
**CORRUPTION AND THE BUILDING OF A
DEVELOPMENTAL GOVERNMENT IN VIETNAM
TODAY
SOCIAL AND PHILOSOPHICAL-ETHICAL
CONSIDERATIONS**

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Abstract

Corruption is legitimately considered a global problem. In Vietnam, corruption is also considered one of the causes hindering the country's development process, causing negative impacts on economic, cultural, social and political fields. As there is no one particular measure or action that could solve this crisis, it is necessary to identify and implement several mutually reinforcing measures to prevent the spread of and combat the existing corruption in Vietnam today. In this article, we will study the role of building the Developmental Government that Vietnam is aiming at in its anti-corruption campaign. This role is shown in efforts to build a Developmental Government which operates relentlessly, effectively, wholeheartedly and in service to all citizens, successfully implementing its functions and duties in compliance with the Constitution and Laws.

Keywords: consequences, causes, corruption, Vietnamese Developmental Government

1. Introduction

The year of 1986 marked the beginning of the renovation of the Communist Party of Vietnam "in terms of thinking, style, organization, and cadres" (Communist Party of Vietnam, 1986, reference 2). The government perceived it as an urgent need of the country in the context of a self-critical assessment that "there is a defect in assessing the specific situation of the country, in defining the goals and path of building socialism" [Communist Party of Vietnam, *Document of the 6th National Party Congress*, Vietnam Communist Party Electronic Newspaper, Hanoi, 1986, <http://tulieuvankien.dangcongsan.vn/ban-chap-hanh-trung-Uong-dang/dai-hoi-dang/lan-thu-vi/nghiem-quy-dai-hoi-dai-ieu-to-quoc-lan-thu-vi-crab-dang-1493>]. After more than 30 years of innovation (Doi Moi), besides the many significant achievements, Vietnam faces some difficult

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challenges, including corruption. As the 12th National Congress of the Communist Party of Vietnam stated: “Corruption and waste are still serious with increasingly sophisticated and complex manifestations, causing frustration in public opinion, affecting people's confidence in the Party and the State” [1]. In the face of such difficulties and challenges and in order to successfully build a Vietnam with “Rich people, strong country, democratic, just and civilized society” [1, p. 16], the Government as the primary law enforcement agency plays an important role in preventing and combating corruption. In order to realize that determination, the Vietnamese Government switched to a new mode of operation in 2016 – the so-called ‘Developmental Government’ (or called ‘Developmental tectonic Government’). After a concise mapping out of the types of corruption and the areas that are most susceptible to it, this paper will focus on clarifying the issue of corruption from the social and philosophical perspectives, considering the possibility of building a Developmental Government to prevent and combat corruption in Vietnam today. Corruption will be analysed as a social phenomenon with distinct philosophical and ethical underpinnings.

2. The issue of corruption in Vietnam

The term ‘corruption’, though commonly used around the world, has many different definitions. According to Carl J. Friedrich, “corruption is a kind of behaviour which deviates from the prevalent norm. It is a behaviour that seeks private gain at public expense.” [2] A more recent definition comes to us from Transparency International (TI), which defines corruption as “the abuse of entrusted power for private gain” [Transparency International, *FAQS on Corruption*, 2018, https://www.transparency.org/whoweare/organisation/faqs_on_corruption]. Despite different wordings and nuances, we can see the same, foundational ideas in all available (academically recognized) definitions. These can be easily discerned in the Vietnamese version as well. According to the *Vietnamese Dictionary*, which is presently normative in Vietnam, “corruption is an abuse of power to harass people and salvage wealth” [3]. Vietnam’s Anti-Corruption Law defines corruption as “an act committed by a person holding a position and having power who has abused his or her position and/or power for undue benefits” [National Assembly of Socialist Republic of Vietnam, *Law on Anti-corruption*, Hanoi, 2018, 1]. Thus, although corruption has many different meanings, it can be understood that the nature of corruption is ‘abuse of power’, in which public officials of the state apparatus or employees in the private sector abuse their position for personal gain.

Different countries have different perceptions about what behaviours constitute corruption. Basically, all researchers say that corruption manifests itself in behaviours as follows: bribery [4], kickbacks [5], extortion, misuse of public property and funds [L. Holmes, *Corruption, Weak States and Economic Rationalism Central and Eastern Europe*, Paper presented at the Princeton University, Central European University, Joint Conference on Corruption, Budapest, 29 October-6 November 1999, <http://www.coc.ceu.hu/holmes.html>]. In

Vietnam, corruption basically manifests itself in the following acts, in both the public and private sectors.

For the public sector: “corrupt acts in the public sector are implemented by persons in position of authority in state agencies and organizations, including property embezzlement; bribery; the abuse of positions and powers to illegally appropriate property; the abuse of positions and powers while performing duties and official duties for self-seeking interests; the abuse of power while performing duties and official duties for self-seeking interests; the abuse of positions and powers to influence others to seek personal profits; forgery enticed by a self-seeking interest; direct or indirect bribery to settle affairs of agencies, organizations, units or localities for self-seeking interests; etc.” [National Assembly of Socialist Republic of Vietnam, *Law on Anti-corruption*, Hanoi, 2018, 1].

For the private sector: corrupt acts in the non-state sector are implemented by persons in position of authority in non-state sector enterprises and organizations. Corrupt acts in this sector include but are not limited to “property embezzlement; bribery; bribing or broking bribes to handle the affairs of enterprises and organizations for self-seeking interests” [National Assembly of Socialist Republic of Vietnam, *Law on Anti-corruption*, Hanoi, 2018, 2].

As mentioned above, corruption occurs when persons in a position of authority abuse their position for personal gain or to facilitate an undue advantage for a third party. Corruption understood in all its variety and hidden forms has thus been a long-standing phenomenon in history, occurring in all organized societies. Today, more than ever, perhaps, we observe with new acuteness that corruption has become a global phenomenon, occurring in many countries around the world, in different fields of social life.

In Vietnam, too, the situation of corruption has complex manifestations, of which the scope, extent, scale seem to be increasing, becoming ever more diverse and sophisticated, and taking place in almost all areas of social life, i.e. economics, legal protection activities, education, healthcare (etc.) in both the public and private sectors. What follows is a concise typology of corrupt behaviours based on the specific areas of their occurrences.

2.1. The types of corruption

2.1.1. Corruption in the economy, especially in the field of finance-banking

The banking sector seems to be especially prone to corrupt behaviours. The public has witnessed cases when bank managers and officials abused their position and the existing legal loopholes to enrich themselves illegally. Also, they colluded with other individuals and businesses to violate state regulations like falsifying records; carelessly appraising loans and mortgage documents; making false declarations; lending money to individuals and enterprises without security, or beyond solvency and so on. Their reckless actions resulted in big financial losses of the State that could not be recovered. In addition, some bank officials

and employees teamed up with the black credit group (perpetrators of usury) to lend at high interest rates and get interest rate differentials. When the black credit owner declares insolvency, the State is the damaged party. As indicated earlier, there have been many corruption cases in the banking industry that caused great damage to the state. These cases involved many people, which then had to be prosecuted. For example, the case of Huynh Thi Huyen Nhu (former Deputy Manager of Risk Management Department of Vietnam Joint Stock Commercial Bank for Industry and Trade, Ho Chi Minh City Branch) abused her position and authority to deceive state authorities and regulatory bodies and to misappropriate trillions of VND [D. Viet, *Huynh Thi Huyen Nhu identified herself as a 'super-scammer'*, 2018, <https://vov.vn/vu-an/huynh-thi-huyen-nhu-nhan-minh-la-sieu-lua-728621.vov>]. Also well-known is the case of Pham Cong Danh (former Chairman of the Management Board of Vietnam Construction Bank, Thien Thanh Group) and his accomplices who intentionally violated the State regulations in economic management, causing serious damage to the State. Trillions of VND were irreversibly lost [D. Xuan, *Proposal for the maximum recovery of the damage caused by Pham Cong Danh*, 2018, <https://dantri.com.vn/phap-luat/denghi-thu-hoi-toi-da-thiet-hai-vu-pham-cong-danh-20181217135817118.htm>].

According to available statistics for the period from January 2013 to September 2018, the total amount of credit institutions which was lost or misappropriated in criminal cases of corruption is nearly 62,800 billion VND (equivalent to 18.52 billion USD) [Vietnam News Agency, *Results of inspecting the recovery of corrupted properties at State Bank*, Economic and Urban Newspaper, 2019, <http://kinhthedothei.vn/ket-qua-kiem-tra-viec-thu-hoi-tai-san-tham-nhung-o-ngan-hang-nha-nuoc-343253.html>].

2.1.2. *Corruption in the area of land ownership and management*

Article 4 of the Land Law 2013 (Vietnam) states that “land is owned by the people and is managed by the State. The State holds the position of landowner and grants land use rights to land users in accordance with this Law.” [National Assembly of the Socialist Republic of Vietnam, *Law on Land 2013*, Hanoi, 2013, 3] Although people only have the right to use the land, they still have the right to cede their land use rights. Therefore, granting certificates of land use rights and ownership of houses and other properties associated with land is the work that the authorities in Vietnam need to do. However, due to historical conditions, many Vietnamese households have not received certificates of land use rights and other land-related assets. Meanwhile, the land is still considered as a valuable asset of the Vietnamese people and the procedures for granting land use rights certificates are still cumbersome, so applicants need a lot of time to get their certificates. This leads to the fact that when people need to get land use right certificates, it is often difficult and tedious. Vietnamese people, therefore, often must give money to administrative staff who perform their official duties. Thus, the land sector becomes the most corrupted sector [H. Do, *Land is one of the most corrupted sectors*, 2016, <http://cafef.vn/bat-dong-san/dat-dai-la-mot-trong-nhung-linh-vuc->

tham-nhung-nhieu-nhat-20160120172459622.chn]. According to T. Chi, up to 17% of people had to bribe when applying for a land use right certificate [T. Chi, *There are still hundreds of thousands of people reflecting that they must lubricate when making red books*, 2018, <https://laodong.vn/kinh-te/van-con-hang-tram-nghin-nguoi-phan-anh-phai-boi-tron-khi-lam-so-do-624881.ldoj>].

Some articles of the Land Law from 2013 also stipulate the acquisition and requisition of land for national defence and security purposes and for socio-economic development in the national and public interests. At the same time, the law stipulates the authority to lease land, assign land and transfer land use rights to the authorities from the commune to the provincial level. We can thus witness a wide-spread corruption in the area of managing land rights in Vietnam, including the abuse of the State's name and wrongly transferring the purpose of land use right; allocating land not in accordance with the relevant authority when designing development projects; colluding, misrepresenting areas land compensation; compensating land acquisition of people at low prices, then reselling at high prices; equitizing State-owned enterprises without regard to the value of land, and others. Land corruption occurs not only in the civil sector but also in the military sector. In the past, the Ministry of Defence land was often widely divided and located in what is now the 'golden position'. Therefore, there is a phenomenon that some Defence officials have abused their power, deliberately violating the land management rules to their personal gain, causing damage to the State. For example, the Admiral Nguyen Van Hien, former Member of the Central Party Committee, former Member of the Central Military Commission, as well as former Deputy Minister of Defence has been disciplined by Central Inspection Committee, for committing violations in the management and use of defence land [Vietnamnet Global Online News, *Lack of transparency is a big gap for officials to 'steal' land*, 2019, <https://vietnamnet.vn/vn/goc-nhin-thang/xu-ly-quan-chuc-tham-nhung-tu-dat-dai-529540.html>]. Accordingly, during his time as Deputy Secretary of the Party Committee and Commander of the Naval Army, Nguyen Van Hien was personally responsible for performing improperly, violating the law on management, land use, and construction investment pertaining 10 areas of national defence [H. Le, *The Ministry of Defense is completing the procedure on the disciplining of Admiral Nguyen Van Hien*, 2019, <https://thanhnien.vn/thoi-su/bo-quoc-phong-dang-lam-thu-tuc-ky-luat-do-doc-nguyen-van-hien-1101538.html>].

2.1.3. Corruption in law enforcement agencies/units

Corruption also occurs in the field of law enforcement which inspects and adjudicates cases of violations of Vietnamese law. A number of officials in the law enforcement agencies, such as the police, inspectors and supervisors, have covered and abetted the crimes of corruption. These criminals falsified records that were needed for illegal activities, which meant that offenders were not arrested, and innocent people could be wrongly charged. For example, the case of two police generals (former General Director of the General Department of

Police, and former Director of the High-tech Crime Prevention Police Department) who helped falsify the records for the gambling line of trillions VND [VTC News, *Gambling line guaranteed by two former police officers: The record numbers*, 2019, <https://vtc.vn/duong-day-danh-bac-duoc-hai-cuu-tuong-cong-an-bao-ke-nhung-con-so-ky-luc-d462474.html>]. Another case was that of the construction inspectors of the Ministry of Construction who extorted money and harassed responsible officials during the inspection. According to available records, during the basic construction inspection in Vinh Tuong district, Vinh Phuc province, the head of the inspection team of the Ministry of Construction received more than 150 million VND, members of the inspection team received 90 million VND from the accountant and the construction agency in Vinh Tuong district [H. Than, *Arresting the leader and two members of inspection team of Ministry of Construction in Vinh Phuc*, 2019, <https://tuoitre.vn/bat-tam-giam-truong-doan-va-hai-thanh-vien-doan-thanh-tra-bo-xay-dung-o-vinh-phuc-20190618160656289.htm>]. The number of criminal offenses committed in judicial activities from 2008 to the end of 2018, according to the official statistics, increased from 415 to 4,556 cases, from 893 to 9075 subjects [The Supreme People's Procuracy of Vietnam, *The statistics of criminal offenses committed in judicial activities from 2008 to the end of 2018*, Hanoi, 2018, 7]. In 2018, the investigation agency of the Supreme People's Procuracy requested in legal activities and investigated the corruption in this field, which amounted to 12.37 billion VND. This agency has recovered more than VND 6.7 billion, accounting for 55% of the total amount of corruption money [D. Luan, *Arresting 22 Detectors, Procurators, Judges*, Tien Phong electronic newspaper, 2018, <https://www.tienphong.vn/xa-hoi/bat-tam-giam-22-dieu-tra-vien-kiem-sat-vien-tham-phan-1345275.tpo>].

2.1.4. *Corruption in education, healthcare, and other social security fields*

Corruption occurs not only in the areas of finance, banking, and land management but also in areas where morality and gratitude are highly important, such as healthcare, education, the implementation of social policies and charity. In the healthcare sector, there are three areas that can be considered as facing a high risk of corruption. The first is state management in the health sector; the second is providing services in the healthcare sector and the third is health insurance [Q. Minh, *Serious corruption in the healthcare sector*, 2009, <https://tuoitre.vn/tham-nhung-trong-nganh-y-te-nghiem-trong-349888.htm>]. Due to improper management, there are companies using fake documentation for importing fake cancer drugs into Vietnam (e.g. Vietnam Pharma Joint Stock Company) [A. Kim, *How does VN Pharma introduce fake cancer drugs into Vietnam?*, 2019, http://congan.com.vn/vu-an/vn-pharma-dua-thuoc-chua-ung-thu-gia-vaio-viet-nam-nhu-the-nao_76808.html]. Corruption also occurs in the bidding process, there is the fact that some drugs have the same ingredients, the same group, with low dose content but are bidden at higher prices than the same or higher-quality drugs. Bidding results for drugs are not in favour of the lowest-priced contracts and the

direct purchasing results are not made public. The consequences of the corruption in this field also result in the situation when drug prices in health-care facilities at the retail level (selling the drugs to common people) are often much more expensive.

The relationship between the medical staff personnel and patients is an asymmetric relationship. That creates opportunities for corruption in this relationship. Hence, the following things often occur in Vietnam: prescribing high-cost drugs when medical staff are in cahoots with pharmaceutical companies; the abuse of functional foods on prescription (while not all patients are advised to take functional foods); the harassment of medical staff when conducting medical examination and treatment, or medical procedures, etc.

The misuse of health insurance is also a fairly painful example of corruption in Vietnam today. It manifests itself through the following behaviours: the appointment of tests, image diagnosis, indications for hospitalization of patients beyond what is necessary; borrowing health insurance card for medical treatment; going to the clinic simultaneously in 2 different places. The misuse of health insurance is also reflected by the frequency of using health insurance cards. According to the P.V. 2017 news report, within the first 5 months of 2017 in 46 provinces and cities (in Vietnam), there were 2,769 people examined 50 times or more during the given period. In most cases, people went to the clinic in 4 or more different medical facilities at the same time, which is a clear situation of overlapping indications, drug abuse, and rehabilitation procedures. 1580 people were diagnosed 8 times per month in several health facilities simultaneously. There was a person who went to the clinic 132 times in 8 months, or another person who visited the clinic 70 times per month [P.V., *The common frauds on health insurance*, VOV The Voice of Vietnam, 2017, <https://vov.vn/xa-hoi/cac-thu-doan-gian-lan-bao-hiem-y-te-thuong-gap-718069.vov>].

Corruption in the education manifests itself in the process of building facilities and illegal money solicitations from pupils and students, especially from those who are incompetent and want to get good grades, or wish to be accepted by their chosen schools (typically the university entrance examination in Hoa Binh, Son La, Ha Giang in 2018) [N. Tri, *Overview of the score fraud in Ha Giang, Hoa Binh and Son La*, 2019, <https://plo.vn/xa-hoi/giao-duc/toan-canh-vu-gian-lan-diem-thi-tai-ha-giang-hoa-binh-son-la-828905.html>]; forcing students to take extra classes, otherwise they will be treated unfairly. Corruption in the field of social security is reflected primarily in charity money cuts [T. Ha, *Thanh Hoa: The commune is accused of cropping up flood support money of the people*, 2018, <https://vov.vn/xa-hoi/thanh-hoa-xa-bi-to-cat-xen-tien-ho-tro-lu-lut-cua-dan-760101.vov>] and the falsification of records and documents to appropriate social insurance money [L. Tran, *Trial of 3 people who made fake wounded soldiers records, appropriated more than 12 billions VND*, 2019, <https://vtc.vn/xet-xu-3-ke-lam-ho-so-thuong-binh-gia-chiem-doat-hon-12-ty-dong-d484838.html>].

Thus, we can see that corruption in one sector can be linked to corruption in another, from low to the top level of authority. One can use his/her position and authority to favour a certain part of the population/voters in order to get support

back (mainly financial support) to consolidate and maintain his/her power (of individuals or organizations). Or in allocating resources and funding for a project, one can make policies and regulations that are beneficial to a subject so that the subject can win that project. Later, during the implementation process, there will be a contract adjustment to increase the funding and budget for the project. Through these stages, assets and funds lost due to corruption are increasing. It should be noted here that corruption in education, healthcare and other social security fields occur not only in the process of law enforcement, but also in the process of making policies, laws and sanctions.

2.2. The scale of documented corruption

Corruption is found not only in the said areas, involving people with higher positions of power, but is widespread now in all areas of life from ordinary employees to high-ranking officials, from non-party members to party cadres, from the public sector to the private sector. Recent statistics showed that Vietnam has disciplined more than 700 party members convicted of corruption who intentionally broke the law. The State has detected 50 cases involving acts of corruption, proposed to recover 43,321 billion VND, requested administrative discipline for 2,093 collectives and individuals, commissioned investigating agencies to handle 114 cases and 192 involved subjects, conducted a comprehensive inspection of 4 projects, reviewed the inspection of 7 projects that produced large and long-term losses that the public opinion is interested in [B. Dong, *The General Secretary has disciplined more than 300 Party organizations and more than 18,600 party members*, 2018, <https://nld.com.vn/chinh-tri/tong-bi-thu-ky-luat-hon-300-to-chuc-dang-hon-18600-dang-vien-20180122162923945.htm>].

In addition, small corruption cases (in Vietnamese called petty corruption) with the amount of only tens or hundreds of thousands VND are the phenomenon of abusing administrative procedures intentionally causing trouble for people and delaying the settlement of administrative tasks so that people have to give money for faster processing. An example of this is giving 50,000-100,000 VND to a nurse to help the patient avoid feeling pain. The big corruption cases with amounts reaching to billions of VND, as we mentioned above, occur mostly in project activities, in the fields of finance–banking, infrastructure construction and among businesses and economic groups.

According to the 2018 survey in 18 provinces, 65% of the surveyed people who were connected to any of the six public services (public education, public health, making identity cards, public service provider, police, judges or court officials) said that they had to pay bribes. This is the highest index among the ASEAN countries surveyed and the second highest among the surveyed countries in the Asia Pacific region (just after India) [P. Quoc, *Corruption in the public sector in Vietnam is still serious?*, 2018, <https://vov.vn/chinh-tri/tham-nhung-trong-khu-vuc-cong-tai-viet-nam-van-nghiem-trong-732685.vov>]. According to a survey by Transparency International in 2018, Vietnam's transparency index

reached 33/100 points, ranking 117/180 globally. This figure indicates that corruption in Vietnam is a serious problem [Transparency International, *Corruption Perceptions Index: Corruption in the public sector in Vietnam is still considered very serious*, 2018, <https://towardstransparency.vn/cpi-vietnam-2018/>].

3. The consequences and causes of corruption in Vietnam

3.1. Corruption is a negative phenomenon in any economic context

As Gray and Kaufmann rightly observe, corruption often leads to suboptimal economic results, hindering foreign investment, distorting social priorities and technological choices (for example, it encourages the signing of large defence projects and unnecessary or out-dated infrastructure projects), damaging or utterly destroying the reputation of the State [6]. To this we can add that corruption also disrupts equality among economic entities. Economic entities become profitable businesses not because of their ability, talent and sensitivity to market developments but because of bribery, with the support of officials and employees in administrative agencies. This also makes true businesses unable to compete, causing the loss of business confidence in the government. In Vietnam today, corruption has increased the costs of business while reducing their profits, affecting the development of business when the ‘lubrication’ fee can account for up to 10% of revenue of the business [Q. Thu, *Quantifying the impact of corruption on domestic private enterprises*, 2017, <http://www.tiasang.com.vn/-doi-moi-sang-tao/Luong-hoa-tac-dong-cua-tham-nhung-toi-doanh-nghiep-tu-nha-n-trong-nuoc-10881>]. As a result, it affects Vietnam’s open economic development strategy, causing investors’ apprehension when entering Vietnam. In a report presented at the Vietnam Business Forum (VBF) in 2010, AmCham (American Chamber of Industry in Vietnam) said that “the initial intention of some potential foreign investors was not realized because of the constant challenges of corruption”. AmCham’s perception of the business environment in Vietnam also continues to argue that “the instability caused by corruption continues to be the top challenge facing AmCham member businesses” [http://thanhtra.com.vn/tin-tuc-chong-tham-nhung/trong-nuoc/phong-chong-tham-nhung-trong-khu-vuc-tu-tai-viet-nam-goc-nhin-ve-doanh-nghiep_t114c1080n139876]. Corruption also makes the prices of goods and services increase (as it must be included in the costs), affecting consumers.

3.2. Corruption has negative cultural and social impacts

Corruption is one of the causes of social inequality stemming from economic injustice, leading to poverty. Corruption also raises other costs for accessing social services such as education, health and other social benefits. This leads to the situation when it becomes increasingly difficult for the poor to access basic social services as they cannot afford to pay the unofficial fees (requested by

corrupt entities). This results in inefficient allocation of state funding in some of the most sensitive public services sectors. Corruption also reduces the quality of education when students get high scores not because of their competence but because of their corrupt behaviour. Their illegitimate academic success also means that others, many whom are more capable, are deprived of the opportunity to advance their education. In addition, it reduces the quality of medical examination and treatment, when the medical examination and treatment does not come from the 'right people', or if they are not treated for the 'right diseases' with the 'right medicines'. It also affects the commitments of cadres, civil servants, officials and the people and businesses to honesty and transparency, reducing the enthusiasm of individuals in the organization and society, as well as the overall reputation of the government. Not only has corruption the effect of being annoying for the people affected by it; it also, to a certain extent, creates a 'habit', instilling the image in the people's minds that it is a 'normal' thing, a 'natural' phenomenon to be expected when people come into contact with public services and officials and civil servants on duty. Such an 'abnormal' phenomenon considered to be 'normal' shows that the existing ethical standards and laws have proved inefficient. This new 'habit' turned into a new social norm will erode confidence and trust in the existing system of management, distort social relations and assessments of behaviours and social norms.

3.3. Corruption has detrimental political consequences

The Vietnamese Communist Party Central Committee has already in 2012 identified corruption as one of the causes behind the "decline of ideological conviction, morality and healthy lifestyle" [7] of a part of cadres and civil servants in Vietnam today. Corruption further violates the principle that the Vietnamese state is "a state of the people, by the people, for the people" [1, p. 171]. The state represents the power and interests of the people. However, there is a number of cadres, civil servants and public employees who perform their functions and duties not for the common benefit of the society, but to advance their own selfish interests. Such individuals often act irresponsibly and in an authoritarian, harassing manner, which then leads to the fact that people do not trust the public servants (administrative staff) of the State. The lack of responsibility in the state administration on grassroot levels leads to people losing confidence in the State organization and management system. Because people do not believe in the State administrative staff, it is possible that they will not trust the Governmental system of organizations and management.

The fact that people are not interested in following the news reports on the State's operations and activities might be the first indication of such diminished trust. Following Gabriel A. Almond's & Sidney Vebra's analysis, we agree that when people refuse to give importance to the State's affairs, it is a dangerous situation that could affect the survival of the government as a whole [8]. Moreover, once people do not believe in the system, it is difficult for them to comply to the guidelines and policies of the state, which causes further

disorientation and disagreement between the people and the government, and between people in different sectors/classes (i.e. when this class is preferable to other classes). This situation will finally engender disorder and the loss of socio-political stability of the country. The political hotspots that occurred in Thai Binh and Nam Dinh in the 1990s showed that corruption and embezzlement were a fundamental cause of political instability and disorder in these localities [9].

3.4. Unmasking the causes behind corruption

As corruption is a global phenomenon and not something peculiar to the Vietnamese environment, in our assessment of the roots of this problem we find good inspiration in recent authors among whom Dimant [E. Dimant, *The Antecedents and Effects of Corruption – A Reassessment of Current (Empirical Research)*, 2014, https://mpra.ub.uni-muenchen.de/60947/1/MPRA_60974.pdf] and Klitgaard [10] appear to be most insightful and relevant. Dimant points out the cause of corruption in at least two different ways: “On the one hand, artificial monopoly power given to public officials allows them to extract bribes based on their superior position... On the other hand, inefficient regulations might induce frictions through creating incentives for private persons to pay bribes (‘speed money’) in order to accelerate the bureaucratic process” [https://mpra.ub.uni-muenchen.de/60947/1/MPRA_60974.pdf, p. 10]. According to Klitgaard’s assessment, it is primarily the monopoly power of civil servants that distorts the social and economic relations in a given society. Klitgaard then points out the problem of insufficient accountability and transparency of the organizations [10, p. 75-88; 11].

The above listed factors are also among the main causes of corruption in Vietnam today. Beginning in 1986, Vietnam has been undergoing renovation (Doi Moi) for more than 30 years, transitioning from a subsidized bureaucratic economy (based on the asking-giving mechanism), to a socialist-oriented market economy. But not all changes in the economy lead to a change in thought, behaviour, mind and consciousness among the Vietnamese socio-economic actors (individually and collectively). The mechanism of asking - giving had led to the system of appointing and promoting government officials, known for its lack of transparency and accountability. Such mechanism/setting encouraged corruption of state officials. The concept of asking - giving is still present in the mind-set and behavioural patterns of a part of cadres, officials and even among the people working in the communication/transactions sector at public administrative units, as well as in the educational and health care establishments. People go to administrative agencies, educational and health care establishments to ‘ask’ for house repairs, ‘ask’ for land use right certificates and ‘ask’ for their children to go to school. This is also due to the inadequate level of awareness of a sizeable part of the population and public officials about the rights of citizens, the responsibility of State agencies for providing public services, and their accountability to the society.

Despite on-going administrative reforms in modern Vietnamese history, cumbersome administrative procedures and bureaucratic mechanisms continue to be a major cause of corruption in Vietnam today. The said cumbersome administrative procedures forces people to spend a lot of their time on them and to travel many times to get the settlement results of their cases from the respective authority. It is then naturally easier for people to pay ‘unofficial’ fees to the bureaucrats to expedite their work. Cumsome administrative procedures also become a welcomed ‘loophole’ for administration officials to profit from their working positions. As the Document of the 12th National Delegation of the Communist Party of Vietnam said, “the administrative procedures are still complicated and troublesome, which is a great barrier for creating a healthy, transparent, effective social environment and business environment for development” [1, p. 174].

In administrative activities in Vietnam today, there is another problem concerning officials who hold multiple positions concurrently. Some executive officers are also National Assembly deputies and People’s Council deputies at all levels (For example, the Chairman, Vice Chairman of Ha Nam Provincial People’s Committee, Director of Department of Home Affairs, Director of Department of Education and Training of Ha Nam province are delegates of the Ha Nam Provincial People’s Council, course XVIII, term 2016-2021; or the Chairman of Hai Duong People’s Committee, Minister of Home Affairs, Minister of Education and Training is National Assembly deputies course XIV, term 2016-2021, etc.) [Vietnam News Agency, *List of 494 14th National Assembly deputies, term 2016-2021*, 2016, <https://infographics.vn/dai-bieu-quoc-hoi.vna>]. This leads to the phenomenon of ‘playing football while blowing the whistle’, and provides no guarantee that there will be no corruption and profiteering in developing and implementing public policies.

In addition to the loopholes in the legal system, inadequate law enforcement is also one of the causes of corruption in Vietnam today. If the law enforcement officials do not strictly handle corrupt acts, it will lead to situations when one person is corrupt without being punished, while another person may have similar behaviours and is punished with highest possible penalties. The 12th National Party Congress of Vietnamese Communist Party reflected on this issue, stating that “organizing the implementation of socialist laws has not been serious enough yet” [1, p. 174] when such conflicts of interests continue to be rampant. Transparency exhibited in the civil service activities, in the asset declaration and in taking responsibility for the assigned tasks, especially the responsibility of the leaders, has not been taken seriously. To name just one example among many, the publicity and transparency in land use planning on the national level is deficient, as is the transparency in land planning in some localities [G. Truong, *Land use planning: Lack of synchronization*, Electronic newspaper on Resources & environment, 2019, <https://baotainguyenmoitruong.vn/tai-nguyen/quy-hoach-ke-hoach-suits-data-introduction-lines-bo-1267258.html>].

The root of corruption from a philosophical/ethical perspective, however, is an innate desire of human individuals to put their interests selfishly ahead of all others, regardless of the clearly foreseen detrimental consequences of such behaviour on others. This individual egoism is frowned upon in the Asian context, especially in countries influenced by Confucianism. While the typical Western model of civil and personal liberties revolves more around the rights and freedoms of the individual (endowed with inalienable dignity), the typical Asian model emphasizes primarily one's responsibility to the nation and one's family. These emphases, of course, are in both models brought to some kind of a balance and it is never the case that the existing social norms would only lift up one emphasis (i.e. on the individual), while ignoring the other (i.e. on the community/state/family). Still, differences remain and, in Vietnamese case, the convergence of the indigenous, traditional culture with Confucianism (but also Buddhism, Daoism, and later even Catholicism, at least to some extent) created a fertile ground for cultivating the so-called 'Nhan-Nghia', loosely translated as 'benevolence with responsibility'. *Nhan* stands for virtues that can be summarized as charity, mercy, and benevolence, while *Nghia* represents one's responsibility to the nation and/or one's community. Although it is true that "the particular ethical values of this rule governing human beings may change", depending on the given circumstances, "but over time this rule encourages people to behave well towards others and society generally" [12, p. 81]. Thus, to put one's own selfish interests or the benefits of one's interest group, above the wellbeing of the country is a direct violation of the cultural norms derived from *Nhan-Nghia*.

The level of corruption described and analysed in this article betrays a fateful deviation of the Vietnamese people from their own cultural and ideological ideals that once served as the foundational sources of resilience and determination. As the constitutive cultural norm/ideal of *Nhan-Nghia* is best cultivated in the environment of families and, in the case of rural areas, in local communities, well-designed and intentionally implemented family policies and moral formation programs/activities will be needed to help fight corruption on the grassroot level. It would be wrong to neglect this dimension of the problem, since the one's overall ethical/philosophical outlook determines one's values and, subsequently, guides one's actions in life. Equally necessary will be to pay a closer attention to the detrimental effects of mass media and popular cultural imports from the West [13–17], that increasingly influence the younger generations of the Vietnamese.

4. The role of Developmental Government in the anti-corruption campaign in Vietnam today

Chalmers Johnson coined the phrase 'Developmental State' on the basis of his insightful analysis and differentiation of different types of state governments in his book *MITI and the Japanese Miracle: The Growth of Industrial Policy 1925-1975* [18]. Johnson uses the term 'Developmental State' to refer to the model that stood behind the miraculous development of Japan as well as other

East Asian countries and territories (such as Korea, Singapore, Taiwan, Hong Kong). Later, depending on the specific context, the term Developmental State or Developmental Government is used to indicate the dynamic and creative way of governing the country, namely the building of influential institutions of the state or the government to support the development of businesses and human development.

There are several different conceptions of Developmental Government present in the contemporary discourse in Vietnam. According to D.D. Nguyen et al, “Developmental Government is a government organized and operated in a constructive spirit, creating an environment for everyone to have a chance to seek and fulfil their pursuit of happiness, without directly doing everything for the people” [19]. Tran, N.D. argues that “Developmental Government is not limited only to observing the law but also proactively initiating and deciding on national policies, that is, proactively delineating the development direction of the country. Proposing and making policies that are conducive to the wellbeing of the society are the leading functions of Developmental Government. In proposing and making national policies, the government must proactively discover the existing needs and find solutions to solve them quickly, promptly, properly and intelligently.” [20, p. 20].

Article 24 of the *Law on Organization of the Government* of the Socialist Republic of Vietnam prescribes the tasks and powers of the Government with regard to “the inspection, examination, reception of citizens, settlement of complaints and denunciations, preventing and combating bureaucracy and corruption, as well as waste management” [21]. Thus, the role of the Government in fighting with corruption is directly stated in the *Law on Organization of the Government*. What then is the distinction between the building of a Developmental Government to prevent and fight against corruption, and the role of the Government in anti-corruption mentioned in the *Law on Organization of the Government*?

In fact, any government in the world must perform the same basic functions. However, different socio-political institutions will form different types of government. Each historical and geopolitical context produces different ways of government administration. Therefore, the building of a Developmental Government in Vietnam today affirms Vietnam’s determination and efforts in the country’s development orientation in general and in anti-corruption strategy in particular. This is reflected in Resolution No. 100/NQ-CP dated December 18th, 2016 on the issuance of the Government’s Action Program for the 2016-2021 period, confirming that “Vietnam strives to build a Developmental Government which operates relentlessly, effectively, wholeheartedly and serves the people; successfully fulfils its functions and duties in accordance with the Constitution and Laws” [Prime Minister, *Resolution No. 100/NQ-CP on Promulgating the Government’s Action Program for the 2016-2020 Period*, Hanoi, 2016, p. 1].

With such characteristics, the building of a Developmental Government will play a significant role in the anti-corruption struggle in Vietnam today. This is reflected in the following basic contents of the Government’s functioning:

Firstly, as an executive agency, the Developmental Government is always leading, directing social development, operating in close correspondence to actual reality, people's expectations and legitimate interests. It directs and guides, but it does not interfere deeply in social life, especially the economic sector. In order to guide and orient the development, the Government always listens, has guidelines and policies in accordance with the reality, reflecting the feedback of the people.

Secondly, building a Developmental Government which operates relentlessly and effectively expresses that all guidelines and policies of the Party and the State are always implemented with the highest regard for the entire executive system. To say that the Government acts relentlessly means *first* that all violations of policies and laws are properly punished. It also means that corrupted acts, from small-scale to large-scale, from people with no position to high-ranking officials in the executive system, will be punished strictly (the handling of legal violations belongs to law enforcement agencies, but here it is impossible not to mention the cooperation of the executive units). *Second*, all guidelines and policies must be taken seriously. This is what is meant by implementing seriously the *Overall program of state administrative reform* called 'Prime Minister' [Prime Minister, *Resolution No. 30c/NQ-CP dated November 8, 2011 on Promulgating the overall administrative reform program for 2011-2020 period*, Hanoi, 2011] – it is all about implementing appropriate anti-corruption measures. When the administrative reform is well implemented, all cumbersome administrative procedures will be abolished, especially in the fields of land, business, education and health-care; the information will become public and transparent; the inspection and supervision of the implementation of organizations and individuals in law enforcement activities will be strengthened and, as a result, acts of corruption will be difficult to carry out or easily to detect and handle.

Thirdly, building a Developmental Government which operates relentlessly, efficiently and effectively also means that "the division and coordination of State powers, especially the way to control powers between State agencies in operating the legislative, executive and judicial ones based on the unification of State power, can be clearly defined" [1, p. 176]. Then the profiteering and corruption in public policy formulation and implementation will be pushed back.

Fourthly, we need to engage in building a Developmental Government which wholeheartedly and utterly serves the people. It means that the Government understands clearly that "What is beneficial to the people must be done in the best possible way, what is harmful to the people, must be avoided" [22]. Once the Developmental Government is built, the civic awareness of people and civil servants will change. According to this new conception, the Government is established to serve the people; meanwhile, the barriers to development will be removed. Any acts of bureaucratic harassment, intentionally causing difficulties for people and businesses, will be strictly punished. In the process of administration and management of the country, the Developmental Government will eliminate the negative influences of group interests, create an equal and fair environment for a holistic development, and all this without undue discrimination between public and private sectors, between the state-owned and private

enterprises. Accordingly, corruption will be eliminated (or effectively diminished) because of the elimination of group interests and discrimination, which belong among the most prominent causes of corruption.

Fifthly, building a Developmental Government which wholeheartedly serves the People is also about the contingent of cadres and civil servants who are the developmental subjects of this process; therefore, they need to be trained and developed in accordance with clear standards and measures of duty performance. Once there are clear standards of duty performance, and their supervision, corruption is pushed back. The experiences of many countries also show that good practices of developed countries that are brought to a developing country will most likely fail. It is often the case that a given policy, particularly an excellent anti-corruption policy, is good in other contexts but still fails when applied in the context of a developing country [23]. This appears to be so because the existing administrative system is not capable to perceive and implement the necessary measures properly. People will ignore that which they do not understand well or if they lack realistic possibilities and capacities to implement a given measure.

Sixthly, building a Developmental Government which wholeheartedly serves the People means that the government is accountable and transparent in its activities. The accountability and transparency here mean that the administrative units and individuals involved in the state organization provide complete and accurate information about their rights and obligations in performing their assigned duties to society and related organizations and individuals. In addition to obligations pertaining to providing information, accountability also includes that organizations and individuals need to be responsible for their actions. Exercising accountability and transparency of activities of public organizations and agencies will create constraints for organizations and individuals in performing their functions and duties as prescribed by law, which will help subdue corruption [T.D. Nguyen, *Accountability in anti-corruption - situation and recommendations*, Government Inspectorate E-Newspaper, 2019, <http://thanhra.vietnam.vn/nghien-cuu-trao-doi/trach-nhiem-giai-trinh-trong-pctn-thuc-trang-va-kien-nghi-185850>].

5. Conclusions

The problem of corruption in Vietnam needs innovative and complex solutions. Corruption in Vietnam affects not only the current economic, cultural and social areas of life but also the goals that Vietnam is aiming at reaching. Although the idea of building a Developmental Government has been just officially mentioned in 2016, the ensuing socio-political reality has affirmed Vietnam's determination to build this new, progressive type of Government, thereby creating mechanisms, policies, perceptions and behaviours of organizations, civil servants and the people conducive to anti-corruption struggles. We see that the organizational structure and administrative procedures have been streamlined and many corrupted acts in the government apparatus have

been handled strictly and impartially. The activities of the central and local governments are becoming more public and transparent. People are more involved in government affairs. However, in order to achieve the Government's expected goals, the Developmental Government must create a favourable business environment. Vietnam is presently ranked fourth in ASEAN's top group, but the ambition should and must be to reach the level of the OECD group of developed countries. The Developmental Government must improve the quality of social security to best serve the people, above all in the areas of healthcare, education, sports and culture [C. Ha, *Special features of 'tectonic government'*, Government electronic newspaper, 2017, <http://thutuong.chinhphu.vn/Home/Diem-khac-biet-cua-Chinh-phu-kien-tao/201711/27340.vgp>]. The executive branch in Vietnam needs to exert more effort toward these goals.

But the Government, even when it succeeds to act as a fully functional Developmental Government, will need help from other partners in its fight with corruption. After all, as D.N. Pham incisively argues, "Where the long arm of the law cannot reach, traditional norms and structures informed by Confucian values continue to dominate. Confucian values, thus, may positively supplement and strengthen the law..." [12, p. 88] Of course, in cases of corruption and negligence, Confucian values "may also challenge and compete with it. In the long run, newly redefined Confucian values may continue to establish social trust, discipline and order in Vietnam" [12, p. 88]. We can be optimistic in this respect because we can legitimately claim that "Marxism and Confucianism have converged in a number of respects" [12, p. 84] in the past decades. Good examples of such convergence can be "the primacy of public or common interests over individual interests, the broad and active role of the ruler or state to serve the common interests of the people, and the conception that law is just one of the tools used by the state to maintain social order" [12, p. 84]. Hence, we can reasonably expect that new ways of cultivating the desired Confucian values "can help form new patterns of behaviour and thus contribute informally to achieving the aims of law" [12, p. 86]. Economic endeavours can be expressed through a new social narration as "serving the country, helping the world", which, as we see it on the example of the modern Japanese culture, "indicates a mastery in the art of borrowing traditional values for the new needs of modern times. It links the realisation of the *Western ego* with the *Eastern sacrifice* for the country, thus making conducting business ethically a highly honoured work." [12, p. 87] Vietnam can surely learn from this innovative Japanese example of a cultural convergence that is able to draw from its own richness of moral and cultural heritage while adapting itself to a new, global business environment. Vietnam has its own potent examples/representatives able to inspire consciences and create new resonance in the moral fibre of the society. Among the best examples of a high government official who was also a philosopher and himself a highly virtues embodiment of the ideals that he had proclaimed, is Nguyen Trai (1380-1442). Even today he "is viewed as one of the truly great figures in Vietnamese history" [24, p. 136] and a great source of inspiration, especially when it comes to his "thought on ethics for the social life in Vietnam today, such as: contributing to

preserving and promoting compassion, promoting tolerance and solidarity, and contributing to the formation and development of ecological ethics” [24, p. 125].

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