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Power to the people? Local governance and politics in Vietnam

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1. Fjorde, A and Stefan de Vylder (1996), *From Plan to Market: The Economic Transition in Vietnam*, Westview Press, Oxford, page 20.

2. World Bank (1999), *Attacking Poverty: Vietnam Development Report 2000*, World Bank, Hanoi, page iii.

3. Human Rights Watch (2000), *Vietnam: The Silencing of Dissent*, Human Rights Watch, New York.

4. Vasavakul, T (1995), "Vietnam: the changing model of legitimacy", in Alagappa, M (editor), *Political Legitimacy in Southeast Asia*, Stanford University Press, Stanford, CA.

SUMMARY: This paper discusses recent moves towards participatory local governance in Vietnam. In addition to outlining the reasons for their introduction and the extent of their implementation, the paper also considers the overall political significance of this process. It argues that the introduction of participatory local governance in Vietnam represents a deeply political process, and can be seen as a response by central government to challenges to its authority at the local level. The long-term political impact of this response cannot be predicted with any certainty.

I. INTRODUCTION

HAVING UNDERGONE A period of rapid socioeconomic change, Vietnam today possesses many hallmarks of a market-based economy.⁽¹⁾ The *doi moi* (renewal) reform process, officially introduced in 1986 by the Sixth Congress of the Vietnamese Communist Party, has resulted in significant economic liberalization, reversing the disastrous effects of previous central planning and agricultural collectivization policies. Indeed, according to the World Bank, only a few countries have ever been as successful in reducing poverty.⁽²⁾ Throughout this process, however, there has been little evident change in the country's political system, as the Party continues to tower over the formal structures of the state and refuses to tolerate organized political opposition.⁽³⁾ While popular interest in revolutionary ideology and the writings of Ho Chi Minh has significantly diminished, the Party's political legitimacy has gradually come to be based on economic performance.⁽⁴⁾ The record number of new Party members recorded in 2001 is a testament to the Party's continued centrality to the political process.⁽⁵⁾

Nonetheless, beneath the surface reform initiatives are underway that imply changes to established governance structures and represent responses to popular demands for change. One key development in this respect is Decree 29, which was introduced in 1998 and provides for direct popular participation in decision-making processes at the local level.⁽⁶⁾ Its provisions have since received a great deal of attention, particularly among international development actors who tend to see it as a useful participatory tool to improve the quality of development planning. As implementation efforts have steadily intensified, some also seem to see it as a step towards a gradual opening of the political system.⁽⁷⁾

This paper discusses these moves towards participatory local governance and attempts to shed some light on their wider political signifi-

cance.⁽⁸⁾ It begins by sketching the framework for local participation provided by Decree 29 and then shows how these provisions represent a response to widespread popular frustration with weaknesses in local governance, outlining the close links which exist between the implementation of Decree 29 and overall measures of administrative reform. From there, the paper offers a snapshot of the extent to which participatory mechanisms have been integrated into local decision-making, drawing attention to the incorporation of participatory measures in development programmes. By way of conclusion, the paper considers the overall political implications of this process and argues that Decree 29 can be seen as a response by central government to challenges to its authority at the local level. As it represents a deeply political process, the long-term political impact of this response cannot be predicted with any certainty.

II. LOCAL GOVERNANCE AND PARTICIPATION

LOCAL ADMINISTRATION IN Vietnam is structured in three tiers below the central government in Hanoi. As such, there are 61 provinces, 598 districts as well as 10,500 rural communes, semi-urban townships and urban wards.⁽⁹⁾ At each of these administrative levels, people's committees represent the executive branches of government which are mirrored, and generally controlled, by Party structures. While elections of government officials have long been a feature of this system, Decree 29 introduced four categories of direct popular participation in decision-making processes at the commune level:⁽¹⁰⁾

Information. Local officials are obliged to provide detailed information about a broad range of issues, from national laws to local projects. This includes the decisions of commune people's councils as well as commune budgets, land use plans, results of investigations against corrupt officials, and the enforcement of law and order. Information is to be disseminated in public meetings, or through written documents, public postings or public address systems.

Consultation. Most local government initiatives require public discussion prior to being decided by commune people's councils and committees. The regulations list long-term socioeconomic planning, land use plans and the nomination of candidates to stand for commune people's council elections. In addition, they also cover the mobilization of residents' contributions to infrastructure construction as well as the implementation of national plans on environmental protection, health and water. The views of local residents are to be gathered through questionnaires, feedback boxes or public meetings.

Approval. Local officials must seek majority popular approval for a number of activities, including public works that require contributions from residents. In addition, approval must be obtained for fund-raising plans, for various activities related to maintaining law and order, and for setting up boards to supervise construction projects. Implementation is to take place through public meetings or referendums. If the commune people's committee deems decisions to be inconsistent with relevant laws, however, it can refer them to the district people's committee for review.

Supervision. There are a number of local issues which are "to be supervised and inspected by the people", including the commune budget, land management, results of investigations against corrupt officials and social services. This also applies to the general activities of the people's commit-

5. Deutsche Presse Agentur (2002), 2 January.

6. Decree 29/1998/ND-CP on "The promulgation of regulations on the exercise of democracy in communes", published in *Official Gazette* No 18, 30 June 1998; available online at: www.un.org.vn/donor/civil/GDDecree%2029.doc.

7. *The Economist* (2002), "A trickle of democracy", 23 May, London.

8. The analysis offered is based largely on research conducted in Vietnam from July to September 2001, and incorporates primary and secondary sources, some of which are confidential.

9. World Bank (2002), *Vietnam: Delivering on Its Promise, Development Report 2003*, World Bank, Hanoi, page 96.

10. These provisions are equally applicable to rural communes, semi-urban townships and urban wards.

tee and the implementation of its decisions. Implementation is envisaged through the establishment of people's inspection boards or through mass organizations. In addition, residents are entitled to make proposals and complaints, as well as request information from local officials about issues of concern to them.

III. PRESSURES FOR REFORM

THE INTRODUCTION OF these provisions is closely linked to widespread popular frustration with local governance and, in particular, to the unrest which broke out in various provinces throughout 1997. The most serious and widely reported events occurred in Thai Binh Province, approximately 80 kilometres southeast of Hanoi, where violence erupted in May 1997 as several thousand villagers protested against corrupt local officials, high taxes, land disputes, unjust rice prices and compulsory labour contributions to infrastructure projects. In addition to demonstrations, there were arson attacks, physical assaults and ad hoc tribunals where corrupt cadres were brought to trial. The situation took a number of months to stabilize and protests were recorded throughout the year. Similar events unfolded in the southern province of Dong Nai in November 1997. While grievances, on the whole, were comparable to those expressed in Thai Binh, these protests appear to have been triggered by the appropriation of Church land by corrupt officials in the predominantly Catholic district of Thong Nhat. The situation was further aggravated by the socioeconomic disadvantages experienced by the local ethnic Chinese population.⁽¹¹⁾

These protests highlighted a number of serious governance problems prevalent at the local level, where local governments are often unable to provide adequate services and facilities in return for tax payments and compulsory labour or financial contributions to infrastructure projects. To some extent, this is due to the inefficient organization of the administrative apparatus and the way in which local officials are frequently lacking the qualifications necessary for their position.⁽¹²⁾ A further problem is rampant corruption and embezzlement, as local officials supplement their meagre incomes by bending the rules for those who are able to pay. Along with other instances of administrative misconduct, furthermore, there are numerous reports of the illegal sale of state land by local cadres attempting to enrich themselves or their families.⁽¹³⁾ This has the most detrimental impact on the poor, who cannot afford to pay to protect their interests. At the same time, central government has generally been unable to monitor local officials and enforce their adherence to the established rules and regulations. Violations of laws and procedures have often gone without consequences.⁽¹⁴⁾ One reason for the central government's frequent failure to control local government in a coherent manner derives from the environment in which local officials operate, particularly in rural areas. While their status as representatives of state authority demands adherence to official policies and impartiality, they are also members of local society. As such, they are usually expected to nurture personal relationships and to enforce state policies in a selective manner.⁽¹⁵⁾

The central government initially adopted a heavy-handed response to the 1997 protests, deploying riot police, enforcing a total media blackout and restricting access by foreign NGOs to their projects in affected areas. At the same time, however, it recognized the problems in local administration, and President Tran Duc Luong, on a visit to Thai Binh Province in March 1998,

11. Human Rights Watch (1997), *Rural Unrest in Vietnam*, Human Rights Watch, New York.

12. Government Steering Committee for Public Administration Reform (2000), *Review of Public Administrative Reform*, Hanoi, pages 18–26.

13. Koh, D (2001), "State–society relations in Vietnam: strong or weak state?", *Southeast Asian Affairs* 2001, pages 380–382.

14. See reference 13.

15. Malarney, S K (1997), "Culture, virtue and political transformation in contemporary northern Vietnam", *Journal of Asian Studies* Vol 56, No 4, page 900.

publicly acknowledged the improper conduct of local officials.⁽¹⁶⁾ About 1,500 local officials were eventually disciplined on charges relating to corruption and the unrest in Thai Binh. Eighty-four Party members were expelled and 30 local officials and cadres sentenced to prison terms.⁽¹⁷⁾

Fearing a snowballing of popular protests in other regions, furthermore, the government introduced the measures included in Decree 29 to head off popular discontent and tackle weaknesses in local governance.⁽¹⁸⁾ In addition to providing formal avenues for citizens to express their grievances and preferences, it also envisaged improvements in the transparency and accountability of local administration. As such, these measures were intimately linked with a wider agenda of public administration reform. Prime Minister Phan Van Khai thus recently underscored that "...democratic regulation at the grassroots level must be carried out hand-in-hand with the strengthening of local administration".⁽¹⁹⁾ This reform agenda was developed in close cooperation with international donors and culminated in the 2001 Public Administration Reform Master Plan. Over the years, such reform efforts have received significant financial and technical support from donors and international agencies, and the reform of local governance has represented a key priority throughout this process.⁽²⁰⁾

IV. IMPLEMENTATION

THE GOVERNMENT COMMITTEE for Organization and Personnel (GCOP), a ministerial-level agency for public administration, is the government body primarily responsible for the implementation of Decree 29, as well as for administrative reforms more generally. Most available evidence suggests an uneven pattern of implementation across the country, which is due to the relatively broad framework provided by Decree 29 and the wide disparities between Vietnamese regions. Since the workings of local politics continue to be a sensitive topic, however, tangible information is in short supply.

On the whole, development agencies and donors tend to underline the way in which Decree 29, along with other relevant legislation, has strengthened the framework of reference and advocacy used to implement participatory measures in development programmes.⁽²¹⁾ Positive assessments of the implementation process thus generally point to improvements in planning processes and their developmental benefits to local residents. With respect to the management of local resources, for example, some positive developments were reported from the Vietnam–Sweden Mountain Rural Development Programme in Phu Tho and the Participatory Irrigation Management Initiative in Dak Lak supported by Denmark. In both cases, donors provided funding for public consultation mechanisms and the training of local officials, in order to facilitate participatory decision-making. It appears that the management of local resources in those areas has been considerably improved, although it is unclear how sustainable the structures would be once donors withdrew their support.⁽²²⁾

A detailed analysis is available from Ha Long, the capital of northeastern Quang Ninh Province.⁽²³⁾ Here, the establishment of structures for participatory decision-making has been combined with administrative reform measures in a donor-funded project executed by local administrative units and supported by GCOP and the Konrad Adenauer Foundation. The project focused on the improvement of local infrastructure and services through participatory planning. Residents' priorities were gathered and

16. Keenan, F (1998), "Steam rises: corruption galvanises pressure for political reform", *Far Eastern Economic Review*, 28 March.

17. See reference 3.

18. Personal interviews with senior official, Department of Administrative Reform, GCOP, Hanoi, 31 August 2001.

19. Radio Voice of Vietnam via BBC Monitoring International Reports, 6 March 2002.

20. UNDP (2001), *Modernizing Governance in Vietnam*, UNDP, Hanoi, page 15.

21. This observation is based on personal interviews with donor and NGO representatives.

22. Dupar, M and N Badenoch (2002), *Environment, Livelihoods and Local Institutions: Decentralization in Mainland Southeast Asia*, World Resources Institute, Washington DC, pages 19–26.

23. In administrative terms, as a medium-sized city of 162,000 inhabitants, Ha Long represents the district level, and is sub-divided into 16 wards and two communes. The section on Ha Long is based on Prohl, Werner, Kristina Schwarz, Sergelen Tsogt-Ochir and Mark Mattner (2001), "Strengthening Local Democracy Through Participation: Report on a Two-year Pilot Project in Vietnam", Konrad Adenauer Foundation, Hanoi.

presented by elected representatives, each representing between 15 and 20 families. The waste collection system of Hong Gai ward, for example, was reorganized by a committee of local residents and the ward people's committee. Residents were also asked to make contributions, such as paying user fees for waste disposal. In addition, the project aimed to improve administrative transparency and efficiency through a clear definition of administrative procedures. Binding and widely published rules on the granting of building permits, for example, significantly reduced opportunities for arbitrary administrative decisions, and addressed a key concern previously expressed by local residents.

In a subsequent survey on the perceptions and attitudes held by adult residents about these changes, a majority said that they had detected significant progress in local governance. In fact, well over 70 per cent of respondents felt that all four areas of Decree 29 (information, consultation, approval and supervision) had been improved. It therefore appears that the administrative reform measures carried out in the city contributed to a more positive assessment of the functioning of participatory decision-making. It is also clear that the extent of participation, as perceived by respondents, varies according to the four different areas. While 58 per cent of respondents felt that they received "much" or "very much" information, only 34 per cent of respondents made the same judgement with regards to the opportunities they had to supervise the activities of the ward people's committee. This can probably be attributed to the fact that providing information is significantly less far reaching and easier to implement than allowing for effective supervision by local residents would be. While noting that the willingness to make financial contributions varied from issue to issue, the survey also concluded that residents were indeed willing to make financial contributions to projects, provided their views had been taken into account.

In other regions of the country, local officials themselves often appear to be badly informed about the provisions of Decree 29, and only inform residents after key decisions have already been taken.⁽²⁴⁾ At the same time, particularly in remote rural areas, the officials charged with implementing transparency and participation are those who sometimes have a vested interest in the continuation of the status quo. In this environment, participation easily becomes a mere formal requirement. Such challenges are further compounded by the scarcity of resources available to integrate participatory decision-making into local government processes, in the absence of donor funding. In addition, unclear administrative responsibilities and the insufficient devolution of decision-making powers to commune people's councils also complicate the implementation process.

Particular challenges have been reported from the northern and central highland regions, where poverty remains a serious problem and Decree 29 generally appears to be scarcely implemented. This is not only due to administrative foot dragging but is also reflective of practical difficulties. In remote and sparsely populated rural areas, already the regular dissemination of information or the facilitation of direct participation presents a significant challenge. In addition, as rural areas tend to suffer from particularly low standards of living, local people may find it hard to participate actively in decision-making processes.

V. POLITICAL SIGNIFICANCE

IN ORDER TO explore the political significance of the material presented

24 Unless otherwise noted, the following sections are based on personal interviews with donor and NGO representatives as well as government officials.

thus far, it is instructive to make reference to different analytical perspectives on the interactions between state authority and society in Vietnam. The nature of these interactions appears to differ substantially depending on the arena in which they take place.⁽²⁵⁾ As such, some observers of Vietnamese politics depict the Party state as authoritarian and unresponsive to popular concerns, capable of dominating every level of society. This perspective implies that the Party has the ability to devise policies and assure their implementation in a coherent manner.⁽²⁶⁾ A more corporatist variation of this argument allows for an incorporation of popular sentiment into policy-making processes, filtered up into the decision-making system by mass organizations.⁽²⁷⁾ Despite such differences, both strands ultimately underline the state's capacity to dominate society and emphasize its ability to mobilize different elements of society towards political objectives chosen by Party leaders. In general terms, this view appears to represent an accurate description of formal politics in Vietnam, where the Party continues to exert its dominance despite rapid economic changes.

It is difficult, however, to understand the recent moves towards participatory local governance through this lens alone, given the way in which local level demands for change appear to have driven the introduction of Decree 29. Focusing on informal politics at the local level, therefore, others have challenged the emphasis on state cohesiveness by pointing to weaknesses in state capacity, underlining the ability of ordinary people to stall national policies through acts of everyday resistance. The Party state is thus depicted as continuously having to negotiate its dominance over local society. From this perspective, for example, agricultural collectivization failed because rural households did not want their land to be collectivized, and undermined collectivization through non-compliance with official directives. The implementation of state policy is, therefore, subject to a continuous process of bargaining and interaction between state authority and local residents.⁽²⁸⁾ This view appears to be borne out by the way in which weaknesses in local governance, as outlined in this paper, have indeed created space for such negotiations and have allowed local cadres to engage in activities that have not been sanctioned by central government. In the course of this, the central leadership's ability to implement policy in a coherent manner has been significantly weakened.

As local government is responsible for implementing state policy at the local level, its structures represent one venue for the daily interaction between central state and local society. The current introduction of participatory elements in local governance appears to constitute the central government's attempt to manage these interactions through a redesign of local governance structures. From this perspective, participatory governance can be seen as a mechanism through which the political centre is attempting to assert more coherent control over local society by allowing only narrowly circumscribed space for local-level negotiations. Decree 29 thus provides limited local openings of the political system and makes local administration more responsive to the desires of local residents, absorbing popular discontent into the formal structures of the Party-state. With such a feedback mechanism in place, popular discontent should be uttered through established political channels provided by the state, instead of resulting in unrest or even wholesale rejection of the political system.

At the same time, because participatory provisions are closely linked with public administration reforms, their implementation is addressing exactly those areas of local administration where state authority has been challenged the most. It was these weaknesses that created room for negoti-

25. As a simple definition, "society" here refers to the people living within one country, while "state" refers to the officials and institutions devising and enforcing the rules that govern society. For a more detailed conceptual discussion, see Kerkvliet, B J T (2001), "An approach for analyzing state-society relations in Vietnam", *Sojourn* Vol 16, No 2, page 240.

26. Porter, G (1993), *The Politics of Bureaucratic Socialism*, Cornell University Press, Ithaca, NY, page 101.

27. Jeong, Y (1997), "The rise of state corporatism in Vietnam", *Contemporary Southeast Asia* Vol 19, No 2.

28. Kerkvliet, B J T (1995), "Village-state relations in Vietnam: the effect of everyday politics on decollectivization", *Journal of Asian Studies* Vol 54, No 2, page 415.

ation and mitigation of central control in the first place. In the process, central government is also improving the control it exercises over peripheral state institutions, attempting to improve the coherence of its administrative capacity. By making the administrative system more effective, furthermore, the government is more likely to be able to deliver on development objectives and attract international aid. At a time when Party legitimacy is increasingly based on achieving development objectives, this aspect also is critically important.

VI. CONCLUSION

THIS PAPER HAS illustrated how the significance of participatory local governance in Vietnam extends well beyond the realm of development programmes and development policy-making. Representing a reaction to widespread discontent with the existing structures of local governance, the introduction and implementation of Decree 29 has been shown to represent a deeply political process. As such, it would be premature to equate Decree 29 with moves towards a liberalization of the political system.

The long-term outcomes of this reform process are, of course, difficult to predict. On the one hand, the eruption of further rural unrest in highland provinces, such as in Dak Lak and Gia Lai in February 2001, testifies to the continuing salience of local governance issues and the continued disaffection with government structures at the local level. On the other hand, the Party's success in overcoming a deep economic crisis through *doi moi* is evidence of its ability to respond to such challenges in a highly flexible and effective manner. Observing the further developments in local governance will surely go some way towards explaining the nature of state-society interactions in Vietnam and might also yield further clues about the country's long-term political future.

