidation of rule-of-law culture across society. This insight is particularly pertinent in the current Vietnamese context, where digital transformation and the development of digital government, a digital economy, and a digital society are advancing at an unprecedented pace. In the digital environment, the effectiveness of law depends not only on the quality of legal rules or the sophistication of technology, but also, to a significant extent, on the legal awareness, attitudes, and behaviors of actors operating within digital platforms.

In practice, several legal-cultural bottlenecks can be identified as impeding the effectiveness of digital law. First, the tendency to disregard or trivialize legal norms in cyberspace facilitates violations and renders them more difficult to control. Second, deficiencies in transparency and accountability undermine public confidence in the rule-of-law system. Third, the practice of “flexibilizing” legal rules leads to arbitrary interpretation, thereby directly affecting fairness in enforcement. Moreover, the persistence of informal relationships continues to obstruct the application of data-driven and technology-based legal standards. Finally, limitations in digital legal awareness—such as insufficient understanding of data security, personal data protection, and electronic transactions—further weaken the foundations of rule-of-law culture.

Drawing upon Friedman’s theoretical framework, several key implications may be identified for Vietnam:

- (1) **Digital transformation must be accompanied by the transformation of digital legal culture.** Vietnam should

foster a culture of legal compliance in cyberspace, encompassing respect for digital law, standards of responsible digital conduct, awareness of legal liability in electronic transactions, and respect for intellectual property rights and personal data. In the absence of a robust digital legal culture, even the most advanced digital platforms are vulnerable to misuse and legal violations.

A prominent illustration of this issue is the widespread infringement of copyright on platforms such as TikTok, Facebook, and YouTube, where music videos, films, television programs, and online lectures are frequently copied, edited, and reposted without authorization. Users often assume that content available online may be freely reused without legal consequences. Such practices constitute clear violations of intellectual property law, yet remain prevalent due to limited digital legal awareness. Despite the existence of relatively comprehensive legal frameworks on intellectual property and cybersecurity, unauthorized reproduction and dissemination of content persist, driven by habitual disregard for digital legal norms and insufficient understanding of legal responsibility in the online environment. This example underscores that, without the development of digital legal culture, technological advancement alone cannot prevent misuse, consistent with Friedman’s assertion that legal culture is decisive for the effectiveness of law in practice.

- (2) **Building digital trust as the foundation of digital rule-of-law culture.** According to Friedman, trust is a central element of rule-of-law culture. Vietnam must therefore enhance transparency in data governance, clarify the accountability of digital service providers, and ensure cybersecurity and information safety so that citizens can place trust in online public services and digital transactions. In the absence of such trust, individuals are unlikely to utilize digital platforms, thereby limiting the effectiveness of digital law.

A practical illustration of the importance of digital trust is the increasing prevalence of fraud involving the misappropriation of one-time passwords (OTP). In such cases, perpetrators impersonate public authorities (e.g., police, courts, or the Ministry of Public Security) and request individuals to “provide OTP codes for verification,” or pose as representatives of banks, e-wallet providers, or e-commerce platforms offering refunds, account upgrades, or promotional rewards. Once the OTP is disclosed, funds can be immediately transferred out of the victim’s account. These incidents demonstrate how deficiencies in digital trust and legal awareness can directly undermine the effectiveness of legal protections in the digital environment.

- (3) **Standardizing public service conduct in the digital environment.**

Officials responsible for law enforcement must demonstrate norm-based, transparent conduct, avoiding arbitrary “flexible interpretation” of legal rules and acting on the basis of data rather than personal relationships. This is essential for fostering a digital public service culture and, in turn, establishing the foundation of rule-of-law culture.

A clear illustration of the need to standardize public service conduct in the digital environment is the recent implementation of electronic certification and authentication of

copies. Although the law recognizes electronic copies as having the same legal validity as certified true copies and standardized procedures for online submission have been established, in practice many authorities continue to refuse electronic copies, requiring citizens to submit paper documents or appear in person for re-certification. Moreover, public service conduct remains inconsistent across localities. In some cases, individuals are required to produce photocopies themselves and resubmit paper documents; in others, on-site photocopying is not permitted or is required to follow specific local formats. This “fragmented practice” persists even where electronic copies are accompanied by QR codes that allow for verification of authenticity.

Such practices not only undermine the purpose of online public services—designed to reduce time, costs, and direct contact—but also reveal that public administration has yet to transition to a model grounded in data, standardized procedures, and digital norms. Arbitrary interpretation and application of legal rules weaken legal consistency, constrain the automation of administrative procedures, and, more importantly, erode the foundations of rule-of-law culture.

(4) Fostering a culture of compliance in the digital business sector.

Enterprises should cultivate a culture of compliance with respect to digital taxation, data governance, and digital competition law, while upholding ethical standards in platform-based business models and ensuring the protection of user information. Such practices contribute to a fair and sustainable business environment and reinforce rule-of-law culture within the digital economy.

(5) Digital legal education as a foundational instrument.

Vietnam should promote widespread dissemination of digital legal knowledge within educational institutions, provide training in digital legal skills for public officials, and strengthen public communication on cybersecurity law, data protection, and intellectual property rights in the digital sphere. Only when legal awareness evolves can legal behavior in the digital environment be transformed.

(6) Eliminating “informal culture” in the digital environment.

In the digital context, law must be applied uniformly, independent of “favor-seeking” relationships or informal practices. All processes should be digitized, transparent, and traceable, thereby replacing arbitrariness with clear legal standards.

A relevant example can be observed in the provision of online medical services. Although many hospitals have implemented online registration, electronic queueing systems, and cashless payment mechanisms, in practice patients are often still required to obtain queue numbers in person, undergo manual processing, or rely on preferential treatment based on personal connections. The failure to utilize digital data and the persistence of informal practices effectively neutralize digital processes, diminish public trust, and hinder the development of a digital rule-of-law culture.

5. Conclusion

Drawing upon foundational theoretical frameworks—particularly the internal morality of law developed by Lon L. Fuller, the legal culture theory advanced by Lawrence M. Friedman, as well as rule-of-law theory and comparative approaches—it can be affirmed that rule-of-law culture is not merely a product of legal norms but also

the result of procedural ethics, social trust, and the ways in which individuals and institutions engage with law in practice.

In the context of Vietnam, particularly amid rapid digitalization, these theories provide important normative guidance. They demonstrate that the primary challenge lies not only in improving legal frameworks or modernizing digital infrastructure, but more fundamentally in building a digital rule-of-law culture in which transparency, consistency, accountability, and legal trust function as the core pillars of the entire system. Persistent bottlenecks—such as arbitrary practices in law enforcement, the influence of informal relationships, limited digital legal awareness, and the tendency to underestimate legal responsibility in cyberspace—indicate that rule-of-law culture remains a critical weak link in the process of national digital transformation.

Looking ahead, Vietnam must advance the construction of a socialist rule-of-law state through the development of a comprehensive rule-of-law ecosystem, in which law is formulated on the basis of procedural moral standards; implemented through data-driven, technology-enabled, and consistent mechanisms; and sustained by social trust, legal education, and accountability on the part of both the State and its citizens. Only when rule-of-law culture is firmly consolidated can law serve as the normative foundation for modernization, digital transformation, and international integration, while ensuring the achievement of sustainable, stable, and human-centered development in the new era.

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