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Article

Transparency in local government in Vietnam

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Transparency in Local Government in Vietnam

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Abstract

While it is only one of the features of good local governance, the transparency of local government promotes citizen participation, enhances accountability, enforces the rule of law, social justice association and control corruption. Therefore, institutional reform to enhance the transparency of local government is one of the important issues that Vietnam has attached great importance to in recent years. Based on a theoretical framework and data from the Provincial Public Administration and Governance Performance Index (PAPI), this paper analyzes the transparency of local government in Vietnam from 2011 to present. Research results show that although the transparency of local government in Vietnam has improved, it still does not meet the requirements. Although the construction and improvement of legal institutions to improve the transparency of local governments has been highly valued, the effectiveness of the implementation of legal institutions in this area is still not high. Local government transparency is tied to citizen participation and government accountability, but not to other aspects, such as public administrative procedures, quality of public services and control corruption.

Keywords

Local government, Good governance, Transparency, Open government, PAPI, Vietnam

JEL Classification

H7, H76, H83

Introduction

If the traditional public administration theory considers the government to be a closed system that has not paid enough attention to government transparency (Binh, 2018), then the New Public Governance Theory and its approaches (good governance, open governance, smart governance, collaborative governance, etc.), all emphasize government and local government transparency. In particular, the theory of good governance considers transparency as one of the indispensable features of good governance. Therefore, in the studies and reports of some organizations such as OHCHR (2018), Clark (2011), Wolfowitz (2006), ADB (1999), Camdessus (1997) and the OECD believes that transparency is one of the characteristics of good governance. Along with the good governance theory, the open governance approach also emphasizes government transparency (Zhang Cheng Fu, 2014). However, compared with studies on government transparency in general, studies on local government transparency associated with the context of socio-economic model transformation as in Vietnam have not yet been studied much. Therefore, this article examines the transparency of local government from the case of Vietnam.

Government organizations in Vietnam include the central government and the local government. Local government is divided into provincial government, district government and commune government. From 1986 up to now, the transformation of the socio-economic model in Vietnam has posed an objective requirement for local government reform in this country. The goal of local government reform in Vietnam is to promote the establishment of open government and good governance. It is through reforms that establish a "citizen-centered", transparent, democratic, responsible, rule of law local government. The realization of this goal depends on many factors, among which, enhancing the transparency of local government is especially important. Up to now, besides the Law on Access to Information (2016), ensuring transparency of the government and local government is also regulated in many other specialized laws. Besides, many measures have also been taken by the government to promote transparency of local government.

The purpose of this article is on the basis of an overview of theoretical research on transparency of local

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government and assessment of the current state of transparency of local government in Vietnam (based on research results of PAPI) to suggest some policy implications for promoting transparency of local government in Vietnam in the context of good governance. For this purpose, the structure of the paper consists of the following sections: (i) Introduction to the research context and purpose; (ii) Overview of research on transparency of local government with the basic contents being the definition of transparency of local government, content of transparency of local government, meaning of local government transparency in the context of good governance etc; (iii) Methods and data; (iv) Results and discussion; (v) Conclusion.

Literature Review

Definition of local government transparency

In the opinion of some researchers, it is very challenging to come up with a definition of transparency that is universally acknowledged by people in different fields (Grimmelikhuijsen, 2010; Meijer, 2014; Oztoprak et al., 2016). However, some conceptions and definitions of transparency in local government were offered as follows: (i) Transparency in local government means that apart from situations or issues that are not public by law, all relevant government activities must be open to the outside world (De, 1991); (ii) Transparency in local government is the disclosure of government information, including administrative information disclosure and administrative process disclosure (Fan, 2004); (iii) Transparency in local government is reflected in three basic aspects transparency in the organization of the government, i.e., citizens have the right to know what the government is doing; transparency of local government decisions, i.e., citizens have the right to know why the government does it, why it enacts such a policy; transparency of local government behavior, i.e., how government matters (Ying, 2006); (iv) Transparency means being open, not hiding and lifting the veil of secrecy (Piotrowski et al., 2007; Grimmelikhuijsen, 2010; Hood, 2010; Kim et al., 2017); (v) Grimmelikhuijsen (2010) describes transparency as proactively disclosing information by an organization for the purpose of enabling external actors to monitor and evaluate the organization's internal operations or performance; (vi) Kopits (2000) argues that transparency of local government mainly consists of three aspects: requiring the government to disclose intentions and forecasts of financial policy, to provide documents and specific information about government operations, and to establish a broad and complete code of conduct.

Arguably, transparency in local government means the process by which local government enables citizens to receive, observe and understand information regarding the status quo, decisions and actions of the local government. Disclosure of information is an important basis of transparency. Disclosure of information by local government is not only disclosure of the information itself, but more importantly, disclosure of the process (i.e., transparency of local government policy making and implementation) and disclosure of performance and results (i.e., full disclosure of local government performance and efficiency).

Local government transparency is transparent about what?

Regarding the content of transparency, the prevailing view suggests that transparency in local government is that the government discloses all government-related information, except for those areas where it is not abided by law to be made public, such as matters relating to privacy, trade secrets and national security. Under this approach, disclosure of local government information is the norm, confidentiality is the exception. In disclosure of local government information, financial transparency is of the utmost importance. In terms of market economy, financial transparency can not only make the market through the capture of relevant information to operate flexibly. It also enables the public to grasp the financial costs and benefits of local government, thereby maintaining a stable public financial system. Furthermore, this has an effect of increasing financial accountability, helping to prevent corruption and negativity.

The meaning of transparency in local government in the context of good governance

Since the Enlightenment period, from the principle of people's sovereignty, thinkers emphasized the importance of ensuring the transparency of local government. Madison in (David, 1980) argues that a democratic government, if it does not provide universal information to its citizens, or that citizens have no method to receive information, it is nothing more than a prelude to farce or tragedy. Knowledge forever controls ignorance. If the people want to be their own rulers, they must rely on the power of knowledge to empower themselves. During the Welfare State period, the principle of local government transparency continued to be emphasized. From the 1980s to present, international organizations and researchers have all considered transparency in local government as one of the basic features of good local governance. Transparency in local government has become an international standard and governments all over the world attach great importance to the promulgation of laws and policies to ensure citizens' rights to access local government information (Fung et al., 2007). Increasing transparency about local government functions and processes is a key foundation of governance practices in liberal democracies (Cook, 2018).

As to central government, transparency in local government is essential. Local government is the level closest to citizens, an important bridge for citizens to participate in the policy making process and evaluate the government's

performance (Dowley, 2006). Local government has important authority in the governance of local sectors (Grimmelikhuisen, 2010). Therefore, it is important to increase the transparency of local government. As the level of government closest to citizens, increasing the transparency of local government means: (i) Ensuring citizens' right to know as a basic citizen's right, (ii) Increasing citizen participation, as well as the basis for carrying out citizen and social monitoring of the government, (iii) Sanctioning unconstitutional acts of public power. Davis (1970) argues that publicity is the natural enemy of autocracy, as well as a natural ally against injustice. In the view of Norman Marsh (1987), secrecy like evil, is an instrument of conspiracy, a cause of inequality. Publicity is the essence of democratic politics, the more material is made public, the more beneficial it will be for the public interest. (iv) Transparency of local government to meet the growing and diverse information needs of citizens. (v) Transparency of local government also enhances accountability, enhances government credibility, reduces corruption, and improves government responsiveness (Redeemer Dornudo Yao Kraih et al., 2020). In addition, the transparency of local government is the basis for the legitimacy of local government governance, is a basic requirement of public policy implementation and an important prerequisite for enhancing competitiveness.

Several studies place local government transparency in the context of good governance to clarify the meaning of local government transparency. Accordingly, if considered, good local governance includes basic characteristics, such as: (i) legitimacy; (ii) the rule of law; (iii) transparency; (iv) accountability; (v) responsiveness; (vi) efficiency; (vii) participation; (viii) stability; (ix) integrity; (x) social justice (Ping, 2000), then the transparency of local government is beneficial for promoting good local governance. Accordingly, local government transparency is important in enhancing local government legitimacy, promoting local government accountability; at the same time, it is also beneficial for citizen participation and corruption control in the public sector.

Factors affecting the transparency of local government

Related studies have shown the influence of many factors on local government transparency, such as social, economic, political, institutional factors, especially freedom of information law, and information technology, digital technology. Specifically, regarding the social factors, some studies suggest that population size (Guillamón et al., 2011; Araujo et al., 2016 a; Spac et al., 2018), gender of local government leaders (Araujo et al., 2016b; Tejedó-Romero et al., 2018) affects the transparency of local government. Regarding economic factors, several studies have shown that tax per capita has a positive impact on transparency of local government (Guillamón et al., 2011; Araujo et al., 2016b). Besides, unemployment rate has a negative relationship with local government transparency (Araujo et al., 2016b; Tejedó-Romero et al., 2018). Regarding political factors, studies suggest that voter turnout is high or low (Araujo et al., 2016a, 2016b; Tejedó-Romero et al., 2018), political competition is high or low (Dowley, 2006; Araujo et al., 2016b; Tejedó-Romero et al., 2018) also affects the transparency of local government. Regarding institutions and the environment, a number of studies have shown the influence of NGOs and the mass media on the transparency of local government. Ruiz-Lozano et al (2018) argue that administrative culture affects the transparency of local government. In particular, many studies have shown that legal institutions, especially the Law on Freedom of Information are particularly important factors affecting the improvement of transparency of local government (Worthy, 2013; Spac et al., 2018). In addition, many studies also show the positive influence of information technology, digital technology, digital government on the transparency of local government. Binh et al (2022) argue that digital government promotes open government and government transparency. The use of internet, IT tools and the effectiveness of local government websites, social media tools such as Facebook, Twitter and You Tube positively affect government transparency local (Pina et al., 2007; Pina et al., 2010; Bearfield et al., 2017; Cuillier et al., 2009; Chatfield et al., 2013; Song et al., 2016; ValleCruz et al., 2016; Guillamón et al., 2016) positively affects the transparency of local government.

In this study, the main factors affecting the transparency of local government are considered include the following. (i) Attitudes and responsibilities of local governments and local public managers. That is, local governments and public managers perceive the local government system as an open or closed system, sharing information with citizens or not. (ii) The degree of perfection of the law on the right to access to information as well as the mechanism to ensure effective implementation. (iii) The effectiveness of e-governance (or the extent to which information and digital technology is applied to promote open government and promote transparency of local government). (iv) The role of NGOs and civic spirit, at its core is the level of interest NGOs and local citizens show in fulfilling the government's responsibility for information transparency.

There is a wide range of content to assess the transparency of local government and in this study, we used assessments made by The Vietnam Provincial Governance and Public Administration Performance Index (PAPI). Accordingly, in order to assess the transparency of the local government, especially the transparency in decision-making, PAPI conducted a survey and assessment on the following aspects: (i) Access to information (added since 2018); (ii) Poverty Lists Transparency; (iii) Commune Budgets Transparency, and (iv) Transparent Land Use Plans/Price Frames.

Methods and Data

In addition to the research methods used to form the theoretical framework, this study uses survey results conducted by PAPI from 2011 to present. Specifically, for the average score of local government transparency, this study uses PAPI data from 2011 to 2021. As for the transparency of the component indicators, the study uses PAPI data for the years 2011, 2013, 2015, 2017, 2019, 2021. If mentioning the level of transparency in the component indexes in all years, it will make the article size longer. The use of transparency data in the component indexes over the years 2011, 2013, 2015, 2017, 2019 and 2021 will make the data gap between years more equal.

The Vietnam Public Administration Performance Index (PAPI) is supported by the Center for Community Support and Development Studies (CECODES), the United Nations Development Program (UNDP) in Vietnam, the Center for Personnel Fostering and Scientific Research of Vietnam Fatherland Front (VFF-CRT) and the Real-time Analysis Company (RTA) from 2011 to present. This is considered the most prestigious local governance assessment program in Vietnam today. The content of the program focuses on surveying and collecting data and opinions on the following content: (1) Participation at Local Levels, (2) Transparency, (3) Vertical Accountability, (4) Control of Corruption, (5) Public Administrative Procedures, (6) Public Service Delivery, (7) Environmental Governance, and (8) E-Governance. PAPI conducted a large-scale survey (directly interviewing people – randomly selected, scientifically) in 63 provinces and cities of Vietnam. By the end of 2020, PAPI had collected and reflected the experiences of 142.842 people (CECODES et al., 2020). In 2021, PAPI directly interviewed 15.833 people in all 63 provinces (CECODES et al., 2022). Regarding the assessment of transparency of local government, PAPI surveys and evaluations aspects are shown in Table 1. Component Indicators are weighted and converted into points. Accordingly, the local government transparency score is calculated on a scale of 1 to 10 points.

Table 1. Sub-dimensions and Indicators used by PAPI to survey local government transparency.

SUB-DIMENSIONS	COMPONENT INDICATORS
Access to Information (added since 2018)	Searched for Information about State Policy and Legislation (% agree)
	Received Information Needed about State Policy and Legislation (% agree)
	Information Received Useful (% agree)
	Information Received Reliable (% agree)
	Did not Pay a Bribe for the Information (% agree)
	Reasonable Waiting Time for Information (% agree)
List of poor households	Poverty List Published in Last 12 Months (% agree)
	Households are missing from poverty list (% disagree)
	Non-Poor included on poverty list (% disagree)
Commune's budgets	Commune Budget is Made Available (% agree)
	Respondent Read Commune Budget (% agree)
	Believe in Accuracy of Budget (% agree)
Land use plans	Aware of Local Land Plans (% agree)
	Comment on Local Land Plans (% agree)
	Land Plan Acknowledges Citizen Concerns (% agree)
	Did not Lose Land as a Result of Land Plan (% agree)
	Compensation Close to Market Value (% agree)
	Informed of Land Usage (% agree)
	Land Used for Original Purpose (% agree)
Know Where to go to Get Land Price Information (% agree)	

Source: CECODES et al. (2011)*

Results and Discussion

Score on local government transparency from 2011 to 2021

By processing the scores of the sub-indicators, PAPI has come up with a score for local government transparency in Vietnam as shown in Figure 1.

*For information related to PAPI, please visit the address: <https://papi.org.vn/eng/>. As for the PAPI report from 2011 to 2021, please visit the address: <https://papi.org.vn/bao-cao/?lang=en>.



Fig. 1: Average Score of Transparency, 2011- 2021.

Note: unit - score, scale from 1 to 10. **Source:** Author, based on PAPI data 2011-2021.

Transparency in component indexes of 2011, 2013, 2015, 2017, 2019, 2021

From 2011 to 2017, PAPI assessed the transparency of the local government on three areas: transparency in poverty lists, transparency in commune budgets, and transparency in land use plans/price frames. As for the content of accessing information, it has only been added from 2017 to now. The level of transparency of the local government across the component indicators is shown in Tables 2 and 3 below.

Table 2. Transparency in component indexes of 2011, 2013, 2015 and 2017.

Sub-dimensions and Indicators	2011 - rate %	2014 - rate %	2015 - rate %	2017 - rate %
1. Access to Information	n/a	n/a	n/a	n/a
2. Poverty Lists Transparency				
Poverty List Published in Last 12 Months	53.55	58.32	53.13	54.14
Type 1 Errors on Poverty List (% Disagree)	39.85	35.21	46.13	36.27
Type 2 Errors on Poverty List (% Disagree)	34.66	32.24	40.87	38.67
3. Commune Budgets Transparency				
Commune Budget is Made Available	29.80	37.38	33.02	36.04
Respondent Read Commune Budget	37.38	34.23	26.52	31.29
Believe in Accuracy of Budget	69.66	74.04	63.74	70.66
4. Transparent Land Use Plans/Price Frames				
Aware of Local Land Plans	19.99	20.82	11.86	15.19
Comment on Local Land Plans	6.19	7.00	2.79	4.49
Land Plan Acknowledges Citizen Concerns	81.12	86.77	70.44	85.84
Did not Lose Land as a Result of Land Plan	71.38	76.21	83.41	86.36
Compensation Close to Market Value	12.86	14.84	26.57	35.66
Informed of Land Usage	93.12	92.89	87.27	73.67
Land Used for Original Purpose	85.40	85.23	88.43	85.77
Know Where to go to Get Land Price Information	38.25	49.85	50.70	51.09

Source: Author, based on PAPI data 2011, 2013, 2015 and 2017.

Table 3. Transparency in component indexes of 2019 and 2021.

Sub-dimensions and Indicators	2019 – rate %	2021 – rate %
1. Access to Information		
Searched for Information about State Policy and Legislation	12.80	14.40
Received Information Needed about State Policy and Legislation	11.05	12.37
Information Received Useful	11.72	12.72
Information Received Reliable	11.48	12.69
Did not Pay a Bribe for the Information	96.81	97.61
Reasonable Waiting Time for Information	99.66	99.87
2. Poverty Lists Transparency		
Poverty List Published in Last 12 Months	60.40	59.29
Type 1 Errors on Poverty List (% Disagree)	30.76	34.99
Type 2 Errors on Poverty List (% Disagree)	30.13	30.33
3. Commune Budgets Transparency		
Commune Budget is Made Available	40.55	42.31
Respondent Read Commune Budget	28.76	25.22
Believe in Accuracy of Budget	79.34	80.25
4. Transparent Land Use Plans/Price Frames		
Aware of Local Land Plans	16.87	13.89
Comment on Local Land Plans	4.54	3.88
Land Plan Acknowledges Citizen Concerns	89.80	84.92
Did not Lose Land as a Result of Land Plan	86.93	84.08
Compensation Close to Market Value	33.35	32.52
Informed of Land Usage	78.28	70.00
Land Used for Original Purpose	82.70	91.89
Know Where to go to Get Land Price Information	56.54	42.39

Source: Author, based on PAPI data 2019, 2021.

From the survey results on the transparency of local governments from 2011 to the present as well as the transparency of the component indexes in 2011, 2013, 2015, 2017, 2019, 2021, it can be given some comments below:

Firstly, if comparing the two time points of 2011 and 2021, the transparency of the local government has improved, the corresponding points of the two years are 5.47 and 5.51 points/on a scale of 1 to 10. However, local government transparency scores are volatile. According to normal logic, the transparency score next year should be higher than the previous year, but there are times when the score is quite high (for example, in 2014 it reached 5.74 points, but in 2015 it dropped to 5.29 points, similar to the two years 2017 and 2018. So what is behind the instability of transparency, this is something to pay attention to find out.

Second, the local government's transparency scores are generally not high, only average. If you add up the average score of the years from 2011 to 2021 and divide it equally among the years, the score for transparency of the local government is 5.49 points / scale from 1 to 10. The score for transparency in 6 in 2011, 2013, 2015, 2017, 2019, and 2021 respectively are 5.47; 5.80; 5.29; 5.68; 5.35; 5.51 points. Data from The Vietnam Provincial Competitiveness Index (PCI) also shows that the score achieved on transparency by local governments has improved but is not high. Specifically, in 2011, 2018, and 2021, the corresponding scores for Transparency of planning documents are 2.51, 2.38, and 2.68, respectively (on a scale of 1 to 5 points (VCCI, 2021). This shows that the Government's reforms towards increasing government transparency have brought results but have not yet met the practical requirements. On the other hand, it also shows that the transparency of local government is very important and necessary. However, how to promote the improvement of the transparency of local government as well as maintain the continuous improvement in this content is not a simple matter.

Third, many studies suggest that the transparency of local government plays an important role in promoting good governance. In other words, it is seen as a condition for promoting citizen participation, enhancing accountability,

improving the quality of public services as well as effectively controlling corruption in the public sector. However, research results show that transparency of local government is strongly correlated with citizen participation and accountability, but not strongly related to other aspects such as procedures administration, quality of public services and control of corruption. The correlation between transparency scores and scores on citizen participation, accountability, public service delivery, and corruption control is shown in Table 4 below.

Table 4. Correlation between transparency and other indicators of good governance.

Score of indicators/year	2011	2013	2015	2017	2019	2021
Transparency	5.47	5.89	5.29	5.68	5.35	5.51
Participation at Local Level	5.23	5.14	4.71	5.18	4.84	4.71
Vertical Accountability	5.50	5.65	5.46	5.02	4.87	4.29
Control of Corruption	5.76	6.15	5.75	6.09	6.82	6.84
Public Administrative Procedures	6.88	6.89	6.79	7.17	7.35	7.19
Public Service Delivery	6.75	6.95	7.04	7.15	7.28	7.74

Source: Author, based on PAPI data in 2011, 2013, 2015, 2017, 2019, 2021.

From the table above, the transparency of local government has a strong correlation with the level of citizen participation at the grassroots level as well as accountability, which means that the scores on all three indicators are not high., are slow to improve. But transparency seems to have a weak relationship with corruption controls, public administrative procedures and public service delivery. That is, even if the transparency score is not high and improves slowly, the scores on these three indicators are all higher and improve more strongly over time. Therefore, whether transparency is the "universal key" of good governance is an issue that needs further research.

Fourthly, in the evaluation contents, the score on transparency of commune budgets and transparent land use plans/price frames are always the lowest, at 1.37 points/5.51 points and 1.61 points/5.51 points respectively in 2021. Although transparency in these aspects is especially important, for the effective allocation and use of public financial resources of the local government and directly affect the interests and lives of the people. Due to the accessibility to information and the participation mechanism, the opportunity for people to comment on the local government's land use planning and plans is still low. Transparency in planning and land use plans is not high, it also negatively affects the effective use of land resources by the local government.

Fifth, relevant studies have pointed out the factors affecting the transparency of local governments, including the legal institution on access to information and freedom of information as well as the apply digital technology to expand people's access to information. Research results show that although the promulgation of laws on access to information and freedom of information is important, it is still more important to implement the law. Because, in 2016, Vietnam enacted the Law on Access to Information, but if you look at the local government's transparency score, it can be seen that, before or after the time this law was enacted, the score on transparency there was no significant change. In addition, people's ability to access information, especially access to information based on digital technology platforms, has an important impact on government transparency. The survey results of PAPI from 2018 to now show that the level of people's access to information is still very low and has been slow to improve in recent years. In 2018, the score on access to information was 0.81 points/5.19 points. By 2021, the score in this aspect is still 0.81 points. The data from PCI conducted shows that, in 2021, the percentage of respondents who think that the openness of provincial webpage score is 41.26% (VCCI, 2022). This means that it is necessary to go through many different methods, especially increasing the application of digital technology to facilitate the access to information of the society and people.

Conclusion

Promoting local government reform under the model of good governance, open governance is an inevitable choice of Vietnam in the current context. As one of the hallmarks of good governance, local government transparency is important. Practice shows that, through reform, the transparency of local government in Vietnam has improved. However, the level of improvement is still slow. So, from the case of Vietnam, how to promote sustainable, continuous improvement of local government transparency is an issue facing countries in transition change the current socio-economic model.

The case study in Vietnam shows that local government transparency has a strong relationship with citizen participation and government accountability, but it does not appear to be strongly related to a number of factors other elements of good governance, such as control of corruption, quality of public services. Therefore, whether transparency is one of the preconditions for promoting good governance is a matter of further study.

Access to information is an important factor in promoting government transparency. In other words, government transparency depends greatly on ensuring citizens' access to information. This means that it is necessary to attach great importance to improving people's access to information, especially improving the efficiency of digital technology application by local governments.

While it is important to enact an access to information law to promote transparency of local government, more important is the ability to enforce the law. This means that the public management team of the local government must perform well the responsibility of disclosure and transparency of information as well as strengthen the supervision of the implementation of this responsibility by the local government.

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