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# **RESPONSIVE LAWMAKING IN SINGAPORE AND LESSONS FOR VIETNAM**

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## **ABSTRACT**

In response to the pressing need for legal reform amid digital transformation, globalization, and the emergence of new business models, responsive lawmaking is increasingly recognized as a crucial approach to enhancing the adaptability and effectiveness of state governance. This paper examines Singapore's model of responsive lawmaking, a country renowned for integrating innovation with effective public policy. By analyzing mechanisms such as regulatory sandboxes, cross-sectoral policy dialogues, and timely feedback processes, the study highlights how Singapore strikes a balance between legal flexibility and the rule of law. From this analysis, the paper draws out practical lessons that can inform Vietnam's legal reform efforts, particularly in sectors such as the digital economy, financial technology, and innovation policy. Advancing a culture of responsive lawmaking will enable Vietnam to proactively manage regulatory risks while laying the groundwork for sustainable development and deeper global integration.

## 1. Introduction

In the context of accelerating digital transformation and deepening international integration, the need to enhance the adaptability and effectiveness of national legal systems has become increasingly urgent. Responsive lawmaking has thus emerged as a significant regulatory approach, offering states a means to improve governance capacity while remaining aligned with the rule of law.

This paper examines the model of responsive lawmaking in Singapore, a leading jurisdiction noted for its successful integration of innovation-driven regulation with effective public governance. By analyzing key institutional mechanisms, including regulatory sandboxes, cross-sectoral policy dialogue, and expedited policy feedback processes, the study elucidates how Singapore achieves a dynamic balance between legal flexibility and legal certainty.

Drawing on these comparative insights, the paper identifies several lessons relevant to Vietnam's ongoing efforts to reform and modernize its legal system, particularly in the domains of the digital economy, financial technology (fintech), and innovation governance. Embracing a responsive lawmaking mindset would enable Vietnam to adopt a more proactive approach to risk management, stimulate innovation, and enhance its capacity for effective integration into the global economy.

## 2. Conceptions of Responsive Lawmaking

### 2.1. The Origins of Responsive Lawmaking in the Nonet and Selznick Model of Law

Responsive law is a theoretical model proposed by Nonet and Selznick in response to strong critiques advanced by neo-Marxist scholars against liberal legalism.<sup>1</sup> Liberal legalism conceives of law as an autonomous institution operating through objective, impartial, and independent rules and procedures. Its most salient manifestation is the autonomy of law, which is clearly embodied in the model of the rule-of-law state.

According to La Ode Husen, responsive law emerges from cultural processes and reflects the state's aspiration to construct an open legal system aligned with the values and expectations of

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<sup>1</sup> Philip Selznick, *Law, Society, and Industrial Justice* (Transaction Publishers 2019).

society.<sup>2</sup> The historical development of Nonet and Selznick's model of law begins with the phase of *repressive law*, in which law primarily serves to legitimize power. Due to the instability of legitimacy inherent in this model, *autonomous law* subsequently emerged to establish a more stable institutional order. Nevertheless, autonomous law has also revealed significant limitations in practice, thereby highlighting the need for a more adaptive and flexible legal model - namely, responsive law.

Within this model, legal institutions are expected to maintain their core integrity while remaining sufficiently open to incorporate new social elements. As emphasized by Selznick (2012), responsive law enhances the integration of openness and integrity, even in contexts where these values may come into tension. Social pressures, rather than being regarded as threats, are viewed as sources of knowledge and opportunities for institutional improvement.

Some scholars argue that, from the perspective of responsive law, law should be understood primarily as a social institution rather than as a closed system of rules.<sup>3</sup> Law does not merely regulate behavior; it also performs social functions aimed at serving the public interest. Others contend that law operates as a connective mechanism between social norms and public aspirations, with the objective of advancing social justice.

According to Sulaiman, Nonet and Selznick conceptualize responsive law as a synthesis of sociological jurisprudence and legal realism.<sup>4</sup> Both schools of thought advocate a pragmatic approach to law that transcends formalistic legal frameworks, broadens legal knowledge, and underscores the role of policy considerations in legal decision-making.

Accordingly, responsive law, as derived from this theoretical framework, may be understood as “a legal principle oriented toward lawmaking that seeks to achieve substantive social objectives, openly incorporates social feedback, and adjusts legal norms and procedures in response to changes in social life, while continuing to ensure the principles of legality and fairness in the legislative process.”

Selznick (2012) identifies several core characteristics of responsive law, including:

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<sup>2</sup> L. O. Husen, Hukum Responsif dalam Konteks Budaya Hukum Indonesia, 8(2) *Jurnal Hukum dan Sosial* 55–70 (2022).

<sup>3</sup> M. Kholish & M. Ulumuddin, Peran Hukum Responsif dalam Mewujudkan Keadilan Sosial, 10(1) *Jurnal Ilmu Hukum* 1–15 (2022).

<sup>4</sup> A. Sulaiman, *Sosiologi Hukum: Suatu Pengantar* (Rajawali Pers 2014).

- **Community participation in the lawmaking process:** Lawmaking should actively involve community participation and regard such engagement as a central element of decision-making.
- **Responsiveness to social needs:** Responsive law aims to address social problems such as injustice and inequality through appropriate and timely legal responses.
- **Flexibility and adaptability:** The legal system must possess the capacity to adjust to social change.
- **Outcome orientation:** Responsive law emphasizes substantive results rather than mere formal compliance, particularly with respect to justice and equality.
- **Collaborative orientation:** Responsive law promotes cooperation among government, communities, and legal institutions in pursuit of shared objectives.

### 3. Trends in Responsive Lawmaking in Singapore and Vietnam

#### 3.1. Responsive Lawmaking in Singapore

Singapore's conception of responsive lawmaking was shaped by the country's founding leader, Lee Kuan Yew. In Lee Kuan Yew's thinking, as the architect of the modern Singaporean state, law was not conceived as an abstract system of values or a self-contained institution; rather, it was an essential instrument of governance aimed at ensuring national stability, social order, and economic development. Given Singapore's distinctive context as a small, resource-scarce, multi-ethnic society facing significant security challenges, Lee Kuan Yew argued that the mechanical transplantation of Western liberal rule-of-law models could generate instability and undermine the state's governing capacity.<sup>5</sup> In his view, what mattered most was not the "sophistication" or "formal perfection" of law, but its effectiveness in practice and its ability to achieve concrete policy objectives.

On this basis, Lee Kuan Yew developed an approach grounded in legal pragmatism, whereby law was designed to function flexibly in the service of public policy, while being enforced rigorously in order to maintain discipline and legal predictability. Flexibility, in this sense, did

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<sup>5</sup> Lee Kuan Yew, *From Third World to First: The Singapore Story 1965* (HarperCollins 2000).

not imply arbitrariness or a relaxation of the rule of law, but rather the capacity to adjust legal instruments promptly in response to changing socio-economic conditions. Consequently, Singapore has frequently relied on framework legislation that grants broad regulatory discretion to the executive, and has demonstrated a willingness to amend laws when they no longer align with development goals.

A notable feature of Lee Kuan Yew's conception is the clear distinction drawn between the lawmaking phase and the law enforcement phase. While the legislative process is expected to be flexible, adaptive, and pragmatic, the application of law must be consistent, stringent, and uncompromising, particularly in areas such as social order, anti-corruption, and administrative discipline. This combination of flexibility in legal design and firmness in enforcement has contributed to building public trust in the rule of law, while also ensuring a stable environment conducive to investment and economic growth.<sup>6</sup>

Moreover, Lee Kuan Yew emphasized the law's guiding role in shaping social behavior. In his view, law should not merely reflect existing social norms, but also serve as a tool for cultivating values and behaviors deemed necessary by the state for long-term development, even in sensitive areas such as the media, public order, and public service ethics.<sup>7</sup> This approach suggests that responsive lawmaking in Singapore is characterized by a state-directed form of responsiveness, which differs from the conception advanced by Nonet and Selznick that emphasizes feedback from society and affected groups. Nevertheless, in both models, law is understood as a dynamic process that must adapt to social change rather than as a static and immutable system of rules.

### **3.1.2. Areas in Which Responsive Lawmaking Is Commonly Applied in Singapore**

Lawmaking is not merely the enactment of normative legal instruments, but rather a dynamic regulatory cycle encompassing the identification of social problems requiring intervention, the selection of appropriate regulatory tools, the design of legal norms, the organization of implementation, and the subsequent review and amendment of legislation in light of practical experience. In a context where socio-economic sectors are increasingly shaped by globalization, technological change, and market volatility, Singapore's experience

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<sup>6</sup> Li-ann Thio (张黎衍), *A Treatise on Singapore Constitutional Law*, Academia.edu, [https://www.academia.edu/1219229/A\\_Treatise\\_on\\_Singapore\\_Constitutional\\_Law](https://www.academia.edu/1219229/A_Treatise_on_Singapore_Constitutional_Law) (last visited Dec. 3, 2025).

<sup>7</sup> Lee Kuan Yew, *The Singapore Story: Memoirs of Lee Kuan Yew* (Singapore Press Holdings 1998).

demonstrates that lawmaking is not applied uniformly through a rigid model across the entire legal system. Instead, a selectively flexible approach is adopted, focusing on sectors characterized by high levels of uncertainty, difficult-to-predict risks, and a strong demand for rapid adaptability. This approach reflects a conception of law as an instrument of governance serving developmental objectives, rather than as a fixed and immutable system of rules.

In practice, the economic, financial, and technological sectors most clearly illustrate the application of responsive lawmaking in Singapore. Rather than issuing highly detailed regulations at the outset, Singapore prioritizes policy experimentation mechanisms prior to formal legislation. A prominent example is the Regulatory Sandbox Framework introduced by the Monetary Authority of Singapore (MAS) in 2016, which allows enterprises to test innovative financial products and business models within controlled parameters relating to time, scale, and risk.<sup>8</sup> Through the sandbox mechanism, the state is able to observe real-world impacts, refine regulatory requirements, and proceed to formal legalization only once a model has demonstrated its safety and effectiveness. This approach illustrates how responsive lawmaking functions as a risk-management tool, enabling law to keep pace with technological innovation without undermining the stability of the legal system.

Similarly, in the field of data governance and digital transformation, Singapore's Personal Data Protection Act (PDPA) is structured around general principles rather than rigid technical standards. Its concrete application is guided through Advisory Guidelines and Codes of Practice issued and regularly updated by the Personal Data Protection Commission. This design allows the legal framework to adapt to the rapid development of data technologies and artificial intelligence without requiring frequent statutory amendments, while still ensuring predictability and baseline compliance obligations for regulated entities.

Beyond the economic and technological domains, gender equality provides another important illustration of Singapore's controlled and flexible approach. Rather than adopting a comprehensive, overarching gender equality statute with uniform application, Singapore has chosen a gradual, sector-specific, and evidence-based regulatory strategy that combines legislation, public policy, and soft-law mechanisms. This approach reflects the recognition that gender equality is a complex social issue, heavily influenced by culture, family structures, and labor market dynamics, and therefore not readily amenable to rigid legal regulation. A clear

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<sup>8</sup> Monetary Authority of Singapore, *FinTech Regulatory Sandbox Guidelines* (2016).

example is the *White Paper on Women's Development* released by the Singapore Government in 2021. This document does not itself create new legal obligations, but instead serves as a policy framework guiding the incremental review and adjustment of existing laws in areas such as employment, protection from violence and harassment, and work–family balance.

In the labor sphere, Singapore has not enacted a standalone statute on gender equality in employment. Instead, anti-discrimination requirements are integrated into the Employment Act and supplemented by the Tripartite Guidelines on Fair Employment Practices.<sup>9</sup> This regulatory technique enables the state to respond flexibly to changes in the labor market while avoiding excessive legal compliance burdens on businesses.

In the area of protection for women and other vulnerable groups, the Protection from Harassment Act and its subsequent amendments further demonstrate responsive lawmaking through the adjustment of protective scope and enforcement mechanisms, particularly in response to the growing prevalence of online harassment. Rather than expanding legal regulation abruptly and comprehensively, Singapore combines statutory rules with judicial measures and social support mechanisms, allowing the state to learn from implementation experience and to recalibrate policy responses in a timely and measured manner.

### **3.1.3. Responsive Lawmaking in the Training of Legal Human Resources**

Singapore is a small jurisdiction with only three law schools, the National University of Singapore (NUS), Singapore Management University (SMU), and the School of Law at the Singapore University of Social Sciences (SUSS Law), which serve a population of approximately six million. Consequently, the training of legal human resources in Singapore is not regarded merely as a purely academic endeavor or an internal matter of educational institutions, but is situated within the broader framework of public policy aimed at effective governance, economic development, and the maintenance of the national legal system's competitiveness. This approach reflects a core premise of responsive law, according to which law and its associated institutions must continually adjust in response to societal needs and transformations.

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<sup>9</sup> Daniel Lim, *Fair Employment Practices: How Companies Can Stay Compliant*, Tripartism Alliance for Fair & Progressive Employment Practices (2025), <https://tripartism.sg/fair-employment-practices-how-companies-can-stay-compliant/>.

One significant manifestation of responsiveness is Singapore's rejection of a fixed model of legal education in favor of continuous review and reform based on feedback from legal practice. The Ministry of Law plays a coordinating role in convening inter-agency and multi-stakeholder working groups on legal education and training reform, involving law schools, professional bodies, and legal practitioners.<sup>10</sup> Reform recommendations focus on recalibrating curricula to reflect changes in the legal services market, including demands for practical skills, professional ethics, technological competence, and lawyers' social responsibility. These reforms are driven not by the internal logic of higher education alone, but by the practical needs of the legal profession and societal expectations regarding the role of law, thereby clearly exemplifying the characteristics of responsive law.

Moreover, Singapore places strong emphasis on integrating academic legal education with professional training, rather than rigidly separating these two stages. The system of lawyer training requires candidates not only to complete an undergraduate law degree, but also to undergo standardized professional training and supervised practice designed to ensure substantive professional competence. The incorporation of enhanced requirements relating to skills, ethics, and professional standards within the legal framework governing lawyer training demonstrates the state's use of legal instruments to respond to demands for higher-quality legal services and to strengthen public trust in the justice system.

The ethos of responsive law is further reflected in Singapore's development of competency-based professional frameworks through broad consultation, most notably the Legal Industry Framework for Training and Education (LIFTED) implemented by the Singapore Academy of Law. LIFTED identifies core competencies required at different stages of a legal career, thereby informing the design of education and professional development programs.<sup>11</sup> The formulation of this framework draws on contributions from government agencies, professional organizations, and legal enterprises, integrating market and societal feedback into training policy formulation. This approach accords with the logic of responsive law, in which norms are not unilaterally imposed but are instead shaped through institutional dialogue.

Another noteworthy feature of Singapore's legal education policy is its strong emphasis on continuing education and lifelong learning. Short-term, specialized training programs for

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<sup>10</sup> Singapore Ministry of Law & Legal Services Regulatory Authority, *Legal Services Regulatory Authority*, <https://www.mlaw.gov.sg/our-work/legal-services-regulatory-authority/> (last visited Dec. 3, 2025).

<sup>11</sup> Singapore Academy of Law, *Our History*, <https://sal.org.sg/our-history/> (last visited Dec. 3, 2025).

practitioners, delivered by the Singapore Academy of Law and law schools, facilitate the timely updating of knowledge in emerging legal fields arising from digital technology and globalization. The recognition and encouragement of such flexible training modalities in law and public policy underscore the conception of the legal system not as a static structure, but as an ongoing process of learning and adjustment in response to a changing environment.

In addition, Singapore has extended access to high-quality legal education beyond the traditional legal profession. Programs such as those offered by the NUS Law Academy enable civil servants, managers, and professionals in other fields to acquire advanced legal knowledge and skills, reflecting the understanding that legal competence is increasingly a form of critical human capital in modern governance and business. This development indicates that the legal framework governing legal human resource training is designed not only to serve the legal profession itself, but also to respond to the broader needs of society and the knowledge-based economy.

#### **3.1.4. Distinctions between Responsive Lawmaking and Conventional Lawmaking Processes**

“Responsive lawmaking” is institutionalized within the legislative process through comprehensive mechanisms of social consultation and feedback. This principle is designed to advance a *Whole-of-Government Approach*, a flexible public governance model developed by the Singapore Government since the early 2000s to ensure close coordination and coherence among state agencies, while avoiding sectoral fragmentation and insularity in vertically structured policymaking.<sup>12</sup> Concretely, the Government has established an “ecosystem of participation,” which may be understood as an inter-agency coordination model intended to mobilize and integrate the collective capacity of the entire public system, from civil service bodies to the national government. This organizational approach has proven particularly effective in addressing complex issues that exceed the problem-solving capacity of any single agency or policy sector.

Within this framework, *public consultations* constitute a central pillar for maintaining

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<sup>12</sup> Trần Trung, Chia sẻ kinh nghiệm về quản trị công tại Singapore, *Cổng Thông tin điện tử Chính phủ Việt Nam*, <https://vpcp.chinhphu.vn/chia-se-kinh-nghiem-ve-quan-tri-cong-tai-singapore-115231121095957715.htm> (last visited Aug. 28, 2025).

transparency, enhancing policy quality, and strengthening social consensus.<sup>13</sup> Through multiple channels, ranging from face-to-face consultations to online platforms, the Singapore Government enables citizens, businesses, and stakeholders to contribute opinions during the drafting and revision of legislation. This participatory process facilitates early identification of emerging issues, enables proactive regulatory responses, and mitigates the risk of law lagging behind social realities in ways that might impede everyday life and economic activity.

The direct legal basis for these mechanisms is found in Article 14(1) of the Constitution of Singapore, which guarantees citizens' freedom of speech and expression, including the right to express opinions without undue restriction, except where national security or public order considerations apply. On this constitutional foundation, ministries and agencies are required to conduct consultations with the public, businesses, and civil society organizations from the earliest stages of drafting. For example, in 2024, the Ministry of Sustainability and the Environment (MSE), together with the Singapore Food Agency (SFA), introduced the Food Safety and Security Bill (FSSB). This bill consolidated eight existing statutes into a unified framework aimed at strengthening food safety, protecting consumers, and ensuring national food security. The consultation process was conducted online and focused on issues such as the definition of food, pre-market approval, provision of non-packaged drinking water, agricultural production, import and export, transportation, and food retail. Between March and June, prior to the enactment of the FSSB, the public was invited to share views and practical experiences on ensuring a safe, resilient, and flexible food supply for Singapore.

Importantly, this process does not amount to consultation merely for form's sake. Instead, it operates according to an institutionalized administrative cycle comprising three stages: (i) *consult*; (ii) *respond*; and (iii) *revise*. Each societal contribution is reviewed and addressed, with responses made publicly available and, where appropriate, directly informing revisions to draft legislation. Citizens can readily access such information on the websites of relevant agencies to track progress and outcomes.

In addition to ministerial consultation channels, Singapore has developed the REACH platform (*Reaching Everyone for Active Citizenry @ Home*) as an official nationwide online consultation tool. Launched in 2006 by the Ministry of Communications and Information (MCI), REACH

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<sup>13</sup> Quỳnh Vũ, Nhật An & Quốc Đạt, Quy trình lập pháp Singapore, *Tạp chí Tổ chức Nhà nước*, [https://tcnn.vn/news/detail/39406/Quy\\_trinh\\_lap\\_phap\\_Singaporeall.html](https://tcnn.vn/news/detail/39406/Quy_trinh_lap_phap_Singaporeall.html) (last visited Aug. 28, 2025).

enables individuals and organizations to submit policy feedback through online discussions, surveys, and community dialogues. Policy documents and draft proposals are also publicly disseminated on the REACH website, facilitating convenient and timely access to information. Although the use of REACH is not legally mandatory, its adoption by public agencies has become standard practice, creating an effective two-way online consultation mechanism. The digitalization of consultation procedures not only broadens social participation but also enhances legislative flexibility by enabling the rapid collection of diverse inputs, unconstrained by geographical distance or procedural barriers associated with in-person consultations.

Alongside these broadly inclusive mechanisms, Singapore has established the Pro-Enterprise Panel (PEP), a state-supported inter-agency body serving as a key interface between the private sector and the government. Unlike REACH, which targets the general public, PEP focuses specifically on the business community. Established in 2000 by the Ministry of Trade and Industry, PEP's principal mandate is to review and recommend reforms to legal regulations or policies deemed outdated or misaligned with innovation-driven and business-friendly environments.<sup>14</sup> PEP also facilitates the testing of new business models and ideas that may not yet fully comply with existing regulatory frameworks. Because its proposals are grounded in operational business realities, PEP enables Singapore's legal system to maintain institutional stability while remaining closely attuned to economic needs and market dynamics.

Notably, to ensure *inclusiveness* in policymaking, Singapore places particular emphasis on deep and targeted consultations in relation to sensitive social issues, especially gender equality and gender responsiveness. The *White Paper on Singapore Women's Development 2022* is a key national policy document reflecting the state's commitment to promoting gender equality and articulating a comprehensive strategy to enhance women's status in society. Building upon the Women's Charter, the White Paper has been revised multiple times to align with evolving socio-economic conditions. To date, it has involved over 100 dialogues and consultations, received tens of thousands of public submissions, and committed to 25 actions across five priority areas: employment opportunities, support for caregivers, protection from violence, assistance for vulnerable groups, and mindset change. The depth of social responsiveness reflected in this process is particularly pronounced. Moreover, several ministries, most notably the Ministry of Social and Family Development (MSF), have incorporated *gender impact*

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<sup>14</sup> Association of Trade and Commerce Singapore, *About Pro-Enterprise Panel (PEP)*, <https://atc.sg/pro-enterprise-panel-singapore-enterprises-businesses.php> (last visited Aug. 29, 2025).

*analysis* into the policy proposal process, ensuring that laws and regulations do not inadvertently create inequalities or impede equitable access to opportunities across gender groups.

From these mechanisms and practices, it becomes evident that the core distinction between responsive lawmaking and conventional lawmaking lies not in the formal enactment of legal instruments, but in the underlying operational logic of the legislative process as a whole. In conventional lawmaking models, the process tends to be linear and closed, beginning with internal drafting within state agencies and only later opening limited consultation, often at a relatively late stage. Social feedback in such models is constrained, and there are few institutional requirements compelling drafters to justify the acceptance or rejection of public input. Law is primarily designed for stability and *ex ante* predictability, with amendments treated as exceptional, thereby increasing the risk that legal norms lag behind social practice.

By contrast, responsive lawmaking in Singapore is organized as an open and iterative cycle in which consultation, feedback, and revision are not ancillary steps but constitutive pillars of the legislative process. Engagement with the public, businesses, and social groups is intended not merely to collect opinions, but to enable early identification of policy risks, experimentation with regulatory solutions, and timely adjustment before formal enactment. This approach shifts the emphasis from “procedural correctness” to “problem-oriented adjustment,” allowing law to adapt continuously to dynamic socio-economic conditions.

## **3.2. Responsive Lawmaking in Vietnam**

### **3.2.1. Manifestations**

In the context of institutional and legal reform aimed at entering what has been described as the “era of national resurgence of Vietnam,” the requirement to ensure *responsive lawmaking* has become both an urgent imperative and a powerful driving force for public authorities. This requirement has been emphasized and actively promoted in a range of major policy and legal instruments. Notably, Resolution No. 66-NQ/TW of the Politburo dated 30 April 2025 affirms the guiding principle that “lawmaking must be closely grounded in practice, firmly rooted in the realities of Vietnam, selectively absorb the finest values of humanity, ensure systemic coherence, seize all opportunities, pave the way, and unlock all resources.” This directive underscores a conception of lawmaking that prioritizes adaptability, contextual sensitivity, and

developmental orientation.<sup>15</sup>

In order to capture the core objectives of this Resolution and institutionalize them in a timely manner, the National Assembly adopted Resolution No. 197/2025/QH15 on special mechanisms and policies to create breakthroughs in lawmaking and law implementation. This resolution introduces a set of distinctive and, in some respects, unprecedented mechanisms and policies designed to meet the demand for responsive lawmaking that is firmly anchored in practical realities. For the first time, special policies relating to finance, human resources, the development and application of digital technologies, and digital transformation have been approved, thereby contributing to a comprehensive breakthrough in ensuring effective lawmaking and law enforcement, as well as providing direct support for a legal development process that is more efficient, transparent, innovative, and cost-effective.

At the same time, the principle of “ensuring the implementation of decentralization and delegation of powers; addressing shortcomings and issues arising from practice; responding to new issues and emerging trends; meeting the requirements of state management; and encouraging innovation, unlocking resources, and promoting socio-economic development” has become one of the core tenets governing the process of drafting and promulgating normative legal documents. This principle reflects a clear shift toward a more adaptive and problem-oriented legislative approach.

To ensure that lawmaking remains closely connected to the lives of the people and that consultation is genuinely inclusive of all social actors, mechanisms for democratic implementation, embodied in universal values such as social supervision, social criticism, consultation, and participation in policy formulation and drafting legislation, have been strengthened. These mechanisms are exercised by the Vietnam Fatherland Front, socio-political organizations, and other mass organizations, as provided for in Article 6 of the 2025 Law on the Promulgation of Legal Normative Documents. They have become a prerequisite in the process of refining the national legal system. Beyond enhancing the role and effectiveness of these organizations and creating favorable conditions for the control of public power, social supervision and social criticism mechanisms also contribute to safeguarding the people’s right to mastery and upholding the supremacy of the Constitution and the law.

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<sup>15</sup> Communist Party of Vietnam, *Documents of the Thirteenth National Congress* vol. I, at 190 (National Political Publishing House – Truth 2021).

Furthermore, the procedures governing the implementation of social supervision and social criticism by these entities are detailed and consistently articulated across multiple legal instruments, including the 2015 Law on the Vietnam Fatherland Front, Articles 29 and 30 of the 2025 Law on the Promulgation of Legal Normative Documents, Decree No. 78/2025/ND-CP, and various guiding documents issued by local authorities.<sup>16</sup> Taken together, these provisions demonstrate the particular attention devoted by state authorities at all levels, as well as their concerted efforts, to ensuring responsive lawmaking in Vietnam.

### 3.3. An Assessment of Responsive Lawmaking Trends in Vietnam and Singapore

In the process of consolidating and improving Vietnam's national legal system, alongside notable legislative efforts and achievements by state authorities, a number of limitations and ineffective mechanisms persist, posing obstacles to the full realization of the guiding principles articulated by the Party and the State. In comparison with Singapore's legal system, this section identifies several key shortcomings and differences between Vietnam and Singapore as follows.

First, with regard to legislative mindset, Singapore's approach to lawmaking is grounded in the principles of "acting swiftly and responding promptly" and viewing law as a dynamic regulatory instrument that must remain adaptable to serve development objectives. Singapore's legislative thinking emphasizes equality and objectivity, avoiding preferential treatment, exceptions, or undue discretion. Legal norms governing state management, as well as the enactment and amendment of legislation, are implemented efficiently and in a timely manner, with broad participation from social stakeholders and rapid consultation and feedback mechanisms. This approach aims to safeguard the interests of citizens and businesses engaged in social relations regulated by Singaporean law.

In Vietnam, the concrete institutionalization of the guiding principle that "law-making must be closely aligned with practice and grounded in Vietnam's realities" reflects a significant shift in legislative thinking. Within the broader effort to complete a socialist rule-of-law state "of the people, by the people, and for the people," the participation of political organizations, socio-political organizations, and mass organizations in policy formulation, consultation, and commentary on draft legislation constitutes a notable strength. The abandonment of outdated notions such as "if it cannot be managed, it must be prohibited" in favor of perspectives that

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<sup>16</sup> Trần Tiến Dũng, Phát huy vai trò giám sát, phản biện xã hội của Nhân dân, *Tạp chí Quản lý Nhà nước*, <https://www.quanlynhanuoc.vn/> (last visited Aug. 28, 2025).

encourage innovation, mobilize development resources, and emphasize stable, simple, and citizen- and business-centered regulations demonstrates a substantial reform in Vietnam's legislative mindset, bringing it increasingly in line with international and regional trends.

Second, regarding mechanisms for consultation, review, and social feedback on policies and draft legislation, Singapore has achieved remarkable success through effective platforms such as the Legislative Consultation Framework, REACH, and the Pro-Enterprise Panel (PEP). These mechanisms ensure that citizens and businesses can meaningfully contribute to the lawmaking process. The extensive application of inter-agency and cross-sectoral consultation enables the swift amendment, supplementation, or repeal of unreasonable regulations. Anonymous feedback mechanisms further enhance the critical and responsive nature of Singapore's legal system, facilitating rapid refinement through active public and stakeholder participation, particularly from organizations directly affected by proposed laws and policies.

Notably, the REACH platform, with its mission of "listening to citizens and ensuring their voices are heard and considered in policymaking," together with its diverse feedback channels, represents a core achievement in enhancing legal flexibility in the context of the Fourth Industrial Revolution. Singapore's Ministry of Law continuously and systematically updates legal documents, their validity, and draft consultations on official electronic portals.

In Vietnam, although Resolution No. 197/2025/QH15, the 2025 Law on the Promulgation of Legal Normative Documents, and related guiding instruments provide a comprehensive framework for legislative support, supervision, and social critique, practical implementation remains constrained. Amid the ongoing administrative restructuring, the transition to a two-tier local government model, and civil service streamlining, the legal system of the "new era" is still undergoing harmonization and has not yet been fully tested by practice. As a result, many macro-level issues that responsive lawmaking seeks to address have not yet clearly emerged.

Current social critique activities, while improved, still exhibit shortcomings, including formalistic consultations on major socio-economic projects, insufficient and overburdened personnel engaged in oversight and critique, limited and generalized responses from authorities, and underdeveloped information technology systems that lack coherence, cost-efficiency, transparency, and integration. The special human resource and financial support mechanisms provided under Resolution No. 197/2025/QH15 have yet to be effectively implemented in practice. Moreover, during the comprehensive restructuring of state

management sectors, the rapid pace of political and administrative change has rendered some consultation and critique inputs from socio-political organizations less relevant to reality. Accountability in explaining how feedback is considered before and after the promulgation of legal documents remains insufficient due to the ongoing redefinition of institutional responsibilities. If left unaddressed, these limitations may become significant barriers to ensuring legal flexibility amid profound transformations in governance and leadership mechanisms.

Third, in terms of legislative capacity and the application of information technology, Singapore benefits from a highly professionalized legislative workforce proficient in using digital systems for drafting, editing, reviewing, and synthesizing consultation feedback. Public input collected through REACH and PEP is fully digitized, transparent, accessible, and clearly presented on official portals. Furthermore, Singapore employs diverse consultation methods, including online and offline channels such as emails, electronic forms, forums, media platforms, workshops, and direct meetings, enabling the legal system to closely reflect societal needs and aspirations across a wide spectrum of citizens and businesses.

In Vietnam, despite strong momentum in the national digital transformation agenda and advantages in workforce size, development potential, institutional efforts, and public engagement, technological support for legislative processes continues to face substantial challenges. Ongoing personnel restructuring raises concerns about maintaining professional expertise among newly appointed staff. The shortage of specialists in legislative drafting techniques, legislative support technologies, and information technology constitutes a major obstacle to ensuring consistent professional quality. Existing consultation and critique mechanisms on official portals of the National Assembly and the Government have yet to realize their full potential, as participation remains largely confined to in-person workshops and expert forums. Although consultation efforts are actively pursued, their outreach to the broader public remains limited due to insufficient deployment of digital media and technological solutions. While the digitization and codification of legal normative documents are being promoted across sectors with advanced technologies such as artificial intelligence and blockchain, this process requires substantial time and financial resources.

Overall, although Vietnam is undergoing a significant transition in governance mechanisms and legislative thinking, unresolved challenges in building a flexible, practice-oriented legal

system responsive to the needs of citizens and businesses may slow the pace of reform in the “new era.” Comparative assessment of Singapore’s effective, transparent, cost-efficient, and inclusive lawmaking practices offers valuable empirical lessons for Vietnam in the ongoing improvement of its national legal system.

#### **4. Recommendations for Building Responsive Lawmaking in Vietnam in the New Era**

In the context of deep globalization and the rapid advancement of the Fourth Industrial Revolution, Vietnam faces pressing demands to improve its legal institutions. The swift evolution of technology, business models, and social behavior requires a legal system that not only ensures stability and rigor but also demonstrates a high degree of flexibility and adaptability. Accordingly, the development of a responsive legal system is not merely an inevitable trend but a fundamental foundation for Vietnam’s sustainable development and successful international integration.

First, Vietnam’s current legal framework continues to reveal limitations in adaptability and policy responsiveness. Many legal provisions lag behind practical developments, particularly in emerging areas such as the digital economy, artificial intelligence, blockchain, and financial technology (fintech). Delays in establishing appropriate legal frameworks not only hinder innovation but also create regulatory uncertainty, undermining governance effectiveness and public and business confidence.

Second, enhancing legal flexibility requires a shift from a “comprehensive regulation and strict control” mindset toward a model of “controlled experimentation and practice-based refinement.” The regulatory sandbox mechanism offers a suitable approach in the context of Vietnam’s innovation-driven agenda. Allowing pilot implementation of new technologies and business models within a flexible legal environment enables the state to manage risks while fostering the growth of emerging sectors.

Third, it is essential to establish regular policy feedback mechanisms that emphasize the substantive participation of social organizations, academia, businesses, and citizens in the consultation and refinement of legal normative documents. Law must evolve in tandem with practice, reflecting genuine societal needs rather than lagging behind or constraining development. At the same time, greater application of digital technologies in drafting,

evaluating, and amending legislation is necessary to enhance transparency, efficiency, and coherence.

Finally, to ensure long-term flexibility, periodic review and evaluation mechanisms should be institutionalized. Obsolete, overlapping, or inappropriate regulations must be promptly amended or repealed to avoid unnecessary legal barriers.

In sum, in an era characterized by continuous transformation in knowledge, technology, and markets, building a flexible, adaptive, and innovation-centered legal system is imperative. Such a system is not only vital for effective state governance but also a strategic factor enabling Vietnam to achieve rapid, sustainable development and deep global integration.

## **Conclusion**

Amidst digital transformation, globalization, and rapid shifts in socio-economic models, the construction of a responsive legal system is both an urgent necessity and a prerequisite for Vietnam's sustainable development and adaptation. Drawing upon international trends and comparative experience, particularly from advanced legal systems such as Singapore, this paper advances several key recommendations.

First, legislative thinking must be renewed toward openness, adaptability, and practice-centered regulation, including the acceptance of controlled policy experimentation through regulatory sandboxes. Second, transparent and inclusive consultation mechanisms with substantive participation from businesses, experts, social organizations, and citizens must be institutionalized. Third, the application of digital technologies throughout the legislative lifecycle, from drafting and implementation to evaluation, should be intensified to enhance timeliness and effectiveness. Finally, regular review and updating mechanisms are essential to eliminate outdated and overlapping regulations, ensuring that the law evolves alongside development.

A flexible, proactive, and practice-oriented legal system will provide a critical foundation for strengthening Vietnam's national governance capacity, fostering innovation, and achieving successful integration in the new era.

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