



INNOVATIONS FOR SUCCESSFUL SOCIETIES

POLICY LEAPS AND IMPLEMENTATION OBSTACLES: CIVIL SERVICE REFORM IN VIETNAM, 1998-2009

SYNOPSIS

This case study offers an account of civil service reform efforts in Vietnam between 1998 and 2009, which yielded substantial formal policy changes but produced only modest practical changes to Vietnam's public employment system. Before 1998, the Vietnamese civil service lacked standardized competitive recruitment and promotion procedures, offered salaries that did not cover the cost of living, provided insufficient and often irrelevant training, and included ministries that duplicated functions. By 2009, the Ministry of Home Affairs had standardized and then devolved recruitment and promotion exams to line ministries and provinces, doubled civil service wages while giving agencies autonomy to raise wages further, expanded the enrollment of the National Academy of Public Administration by a factor of 20, and merged six ministries. Nonetheless, government and donor officials reported that recruitment continued to be driven often by corruption, that even doubled salaries often did not cover the cost of living, that training was rarely relevant to civil servants' work, and that tasks continued to be duplicated in most of the merged ministries. In order to concentrate on human resource management reforms, this case study does not consider other aspects of the Public Administration Reform agenda, including, for example, the institution of so-called one-stop shops designed to simplify administrative procedures. Because public sector reform remained a sensitive topic in Vietnam in 2009, many interviewees asked that their names be withheld.

David Hausman drafted this policy note on the basis of interviews conducted in Hanoi, Vietnam, in August and September 2009.

INTRODUCTION

Since 1998, the government of Vietnam has changed nearly every aspect of its formal public employment policy. This case study considers each of Vietnam's ambitious recent civil service reforms, and asks how and why each has produced

only minor change. By changing policy without creating strict enforcement processes, the Vietnamese government attempted to adapt its administration to new economic realities without angering civil servants or weakening its hold on power. Where the government had difficulty

implementing a policy, as in recruitment reform, cultural aversion to dissent meant that resistance was rarely open. Civil servants learned, instead, to fit new policies to old habits.

In the mid-1990s, economic pressure to streamline government procedures for businesses combined with public protests over corruption to put the government of Vietnam under pressure to reform its public employment system. Vietnam's ambitious reforms, beginning with the passage of a new Civil Service Ordinance in 1998 and the introduction of several civil service salary increases in the late 1990s, targeted most major procedures in the country's public employment system. Spearheaded by the Ministry of Home Affairs, the civil service portion of Vietnam's Public Administration Reform program standardized and decentralized recruitment and promotion procedures, doubled civil service salaries, increased training requirements for civil service positions, and eliminated six of 28 ministries through merger. Despite these efforts, however, recruitment in late 2009 still regularly occurred through patronage; promotion still depended on seniority, connections and party loyalty; salaries remained so low that many civil servants depended on external sources of income; training was rarely related to civil servants' duties; and the merging of ministries had, in most cases, failed to significantly alter the organization of tasks.

These gaps between policy and reality reflected larger tensions as Vietnam's communist government adapted to economic growth and international integration. In 1986, Vietnam's Communist Party initiated a radical program of economic liberalization and reintegration. Since then, the country's economy has grown at an average rate of over 6%, as measured by gross domestic product. One of the poorest countries in the world in 1986, with GDP per capita of US\$509, Vietnam approached middle-income status in the first decade of this century: GDP per capita in 2008 was \$2,800, in terms of purchasing power parity.¹ Between 1987 and 2002, the

poverty rate declined from 70% to 22%.² Economic liberalization, known as *Doi moi*, created pressure to simplify administrative procedures, and anti-corruption protests offered an added impetus for change. Without a commitment to dismantling party patronage structures, however, public employment reforms moved forward haltingly. A former civil servant, who later became an official at a donor agency, offered a simple explanation: "In economic reforms, most people win, but on Public Administration Reform, those in power may be the losers."

Vietnam's experience offers lessons in the pitfalls of civil service reform that takes place without the political will or capacity to enforce new policies. In the cases of recruitment, promotion, and organizational structure, the Ministry of Home Affairs changed policy without making the corresponding, more difficult choices to crack down on corrupt practices or to eliminate or demote redundant staff. In the cases of salary reform and training improvement, the government may have mistaken expansion for reform. In none of the cases did the government create oversight mechanisms that could ensure substantive reform.

THE CHALLENGE

When civil service reform efforts began in the mid-1990s, Vietnam's civil service drew on Mandarin and Soviet traditions, using public employment as a tool for political control, party building and central planning.³ For decades until 1991, Vietnam had been at war, first with the South Vietnamese and the United States, and then with Cambodia. When the Communist Party began economic reforms in 1986, the moves were a strategy for economic survival rather than a sign of political change. The party continued to make policy in secret, and the public service operated without a uniform employment policy.

Corruption was a serious and common problem: In 1997, Vietnam was ranked 41 out of

52 countries in Transparency International's Corruption Perceptions Index. The government did not distinguish between party employees and civil servants: Both were "cadres" (*can bo*).

The government guaranteed every university graduate a job. Recruitment depended on a feeder system: Universities assigned employees to government agencies, often with no role for the agencies themselves in the selection process. Agencies rarely advertised openings publicly, and formal job descriptions were rare. Civil servants often arrived at their new posts without knowing what their duties would be. Hiring rewarded loyalty and connections. Promotions depended on seniority, connections and loyalty. According to a National Assembly official, the government lacked not only a standard method for measuring merit but also a concept of merit as distinct from loyalty to the party.

Salaries were low, partly because of extreme inflation in the mid-1980s; inflation hit nearly 400% in 1986, and civil service salaries did not keep pace.⁴ In 1996, the minimum salary for a public servant was equivalent to just over US\$10 per month. The average public service salary was less than twice that, and the maximum salary, reserved for the highest officials, was approximately US\$92 per month.⁵ Public servants therefore often depended on other sources of income. Some relied on their families, while others ran businesses alongside their government jobs. Many also received additional income by obtaining additional legitimate allowances, such as travel or danger allowances; project-specific funding from an agency's investment budget; or bribes. For these reasons, some civil service positions were lucrative despite low salaries, and there was an informal market in civil service positions—a market that, like many of these original challenges, still existed in late 2009.⁶ In other positions—those without access to income from allowances, projects, or patronage—basic salaries were sometimes too low to retain skilled staff, who increasingly left for the growing private

sector. This problem, small in the mid-1990s, worsened during the next decade.

Training for civil servants was undifferentiated and in short supply. The National Academy of Public Administration (NAPA), the main institution for formal training for civil servants, had a staff of approximately 100 professors and trainers and trained about 500 civil servants each year. According to a NAPA official, courses were general, with no tailoring to the specific duties of civil servants from different ministries.

Civil servants—undertrained, underpaid, and recruited and promoted with little regard for merit—frequently occupied redundant posts or even worked in redundant ministries. For example, a former official from the Ministry of Agriculture and Rural Development said that in 1995, the departments of forest development and forest protection, both part of the Ministry of Agriculture, had several overlapping functions. In 1997, there were 28 ministries and ministry-level agencies in Vietnam's national government, a number that the Ministry of Home Affairs would help pare to 22 by 2008.⁷

FRAMING A RESPONSE

Because, as of late 2009, government decision making in Vietnam still occurred largely in secret, officials were reluctant to credit specific decisions to individuals. Each ministry had a Communist Party counterpart that set the general outlines of policy. The policies of the Ministry of Home Affairs (MoHA), for example, depended largely on the decisions of its shadow party organization, the Central Committee for Organization and Personnel. MoHA was little more than an implementing agency for that committee.

Civil service reform in Vietnam began as a response to changing economic conditions. Pham Van Diem, former director of international cooperation at the Government Commission for Organization and Personnel (GCOP, which

became MoHA in 2002) from 1990 until 2007, said that he and his colleagues recognized in the mid-1990s that the public sector had not kept pace with change in the private sector. “Vietnam previously had a centrally planned economy, which was suitable for mobilizing war resources,” he said. After economic liberalization, however, “the public administration system was no longer consistent with the market. Civil servant capacity was still fairly limited, and salaries were no longer sufficient after the end of the subsidies regime.” Although the Communist Party did not face political competition, it faced anti-corruption protests, pressure from businesses to simplify procedures, and incentives from donors to bring its system in line with international norms. When the GCOP began the process of civil service reform, Diem said, the agency envisioned fundamental change: “We aimed to change behavior. Everything was new for us. We should reform, but how? The question was how to change from administrative management to service—how to find the spirit of the civil service.”

Public protests over corruption contributed to the government’s decision. In 1997, farmers in Vietnam’s northern Thai Binh province, angry over the appropriation of land by corrupt government officials, briefly held commune and district officials hostage. Public administration reform was one way for the government to demonstrate responsiveness to public anger over corruption.

At the same time, the United Nations Development Programme offered technical assistance and funding for a public administration reform program. The first UNDP public administration reform project, in 1994, was purely a research initiative “to identify the concept of reform.” The project identified four target areas for Vietnam’s Public Administration Reform Master Program: institutions, organizational structures, civil service and public finance. Diem said his department needed this research to make the case for reform: “We submitted the report to

the Party Central Committee and convinced them it was necessary. ‘If you want investment,’ we said, ‘Procedures need to be simplified.’”

How the final policy decisions were made in the GCOP is not clear. The UNDP and, later, the Asian Development Bank heavily influenced the explicit agenda but did not have much of a hand in its implementation. Donors often did not have high-level access in ministries, let alone in the party. Diem stressed that although international assistance was appreciated, all decisions rested with the government. Yet pressure for reform also came from abroad in a more subtle form. An official at the National Assembly said increasing international integration and the resulting comparisons with other countries created pressure for reform as a way of saving face on the international stage.

All parties agreed that reform should proceed step by step. “We wanted to carry it out,” Diem said, “but we wanted to keep political stability, social stability.” Another official at MoHA put it differently: “You must always consider relationships when drafting laws. Many leaders fought in the war, which was a formative organizational experience. You can’t ask those people immediately to change their ways.” Vietnamese officials and donor staff said that Vietnam’s unique experiences and culture meant that foreign employment policies could not suddenly be introduced. “If I act differently, I am the outsider,” a Ministry of Labor, Invalids and Social Affairs (MOLISA) official said. “Officials may seem strong in the capital, but when they go to the provinces, they have to compromise.” He laid out a hypothetical scene in which a reformer visits his hometown and presents his new ideas, only to shrivel before the conservatism of the village elders. “In some other places you can bring something and replicate it,” said Trinh Tien Dung, head of UNDP’s Governance Unit. “Here, people are eager to learn other ways of doing things for changes, but that process is more time-consuming as new ideas have to suit to the local

context,” i.e., be made consistent with Vietnamese cultural and political norms, such as those discouraging dissent.

Beginning in 1999, the GCOP tried to institutionalize the Public Administration Reform (PAR) program by creating steering committees in each ministry and province, chaired in each case by the minister or provincial chair. In theory, each committee set PAR priorities for its agency or province. In practice, however, according to Diem, the GCOP did not require ministerial and provincial PAR steering committees to report back regularly, and their accomplishments were inconsistent. The prime minister chaired the national PAR steering committee, which included the heads of the GCOP and the Office of Government (an oversight agency), along with the ministers of justice and finance.⁸ In 2001, the government signaled its continuing commitment to the reforms by promulgating the Master Program on Public Administration Reform (2001-2010) and creating MoHA out of the GCOP in 2002.

The lead agency for civil service reform was unquestionably the GCOP/MoHA, which drafted the 1998 Civil Service Ordinance establishing new recruitment and promotion processes. Other agencies cooperated on particular issues. A joint task force formed by MoHA and MOLISA tackled salary reform, and the National Academy of Public Administration, in consultation with MoHA, expanded and modified the civil service training system. MoHA also led the changes in organizational structure, making recommendations with each new cabinet; in the cases of mergers, Diem said, ministerial personnel departments also played a role.

GETTING DOWN TO WORK

The 1998 Civil Service Ordinance overhauled and standardized recruitment and promotion procedures. With some alterations, it still codified the basic procedures for the management of civil servants in 2009. If strictly

enforced, the ordinance had the potential to alter the civil service fundamentally; officials from MoHA described recruitment and promotion procedures as the centerpieces of Vietnam’s employment reforms.

The ordinance, which the GCOP drafted in consultation with the Office of Government and the National Assembly, required that agencies advertise open vacancies and administer competitive exams to applicants. While the 1998 ordinance standardized advertisement and exam requirements, it also gave ministries and provinces more autonomy in recruitment. Each ministry could set questions for its own portion of the exam; under the former feeder system, universities and the GCOP allocated civil servants centrally without direct involvement of ministries or provinces.

Questions on the centrally mandated part of the exam typically test knowledge of administrative policy and ideology. For example, a MoHA official said one question asked applicants to explain the distinction between a general state administrative-management decision and a specific state administrative-management decision. A National Assembly official offered another example: “The Constitution said that citizens of Vietnam are the masters of this country. Elaborate.” Answering this question required a light touch; references to freedom of speech or religion were unwelcome.

The ordinance made similar exams prerequisites for promotion from one salary grade to the next, e.g., for promotion from “expert” to “principal expert.” Each grade had other requirements as well. To become “experts,” for example, civil servants had to hold bachelor’s degrees, though they could move up by smaller salary increments without fulfilling formal requirements. MoHA monitored agencies for compliance with these procedures and investigated complaints. An official at MoHA said that compliance was improving, but he added that “some people have not completely complied.”

As of late 2009, the agency did not keep statistics from inspections.

In fact, many officials agreed that changes in recruitment policy had produced little significant effect. Although ministries advertised open positions and offered competitive exams, actual recruitment policy varied by ministry, and many officials reported that hiring still depended more on connections and party loyalty than on merit. Outright resistance to the new recruitment policy was rare, a National Assembly official said, but civil servants found other ways around the policy. If a department head wanted to make a hire without following the formal process, he or she could appoint the new employee as a temporary trainee on a contract. If well-connected applicants failed their recruitment exams, they could still enter an agency on contract. Once contractors had been around for a while, they were difficult to dislodge.

Officials and applicants also found less legitimate ways to avoid formal procedures. Questions and answers to recruitment exams were often available ahead of time, for a price. Moreover, there was still an active market in civil service positions. In one case, a provincial party secretary publicly presented 100 million dong (over US\$5,000 at the time) that he said he had received in bribes for civil service positions, and asserted that he could receive far more in similar bribes if he liked. The party eventually dismissed him. Although MoHA had the formal power to investigate complaints regarding violations of recruitment procedures, it did not have the enforcement mechanisms or political clout to dismantle powerful patronage networks.

Pay reform

Between 1999 and 2009, a joint MoHA-MOLISA task force raised the minimum government salary from 180,000 dong to 650,000 dong, a 145% increase in real terms.⁹ Most of that increase occurred in the latter part of that period, and the average wage rose even faster than

the minimum wage; it increased by a factor of 3.5 between 2001 and 2006.¹⁰ The rationale for the pay increases was that low minimum salaries created an incentive for corruption as well as inequities between employees in the private and public sectors.¹¹ As of 2009, there were no official figures on how much these increases had affected civil servants' total earnings, given the income that civil servants obtained through allowances, project-specific funds and corruption.

The consensus, however, even among MoHA officials, was that salary increases had very little effect on total income for most civil servants. The large increases in salaries were deceptive. Average salaries as a proportion of GDP per capita were still among the lowest in the region.¹² Most important, salary was a relatively small portion of civil servant income. The MOLISA official said of salary reform: "It's impossible. For salary reform, you have to fundamentally change the system." Because agencies still paid nonsalary allowances in cash, such payments were difficult to trace and tax; neither MoHA nor MOLISA tracked agency-specific allowances. Officials' access to project-specific funding made the task still more difficult. True pay reform would threaten the interests of those who distributed and earned large allowances, project funding, or bribes; the government had not attempted it. The salary increases of the past decade had, like Vietnam's other reforms, attempted to satisfy domestic and international pressure for reform without placing patronage networks at risk.

As the salary reform task force steadily raised wages for all public servants, the Ministry of Finance gave managers more budgetary autonomy, allowing them, in theory, to redirect administrative savings into wages for their most productive employees. Until 2002, the government funded agencies based on the number of employees and their salary grades; after that, they received a single sum, or "block grant," that they could allocate with significant flexibility. Some hoped that block grants would encourage

managers to reduce the size of their staffs and to incorporate informal forms of compensation into salaries; managers could, in theory, directly allocate funds to wages that they formerly funneled through slush funds or personal accounts.¹³

Such changes rarely took place, largely because managers found that they had little real flexibility in staff size and salary. Social constraints prevented them from firing staff, and budget constraints prevented them from offering large salary increases without staff reductions. A department head at MOLISA put it this way: “If I’m the boss and you’re the staff, do I have the right to fire you? No. So what does financial autonomy mean?” Financial autonomy did often provide an incentive for managers to reduce administrative costs. Nguyet Tai Chinh, a consultant who worked on block-grant budgeting, reported that financial autonomy, by making managers attentive to small costs such as telephones, encouraged them to prevent their staff from using public resources for private gain. She asserted, however, that block grants had little effect on employment problems: “Human-resource management is the biggest problem in our country now.”

OVERCOMING OBSTACLES

In the 2001 PAR Master Program, the national PAR steering committee pledged that by 2010, civil servants would “have adequate qualities and qualifications to discharge their public duties.” To accomplish this goal, the program committed the National Academy of Public Administration to offer more and better training.¹⁴ As a result, NAPA entered a decade of remarkable growth. In 1996, NAPA trained 500 civil servants annually and offered no degree programs. By 2009, NAPA was offering “knowledge enhancements” to approximately 10,000 civil servants and educating nearly 2,000

bachelor’s, master’s and doctoral students each year, according to a NAPA official. The official said demand drove the growth; civil servants submitted training requests to the MoHA, which forwarded them to NAPA. The number of training requests increased significantly after the beginning of the PAR Master Program. NAPA offered tailored courses for different levels of civil servants, and all employees at the “expert” level and above received some form of management training.

This rapid expansion stretched NAPA’s resources, and officials and students continued to complain that courses were not relevant to civil servants’ practical tasks. The NAPA official said that while the number of students increased by a factor of more than 20 between 1998 and 2009, the number of instructors increased by a factor of only seven, from 100 to 700 professors and trainers. Another NAPA instructor reported that classes were too large (60-170 students) to engage trainees in practical exercises, and a third NAPA staff member said that many of the courses aimed to prepare civil servants for recruitment/promotion exam questions, which were themselves mostly abstract. Another NAPA official summarized the effects of the agency’s growth: “The numbers expanded, but the quality is not necessarily better.” Results were difficult to judge because there were few objective measures of the efficacy of civil servants, but few officials argued that training had substantially improved civil servants’ work.

Between 1997 and 2008, MoHA led the government’s effort to merge related ministries, reducing the total number of ministries from 28 to 22. Diem, from the international cooperation division at MoHA, recalled that he and his colleagues hoped to encourage ministries to cooperate. “The coordination of government agencies was very weak,” he said, “and putting them together forces them to coordinate.” A

MoHA official offered an efficiency justification: “The mechanism has become simpler, eliminating double responsibilities.”

In perhaps the most prominent example of a merger, the ministries of agriculture, food, forestry and irrigation combined in 1995 to form the Ministry of Agriculture and Rural Development. According to Nguyen Duc Son, then an official in the Ministry of Agriculture’s personnel department, the ministry set up a task force that identified duplicate civil service functions that made 300 positions redundant. Of those whose jobs were affected, some moved to other ministries and some retired early, while others found work in private companies. For those with no other options, the ministry set up a service center, at which former civil servants could work for the ministry as caterers, cleaners, or security guards. Son said the changes yielded substantial efficiencies.

The Ministry of Agriculture’s reported success was the exception rather than the rule. The MoHA official who described ministerial mergers as a necessary efficiency measure also acknowledged that the benefits took time to become apparent. “It’s a positive change, but it requires a lot of further work,” he said. Redundant officials were rarely happy to be demoted or to lose their jobs. “We have to deal with making leaders deputies,” the MoHA official said. “Some ministries therefore have several deputy ministers and dozens of acting deputy heads. The best solution is for those nearing retirement to retire. Others keep all their benefits from previous positions.” A National Assembly official was more direct, asserting that the merging of ministries made little difference because most officials kept their old positions in the new organizations. Donor officials echoed this harsher assessment but left room for isolated successes, such as the streamlining in the Ministry of Agriculture and Rural Development.

ASSESSING RESULTS

Substantive changes did take place in Vietnam’s civil service during this 11-year period. The 1998 Civil Service Ordinance succeeded, for example, in taking recruitment out of the hands of universities and reallocating that authority to individual ministries. For ministries with skilled and law-abiding personnel, this recruitment power was a crucial tool. For others, it simply meant that patronage power changed hands.

Also, because some reforms were conceptual, their results were difficult to measure. The National Assembly passed a new and more comprehensive civil service law, effective January 2010, which strengthened the distinction between civil servants and political appointees. The National Assembly official stressed that such conceptual changes, including the introduction of the concepts of merit and the separation between party and government personnel, were necessarily gradual. Others added that generational change was gradually altering the civil service, as younger people, who had grown up in a market economy, entered government. Still others argued that transformative civil service reform was not possible without a change in the form of government.

REFLECTIONS

Although Vietnam’s civil service reforms, especially in recruitment and promotion, threatened patronage opportunities, the government encountered little overt resistance from civil servants. When asked, officials often attributed the lack of resistance to a cultural aversion to dissent. Open resistance, however, was rarely necessary for civil servants dissatisfied with the reforms; most of the measures offered ample opportunities to continue old practices from within the framework of new policies.

In order to receive donor funding, many governments promise more civil service reform

than they can deliver. In Vietnam, the situation was more complex. Although the United Nations Development Programme and the Asian Development Bank played a role in setting the public administration reform agenda, donor and government officials agreed that the original and primary motivation for reform was domestic: economic change and public frustration with government corruption.

The government did not respond only with empty promises; the Ministry of Home Affairs, in particular, initiated genuine policy changes. New policies were not enough, however, to change significantly how most of the government actually hired, promoted, paid, trained or organized staff.

One conclusion seemed clear: Genuine reform was likely to take place slowly.

¹ http://indexmundi.com/vietnam/gdp_per_capita_ppp.html accessed 21 October 2009

² Forsberg, Le Thanh, and Kokko, Ari. "The Role of Donors in Vietnamese Development Planning." June 2007, p. 1.

³ Poon, Yeow et al. "The Reform of the Civil Service System as Vietnam Moves into the Middle-Income Country Category." UNDP, Hanoi, 2009.

⁴ http://www.indexmundi.com/vietnam/inflation_rate_consumer_prices.html accessed 21 October 2009

⁵ Hung et al. "The Current Salary System in Vietnam's Public Administration: Needs for a Decentralized Approach." 2006, GTZ, Hanoi.

⁶ Poon, Yeow et al. "The Reform of the Civil Service System as Vietnam Moves into the Middle-Income Country Category." UNDP, Hanoi, 2009.

⁷ The Vietnamese Government 1945-2003, Facts and Figures, VNA Publishing House 2004.

⁸ <http://caicachhanhchinh.gov.vn/PortalPlus.aspx?en-US/News/71//105///> accessed 21 October 2009

⁹ UNDP 2009, 8; Ministries determine wages by multiplying the minimum wage by a coefficient.

¹⁰ Hieu, Nguyen Huu, Huong, Vu Quynh, and Wescott, Clay. "Public Financial Management: How to Deliver Better Value for Money in Viet Nam's Public Administration System" UNDP, 2009.

¹¹ Painter, Martin. "Civil Service Pay Reforms in Vietnam." *Governance: An International Journal of Policy, Administration, and Institutions*, Vol. 19, No.2, April 2006, p. 337.

¹² Wescott et al., UNDP 2009, p. 7.

¹³ Painter 2006, p. 338.

¹⁴ PAR Master Program, October 2001, p. 18 and pp. 54-55.

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