

# **Cultural and Institutional Conditions of Anti-corruption Measures in Vietnam, and Lessons from Singapore**

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***“Everyone, please remember this sentence!***

***Night robbers are enemies, the daylight pirates are mandarin (public officials).”***

**- Vietnamese folklore -**

***“Ai ơi nhớ lấy câu này***

***Cướp đêm là giặc cướp ngày là quan”***

**- Ca dao Việt Nam -**

***“From cradle to grave, millions are touched by corruption's shadow”***

**- Ban Ki Moon, United Nations General-Secretary, 2014 -**

***“Do like you can, enjoy as much as you need”- Target of communism-***

***“Làm theo năng lực, hưởng theo nhu cầu” - Mục tiêu của chủ nghĩa cộng sản -***



## **Abstract**

Vietnam's struggle against corruption is stuck for a long period regardless of the recognition of the global trillion-dollar pandemic as "internal enemy to national development". There is a shortage of vision, insights, innovative methods and political will for change. Exacerbating this problem, corruption research in Vietnam was mainly quantitative, policy oriented, project-based, or sector-focused while qualitative and academic insights of cultural conditions and social construction of corruption is underestimated. Considering the problem, this PhD study analyses the cultural and institutional conditions comparatively for Vietnam and Singapore, in search for the best applicable anti-corruption practices. Singapore is the best choice to reflect most clearly how different visions of development, capitalism and socialism, with similar national contexts of Confucianism, colonial heritage and pre-modernity conditions, can lead to opposite measures and achievements of anti-corruption. Research findings confirm that Vietnamese cultural and formal institutions interplay in spreading corrupt practices. The key institutional determinants are the authoritative political system, inefficient public governance, weak law enforcement and rule of law, weak civil society and censored press that hinder transparency, accountability, leading to bear opportunities, to loosen rewards and to reduce the costs for corruption. On the other side, common tolerance on corruption as a solution for social transactions, and transitional "social value disorder" nurture corrupt practices. A conditioned radical-system-change resolution, through knowledge transfer, is required if Vietnam wants to transform itself like Singapore in response to corruption. More specifically, the Vietnam's reforms bear winners and losers through widening inequality gaps and injustice due to the emergence of minor illegitimate "new rich", rent-seeking public officials at the expense of the majority of poor, vulnerable groups such as voiceless and land-losing farmers. A strong requirement is for the rule of law, good governance, transparency, accountability, and a general integrity in public sector.

## **Acronyms**

AC: Anti-corruption

CIAPV: Committee of Internal Affairs of the Communist Party of Vietnam

CPIB: Singaporean Corruption Practice Investigation Board

CPV: The Communist Party of Vietnam

CPS: ADB's Country Partnership Strategy of 2010-2015

CSO: Civil Society Organizations

FDI: Foreign Direct Investment

GI: Government Inspectorate

GT: the Grounded Theory

IAC: Internal Affairs Committee (CPV)

LAC/ ACL: The Law on Anti- Corruption/ Anti- Corruption Law (Vietnam)

LURHOC: Land Use Right and House and Land-attached Assets Ownership Certificate

MOJ: Ministry of Justice

MPS: Ministry of Public Security

NGO: Non-Governmental Organization

NORAD: Norway Aid Agency

OSCAC: The Permanent Office of the Steering Committee for Anti-Corruption

PCA: The prevention of Corruption Act (Singapore)

PCI: Corruption Perception Index

PAPI: The Viet Nam Provincial Governance and Public Administration Performance Index

TI: Transparency International

SAV: State Audit of Vietnam

SPC: Supreme People's Court

SPP: Supreme People's Procuracy

SOE: State-Owned Enterprise

UN: United Nations

UNACC: United Nations Anti-corruption Convention

UNDP: United Nations Development Programme

WB: The World Bank

WBI: The World Bank Institution

WVS: World Value Survey

# 1. Introduction

## 1.1 Rationale for the research

### 1.1.1 Why does corruption matter, especially in Vietnam?

Emerging research has affirmed the disastrous impact of corruption on economic growth, equality and social justice. ‘Every year, developing countries lose up to \$1 trillion through government corruption, criminal activity and commercial tax evasion’ (Carlson, 2014, p.1)<sup>1</sup>. According to the United Nations Development Programme, funds lost to corruption in developing countries are estimated to be 10 times the amount of official development assistance (UNDP, 2011). An estimated \$148 billion each year are lost by African countries alone due to corruption (UNDP, 2014). Likewise, ‘more than \$1 trillion is paid in bribes each year’, according to on-going research by the World Bank Institute (WB, 2004), while an estimated \$2.6 trillion are stolen annually through corruption—a sum equivalent to over 5% of the global GDP (International Chamber of Commerce, et al., 2008). In his speech on the Anti-Corruption Day, the UN Secretary General reminded us: ‘From cradle to grave, millions are touched by corruption’s shadow’ (Ban Ki Moon, 2014).

At the national level, collusion between businesses and politicians leads to the ‘siphoning off of billions of dollars’ in revenue from national economies (e.g. 1MDB scandal in Malaysia, former president Viktor Yanukovich in Ukraine, etc.), benefitting a few at the expense of many (TI, 2017). Transparency International estimates that former Indonesian leader Suharto embezzled anywhere between \$15 and 35 billion from his country, while Ferdinand Marcos in the Philippines, Mobutu in Zaire and Abacha in Nigeria may have embezzled up to \$5 billion each (WB, 2004). ‘In western-central European countries, petty corruption among the broader population is virtually non-existent; fostering a social perception that corruption does not exist. This, however, disguises structural corruption (grand corruption) among functional elites in many areas—particularly at the interface of policy-making and the economy (e.g. public procurement)’ (EU Crime and Culture Project, 2012).

In reality, empirical data suggest that anti-corruption policies can have a strong causal effect on generating higher income levels for countries. Mauro examined more than 100 countries and found that ‘if a given country were to improve its corruption score by 2.38 points on a 10-point scale, its annual per capita GDP growth would rise by more than 0.5% point’ (Mauro, 1997). Meanwhile, Blackburna and Forgues-Puccio pointed out that, “corruption is always bad for growth” (Blackburna and Forgues-Puccio, 2009, p.808). In addition, UNDP views ‘corruption and poor governance as major bottlenecks

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<sup>1</sup> [http://www.undp.org/content/seoul\\_policy\\_center/en/home/presscenter/articles/2014/12/09/time-to-tackle-corruption.html](http://www.undp.org/content/seoul_policy_center/en/home/presscenter/articles/2014/12/09/time-to-tackle-corruption.html), accessed on 10 December 2014

to the achievement of development goals, including the MDGs' (UNDP, 2014). Similarly, Kaufmann (2006) also considers corruption as 'a key challenge for development'. It can weaken economic growth through many channels such as unsound policies, unpredictable processes, and distorted public expenditures, leading to macroeconomic instability, weakened property rights, reduced competition, and inefficient allocation of resources. For businesses it increases risks and uncertainty as well as dampens investments. Moreover, corruption undermines the delivery of public goods such as health care and education. Thus, it increases inequity and worsens outcomes for the poor. Corruption has devastating effects on other aspects of society as well. Besides contributing to weak economies, inequality, environment damage, illegitimate leaders, and organized crime, corruption also increases social polarization and, in extreme cases, can trigger social and political upheavals (Kaufmann, 2006). In other words, corruption, failed administration, and state weakness were the 'triggers' of revolts and demonstration (Curry and Göedl, 2012, p. 65). Therefore, the fight against corruption has been a priority of the World Bank (WB) for the last decades. This priority led to the launch or expansion of national and international anti-corruption initiatives by the WB, UNDP, development agencies, NGOs like Transparency International (TI), and governments. Almost all countries have their own strategies to prevent and curb this pandemic. However, their effectiveness is always a big question in many different settings. An instance of this trend is Vietnam, which has ranked low in TI's corruption perception index (CPI) in recent years (number 113/176 in 2016). Vietnamese leaders consider corruption as an 'internal enemy' and a threat to the survival of the rule of the Communist Party; however, the highest leader of the Communist Party of Vietnam (CPV) had to cry in a televised meeting on 15 October 2012 because of the failure of anti-corruption fight<sup>2</sup>. Hence, it is important for Vietnam to be better prepared and fight against corruption more effectively. However, this struggle has floundered for a long time because of shortage of vision, insights, innovative methods and political will to bring about critical change in Vietnam.

Hence, this study aims to analyse the causes of corrupt behaviour in Vietnam and to outline a scenario for anti-corruption policies suitable to the conditions of life in the country. This study is more meaningful because there is a dearth of comprehensive researches on corruption in Vietnam, especially through the sociological perspective, although economics of corruption is quite developed in the world. In this context, past researches on corruption in Vietnam were mainly quantitative, policy oriented, project-based, and sector-based, which conveyed the forms of corruption, corruption by sectors (health, education, land, public administration, etc.), while cultural conditions and social construction of corruption were underestimated. Thus, I hope that the research based on in-depth interviews can contribute, even slightly, to build a new, deeper and more systematic knowledge of corruption in Vietnam as well as suggest better solutions against it in order to promote a brighter, fairer, freer, more democratic and just society for all Vietnamese people.

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<sup>2</sup> [https://www.youtube.com/watch?v=iS\\_j1gFf\\_c8](https://www.youtube.com/watch?v=iS_j1gFf_c8), accessed on 16 October 2012

Broadly speaking, the ‘master code’ or main ‘research hypothesis’ of this PhD is to indirectly answer the question of ‘what is the target or ultimate value of socialist market economy?’ through the analysis of the struggle against corruption. What are the overall goals of Vietnam’s transition—supremacy of economy or politics, freedom or equality, modernity or traditionalism? However, my real PhD research question(s) are more focused on specific cultural and institutional conditions of life in Vietnam. In other words, seeking solutions against corruption also means indirectly answering the question of ‘how Vietnam should reform to achieve modernity and at what costs?’ In short, the anti-corruption struggle is the fight between contested values, visions and means.

### **1.1.2 Corruption Research in Vietnam**

There was not much research on corruption in Vietnam till 2005, although the pandemic had emerged parallel to Vietnam’s ‘reform’ transition process to a socialist market economy since 1986. With support from the international community, the Internal Affairs Committee (IAC) of the Communist Party of Vietnam (CPV) conducted the first national survey on anti-corruption (AC) titled ‘2005 Diagnostic’ that involved more than 5,400 respondents comprising ordinary people, public officials and entrepreneurs. Following a similar approach, the WB, Government Inspectorate (GI) and consultants conducted a sociological survey on AC in 2012 with 5,460 respondents.

Recently, there has been more research on AC. At the macro level, the WB and the GI in late 2016 provided a report on ‘Managing conflict of interest in the public sector: law and practice in Vietnam’. Besides, Transparency International (TI) has been conducting an assessment on Vietnam’s National Integrity System, a broad qualitative research on macro institutions and structures of AC in the country. However, the results had not been published. NORAD (2011) published the ‘Joint Evaluation of Support to Anti-Corruption Efforts. Vietnam Country Report’ that reviewed the effectiveness and the efficiency of the international support to AC in the country and provided valuable recommendations on reforms.

Regarding the business environment, surveys of companies covering one dimension of corruption include the annual Provincial Competitiveness Index (PCI) conducted since 2005, the World Bank’s Enterprise Survey (2009), the Panel Survey of Small and Medium Enterprises (SMEs) by University of Copenhagen and Central Institute of Economic Management (CIEM) (in 2005, 2007, 2009), and the Integrity and Transparency in Business Initiative survey of firms (2011).

In terms of citizens’ perceptions on AC, surveys include the Governance Module attached to the Vietnam’s Household Living Standard Survey (VHLSS, 2008), the Global Corruption Barometer carried out by TI (2011), and the Vietnam Provincial Governance and Public Administration Performance Index (PAPI) published annually by UNDP Vietnam (2009–2015). Corruption-by-sector studies were mainly related to Towards Transparency, a focal point of TI in Vietnam, health (2011) and youth (2011).

In addition, the GI with support from UNDP commissioned similar surveys on education, land, and healthcare. Related aspects of public administration, such as access to information and transparency of land related documents, were also studied with support from the WB in 2013.

There is a paucity of academic research on corruption in Vietnam. As far as I know, one PhD dissertation on AC with specific focus on legal issues in Vietnam was defended and published some years ago (by Dao, Le Thu, 2011). In late 2015, Dr Nguyen, Quang Phuc defended his PhD thesis titled ‘Urban land grab or fair urbanization? Compulsory land acquisition and sustainable livelihoods in Hue, Vietnam’, which partially focused on corruption-related land acquisition, at Utrecht University, the Netherlands. At present, other PhD dissertations are being written on public governance approach (Vu, Anh Dao) and one with sociological focus (the present study). The most internationally well-known scholar on this theme may be Dr Tran, Ngoc Anh, who has written on nepotism, corruption by supporting clans, and bribery in firms. Furthermore, there are a few other articles on specific dimensions related to corruption in Vietnam by domestic and international scholars, and these will be mentioned in detail in chapter 4. During the time of my PhD procedure from 2015 to 2016, some research articles were published internationally. To name some, Nguyen, N. A., Nguyen, N. M., Tran, A. V., and Tran-Nam, B. published ‘Corruption and economic growth’ on *Crime, Law and Social Change* (2016). Similarly, Nguyen, N. A., Doan, Q. H., Nguyen, N. M., and Binh-Tran, N. (2016) shared their article ‘The impact of corruption on firm innovation in Vietnam’. Another research team (Nguyen, V. T., Ho, D. B., Le, Q. C., and Nguyen, V. H., 2016) published ‘Strategic and transactional costs of corruption: Perspectives from Vietnamese firms’ on *Crime, Law and Social Change*. These studies will be mentioned in detail in chapter 4.

The previous mentioned research activities have their own strengths and innovative techniques or data collection methods, such as PCI’s ‘Unmatched Count Technique or LIST Questions’, and PAPI’s ‘Truncated Estimation Strategy’. However, these studies on corruption in Vietnam pose some gaps on topics and effective research methods. Thanks to previous surveys and researches, alternatively, this PhD study analyses the comparative cultural and institutional conditions for Vietnam and Singapore, in order to search for the best applicable anti-corruption practices (for more details, please see the reference list).

## **1.2. Singapore–A Learning Model in Anti-Corruption for Vietnam?**

To search for the best applicable anti-corruption practices, I carried out a comparative analysis of the formal and informal institutional conditions between Vietnam and Singapore. Singapore is a potential model for a study on how to transform Vietnam into a less corrupt country. The key reasons pertain to both cultural conditions and formal institutions of these two countries. First, Singapore’s miraculous transformation from being a least developed and most corrupt country in the 1960s to achieving top global

rankings against these drawbacks should be studied. Second, the opposite visions or ideologies (capitalism and self-regulated economics in Singapore vs. socialism and political control over the economy in Vietnam) can suggest good lessons for Vietnam to fight corruption. Third, the Confucian Asian cultural values of the two countries can be a compatible context for Vietnam to apply Singapore's lessons. Fourth, the authoritative regime of Singapore may also be a confirmed test for Vietnam if it wants to fight corruption without political democratisation. Fifth, an anti-corruption study on these two countries can also directly answer the question as to which ideologies and values or regimes are more efficient and more effective for fighting against corruption and national development. These five reasons also justify the non-comparison between Vietnam and Western democracies, but Singapore, in terms of anti-corruption.

Singapore would be the best choice to reflect most clearly on how different visions of national development, capitalism, and socialism can lead to opposite measures and achievements of anti-corruption and nation building. Both countries shared similar national contexts of Confucianism, colonial heritage and pre-modernity conditions in the 1960s. However, the two countries have reached opposite poles of development—the knowledge-based modernity of Singapore in contrast to the cheap labour- and export-based pre-modernity of Vietnam. Moreover, the successful fight against corruption by Singapore's one-party regime (other parties are weak) has encouraged me to study if Vietnam (with the sole ruling Communist Party of Vietnam) can apply the Singaporean lessons.

In addition, there is the assumption that copying a western model of modernization will fail if we do not seriously consider the other country's context, especially its institutions and culture. That's why we need to study different models of anti-corruption and the different contexts of implementation. There are some other potential candidates that fit for comparison with Vietnam, but Singapore seems to be the most suitable. In fact, Vietnam shares similar corruption situation with many other countries like China, Indonesia and post-socialist nations in Eastern Europe. However, the present study is focussed on the questions how to fight and prevent corruption in Vietnam. In other words, which country or model can Vietnam learn from? The hypothesis that will be proven in the present PhD work is that only the least corrupt countries in Asia like Singapore, Japan, or Hong Kong can function as a model for fighting corruption in Vietnam.

First, regarding national institutions and culture, Vietnam seems to be more conducive to learn from some of the least corrupt countries (or Special Administrative Region [S.A.R]) that have similar cultures, for instance Singapore, Hong Kong, and Japan, instead of pure Western ones like New Zealand, Finland or Denmark (due to cultural differences). In other words, countries that seem to be 'cleaner' or less corrupt than Singapore like Denmark, New Zealand, Finland, Sweden, Norway, or Switzerland, are not chosen for the study because they are Western countries with totally different cultures (informal institutions). Some other Asian and ASEAN countries are also not



selected because they are either more corrupt than Singapore (Japan, South Korea, China, Indonesia, Philippines, Thailand, Malaysia, and India) or they learned from the Singaporean AC model themselves. Hong Kong is also excluded because it is not a country, but a Special Administrative Region of China.

Specifically, the Philippines and Taiwan rely on ‘ineffective multiple ACAs (anti-corruption agencies), which are inadequately staffed and funded, and compete with each other for limited resources. China’s Central Commission for Discipline Inspection is ineffective because corrupt party members are disciplined and not prosecuted and the political leaders use corruption as a weapon against their opponents. Japan’s weak political will is reflected in its reluctance to address its structural corruption’ (Quah, 2014, pp. 143–159).

Furthermore, in an extension of the AC topic, China itself applied an economic development model for its cities that pushed the country to becoming the second largest global economy. In addition, China has learned and successfully applied the economic development model of Singapore for its Special Economic Zones and its own national economy development in the decades since 1978. This phenomenon has inspired social scientists to research more about Singapore’s ‘miracle’, especially in terms of AC. However, successful lessons and practices from all over the globe will be considered as well in order to steer the comparative analysis between Singapore and Vietnam (see chapter 7).

In fact, Singapore has both similarities and differences with Vietnam in the context of social processes. Both countries share similarities in some aspects such as strong Chinese cultural and religious influences (Confucianism and Buddhism), a weak civil society vis-à-vis a strong and authoritative regime, a period of Japanese invasion during World War II and past colonial rule (under Britain or France), as well as separation conflicts or independence war(s).

On the other hand, however, Vietnam and Singapore differ sharply in relation to their politics, governance, and formal institutions (capitalist vs. socialist). Capitalism reflects a primacy of economy (efficient production and distribution of commodities), while socialism characterizes a primacy of politics (access and control of power). These macro factors shape all the key institutional and cultural conditions of the two countries. Apparently, while it gives top priority to economy, capitalism does not require democracy as long as the economy is strong and efficient. However, the levels of democracy in Singapore and Vietnam are different. There are still multiple parties in Singapore, but there has been only one ruling party (PAP) for five decades.

Moreover, one big reason for this difference may be derived from the British heritage in Singapore and the French heritage in Vietnam. British liberalism stresses individualism and difference of culture and life-style, French etatism stresses solidarity on the basis of a homogenetic culture (“le grand nation”). Liberalism fits with capitalism, etatism with socialism or other forms of totalitarianism. Consequently, the legacies of Britain’s colonial rule had a positive impact on the establishment of pluralism and democratic institutions, whereas the French colonialism fosters the development of nationalism and authoritarian

regimes. Singapore, however, does not completely follow the Western tenets of liberalism; partly because of Asian values as Singapore's former Premier Lee Kwan Yew argued strongly for his vision (see chapter 4). In general, Singapore is still more democratic than Vietnam with multiple parties and one dominating party (PAP), while Vietnam has one sole ruling communist party. However, the international community still considers Singapore as an authoritative regime. The limited democracy in Singapore may also be due to a strong feudalistic culture in Asia along with its much shorter and weaker enlightenment process than Europe. Apparently, Singapore ranks much lower than the top Western nations in terms of democracy, though it is still higher than Vietnam.

*Table 1. Corruption Perception Indexes of Vietnam and Singapore*

<b>Year</b>	<b>Singapore</b> (rank/ no. of countries)	<b>Vietnam</b> (rank/ no. of countries)
1995	3	No data
...	...	...
2000	5/90	76/90
2001	4/90	75/91
2002	7/102	85/102
2003	5/133	100/133
2004	5/145	102/145
2005	5/159	107/159
2006	5/159	111/163
2007	4/180	123/180
2008	4/180	121/180
2009	3/180	120/180
2010	1/178 <sup>3</sup>	116/178
2011	5/182	112/182
2012	5/174	123/174
2013	5/175	116/175
2014	7/175	119/175
2015	8/168	112/168
2016	7/176	113/176

(Source: <http://www.transparency.org>; [http://infopedia.nl.sg/articles/SIP\\_533\\_2004-12-18.html](http://infopedia.nl.sg/articles/SIP_533_2004-12-18.html); <http://corruption-econgrowth.wikispaces.com/The+Situation+in+Singapore>.)

Singapore has been criticized for decades for a lack of democracy and a free press;

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<sup>3</sup> In 2010, Singapore shared the first rank (the cleanest) with Denmark and New Zealand.

however, it still achieved remarkable records of government efficiency and effectiveness, good rule of law (see tables 1 to 4a) as well as anti-corruption. Therefore, Singapore presents an interesting case for Vietnam to learn AC lessons, even if the latter country does not want to widen democracy or follow a multiple-party regime. This is one of the propositions and criteria to take Singapore as a learning model for Vietnam.

The other substantial difference between Singapore and Vietnam is reflected in the ranks both countries take in the Corruption Perception Indexes: Singapore on the top ten, Vietnam at the bottom. (see Table 1). The opposite AC achievements of Vietnam and Singapore spur my strong motive for pursuing this study.

Singapore's history was marked with severe corruption till the early 1970s, and its transformation into one of the 'least corrupt' nations only began in the early 1980s. The above comparison reflects the opposite pictures of Singapore and Vietnam in terms of corruption. Interestingly, Vietnam's present image is similar to that of Singapore in the '60s and the '70s. This fact leads to the research hypothesis that Vietnam can learn from the anti-corruption model of Singapore, and apply it to systematically change its governance structures as well as to build a strong AC culture among public officials and the people. Likewise, the British AC influence was transplanted and transferred successfully at least in Singapore, with the city-state's own initiatives, and then to Hong Kong (Quah, 2010). This leads to the key question of the research: Is it possible and rational to apply the AC model of Singapore to a country like Vietnam? The present PhD thesis tries to give an empirically grounded and theoretically founded potential answer. On the basis of an analysis of the cultural and institutional contexts, the PhD thesis will finally formulate some recommendation for a sustainable anti-corruption policy in Vietnam.

In short, it can be said that the AC struggle in Vietnam is only one part of the bigger picture, which is the choice of national development strategy along with the vision for modernity. Vietnam has to choose between socialism (supremacy of politics, equality, etc.) and capitalism (supremacy of economy, freedom, efficiency, etc.), as well as between traditional Confucian philosophies of virtue-based ruling, the severe legalist philosophy of Han Fei and the modern Western rule of law and other principles of power separations, civil rights and liberty.

### **1.3. Socio-Historical Overview of Vietnam and Singapore**

#### *1.3.1 Political and socio-economic contexts in Singapore and Vietnam*

At the global level, Treisman pointed out that the "countries with Protestant traditions, histories of British rule, more developed economies, and (probably) higher imports were less 'corrupt'. Federal states were more 'corrupt'. While the current degree of democracy was not significant, long exposure to democracy predicted lower corruption" (Treisman, 2000, p. 399). His findings explain crucial differences of corruption in Singapore and Vietnam.

Table 2 below reflects a general picture of the national institutional conditions in Singapore and Vietnam according to prestigious global organizations and surveys. Readers can imagine two opposite structural factors that determine the performance of the two nations. First, Singapore ranks among the top 10 countries in terms of ‘rule of law’, while Vietnam is placed in the middle range. At the same time, table 2 shows six key dimensions of governance, including the Control of Corruption Indicator. Meanwhile, table 3 provides more governance insights into the indicator (CPI) mentioned in table 1. Second, both countries lack democracy, though at different levels. Singapore ranks in the middle regardless of its prosperous economy, and the much less democratic Vietnam is placed at the bottom. Third, both countries share low rankings with regard to press freedom. Fourth, combining democracy and freedom with regard to human rights, Vietnam is worse than Singapore, especially in terms of lacking political rights and civil liberties. All these four dimensions are relevant issues for a crucial framework for national sustainable development and justice, especially anti-corruption. Fifth, in terms of economic environment, Singapore leads the globe on the ‘ease of doing business’ and ‘competitiveness’, while Vietnam is stagnating among the middle-group countries. It means that administrative cumbersome (or corruption burden) for enterprises in Singapore are much less than in Vietnam. These conditions will be presented and analysed in more detail later.

*Table 2. Socio-economic and political contexts of Vietnam and Singapore*

<b>Criteria (Year)</b>	<b>Rank/evaluation of Singapore</b>	<b>Rank/evaluation of Vietnam</b>
Rule of law (2014) <sup>4</sup>	10	65
Democracy <sup>5</sup> (2014)	73	127
Press freedom (2014)	112	138
Freedom <sup>6</sup> :	4*	6
- Political rights	4	7
- Civil liberties	4	5
Ease of doing business <sup>7</sup> (2014)	1	78
Competitiveness <sup>8</sup> (2014)	2	68

*Note: \* regarding ‘Freedom’, each country score is based on two numerical ratings—from 1 to 7—for political rights and civil liberties, with 1 representing the most free and 7 the least free”.*

### 3.2 Public governance

<sup>4</sup> [http://worldjusticeproject.org/sites/default/files/files/wjp\\_rule\\_of\\_law\\_index\\_2014\\_report.pdf](http://worldjusticeproject.org/sites/default/files/files/wjp_rule_of_law_index_2014_report.pdf)

<sup>5</sup> <http://www.worldaudit.org/democracy.htm>

<sup>6</sup> <https://freedomhouse.org/report/freedom-world/freedom-world-2015?gclid=CIPxk4Oo38MCFcHKtAodrAQAJg#.VN4iai60eQd> (1= the best, highest freedom; 7 = the worst, least freedom)

<sup>7</sup> <http://www.doingbusiness.org/rankings>

<sup>8</sup> <http://reports.weforum.org/global-competitiveness-report-2014-2015/rankings/>

In terms of public governance, there is also a big gap between Singapore and Vietnam regarding five out of six WB indicators. Singapore seems to be perfect or excellent in terms of ‘regulatory quality’, ‘government effectiveness’, ‘control of corruption’, ‘rule of law’, and ‘political stability and no violence’. In contrast, Vietnam’s indicators are negative. All these WB indicators coincide with the other sources mentioned above. The WB indicator of ‘voice and accountability’ partially measures people’s participation, and therefore reflects democracy and freedom like some of the indicators in Table 2.

*Table 3. The WB’s governance indicators (2013)*

Criteria	Rank of Singapore	Rank of Vietnam
WB’s governance indicators	% <sup>9</sup>	%
<i>Voice and accountability</i>	52.13%	11.85%
Political stability and lack of violence	95.73%	55.92%
Government effectiveness	99.52%	44.02%
<i>Regulatory quality</i>	100%	28.23%
Rule of law	95.26%	39.34%
<i>Control of corruption</i>	96.65%	36.84%

**Source:** <http://info.worldbank.org/governance/wgi/index.aspx#home>, accessed on 16 June 2013

### 1.3.3 Rule of law

In addition to the above factors, Table 4 below presents more details on specific aspects of the ‘rule of law’. The average gap between Singapore and Vietnam is 55 ranks (10 and 65 ranks), ranging from 30 to 64 (1= the best, 100 = the worst). The most important gaps exist in the categories of ‘absence of corruption’, ‘regulatory enforcement’, ‘civil justice’, and ‘criminal justice’. These indicators prove the ‘strictness’ of law and its strong enforcement in Singapore, contributing majorly to the primacy of the rule of law there. Thus, corruption in Singapore is much lower than in Vietnam. Although ‘order and security’ is quite good in Vietnam (rank 32), low rankings for other key indicators, like constraints of government powers, open government, and regulatory enforcement stonewall other processes.

*Table 4(a). Rule of law (2014)*

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<sup>9</sup> Note: Percentile ranges from 0 (lowest rank) to 100 (highest rank). WGI are a research dataset summarizing the views on the quality of governance provided by a large number of enterprise, citizen, and expert survey respondents in industrial and developing countries (gathered from a number of survey institutes, think tanks, non-governmental organizations, international organizations, and private sector firms). The WGI are not used by the World Bank Group to allocate resources.

<b>Criteria</b>	<b>Rank of Singapore</b>	<b>Rank of Vietnam</b>
Rule of law	10	65
Constraints of government powers	21	86
Absence of corruption	5	59
Open government	21	77
Fundamental rights	26	71
Order and security	2	32
Civil justice	6	73
Regulatory enforcement	8	86
Criminal justice	2	41

Source: [http://worldjusticeproject.org/sites/default/files/files/wjp\\_rule\\_of\\_law\\_index\\_2014\\_report.pdf](http://worldjusticeproject.org/sites/default/files/files/wjp_rule_of_law_index_2014_report.pdf); [wjp\\_rule\\_of\\_law\\_index\\_2014\\_report.pdf](http://worldjusticeproject.org/sites/default/files/files/wjp_rule_of_law_index_2014_report.pdf), accessed on 16 June 2014

In short, the brief literature review reflects the main differences that lead to the fact that Singapore and Vietnam stand at opposite poles of the corruption scale. The first difference is the Singapore government's strong political will in contrast to the Vietnamese government's strong rhetoric. The second difference is Singapore's clean and efficient public sector versus the weak and corrupt public sector in Vietnam. Third, while there is strong public trust and support for the fight against corruption in Singapore, there is mistrust and neglect of Vietnamese people in this aspect. The fourth difference is the independence and efficiency of ACA in Singapore versus the lack of independence and inefficiency of such bodies in Vietnam. Last, there is strict law enforcement in Singapore, and a poor and weak one in Vietnam. These attributes will be confirmed or added to by detailed analysis in the later chapters.

#### **1.4. Research question(s) and scope of this research**

*Key research question:* What are current cultural and institutional conditions of AC (or corruption causes) in Vietnam and Singapore?

*Sub-questions:*

- 1- What are the current status, strength, and weakness of the AC conditions in Singapore and Vietnam?
- 2- What are the key AC lessons learnt from Singapore?
- 3- Which AC lessons from Singapore are transferable to Vietnam, why and how?

*Timeframe:* The timeframe of the research is restricted to contemporary Vietnam. There are no clear milestones to demarcate 'contemporary Vietnam' since the 'Doi moi' or 'Reform' process started in 1986. However, this thesis focuses on the period after 1993, when TI launched its CPI and information on corruption in Vietnam emerged.

#### **1.5. Objectives of research**

1. To find out and classify the causes of the current corruption in Vietnam (key

- institutional and cultural conditions).
2. To recommend the most suitable lessons from the Singaporean AC model to Vietnam
  3. To assess the relevance of the lessons of the Singaporean AC model in the context of Vietnam, and Vietnam's political will to reform by applying these lessons, through institutional and cultural perspectives.

## **1.6. Conceptual framework**

In the study, I used the New Institutional Economics approach to define institutions, and then select and analyse the key components and determinants of cultural and institutional AC conditions in line with 'Social Construction Theory' and TI's 'Integrity System'. However, due to resource and time constraints, I narrowed down the components, and also selected only key documents for the analysis. The details are as follows:

### ***1.6.1 Key institutional conditions:***

- Leadership and political will
- Legislation: AC law and related regulations (investigative powers, AC punishments, and identification and revision of AC risks or loopholes)
- AC bodies: Investigative powers, their independence, coordination, budget, and personnel
- AC judicial system: Independence, separation of powers, and applicability of the rule of law
- Law enforcement: Its efficiency and effectiveness (ratio of investigations, ratio of prosecutions, ratio of verdicts, time for investigation, etc.)
- Public trust, ethics and professionalism of public officials (police corruption, public confidence, and ethics of civilian officials)
- Mass media: Its freedom, access to information, and role in AC fighting
- Civil society: Participation of whistle blowers and citizens, and protection of AC whistle blowers

Due to the large volume of related documents and scope of work, I mainly reviewed and analysed secondary literature in order to briefly summarize the key issues and characteristics of the Vietnamese Integrity System (see Section 2.3.1.4).

### ***1.6.2 Key cultural conditions:***

- People's habits of bribe giving and receiving
- Corruption tolerance
- Integrity value of different social groups

The impact of religion on corrupt practices has not been proved in the study due to resource constraints although it may be an important dimension.

### 1.6.3 Specific concepts

#### 1.6.3.1 Corruption

##### a. Definitions of corruption

The definition of corruption is diverse among the international community and the academia. Until now, ‘there has been no comprehensive and universally accepted definition of corruption. The origin of the word is from the Latin *corruptus* (spoiled) and *corrumpere* (to ruin; to break into pieces)’ (UN, 2004). ‘Particularists, who have no specific definition of corruption, expect that corruption definitions can differ widely between cultures and social groups’ (Graaf, 2010, p. 167).

TI defines corruption as ‘the misuse of entrusted power for private gain’<sup>10</sup>. Meanwhile, the World Bank Institute–Kaufman, Kraay and Mastruzzi (2010) defined it as ‘the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as the “capture” of the state by elites and private interests’<sup>11</sup>. Internationally, the WB defines corruption as ‘the misuse of public power for private gain’ (WB, 2000). However, this definition is unclear and too broad as “Rose-Ackerman pointed out that the meaning of “misuse” may indeed vary across cultures’ (Gjalt de Graaf, 2010, p. 170).

A more specific definition by UNDP considers corruption as ‘the misuse of public power, office or authority for private benefit—through bribery, extortion, influence peddling, nepotism, fraud, speed money or embezzlement’ (UNDP, 1997, p. 7). Among these definitions, the one by UNDP is the clearest, and it incorporates seven of the most common forms of corruption. Otherwise, the third definition underlines the importance of integrity. However, a corrupt person may be simultaneously involved in several forms of corruption as delineated by the UNDP definition, such as accepting bribe or speed money, as well as indulge in nepotism to favour his/her relatives, in order to create a collusion to commit embezzlements more easily.

In academia too, there are several perspectives on the definition of corruption. First, Leo W.J.C Huberts shares the UNDP’s view, and writes that ‘corruption is defined in terms of private profit from public power’ (Huberts, 2010, p.160). Similarly, Michael Johnston (1996) defines corruption as ‘the abuse, according to legal or social standards constituting a society’s public order system, of a public role or resource for private benefit’. More specifically, the typology of this definition includes bribery, favouritism (nepotism, cronyism, and patronage), fraud, theft, and conflicts of interest (both private and public) through gifts, assets or promises taken or through side-line activities (jobs, positions, and activities (Huberts, 2010, p. 148).

Second, the online Oxford English Dictionary defines corruption as “dishonest or fraudulent conduct by those in power, typically involving bribery”<sup>12</sup>. Similarly, the Oxford English Dictionary (second edition, year) defines ‘corruption’ as the ‘perversion

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<sup>10</sup> <http://www.transparency.org/what-is-corruption/>, accessed on 2 February 2017

<sup>11</sup> <http://info.worldbank.org/governance/wgi/pdf/WGI.pdf>

<sup>12</sup> <https://en.oxforddictionaries.com/definition/corruption>, accessed on 24 February 2017



or destruction of integrity in the discharge of public duties by bribery or favour; the use or existence of corrupt practices, especially in a state, public corporation, etc'. For me, however, this concept is ambiguous as it refers to some other terms such as perversion and integrity, and it also mentions only two channels of discharge (bribery and favour). In addition, the definition limits corruption to public offices only.

Third, in accordance with the institutional theory framework, Donatella Della Porta and Alberto Vannucci (2012) in their book *The Hidden Order of Corruption*, reveal deeper layers of corruption pertaining to governance structures of corrupt exchanges; normative systems (invisible codes and mechanisms that govern and stabilize the links between corrupt actors); bureaucratic corruption; political actors in the governance of corrupt exchanges; the entrepreneurial management of corrupt exchanges; the roles of brokers in corruption networks; the relationship between organized crime (mafias) and corruption. They also point out to the endemic snowball effects of corruption, as well as the disarticulation of governance structures in corrupt exchanges, and recommend an AC policy.

'The tendency for corruption is not etched in the genetic heritage or cultural roots of a society. Corruption, in a similar way to good governance, is the product of a multitude of individual and collective choices, supported and discouraged by the characteristics of an institutional system, social relationships and circles of recognition, and the structure of common values. The combination of these elements creates expectations, habits, beliefs, preferences, ways of thinking, and of judging one's own and others' actions that direct the evolution of corruption over time, slowly changing public opinion toward corruption and its diffusion throughout the state and civil society' (Della Porta and Vannucci, 2012, p. 249).

Tanja Rabl defines key aspects of corruption as exchange, violations of norms, abuse of power, absence of direct victims, and secrecy. Furthermore, she considers corruption as a white-collar crime, a form of deviant workplace behaviour, and an unethical behaviour (Rabl, 2008). In my dissertation, I agree with Rabl's view on the forms and the aspects of corruption with one note that corruption is not always an exchange. It may be a sole activity like embezzlement.

In addition, the multi-approach uses a multitude of levels, analyses, and all possible research methods to define corruption as the abuse of (public) authority for private benefit. The system theory perceives corruption as 'the linkage of different horizons of meaning in social communication', and consequently, corruption arises when organizations fail to uphold the appropriate functional logic in their decisions (Graaf, 2010, p. 168).

Regarding the scope of corruption, there is a gap between nations in labelling which activities are deemed to be corrupt. In most approaches, the relationship between public and private is important. However, the boundary is increasingly blurred in most countries because of developments like new public management, privatization, outsourcing, hybridization, and public-private partnerships (Graaf, et al., 2010, p. 171). 'Legal mechanisms such as lobbying are preferred in rich countries, while companies in

poor countries have to rely on corruption' (Campos and Giovani, 2006), (Graaf, et al., 2010, p. 170). There is a clear question if corruption happens in the private sector or it only happens in the public sector. I will define this dichotomy later.

In terms of indicators and conceptualizations of corruption, the exact meanings of the elements of the three aforementioned definitions are subjective, negotiable, elastic, and depend on social constructions. For example, 'integrity' and 'bribery' are defined as per social and professional norms that may vary according to time and place (Granovetter, 2004). The meanings and the norms can be interpreted very differently. 'Norms do not come from above, nor do they arise in most cases, I would argue, from some evolutionary process that selects for efficiency. Instead, they are enacted, reproduced and/or changed in the course of each group's normal activity' (Granovetter, 2004). Granovetter argues that ideology 'effectively neutralizes perceptions or imputations of corrupt behaviour' (Granovetter, 2004). Thus, it is vital to analyse the cultural layers or the conditions of norms regarding the legitimacy of an activity or giving a judgement on corrupt behaviours. Corruption reflects dualities between individuals and organizations, social status, patronage-client relationship, conflicts of interests and ideology between corrupt actors (Granovetter, 2004). Similarly, Andrig and Fjeldstadt (2000) define corruption as an exchange of favours between two actors, an agent and a client'.

Similarly, Dirk Tänzler and his fellow researchers (2012) reflect on the theoretical approaches of a social system theory, the methodological individualism, as well as the cultural and historical relativism of corruption. Though they recognise the strengths of these approaches, they also point out the loopholes. Alternatively, they suggest approaching corruption as an '*immoral* exchange in modern, functional differentiated societies' (Tänzler, et al., 2012, p. 13). In their view, corruption expresses the handling and management of the conflict between moral based solidarity oriented social network relations and functional social systems, operating on contractual and organizational formal procedures. In addition, the approach also condemns and questions the procedural rationality and operational efficiency of corrupt exchanges as well as the problems of networks. 'Corruption is a moral judgement that makes sense only under specific social conditions associated with modernity'. Therefore, 'this normative stance towards corruption should give way to a social constructivist view of corrupt conduct as a mechanism of social problem solving' (Tänzler, et al., 2012, p. 26).

'From a sociological perspective, corruption represents a solution to a social problem, irrespective of its effects' (EU Crime and Culture Project, 2012). Besides, "corruption may, in part, be a cultural phenomenon" (Barr and Serra, 2010, p. 862). Apparently, corruption is both social interaction and social exchange that reflect social perceptions, acceptance or even the desire for corrupt behaviours (Torsello, 2015), and thus requires a more ethnographic and sociological approach.

Rose-Ackerman's institutional economics approach has been influential internationally for decades. In her book *Corruption and Government* published in 1999, she viewed corruption as an economic, cultural, and political problem, and analysed its key impacts on sectors such as 'equating supply and demand', 'bribes as incentive payments for

bureaucrats’, ‘bribes to reduce costs’, linkage between corruption and organized crime, and payments for high-officials to obtain major contracts and concessions. She also differentiates between bribes and gifts, as well as patronage and reciprocity. In terms of politics, the key themes analysed include kleptocracy, bilateral monopolies and mafia-dominated states, competitive bribery, electoral systems, buying votes/political influence, checks and balances in the legislative process, independent judicial and prosecutorial institutions, openness and accountability, etc. This comprehensive research covers all the key dimensions and transactions in society.

Complementing the other approaches, Huberts (2010) suggests a ‘multi-approach’ that views factors at different levels. The key dimensions comprise cultural values, economics, politics, organization, polity (compliance and integrity), justice discontent, and other factors at macro (national), meso (organizational), and micro (individual) level (Huberts, 2010).

Many scholars agree that immorality is a typical sign of corruption regardless of the diverse cultural and historical moral norms. ‘Anyone labelled “corrupt” is judged in a morally negative way’ (Graaf, 2010, p. 169). ‘Corruption is even defined as normlessness’ (Huberts, 2010; Graaf, 2010, p. 170).

More recently, corruption has been termed as a deviation from the ethically universalistic form of public-resource allocation as defined by the law, rules, and the modern principles of administrative impersonality, impartiality, and equality (Mungiu-Pippidi, 2016). As per this view, corruption does not only include the misallocation of public resources (for the benefit of particular interest groups or individuals), but also state capture. This approach was previously shaped by Kaufmann, Hellman and Vicente, who saw government policies, actions, and rules of the game as being manipulated or shaped by powerful corrupt actors to favour their own interests (Hellman and Kaufmann, 2001; Kaufmann and Vicente, 2011).

## *b. Forms and scale of corruption*

### *b.1. Forms of corruption*

In terms of forms of corruption, Tanja Rabl’s (2008) synopsis of respective research literature till 2008 identifies the binary characteristics of all forms of corruption, such as public-private, international-national, isolated-systematic, situational-structural, personal-collective, white-black, demand-driven or supply-driven, market-parochial, grand-petty, and debiting-crediting. In addition, Osbourne (1997) classifies corruption into three groups: bureaucratic corruption (officials take bribes); political corruption (politicians take bribes); and grand corruption (heads of states misuse public power) for private pecuniary benefit.

Moreover, the UNDP’s definition of corruption (mentioned above) comprises seven common forms: bribery, extortion, influence peddling, nepotism, fraud, speed money, and embezzlement (UNDP, 1997, p. 7).

Likewise, a UN handbook on practical AC measures for prosecutors and investigators describes typical corruption forms and activities such as grand and petty corruption, active and passive corruption, bribery, embezzlement/theft/fraud, extortion, abuse of function, nepotism/favouritism, creation or exploitation of conflicting interests, and improper political contributions (UN, 2004, pp. 23–29).

In more detail, UN defines the different types of bribery as the most common form of corruption: bribery against the rule, bribery for the rule, offering or receiving improper gifts, gratuities, favours or commissions, bribery to avoid liability for taxes, bribery in support of fraud, bribery to avoid criminal liability, bribery in support of unfair competition for benefits or resources, bribery in private sector, bribery for confidential or ‘inside’ information, and influence peddling. (UN, 2004, p. 26).

Moreover, the UN also distinguishes between bribery and extortion: ‘Whereas bribery involves the use of payments and positive incentives, extortion relies on coercion to induce cooperation, such as threats of violence or the exposure of sensitive information. As with other forms of corruption, the loser can be the general public interest, individuals adversely affected by a corrupt act or decision, or both. In extortion cases, however, there is a very real “victim”: the person who is coerced into submitting to the will of the official’ (UN, 2004, p. 27).

In addition, Noonan identified key figures of bribery, such as “socially disapproved inducements of social actions meant to be gratuitously exercised”. Besides, it is historical: “universal” but disapproved “reciprocities”. In addition, bribery is “approaching a powerful stranger”, “depends on religious teaching” but “profoundly ambivalent” on reciprocity. Bribery is cultural-relative: “openly or covertly, disguised as an interest in a business”. It happens in “every variety of business” at all scales, levels, professions, ranks or manner, for all needs. In general, bribery is “ideologically neutral” but “prosecutorial discretion” and it may confront “moral” sanctions, etc. (Noonan, 1984)

Meanwhile, embezzlement, theft, and fraud are all defined as involving ‘stealing by an individual exploiting his or her position of employment. In the case of embezzlement, property is taken by someone to whom it has been entrusted (e.g. a pay clerk)’ (UN, 2004, p. 26). At the same time, ‘abuse of function’ is described as being ‘often associated with bureaucrats in whom there are broad individual discretions and inadequate oversight and accountability structure’ (UN, 2004, p. 28).

Besides, favouritism, nepotism and clientelism are all defined as involving ‘abuses of discretion’, and ‘usually involve not a direct personal benefit to an official, but promote the interests of those linked to the official’, be it through family-ties, political party membership, tribal or religious group affiliation (UN, 2004, p.28). Most forms of corruption involve ‘conflict between the professional responsibilities of an individual and his or her private interest’ (UN, 2004, p.28).

Lastly, improper political contributions are distinguished as ‘payments made to

influence events illicitly once the recipients are in power'. In the West, these improper political contributions are the most common form of corruption, while petty corruption is more common in the developing world.

#### *b.2. Scale of corruption (petty and grand)*

Grand corruption is 'corruption that pervades the highest levels of government, engendering major abuses of power. A broad erosion of the rule of law, economic stability and confidence in good governance quickly follow' (UN, 2004, p. 23). It is also referred to as 'state capture' (external interests illegally distort the highest levels of a political system to private ends). Grand corruption is the distortion of the government's central functions by senior public officials, who may confront criminal processes.

'Petty corruption', or 'administrative corruption', involves 'the exchange of very small amounts of money, and the granting of small favours' (UN, 2004, p. 23). Petty corruption frequently occurs in the public service sector and the administrative system, and carried out by low- or medium-level public officials. Petty corrupt actors often face administrative sanctions (demotion, dismissal, etc.).

#### *b.3 Public-private, collective and private corruption*

As pointed out by Rabl (2008), public-private is one of the dual characteristics of all corruptions. She defined private corruption as corruption in the private sector, which is bounded by subjective motives of private corrupt actors. Public corruption happens in the public offices (see more at Table 4(b)).

Contrary to individual corruption, "collective corruption, a distinctive form of social interaction among people dominated by individual calculations and unorganized interests, takes place when collaboration becomes a powerful, necessary weapon in pursuing private gains. The danger of collusion in corrupt ventures is that as corruption gets well planned and skillfully coordinated in its collective form, it may become less forthright and therefore more difficult to detect, or more overt and increasingly legitimized as an appropriate form of economic intercourse" (Gong, 2002, p. 135)

#### *b.4. Political corruption*

In the book *Political Corruption* (Heidenheimer, et al., 2007), Mark Philip refers to the concept of political corruption where:

1. a public official (A),
2. in violation of the trust placed in him by the public (B),
3. and in a manner which harms public interest,
4. knowingly engages in conduct which exploits the office for clear personal and private gain in a way which runs contrary to the accepted rules and standards for the conduct of public office within the political culture,
5. in order to benefit a third party (C) by providing C with access to a good or

service that C would not otherwise obtain' (Philip, 2007, p. 41).

In short, Philip's definition of political corruption focuses on the public sector where a public official (public agent A) violates public trust and harms public interest, and exploits his/her office for clear personal and private gains illegally and contrary to the political culture, and benefits a third undeserved party. However, the definition is unclear, especially on 'grand' scale of political corruption and high-ranking politicians as corrupt actors. Philip's definition has overly focused on low-level or middle-level public officials while political corruption is mainly done by (grand) politicians, not by low public officers although it may involve the private sector and the administration also. It is especially correct when there is collusion between the public corrupt actor and the private one. Hence, this Philip's definition should be renamed as administrative or bureaucratic corruption.

Previously, Heidenheimer et al. (1993) define political corruption as 'any transaction between private and public sector actors through which collective goods are illegitimately converted into private, regarding payoffs'. However, Inge Amundsen criticises this definition as ambiguous, especially regarding the 'level of authority' of the corrupt actors (grand or petty). In general, political corruption is grand, while bureaucratic corruption is petty. Some other scholars view petty corruption as spontaneous corruption in a moment, whereas grand corruption is systemic corruption i.e. organized crime; grand corruption is high level corruption. Alternatively, Amundsen defines political corruption to take place 'when politicians and state agents, who are entitled to make and enforce laws in the name of the people, are themselves corrupt. Political corruption occurs when political decision-makers use the political power they are armed with, to sustain their power, status and wealth' (Amundsen, 1999, p. 9).

In addition, Amundsen asserts that 'political corruption (usually supported by widespread bureaucratic or petty corruption) should furthermore be considered as one of the basic modes of operation of authoritarian regimes. It is one of the mechanisms through which authoritarian power-holders enrich themselves' (Amundsen, 1999, p. 9). This quote is an important note on authoritarian regimes, and explains the persistence of corruption. Political corruption and an authoritarian regime make for a cohesive couple, although it does not mean that democracies do not have political corruption. In addition, however, petty corruption occurs not only in a bureaucratic organization, but also in the private sector.

#### *b.5 'Revolving door' effect*

In his study on 'Revolving-door politics and corruption', Stuart Wilks-Heeg (2015) defines the term 'revolving door' as 'the process through which senior figures move from the public to the private (or the private to the public) sectors. It is closely associated with concerns that collusive relationships have developed between the US government and business in policy areas such as defence contracting and food regulation' (Whyte,

2015, p. 135).

Wilks-Heeg argues that ‘private sector interests are able to use a wide range of mechanisms to “revolve in” to the government and influence public policy’ (Whyte, 2015, p. 135). He concludes that the ‘revolving-door’ process exists in Britain, France, and the USA. Besides, international media projects Japan and other Western countries as practising the ‘revolving door’ process as well.

Similarly, in their text on *The revolving-door indicator, estimating the distortionary power of the revolving door*, Elise S. Brezis and Joël Cariolle argue that revolving door leads to ‘lower productivity and corruption risks’ (U4, 2014, p. 2). The authors identify specific effects of revolving-door practices like ‘rent-seeking’ (‘to capture public resources by both illegal and legal means rather than to increase production or efficiency’ (U4, 2014, p. 2); shaping law and policies to their advantage (often quasi-legally, via campaign finance, lobbying, exchange of favours to politicians, etc.); creating excessive red tape (while in public office) in order to cash in on their bureaucratic expertise in the private sector after leaving office; diverting state resources by biasing the public procurement process, obtaining preferential access to public finances, unduly from tax exemptions, arrears, and subsidies, etc. Finally, they suggest the application of a ‘cooling-off’ period after an individual leaves a public office and to increase transparency (asset disclosure, etc.), and regulations on conflicts of interests (U4, 2014, p. 6).

I do not completely agree with the definition of U4 on rent-seeking as ‘to capture public resources by both illegal and legal means) because I know that ‘rent-seeking’ is mere “egoistic” revenue without any social benefit. In contrast to profit (or as loan for risky investment in business by an entrepreneur), rent is simply the revenue from (passiv) property in capital like land, real estate or power-positions. Profit is an investment in venture capital and also for the benefit of the society because it helps innovating the economy.

### *c. Attributes of corruption*

In a nutshell, corruption has the following characteristics of immoral and secret. It is harmful to public trust, society and organizations, but beneficial to individuals. It is a white-collar crime, breaking norms and rules while consisting of hidden codes and mechanisms. Corruption is cultural and historical context relativism. In addition, corruption solves social problems in some contexts while it provides favour and other interests exchange; and abuse of power or organizational dysfunction. Corruption occurs on different levels (macro, mesa, or micro), in multiple areas (political, economic, cultural, and social), both in the public and the private sector. It involves a network-relation and a collusion that is systemic and collective) or sporadic and individual. Corruption is also controversial, in term of its negative (“sand the wheels”) or positive (“grease the wheels”) effects on growth and development. Hence, corruption should be studied with an inter-disciplinary approach, such as a combination of sociological,

anthropological, public governance and economic blends, through cultural and institutional lens like this PhD thesis.

### 1.6.3.2 *Pubic governance and corruption*

Corruption is closely a causal aspect related to the broader concept of public governance. The definitions of governance are plenty. Daniel Kaufmann for example defines governance as consisting of ‘the traditions and institutions by which authority is exercised in a country. This includes the processes by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern the economic and social interactions among them’ (Kaufmann, 2009). Mark Bevir gives much more distinct definition. To him governance is constituted by ‘patterns of rule or practices of governing. The study of governance generally approaches power as distinct from or exceeding the centralized authority of the modern state’. The key meaning of the term governance is the nature and role of the state, from a hierarchic bureaucracy towards a greater use of markets, quasi-markets, and networks, especially in the delivery of public services. ‘Governance expresses a widespread belief that the state increasingly depends on other organizations to secure its intentions, deliver its policies, and to establish a pattern of rule.’<sup>13</sup>

Kaufmann and associates (2005) have created a well-known database on six governance indicators to capture the key dimensions of institutional quality or governance. All these dimensions of governance are interlinked and may impact the level of corruption. One of the indicators is directly related to corruption.

#### **Box 1.** *Six dimensions of governance*

1. *Voice and Accountability:*  
measuring political, civil and human rights
2. *Political Instability and Violence:*  
measuring the likelihood of violent threats to, or changes in government, including terrorism
3. *Government Effectiveness:*  
measuring the competence of the bureaucracy and the quality of public service delivery
4. *Regulatory Burden/Quality:*  
measuring the incidence of market-unfriendly policies
5. *Rule of Law:*  
measuring the quality of contract enforcement, the police, and the courts, as well as the likelihood of crime and violence
6. *Control of Corruption:*  
measuring the exercise of public power for private gain, including both petty and grand corruption and state capture.

<sup>13</sup> <http://www.britannica.com/topic/governance#toc307733>, accessed on 18 September 2015



(Source: The World Bank Institute [WBI])

### 1.6.3.3 *Institution*

Institutions are defined as ‘the rules of the game in a society or, more formally, they are the humanly devised constraints that shape human interactions’ (North, 1990), or as ‘the set of working rules that are used to determine who is eligible to make decisions in some arena, what actions are allowed or constrained, what aggregation rules will be used, what procedures must be followed, what information must or must not be provided, and what payoffs will be assigned to individuals depending on their actions’ (Ostrom, 1990).

Institutions can be divided into two main groups—formal and informal. Formal institutions are codified rules, e.g. constitutions, laws, statutes, government regulations, and conventions. Informal institutions are defined as culturally bounded attitudes, norms, traditions, habits, that is, ‘codes of conduct, and shared mental models’ (Denzau and North, 1994). In other words, informal institutions include social conventions, norms, symbols, myths, belief systems, habits, culture, etc. For example, some societies assume that ‘the end justifies the means’, ‘what leads to success is always correct’, or ‘if everybody behaves illegally, so can I’ (Guseva, 2007; Hauk and Saez-Marti, 2002, pp. 15–16; Lefebvre, 2001; Getz and Volkema, 2001).

Formal and informal institutions interact and influence each other; informal institutions influence the way of formulation of the formal ones, while new formal institutions create new informal habits. Formal institutions can be easily changed, while the informal ones are resilient as they are deep-rooted in culture. They will not immediately react to changes in the formal institutions. On the contrary, formal institutions are anchored in structured by informal institutions, i.e culture. Culture can be defined as ‘the transmission from one generation to the next, via teaching and imitation, of knowledge, values, and other factors that influence behaviours’ (Boyd and Richerson, 1985).

The old institutionalism in political science played a dominant role regarding the state, government, public administration, and politics (formal rules, procedures, and organizations, including constitutions, electoral systems, and political parties) until about the 1940s, and was challenged in the latter half of the 20th Century by a series of theorists: behaviourists, rational choice theorists, and others. ‘The new institutionalists adopt a broader concept of institution that includes norms, habits, and cultural customs alongside formal rules, procedures, and organizations’ (Bevir, et al., 2010, p. 700). The new institutionalism origins since 1984 (Thoering, 2011, p. 6)<sup>14</sup>. Various strands of new institutionalism distinguish between the role of institutions (macro-level institutions or individual cognitive and symbolic schemes) in shaping the behaviours of actors as well as their identities and roles. ‘Sociological institutionalists focus on values, identities, and the ways in which these shape actors’ perceptions of their interests’<sup>15</sup>. From a sociological perspective, Talcott Parsons theory of value- or orientation-systems is

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<sup>14</sup> <https://hal.archives-ouvertes.fr/halshs-00638348/document>, accessed 24 February 2017

<sup>15</sup> <http://www.britannica.com/topic/governance#toc307733>, accessed on 18 Sept. 2015.

helpful in exploring cultural mind-sets or attitude-shaped practices and to analyse if such a culture can have more corruption-borne risks or not, and how. Similarly, Peter L. Berger, in *The spirit of modern Chinese capitalism*, describes Confucianism as a ‘sustained lifestyle of discipline and self-cultivation, respect for authority, frugality, and overriding concern for stable family life’ similar to Protestantism, but as such not relevant to work ethics...’ (Berger, 1988, pp. 7–8) as a basis of rational capitalism and modern culture. This finding is also useful to study Singapore and Vietnam, which are strongly influenced by Chinese culture.

#### *1.6.3.4 Model*

The Oxford dictionary defines ‘model’ as ‘a system or thing used as an example to follow or imitate.’<sup>16</sup> Similar Peter Berger speaks of “a model for others in the sense of a coherent and distinctive strategy of societal development”. In searching for an Asian development model, he wrote that “having postulated this hypothesis, one may then explore which Chinese cultural patterns and themes have been important in shaping the "spirit" of modern Chinese capitalism” (Berger, 1988, p.9).

In this dissertation, model is defined as a national system with a structure and its elements. Thus, an AC model is defined as a national system with an AC structure and AC elements such as AC philosophy, principles, AC bodies, institutions, laws, culture and its relationships.

### **1.7. Measurement of corruption**

The summary and description of corruption measurement draws on common drivers, determinants and criteria for a context analysis of the problem as well as potential solutions of corrupt behaviour. These measurements help to identify and evaluate the perceptions, standards, norms and even cultural opinions of corruption. Thus, this part is useful for the comparative analysis of institutional conditions of corruption in the context of Vietnam and Singapore.

However, these measurements are not perfect due to the illegal, secretive and in so far non-measurable nature of corruption. Hence, Ko and Samajdar suggested that, “researchers should pay more attention towards minimizing the impact of measurement error through rigorous data screening and robustness tests using multiple data sources and methods. A thorough and systematic evaluation of the reliability and validity of international corruption indexes is essential to increase their usefulness” (Ko and Samajdar, 2010, p. 508). Hence, other measurements of corruption are emerging. As a result, I present only the most prestigious measurements below as they are key terms during the study.

#### *1.7.1. Corruption Perceptions Index (CPI) 2013*

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<sup>16</sup> [www.oxforddictionaries.com/definition/american-English/model](http://www.oxforddictionaries.com/definition/american-English/model), accessed on 10 March 2013

The CPI is a perception-based assessment of corruption, a composite index, a combination of expert, business surveys and assessments of corruption, collected by 13 independent and reputable international institutions. It is the method of comparing relative corruption levels across countries and the most widely used indicator of corruption worldwide although there is a lot of critic of the CPI-methodology. There is ‘no meaningful way to assess absolute levels of corruption in countries or territories on the basis of hard empirical (data)’ because corruption is generally illegal, hidden and ‘only comes to light through scandals, investigations or prosecutions’. Other attempts, such as the comparison of bribes reported, the number of prosecutions or the study of court cases directly linked to corruption, cannot be taken as definitive indicators of corruption levels. Instead, they show how effective the prosecutors, the courts and the media are in investigating and exposing corruption (TI, 2013).

### *1.7.2. Control of corruption, the World Bank*

The Control of Corruption Indicator is one of the six dimensions of the Worldwide Governance Indicators (WGI)-project that reports on the aggregate and individual governance indicators for 215 economies for the period 1996–2013 (see more at section 5.3.2 above). The indicator is an index combining up to 22 different assessments and surveys, depending on availability, each of which receives a different weight, depending on its estimated precision and country coverage (WB, 2014). The indicator measures the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as the ‘capture’ of the state by elites and private interests. It also measures the strength and effectiveness of a country’s policies and institutional frameworks to combat and prevent corruption. Countries are evaluated on the following factors: the prevalence of corruption, its effects on business, and the frequency of ‘irregular payments’; nepotism, cronyism, and patronage in the civil service; company’s cost of bribery; the perceived involvement of key officials in corruption; the strength and effectiveness of the government’s anti-corruption laws, policies, and institutions; and public trust in the financial honesty of politicians. The key determinants are assessed as: (i) accountability; (ii) transparency; (iii) disclosure of information; (iv) citizens’ right to information; and (v) implementation of corruption sanctions. In addition, ten other determinants include: (vi) corruption investigation and prosecution; (vii) conflict of interest and ethics rules for public servants; (viii) income and asset declarations of public officials; (ix) prosecution immunity; (x) rights of victims of corruption; (xi) protection for whistle-blowers, anti-corruption activists, and investigators; (xii) internal tax audit systems; (xiii) budget-making process; (xiv) government contracts; and (xv) opportunities for corruption (in bureaucratic regulations, requirements, and/or other controls).<sup>17</sup>

### *1.7.3. The Political & Economic Risk Consultancy (PERC)*

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<sup>17</sup> <http://www.mcc.gov/pages/selection/indicator/control-of-corruption-indicator>, accessed on 10 March 2013

Political & Economic Risk Consultancy Limited (PERC), a consultancy firm specialized in providing strategic business information and analysis for companies doing business in East and Southeast Asia. PERC publishes the Asian Intelligence Report that looks at various critical socio-political issues and indicators in Asian countries. Corruption is one of the factors that PERC reports on annually. These reports are used as noble reference sources for other corruption measurements<sup>18</sup>.

## **2. Theories, methodology and research methods**

### **2.1 Three foundational theories and approaches of the PhD research**

Based on the previous chapter, the study points out that the research of corruption has to be interdisciplinary, because of the multi-dimensional nature of the phenomenon. To concentrate the analysis on merely separate social, cultural, economic or political aspects is inadequate to the problem. Corruption is nurtured (mainly) or prevented by social environments like institutions and norms, both informal and formal, group or organizational factors, and calculation or choices of the corrupt actors themselves. Some key factors that can help corruption to spread include education, cultural traditions and social values, political and legislation systems, public management system, and the way the people/civil society respond to corruption. Hence, to understand the causes of corruption through institutional and cultural lens is a strategic approach to prevent and curb it. From a wide overview of theories and approaches, based on the research question(s), the PhD study combines cultural (sociological) and institutional (economic and political) approaches. Particularly, three theories are deployed for analysing the phenomena of corruption.

First, the theory of the Social Construction of Reality can be a powerful tool to explain the deeper or hidden layers of cultural and informal institutions that shape, construct, and reconstruct reality of corruption in Vietnam and Singapore. Second, the New Institutional Economics approach can provide explanations on the systemic macro root causes of rampant corruption, especially formal institutions. Third, Rockeach's Values Theory can be complementary in explaining the value choice and foundation of corruption, particularly the difference of value orientations between the Vietnamese and the Singaporeans. These three theories are the key theoretical foundations of the present PhD study, and provide interpretations of and arguments on corruption aspects. The three mentioned approaches complement each other as well as support the approach of this dissertation: institutional and cultural conditions of corruption. These theories and approaches are a foundation for the election of a detailed methodology and related research techniques. Details of justification for the choices of methodologies will be described and analysed in chapter 3.

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<sup>18</sup> [http://app.cpib.gov.sg/cpib\\_new/user/default.aspx?pgID=148](http://app.cpib.gov.sg/cpib_new/user/default.aspx?pgID=148), accessed on 10 March 2013

### **2.1.1. The Social Constructivism by Peter Berger & Thomas Luckmann**

The theory of ‘The Social Construction of Reality’ conceptualised by Berger and Luckmann (1966) implies that reality is not ‘given’ like a natural phenomenon but is a product of human beings activities in the frame of culture and society. The theory focuses on decision-making and interaction processes. In other words, the theory explains how reality is constructed on the basis of a shared social knowledge as orientation for the problem-solving of social actors in behalf of their self-preservation.. The theory assumes that our knowledge—the understanding of the world—is based on the typification and conceptualisation of experiences with the natural and social world, represented in symbolic media like habits, languages, and other forms of externalisation or expression of needs, feelings, wishes, intentions, etc.

This theory will be used as the main approach for the reconstruction of the national institutional context of corruption in Vietnam and Singapore, especially in combination with the ethnographic interview analysis (in chapters 5 and 6). The thesis contends the suitability of the theory of social constructivism in portraying and analysing the diversity of the phenomenon of corruption. The approach is suitable to reconstruct the ‘construction of corruption’, both from ‘a societal perspective, by assessing it as generally accepted or tolerated behaviour in more or less standardized rule-governed social situations, and from the perspective of actors who perceive corrupt behaviour as problem solving in everyday life’ (Tänzler et al., 2012).

Academically, the Social Constructionism is a theory of culture. Culture in a constructivist perspective is the specific human mode of generating an environment of living or ‘reality’ in a cognitive, but also a pragmatic sense. Three forms of experiences are fundamental for human existing. First, the ‘externalization’ of needs, feelings, wishes, intentions of an organism in expressive action of an individual. The externalizations of subjective ‘inner’ states by the activity of an individual in a specific situation create specific products or objects that satisfy these inner needs. The externalisation by acting finally leads, secondly, to the ‘objectivation’ of the experiences, the individual organism makes in the quarrel with the environment of his activities. These objectivations of inner statuses of an individual organism can be perceived sensually by others and used as symbols or definitions of reality, i.e. directives for a shared model of problem-solving in a social situation. Thirdly, future generations are born into a world where these ‘concepts’ (or ‘constructions’) exist as ‘facts’, to which they adopt as part of their common understanding of the world. The internalization of the experiences of former generations generates the tradition of social knowledge and cultural understanding.

These three processes of social construction take place through four stages—typification, institutionalization, legitimation, and reification. ‘Typification’ means that

shared habits lead us to typify or categorize (i.e. a person is corrupt vs. a person is clean or has integrity), typification of reality (types become part of our knowledge of our friends, as either corrupt or honest people), and we employ them when we interact. ‘Institutionalization’ means all members of a society share the knowledge of these ‘typical’ patterns of behaviour, continuously behave accordingly (relate to one another as types), and individuals take on respective roles and embody institutions (i.e. policeman embodies legal institutions). ‘Legitimation’ is the process of explaining and justifying elements of the institutional traditions, and then passing them on from generation to generation (e.g., lucky-money given to children during the traditional lunar new year in Vietnam). ‘Reification’ occurs when institutions and their roles are reified, and they are not questioned anymore (passed on from generation to generation as a factual and unquestionable matter, e.g., ‘this is how it is done’).

Granovetter was the first who applied the theory of Social Constructivism to the conceptualization of corruption. The usefulness of a social construction perspective for empirical research on corruption has been proved by the project on the cultures of corruption in Europe by Dirk Täzler and his associates (2012). For example, they found that in Italy actually, ‘old and new forms of corruption converge to the point of being systematic: systematic corruption denotes a complex of strategies, activities, styles, and languages that are framed within prefixed scripts, following informal but codified rules’. In Italy as one of the modern European industrial societies ‘(t)he heritage of widespread corruption has developed a dynamic that sustains the current state of corruption by neutralizing moral barriers, shaping more lucrative opportunities for illegal dealings rooted in formal procedures and decision-making processes, and providing organizational shields and mechanisms of protection from external intrusion by the authorities and internal friction among corrupt actors’ (Tänzler, et al., 2012, pp. 5–6).

Meanwhile in consequence of the post-socialist transition process in Romania, ‘the new models of social mobility and success promote behavioural patterns of corrupt conduct. Also, contributing to perceptions of a state of normlessness are deeply felt inequalities, the weakening of social control, increased crime, and the corruption and the erosion of moral values’ (Tänzler, et al., 2012, p. 7). In Romania corruption is actually a result of anomic tendencies in a transition country. In semi-modern Turkey corruption is rooted in the legacies of a traditional society. In Turkey, ‘the political system, driven as it is by patronage and clientelistic relations, turn the deficiencies in representation, participation and democracy into breeding grounds for corruption’ (Tänzler, et al., 2012, p. 9). As shown by these examples, the Social Construction approach helps to explore structures, rules or mechanisms as hidden layers for corruption in social networks, in communities or whole societies.

### **2.1.2. New Institutional Economics**

The theory of Institutional Economics, founded by Douglas North and elaborated by Elinor Claire Ostrom, Daron Acemoglu and others, focuses on the motives of actors as members of organizations and analyses the conflicting rationalities in organisational contexts that may result in corrupt behaviour. Actors may calculate the costs and the benefits of corruption while organizations or institutions can give positive or negative incentives for norm conform or deviant behaviour. The Institutional Economics approach has successfully been applied by the Singaporean government in building strategy and specific solutions, including legislations, rule of law, and law enforcement, to fight against corruption.

The crucial determinant for the social and economic development of nations is the institution of the market, which Acemoglu and Robinson considers being ‘a fundamental cause of long-run growth’ (Acemoglu and Robinson, 2008). It is the red line for my PhD thesis where I have utilized the institutional approach as a key perspective for analysing the macro conditions of (anti-) corruption, in parallel to the cultural sociological approach. In these views, the formal (and informal or cultural) institutions interplay to spread corruption, and impact significantly and negatively on economic growth, equality and social justice. Chapters 5, 6 and 7 employ much of this theory to analyse the institutional conditions of corruption in Vietnam and Singapore.

Acknowledging the power of global political economy thoughts as ‘foundations of free and prosperous society’, I am impressed and motivated by the vision promoted by the Mercatus Centre on ‘how the institutions affect the freedom to prosper, and to find sustainable solutions that overcome the barriers preventing individuals from living free, prosperous, and peaceful lives’<sup>19</sup>. I strongly believe that the values of limited government interventions, accountability and transparency can consolidate ideological and academic bases for the struggles for anti-corruption, free market, as well as social progress in Vietnam. These bases also form the theoretical foundation of this study.

### **2.1.3. Rockeach’s Values Theory**

The Rockeach Value Survey (RVS) is a classification system of values. Developed by social psychologist Milton Rockeach, the system consists of two sets of values, with each comprising 18 individual value items. One set is called terminal values, and the other is instrumental values (Rockeach, 1973). Terminal values refer to desirable end-states of existence or the goals that people want to achieve during their lifetime, such as friendship, love, freedom, equality and a comfortable life. These values vary among groups and cultures. Instrumental values refer to the preferable modes of behaviour, or means of achieving the terminal values, such as honesty, responsibility, self-control, and capability.

To some extent, this theory explains the importance of values to the behaviour of people. Similar to Parsons’ Value Orientation, this theory may suggest how values, especially

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<sup>19</sup> [https://asp.mercatus.org/?\\_ga=1.58261546.1263020376.1487882590](https://asp.mercatus.org/?_ga=1.58261546.1263020376.1487882590)

integrity, can be an important factor of (anti-)corruption in Vietnam and Singapore. Finally, yet importantly, the World Value Survey findings will be analysed as well for the national comparison between Vietnam and Singapore. Chapter 4 employs much of this theory, especially on analysis of Vietnamese and Singaporean values.

## **2.2. Methodology and Research methods**

### **2.2.1. General Approach**

#### *2.2.1.1. Qualitative and quantitative methods*

Theoretically, ‘qualitative research approaches, including Grounded Theory, are suited to tackle a wide range of problems’ (Bistch, 2005). Their application is not limited to discovery, but also includes evaluation and revision of existing theories. In fact, a broader use of qualitative approaches can supplement the dominant quantitative approaches. More particularly, qualitative methods can be used to better understand the details, hidden layers or mechanisms, and diverse diagnoses of a phenomenon (such as corruption) that are difficult to address with quantitative methods. In literature on corruption, there is qualitative research gap, while quantitative surveys on corruption in Vietnam are quite common. Meanwhile, the nature of corruption is very complex, covert or invisible and difficult to measure directly and correctly by quantitative methods. Moreover, this research is itself more qualitative than quantitative as it focuses on cultural and institutional conditions. As a result, qualitative methodology and methods will be applied in this study. The aim is to identify the process and the mechanism of corruption, deeper concepts and their relationships. It is focused more on understanding and explaining how corruption is going on, rather than testing the hypothesis. However, the research will add quantitative components and measuring instruments such as previously conducted surveys in order to complement the quantitative data and to draw generalized pictures of corruption at the national level in the two countries. This part will be contributed by the literature review, following the triangulation approach.

The measuring instruments (guidelines and interviews), the degree of standardization (indirect and open questions), the population and theoretical samples (five different target groups), and the type of contact (direct or indirect) will be adjusted to provide more information with specific qualitative value for the research. During the study, the qualitative criteria (credibility, transferability, dependability, and confirmability) propounded by Bistch (2005) will be kept in mind for research quality assurance.

#### *2.2.1.2. General principle of reference to institutional conditions of Singapore*

The main focus will be the analysis of the cultural and the institutional conditions of knowledge transfers in Vietnam and Singapore. However, where applicable, the best global AC practices will be selected, referred to and analysed. This analysis will help to get a wider perspective as well as to better understand the shortcomings and



disfunctionalitis of the institutions, legislations and their enforcement in Vietnam. This principle will be used mainly by analysing documents and interviews as mentioned below.

#### *2.2.1.3. Literature review and analysis*

A major part of this PhD thesis will focus on institutional conditions such as legislations, AC bodies, national integrity systems and reports on law enforcement. This part can only be analysed thoroughly on the basis of documents, especially when the participants cannot mention details in interviews. In addition, the literature review is very important, especially when the analysis of the interviews is not representative. Moreover, it is also due to the fact that some interviews in Singapore were not satisfying because there was a scarcity of interviewing time, and the interviewees either did not know or did not want to speak about corruption; maybe because there is very little corruption in Singapore these days. Hence, the literature review is a good complementary source for analysis (chapter 3, 4, 7).

#### *2.2.1.4 Document selection*

The document selection follows the TI's National Integrity System (NIS) approach<sup>20</sup>. NIS is a thorough review and evaluation of laws, policies, existing research, key informant interviews (of informed persons from the public sector, civil society, academia, and state and non-state sectors), in combination with field tests. The assessed institutions include legislature, executive, judiciary, public sector, law enforcement, ombudsman, anti-corruption agencies, political parties, media, civil society, businesses, audit institutions, etc., and the assessment pertains to their overall capacity, internal governance systems and procedures, and respective roles in the overall integrity system. Both the formal framework and its actual institutional practice are examined in order to analyse the overall political, socio-economic as well as socio-cultural conditions in which these governance institutions operate.

#### *Selection criteria of documents:*

- Both quantitative and qualitative sources.
- Reports, policy working papers, assessments, and surveys on AC, business competitiveness (informal costs of business, etc.), public governance, integrity, civil society, and freedom of mass media, participation of whistle blowers and citizens, etc. (in Vietnam and Singapore)
- Technical, academic papers, PhD dissertations on AC, best practices, models, theories, etc.
- Books written by the UN, the WB, embassies, NGOs, independent consultants, researchers, and governments.

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<sup>20</sup> [http://www.transparency.org/files/content/nis/NIS\\_Background\\_Methodology\\_EN.pdf](http://www.transparency.org/files/content/nis/NIS_Background_Methodology_EN.pdf), accessed on 20 March 2014

- Legislative documents, policies, strategies, public governance, administrative procedures, etc. (of Vietnam and Singapore)
- Interviews and expert opinions on culture, corruption, etc. on mass media
- News articles on local mass media (corruption cases in land management, human resource, education, and education sectors, policy discussion and cultural dialogue, etc.
- Videos on expert interviews, demonstrations, policy meetings, etc.
- Selective online lectures, slides, etc. on social theories and techniques

*Newspapers and journals*: both the ‘official’ media of the Vietnamese government and more ‘independent’ mass media articles will be selected and analysed to balance between censored and uncensored sources. Famous media or newspapers in Vietnam are People’s knowledge/ Dan tri, The Youth/ Thanh Nien, The Young/ Tui Tre, The Pioneer/ Tien Phong, The Old/ Nguoi cao tuoi, The ‘Ho Chi Minh City’ Law Newspaper/ Phap luat TPHCM, Laws and Society/ Phap luat- Xa hoi, BBC, VOA, RFI, etc.

This diversity of sources provide for striking a balance between the different views of the governments, the academia, and the donor community/civil society. A further goal of this approach is to reflect the correct picture of institutional causes of corruption, as well as anti-corruption models in Vietnam, Singapore and other referred countries.

## **2.2.2. The use of the Grounded Theory (GT)**

### *2.2.2.1. Introduction*

Since GT is a powerful qualitative methodology, it will be applied to guide the processes of data collection and analysis, especially for the interviews for this PhD research. Particularly, GT is a specific methodology developed by Glaser and Strauss (1967) for the purpose of building theory from data. The term GT is more used in a sense to denote theoretical constructs derived from qualitative analysis of data (Corbin and Strauss, 2008). In other words, it is a research method that helps in generating a theory that offers an explanation about the main concern of the population of a substantive area, and how that concern is resolved or processed. The term ‘grounded theory’ refers to a theory that is developed inductively from a corpus of data. Glaser and Strauss (1967) suggest that their idea of theory generation, ‘puts a high emphasis on theory as a process; that is, theory as an ever-developing entity, and not as a perfected product’ (Dick, 1990, p. 32). A unique feature of GT is its context sensitivity that predestinates it for the study of culture. Over time, a grounded theory study works through the following, mostly overlapping, phases: Phase 1–Data Collecting; Phase 2–Note Taking; Phase 3–Coding; Phase 4–Memoing; Phases 5 & 6–Sorting & Writing (Dick, 1990).

### *Selected version of GT:*

There are different versions of GT. The Straussian version of GT is a good choice for this research on corruption due to its qualitative nature and dimensions that are mentioned here. According to the Straussian GT approach, the core concepts of GT are categorization and coding. The research principle behind GT is neither inductive nor deductive, but combines both through abductive reasoning. This leads to a research practice in which data sampling, data analysis and theory development are not seen as distinct and disjunctive, but as different steps to be repeated until one can describe and explain the phenomenon that is to be researched (Morse et al., 2009).

On the other hand, the Glaserian GT approach operates with a 'wider' definition of qualitative research method following the dictum 'all is data'. This means not only interviews or observational data, but also surveys or statistical data, as well as literature data from science, media and even fiction can be used in the comparative process. In other words, 'whatever comes to the researcher's way while studying a substantive area' (Glaser's quote) can be useful. However, this version allows researchers to use quantitative literature reviews that can be complementary to interviews.

#### *2.2.2.2. Research locations*

The field research was conducted in Vietnam and Singapore. Due to the least corruption nature of Singapore, a smaller sample of interviewees were selected there than in Vietnam. In Vietnam, the interviews are conducted in Hanoi, the country's capital city, and nearby areas (Hung Yen Province) for rich information corruption and research convenience. This interview study is not a representative quantitative survey; it does not require a random sampling.

#### *2.2.2.3. Theoretical sampling*

*Participants:* There are five groups of informants—public officials, civil society members or journalists, businessmen, ordinary citizens/residents who are not classified into the four other groups, and experts in governance, public policies, culture (local and international).

*Sampling:* It is a theoretical sampling, meaning that data are collected from places, people and events that maximize opportunities to develop concepts in terms of their properties, dimensions, uncovered variations, and identified relationships between the concepts (Corbin and Strauss, 1991).

The first interviewees were local people who have experience with corruption like land taking (restitution of property), etc. in areas in and around Hanoi. The following participants were identified on the basis of previous interviewee's references. In other words, the 'snow-ball' technique was applied to find new interviewees.

*Volume of interview sample:* The real volume of the data collection sample was primarily determined as per the GT techniques. It means that the researchers decided to stop the data collection process only when the research reached the 'saturation' point,

i.e. ‘when no new data are emerging’ (Corbin and Strauss, 1991), when more data do not generate new information.

#### 2.2.2.4. *Field research techniques and methods*

Diagrams, notes and memos, where applicable, were used during the process of field data collection. Semi-structured, unstructured and in-depth interviews were used with open and/or in-depth questions for an ethnographic field research.

All the participants were asked questions regarding the key research sub-topics, including the reasons for corruption and anti-corruption models. However, experts were interviewed and consulted more about solutions, anti-corruption models and policy advice (see Annexes).

The data collected from the interviews were mainly processed qualitatively with support of specialized software (Atlas.ti), and then analysed by the researcher.

### 2.2.3 Guideline on interview process and persuasion to involve participants

The concept and intention of the PhD research project was written clearly in the interview guideline form (Annexes 1- 2). In practice, these rules have been consistently applied in order to simplify access to the informants on the field of corruption and to motivate them to give interviews. Below are the specific research and interview rules.

2.2.3.1. *Anonymity and confidentiality*: The participants were assured of anonymity and confidentiality of the interviews, which are used only for the research purpose. The aim was to collect more sensitive information and to protect the interviewees’ security and that of the researchers at a later stage.

2.2.3.2. *Justice contribution*: It was assumed that to fight against social injustice and moral deterioration could be the biggest motivation for the participants to join the research, since corruption is a severe problem affecting the daily lives and key interests of millions of people in Vietnam.

2.2.3.3. *Voluntary and informed consent*: The participants were provided with full information on the research in order to help them to decide if they wanted to participate in the interviews or not, and to withdraw from or to continue with the research process.

2.2.3.4 An expert can have several possible ‘*motivations*’ for giving an interview, including access to new information, thought exchange, and international research networking. This principle was mainly used to persuade Singaporean and international informants.

2.2.3.5. The research ‘*did not follow an investigative procedure*’. In other words, it did not aim to uncover any ‘hidden truth’ and to represent unknown ‘facts’, but rather to reconstruct the strategies or logic (mind-set) that people use to define, legitimise, apologise for, or criticise corruption. This principle can also help in preventing potential risks and dangers that may arise for the researchers (see Annexes 1 and 2).

Given the above rules, the informants had no need to fear the consequences of ‘blabbing’ secret information about concrete cases and persons (if any). These cultural modes of perception and reasoning on corruption constitute the ground on which corrupt behaviour and its social legitimation prosper. Therefore, countermeasures undertaken at a general social level must rely on the knowledge of these modes of perception and reasoning. This knowledge is just as important as the investigation of concrete cases by the police and the courts. In other words, the supporting anti-corruption social and cultural norms are fertile ‘soils’ that can help the counter-corruption efforts of the judicative and executive institutions to be fruitful.

In the end it was the form of their narratives and argumentations, rather than specific facts and stories (i.e. the content of what people confided), what was of the researcher’s interest. Generally, the data analysis process followed the rule: ‘Facts, stories, personal or professional secrets, insider-information, etc., are used only as illustrations and examples to manifest the perception of and reasoning on corruption. These could even be fictitious—or even a projection of the researcher—and they would still not diminish the usefulness of the interview for the project. This concept will be presented to all potential interviewees in its core means and ends’ (see: The EU Culture and Crime project, 2012).

#### **2.2.4. Interview data analysis by GT**

##### *2.2.4.1 Four Stages of the Constant Comparison Method:*

For the coding of the interviews in Vietnam, the Atlas.ti software was employed. Subsequently, the analysis followed the four stages of the constant comparison method (based on Glaser & Strauss, 1967). Sometimes the GT methodology could not be applied strictly. For example not all memos and note-takings could be used due to the large number [74] of interviews. Since the number of interviews in Singapore was relatively small, I did not employ the Atlas.ti software to code them, but did so manually. However, I still followed GT’s constant comparison method, and other principles.

Indeed, for the first stage of *comparing incidents applicable to each category*, each incident in data was coded into as many categories of analysis as possible as categories or data emerged that fitted an existing category (e.g. by key terms, topics or concepts).

For the second stage of *integrating categories and their properties*, as coding continued, the incidents were constantly compared with the properties of the category that resulted from the initial comparisons of the incidents. The comparison between the units of an incident with the incident was ignored.

For the third stage of *delimitating the theory*, as the theory developed, I used reason and

delimited the core ideas, trends, and findings of institutional and cultural corruption conditions in Vietnam and Singapore.

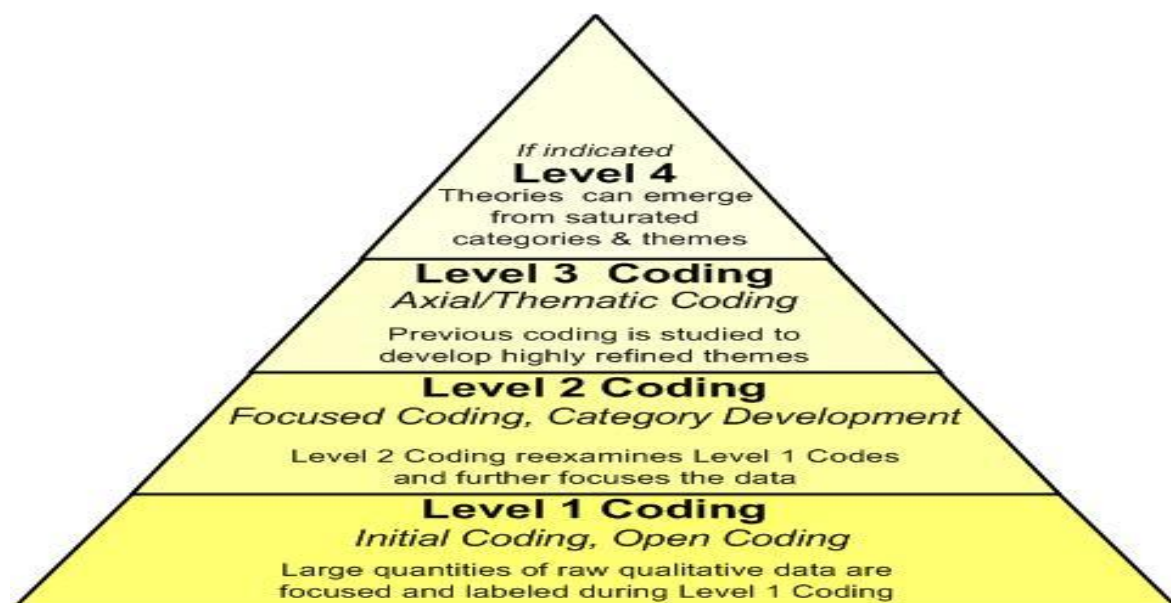
For the fourth stage of *writing the theory* (qualitative analysis), I produced key abstract findings (a ‘theory’ in the GT term), or executive relationships, a thread of institutional and cultural corruption conditions in Vietnam and Singapore, based on previous coded data, memos, categories and analysis.

#### 2.2.4.2 The diagram of coding process

(The master code of this PhD thesis is based on the Grounded Theory, and on institutional and cultural conditions of corruption.)

The diagram illustrates the interplay between and interweaving of the key conditions of corruption. It aims to render the building of the ‘theory’ on corruption, based on the logic of the Grounded Theory.

Diagram 3. Levels of coding, based on the Grounded Theory



(Source: <https://www.google.de/search?q=diagram+of+the+grounded+theory>)

#### Level 1: Initial or open coding

These open coding are huge amount of raw qualitative data, and specific terms or concepts that are mentioned in the interviews such as ‘regime’, ‘gift giving’, ‘phong bi’ (envelop bribe), network, delicate bribes, etc. These codes are highlighted and processed with the Atlas.ti software. Among the four levels, this level consists of the largest

number of codes.

*Level 2: Focused coding, category development*

At level 2, the interrelated open codes are grouped into more abstract category groups of codes, such as politics, legislative and judiciary aspects, public administration, AC bodies and culture. Finally, around 30 focused codes have been identified. They may be political, such as weak political will and leadership; or they may pertain more to public administration, such as lack of transparency; accountability; discretion of public bureaucrats; ethos; integrity of public bureaucrats; reward and motivation system for public bureaucrats; etc.

Besides, the focused codes may relate to AC, legislative or judiciary bodies, such as incompetent and corrupt AC bodies; legal loopholes; impunity; dependent judiciary; bad rule of law; inefficient treatment of denunciation; etc. Moreover, the focused codes may include cultural aspects such as values, perception, tolerance of corruption; hidden corrupt norms, networks, habits, and traditions. In addition, the focused codes may be more 'civil', such as bad protection of whistle-blowers, inactive civil engagement in AC, weak civil society, and censored media. The focused codes may also be 'inter-sectored', such as nepotism, monitoring and evaluation, 'starvation' salary and conflict of interests, etc. These codes affect different sectors, politics, public administration, legislative and judiciary.

*Level 3: Axial/thematic coding*

Based on the focused codes at level 2, axial or thematic codes are drawn. For the Vietnamese context, there are 13 key, 'highly defined' thematic codes. They are made with inductive reasoning that shows key institutional and cultural conditions of corruption in Vietnam and their complicated interrelationships. These axial codes are mentioned clearly in Chapter 5 and include: (1) habits, norms, cultural values, and their abuse; (2) hidden norms and 'asking-giving' mechanism (public administrative service); (3) ethos, integrity, and confidence; (4) nepotism; (5) AC bodies, and law enforcement; and (6) impunity (rule of law, and judiciary). The rest of the axial codes are (7) transparency, accountability and M&E system; (8) institutions and legislation; (9) media, and social media; (10) AC denunciation and whistle-blower protection; (11) civil engagement (citizens, corporates and CSOs); (12) public officials' salary; and (13) political will and leadership.

For Singapore, the axial codes are shorter than Vietnam. However, the substantive code names are nearly identical. However, Singapore's rankings for every axial code are opposite to Vietnam's ranks. Particularly, these top five codes are (1) leadership; (2) good regime for AC; (3) independent, clean, and competent AC body (CPIB); (4) meritocracy; and (5) high salary for public officials. The other five axial codes include (6) e-government and professional public administration; (7) public sector ethos, integrity and accountability; (8) rule of law; (9) strict law enforcement; and (10) good AC denunciation treatment and active civil participation.

#### *Level 4: 'Theory'*

At level 4, 'theories can emerge from saturated categories and themes', on the basis of the Grounded Theory approach (see chapter 8).

#### *2.2.4.3. Properties of GT*

Diversity in the data means that each incident is compared with other incidents, or with the properties of a category, in terms of as many similarities and differences as possible (Glaser & Strauss, 1967): *Crude Proofs*—such coding only establishes whether an incident indicates the few properties of the category that is being counted. For this PhD study, the crude proofs are the transcriptions of the interviews, especially their key coded terms, concepts and quotes.

'Developmental Theory'—Constant comparison of incidents tends to create it. It can be used to generate static theories, but facilitates the generation of theories of process, sequence, and change pertaining to organizations, positions, and social interactions. For this study, the abstract findings play the role of 'development theory' on social interactions, processes, sequences and changes of the corruption phenomena in Vietnam and Singapore.

### **2.3 Empirical work in Vietnam**

#### *2.3.1 Interviews*

##### 2.3.1.1 Interview Statistics

There are 49 interviews (48 interviews in Vietnam plus 1 in Germany) to form the theoretical sampling. Each interview is 30–120 minutes in length. 47 interviews were recorded while 2 others were note-taken. Place of interviews are mainly held at a convenient, quiet cafeterias, or the participants' homes/offices. Only one interview was conducted on the pavement (interview of demonstrators). Interviews are normally free of charge or one soft drink for the interviewee was paid by the researcher (*Interviewer*: Le, Xuan Tho). The field research lasted between 17 April 2014–30 June 2014 (without break).

##### *2.3.1.2 Groups of interviewees as per job and ethnic groups*

#### *Table 5(a). Interviewees in Vietnam*



<i>Interviewees by job titles</i>	<i>Number</i>	<i>Ethnic group</i>
<i>Experts</i> (professors, researchers, and specialists)	7 <sup>21</sup>	6 Vietnamese 1 Foreigner
<i>Public sector</i>	13	Vietnamese
<i>Business sector</i>	10	Vietnamese
<i>Ordinary citizens</i> (villagers, farmers, and retirees)	11	Vietnamese
<i>Journalists/civil or non-profit organizations</i>	8	Vietnamese
<i>Overseas Vietnamese</i> <sup>22</sup>	1	German national of Vietnamese origin
<i>Total</i>	50	

### 2.3.1.3 Note-taking : field interview process in Vietnam

Due to cultural similarities of the researcher and the interviewees, his strong network as well as careful planning before fieldwork, no severe challenges were faced during the research process, including approaching and persuading them to participate in the interviews. The quality of the interview sample meets the required/planned criteria in terms of component and age. There was a balance between the numbers of interviewees in each sub-group (civil officers, businessmen, journalists/civil organizations, villagers/farmers/retirees, and experts). The age of the interviewees ranged from 25 to 81 years. In addition, all the interviewees had work experience, conscientious and were healthy enough to participate in the interviews. Majority of the participants were between 33 and 45 years old. The sample consisted of managers and technical officers to ensure that the information provided was rich, meaningful and concrete.

### 2.3.2 Other activities:

#### a. Workshop attendance

I recorded the speech of a journalist and a whistle-blower at an AC workshop in Hanoi. This workshop was aimed at announcing the list of initiatives that won the AC competition in Vietnam in 2014, and to share the true stories of two brave women who had denounced corruption to protect justice for all. One of them was a hospital nurse, who had leaked information to police about her bosses' longitudinal 'multiplication' of medical testing sheets, although she faced a risk to her life as well as retaliation and other threats. And the other was a Tuoi Tre journalist, who had been fighting against corruption for years, even though 'living with daily dangers and dirty tricks'.

#### b. Research and professional network building

I have contacted and kept in touch with academicians and professionals in Vietnam for

<sup>21</sup> It included one Vietnamese expert who has worked, and was interviewed, in Singapore, and then analysed like the others in Vietnam due to the interview content being more on Vietnam than on Singapore.

<sup>22</sup> One interview was conducted in Germany.

the purposes of attaining further academic or practical materials, resources and information exchange, and research.

### c. Case studies

Some ‘case studies’ were carried out in order to study insights into corruption cases (one relating to a hospital whistle-blower in Hanoi, and two cases pertaining to land-disputes between farmers and authorities and/or land developers in Hanoi and Ha Tay provinces).

#### *2.3.3 Note-taking on difficulties: personal security risk for the researcher*

##### *b.1 Duong Noi ward<sup>23</sup> in Ha Dong district, Hanoi city*

During the interviewing of a group of farmers from Duong Noi ward who had been involved in land-dispute (while they were gathering on the pavement near the entrance gate of Hanoi’s People Receiving Department), the researcher was photographed by three ordinarily dressed men. The farmers said that for the past few years, these three men had always followed them whenever they gathered and went from their homes in Duong Noi ward to central Hanoi city or Ha Tay city centre. The farmers were claiming their land rights and protesting against inappropriate compensation paid to them by local authorities and land developers/new urban area investors. The farmers also said that these three men might be secret police personnel, who were posted to keep a watch over them.

For some months, several farmers were arrested and simply disappeared without any information on why they were caught and who caught them, and when they would be released. Before that, some other farmers were caught by police and then released after some days or months. In addition, since 2008, there had been three to four big campaigns to suppress these farmers by the local authorities, helped by hundreds of police personnel and armed men. The suppressors were believed to have the support of investors’ alliances, which allegedly involved gangsters, the unemployed, etc. The farmers denounced that the investors’ trucks and excavators had destroyed the tombs of their relatives. There were violent clashes between the farmers and these forces during the past five to six years.

##### *b.2 Van Giang district, Hung Yen province*

Similarly, the researcher also visited Van Giang district, Hung Yen province, south-

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<sup>23</sup> *Duong Noi is a new urban ward, 18 km from south-west of Hanoi city centre, and 5 km west of Ha Dong city centre, the old capital of Ha Tay province. There have been many urban resident projects in and around this area in recent years due to the unification of Hanoi city and Ha Tay province and urbanization to the west of these provinces.*

eastern Hanoi, to interview farmers who had lost their agriculture land and received inadequate compensation. Besides, the land-taking process was allegedly (by farmers there) as not ‘transparent’ or may be corrupted. I myself became worried about my safety after hearing about and also watched YouTube videos of attacks on two journalists from Voice of Vietnam radio and many other farmers by ‘gangsters’.

*2.3.4 Coding of interviewee names (see chapter 5):*

## **2.4. Empirical work in Singapore (1 July 2014 - 30 August, 2014)<sup>24</sup>**

### 2.4.1. Interview

#### *2.4.1.1 Interview statistics*

There are 25 interviews, 10 to 45 minutes in length. Among them, 16 interviews were recorded (mainly Vietnamese and some Singaporeans) and nine further interviews were note-taken without recording as requested by interviewees. The interviews took place at university offices, cafeterias, campuses, canteens, and public parks or gardens around residential areas or food court centres. Only one interview was conducted at the participant’s home (my neighbour). The interviews were normally free of charge. Sometimes, a soft drink or complete meal was paid by the researcher, with one exception (one Singaporean paid for the snacks, although he was very willing to pay for the two of them).

The interviews were conducted by the author between 1 July 2014 and 30 August 2014, with a short break between 29.07 and 02.08.2014 for the Malaysia trip in order to extend his tourist non-visa status in Singapore.

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<sup>24</sup> See chapter 5 and 6.

### 2.4.1.2 Details of interviewees by job and ethnic group

Table 5(b). Interviewees in Singapore

<i>Interviewees by job titles</i>	<i>Number</i>	<i>Ethnic group</i>
<i>Experts (professors)</i>	6 <sup>25</sup>	2 Singaporean, 1 Dutch, 1 Vietnamese, 1 Chinese
<i>Public sector</i> (1 teacher; 1 immigration officer; 3 employees)	5	2 Singaporeans; 3 Vietnamese (permanent residents/ researchers living in Singapore for 4 to more than 10 years)
<i>Business sector</i>	9	6 Singaporeans; 1 Indonesian (permanent resident); 2 Vietnamese
<i>Ordinary citizens</i> (3 retired drivers; 2 students)	5	All Singaporeans
<i>Journalists/civil organizations</i>	0	(could not be reached)
<i>Total</i>	25	15 Singaporeans; 9 foreigners (living and working in Singapore for at least 2 years)

### 2.4.1.3 Note-taking : interview process

The interview sample did not seem to meet the required (planned) criteria in terms of component. There was a lack of balance between the sub-groups, a deficiency of Singaporean (local) civil officers, and journalists or civil organizations. Fortunately, however, the number of businessmen and experts seemed to be sufficient. Singapore is a country with an increasing number of immigrants. Over some hundred thousand or one million foreigners have lived and worked in both countries (Singapore and country of origin) or migrated from more corrupt countries, e.g., Indonesia, India, Vietnam, etc., to Singapore. They can provide us with meaningful comparisons and deeper insights into corruption there. Therefore, I interviewed some of them instead of reluctant Singaporeans. The age of the interviewees ranged from 21 to 71 years, they had work experience, conscientious and were healthy enough to participate in the interviews. Majority of the participants were between 30–50 years old. The sample consisted of professors, technical officers and retirees, who could provide rich, meaningful and concrete informations, especially on Singapore’s transformation into one of the least corrupt country during the last five decades. One weak point of these interviews in Singapore was the time famine due to the participants’ professional commitments. In fact, some interviews provided rich information, while others were brief and poor of content due to the time famine.

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<sup>25</sup> Due to its content, the interview of one Vietnamese professor was moved to and analysed within the group of interviews conducted in Vietnam (coded SG E 05)

#### 2.4.2. *Other activities:*

a. *Observation:* The researcher also attended a peaceful public protest, called ‘Return our CPF (Central Provident Fund)’, in Singapore in early July. Groups of young people, bloggers, democratic activists and opponents of the ruling party, People’s Action Party (PAP), took part in the protest held at the Hong Lim park in central Singapore. The speakers were some young bloggers, lawyers and democratic activists. It lasted from 2 to 7 p.m., and was attended by thousands of people. The attendants hung hundreds of banners and slogans to criticize and protest against Singaporean Prime Minister Lee’s family and his PAP. It was a campaign aimed at fighting against corruption. There was one model helicopter with a camera on air, but there was no police intervention during the event. This protest event was in stark contrast to Vietnam, where public gatherings, peaceful demonstrations, strikes, and even patriotic campaigns are seldom allowed.

In addition, several times I walk days and nights on streets, parks, tourist attractions, shopping centres and residence areas in order to observe and feel the Singaporean society, communities, social order, safety and security, and lifestyles. The observation is an important source for a better understanding and explanation of literature and interviews.

b. *Sending emails* for inviting participation of public officers and journalists/civil society officers

Overall, however, sending emails elicited very poor response, irrespective of how much I tried, how many emails I wrote and how many visits I made with different strategies, hints and advices from my Vietnamese friends in Singapore. In the end seven experts, professors, and researchers replied to my emails, agreeing to be interviewed.

c. *Public office visits*

I visited around 10 different offices in Singapore, including the CPIB, local community offices, etc. in order to ask those working there to participate in my interviews. However, they politely refused to do so. While some explained that they were not allowed to do so by their bosses, some refused to give a reason for saying ‘no’. Some Vietnamese residents stated that emails should be sent earlier for making arrangements for possible visits. In addition, Vietnamese people in Singapore told me that paying for interviewees is expected and seen as a normal practice in Singapore.

#### 2.4.3. *Memo: field data collection process in Singapore*

Due to cultural differences between the researcher and the interviewees, several challenges were faced during the research process, including approaching and persuading potential interviewees to participate. One major reason is rooted in the fact that people in Singapore are very busy. Furthermore, the researcher is a foreigner without a network of Singaporean friends or colleagues, except some Vietnamese

acquaintances. Meanwhile, many Singaporeans, especially those with old Chinese roots, cannot speak English fluently.

During my field research, I felt that there was a strict rule by Singaporean authorities that restrained their staff to participate in research or answer public/media questions, especially for civil officers. Local people too were reluctant to join social research. Some Vietnamese told me that it was a normal practice to pay 10–15 Singapore dollars (6–9 Euros) for a 30-minute interview. I consulted my professor and decided not to do so because it could have led to bias in my research. It may be one of the reasons for the low rate of participation.

## **2.5. Limitations and resolutions/delimitations**

### *2.5.1. Limitations:*

Only qualitative data may not be sufficient to be nationally representative, because it is small in number and theoretical or convenient sampling. In addition, although 74 in-depth interviews are large for a qualitative study, they may be considered to ‘lack empirical data’ from a quantitative perspective.

There is need for more focus on media document analysis, especially social media, because corruption-related articles are more sensitive and dangerous to be posted on state ‘censored’ media in socialist Vietnam.

### *2.5.2. Delimitations: resolution of limitations*

I selected both the ‘official’ media of the Vietnamese government and more ‘independent’ mass media or social media articles for the aforementioned analysis.

In addition, I collected some national quantitative surveys for reference in order to balance the qualitative base of the research. Thus, the combination of both qualitative interviews and quantitative data can firmly justify for my research question.

## **2.6. Research quality control**

How to ensure validity and reliability during my research?

### *2.6.1 Validity*

For this research, unstructured interviews and the guideline for semi-structured ones play a key role in exploring and seeking detailed and covert insights into corruption processes and phenomena, in order to ensure construct validity (quality of instrument, test or experiment). Besides, the GT theoretical sampling is a sufficient solution to this requirement in order to achieve content validity (measuring what is supposed to be measured, and includes adequate sample). In practice, the triangulation of methods, the use of diverse sources of references or literatures, plus a number of case studies provide a strong justification for proving a relationship between variables and corruption (to

have conclusion validity: a relationship between two variables can be determined, as either positive or negative). Overall, the study seems to work well (face validity is ensured: appear valid on the surface).

#### *2.6.2: Reliability* (consistent results in all circumstances):

At first, during the field work and the data generation, I was only an interviewer, and so I could ensure inter-rater reliability, or no observer bias. Secondly, I always recalled the test-retest reliability in order to gain interview information consistently across time when I was either in Vietnam or in Singapore (regardless of mood, disruption, and time of day). Thirdly, I asked different questions (rephrased questions), while the interview material/content was the same/similar in construct for all the interviewees in order to ensure internal consistency reliability. In addition, I drafted and piloted the guideline for the interviews.

### **3. Vietnam and Singapore: historical, socio-economic, political and cultural contexts**

#### **3.1. Vietnam**

##### *3.1.1. Brief historical, socio-economic and political dimensions in Vietnam*

###### *3.1.1.1 Historical milestones*

The earliest history of Vietnam was marked with the Hoa Binh culture (9000–7000 BC), and it was characterized by wet rice civilization (communalism or communality). Vietnamese history is characterized by foreign subjugations, including around 1000 years under Chinese rule, from 111 BC to 938 AD, and many wars and struggles for sovereignty and national independence, including against China (10<sup>th</sup>, 15<sup>th</sup>, and 18<sup>th</sup> Centuries), France (1858–1954) (McLeod and Nguyen, 2001) and others. During World War II, Japan had occupied Vietnam for five years (1940–45) after Japan defeated the French. After the historic French defeat in Dien Bien Phu in 1954, civil war broke out in the country for the unification of North and South Vietnam (1954–75), and against American involvement (1965–75). Meanwhile, North Vietnam started building up socialism from 1954 until 1986. From 1978 to 1979, Vietnam fought a border war with Cambodia, leading to Vietnamese military interventions in Cambodia that lasted till 1989, and the country was again embroiled in a conflict with China in 1979, which had provoked an international embargo during the 1980s. The conflict between Vietnam and China over the Spratly and Paracel islands in the South China Sea erupted in the years 1974, 1984, and 1988, and led to severe tensions for decades with the peak point in 2014. Vietnam's transition from a planning economy to a 'socialist' market economy started

in 1986 with the first reforms in response to the systemic crisis and collapse of socialism in Eastern Europe.

Under the terms of the Geneva Accords (1954), Vietnam was divided into the communist North and the anti-communist South. Following a cease-fire agreement in 1973, US armed forces were withdrawn. Then on 30 April 1975, North Vietnam and South Vietnam reunited under communist rule.

As mentioned earlier, the North of Vietnam was busy in establishing socialism since 1954 till 1986. In the initial years, North Vietnam implemented massive Land Reforms (1953–56), grabbed all land belonging to feudal property owners to share them with all peasants, and then forced the latter to join inefficient agriculture cooperatives. As the Cold War moved towards an end and the Soviet bloc witnessed a collapsing trend, a reform process started simultaneously in Vietnam from 1986 onwards. This marked a transition from a planning economy to a ‘socialist’ market economy. The key characteristics of this period were opening of the economy, more privatization and reduced role of state companies, the abolition of cooperative production mode in agriculture, and reintegration into the international community. During the socialist period, the ‘asking-giving’ mechanism was deeply rooted in all social relationships and interactions, especially those between officials, firms and citizens. Moreover, this mechanism was strengthened through the parallel coexistence of coupon-based distribution system of free or subsidized public goods and services, and the loose management of public assets. During the period, the position of officials was higher than common citizens as the former were providing quotas of public goods and service ‘favours’. The ethics and professionalism of public officials remained highly questionable for years during this period.

Apparently, there was a big gap between Vietnam and other countries regarding the standard and quality of public services. Later, the equitizing process of state-owned enterprises may have provided more opportunities for corruption to grow, like it happened in Eastern European countries. These socialist-born norms and practices are still thriving and nurturing conditions for transforming new social standards in more market-oriented economy that heavily influence perceptions and practice of corruption.

In 1995, Vietnam and the US normalized diplomatic ties, widening the opportunities for Vietnam to engage with international institutions, such as joining the ASEAN bloc the same year. During the following decade, Vietnam integrated itself deeper into the international community. By early 2015, Vietnam had established special or comprehensive strategic partnerships with Russia and China; strategic partnerships with Japan, India, South Korea, Spain, Germany, the UK, France, Italy, Thailand and Singapore; and comprehensive partnership with Australia<sup>26</sup>. In 2007, Vietnam joined the World Trade Organization. These trends envisioned new institutional reforms that shaped comprehensive national structures for development, including anti-corruption.

### *3.1.1.2 Political and legal dimensions*

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<sup>26</sup> <http://nghiencuuquocte.org/2014/05/24/viet-nam-bao-nhieu-doi-tac-chien-luoc-la-du/>, accessed on 26 May 2014



All the above-mentioned indicators and measurements of Vietnam's political and social conditions are effects of the country's historical, political and legal frameworks. According to the Vietnamese Constitution, the country is a Socialist Republic (*Article 1*, The Constitution, 2013). Currently, Vietnam's politics are characterized by the sole ruling communist party as 'the leading force of the state and the society' to build a socialist market economy.

*Article 4.1:* 'The Communist Party of Vietnam—the vanguard of the working class, and the vanguard of the working people and the people of Vietnam, the faithful representative of the interests of the working class, working people and the whole nation, Marxism-Leninism and Ho Chi Minh thought as the ideological foundation, is the leading force of society and the State' (VNA, 2013).

There are some political pressure groups (e.g., 8406 Bloc, Democratic Party of Vietnam or DPV, People's Democratic Party Vietnam or PDP-VN, Alliance for Democracy, etc.), which advocate democracy. These groups, however, are not recognized as legal bodies, but considered as terrorists, rivals or enemies by the government.

In terms of public governance, the vertical administrative structure in Vietnam has four levels, from central government to the provincial, district and communal authorities. Nationally, there are 63 provinces and centrally managed cities (Hanoi, Ho Chi Minh City, Hai Phong, Da Nang, and Can Tho).

There were fewer laws than sub-law documents in the past of Vietnam. This tradition of law-making and legal change continues to these days, and it severely affects anti-corruption and other aspects (which will be analysed later). (Abuza, 2001; *extracted from Carol V. Rose, 'The New Law and Development Movement in the Post-Cold War Era: A Vietnam Case Study', Law and Society Review 32 (1998), p. 97.*)

### 3.1.1.3 Economic dimensions

Vietnam's shift from a centrally planned economy to a market economy has transformed the country since 1986 from being one of the poorest in the world into one of the most dynamic and emerging countries in East Asia. The Gross Domestic Production (GDP) of Vietnam is \$193.6 billion (2015 estimates) (<http://www.worldbank.org/en/country/vietnam>, 2017). The GDP per capita is \$2,100. Economically, Vietnam is a developing country characterized by 'various forms of ownership, and many economic sectors; the state economy plays a key role; the lawful property of individuals, institutional investors, producers, and businesses are protected by law, and cannot be nationalized'<sup>27</sup>. Vietnam's economic modernization has been reaffirmed in recent years with the country joining the World Trade Organization in January 2007. In addition, Vietnam signed the Trans Pacific Partnership trade agreement in 2015 with eleven countries. The agriculture sector's share to Vietnam's economic output is 18.1%, while

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<sup>27</sup>Vietnamese NA website: <http://quochoi.vn/Pages/default.aspx>

the industrial sector's share is 38.5%, and the service sector's share is 43.4% (<http://data.un.org/CountryProfile.aspx?crName=Viet%20Nam>).

Since farmers comprise a large portion of the Vietnamese population, land is important to them. *Article 53* (The Constitution, 2013) stipulates that 'Land, water resources, mineral resources, resources in the waters, airspace, natural resources and other assets invested or managed by the State are public property, wholly owned by the State population, represented by the state as owners and unified managed'. The vague conceptualization of these stipulations—such as 'wholly owned by the State population, represented by the state as owners and unified managed'—are opportunities or 'fertile land' for corruption. The ambiguity between private ownership and public asset management creates loopholes for engendering corruption and mismanagement. In reality, the majority of protests and demonstrations in Vietnam recently relate to land clearance and unfair compensations. Some case studies of this trend will also be analysed in chapter 4 and 5.

#### *3.1.1.4 Social dimensions*

Vietnam is a developing, low middle-income society. The population of Vietnam is 93,421,835 (July 2014 estimates), and it has a literacy rate of 93.4%. The poverty rate (national poverty line in 2014) is around 10%. Vietnam consists of 54 ethnic groups, of which Kinh (Viet) is the majority group (85.7%). In Vietnam, 80.8% of the people are not religious, 9.3% are Buddhists, 6.7% are Catholics, 1.5% are Hoa Hao, and 1.1% are Cao Dai (1999 census). In reality, they are mainly influenced by the values of Buddhism and Confucianism. In fact, the loose organisational structures and official status of these religions and world-views make them intangible or non-recorded. Nguyễn Anh Tuấn, in his article '*What religion is followed by current Vietnamese leaders?*', argues that Vietnam was strongly influenced by Buddhism (national religion) from the 11<sup>th</sup> Century to the 15<sup>th</sup> Century, and then lost its position to Confucianism, beginning from the early 15<sup>th</sup> Century till the early 20<sup>th</sup> Century (Nguyễn, 2015). Social inequality, poverty, ethnic diversity and religious pluralism bear complexity in society that can be governed less effectively than an ethnic and religious 'unified' country like Japan (although Japan is more heterogeneous than Vietnam in other aspects of modern society like life-styles etc., see below). When the people's basic needs are unmet, as it is the case in Vietnam, loose or even weak integration may create the need for corruption.

#### *3.1.2. Vietnamese values and identity*

##### *3.1.2.1 Social relations*

In their study '*Social Relations and Social Capital in Vietnam: The 2001 World Values Survey*', Dalton and his colleagues (2001) assert that there is 'centrality of the family in

Vietnam today'. Particularly, they argue that 'the strength of family traditions in Vietnam may also explain the attitudes toward gender relations. Despite the economic and social advances that women have made in the past generation, support for full gender equality is still lacking' (Dalton, et al., 2001). They assert that the concept of gender equality may be difficult to develop in a society that accepts Confucian traditions, the centrality of family, and the associated patterns of authority relations. The authors conclude that 'Vietnam remains a relatively homogeneous society' (Dalton, et al., 2001, p. 11). The rapid and deep economic integration (into the world economy since 2001) fosters the transformation of Vietnam to a more differentiated society. Inevitably, new trends have been emerging in the Vietnamese institutional context, and transitional Vietnam appears to be more and more heterogeneous. This finding does not contradict with the proposition above (diverse ethnicity and religious values of Vietnam). The terms 'homogeneous society' or 'heterogeneous' (of Vietnamese and Japanese societies) were referred here to social relations and values (i.g gender, family, authority relations, etc.) more than ethnic, religious diversity.

### *3.1.2.2 World Values Survey and Inglehart–Welzel Cultural Map (WVS)*

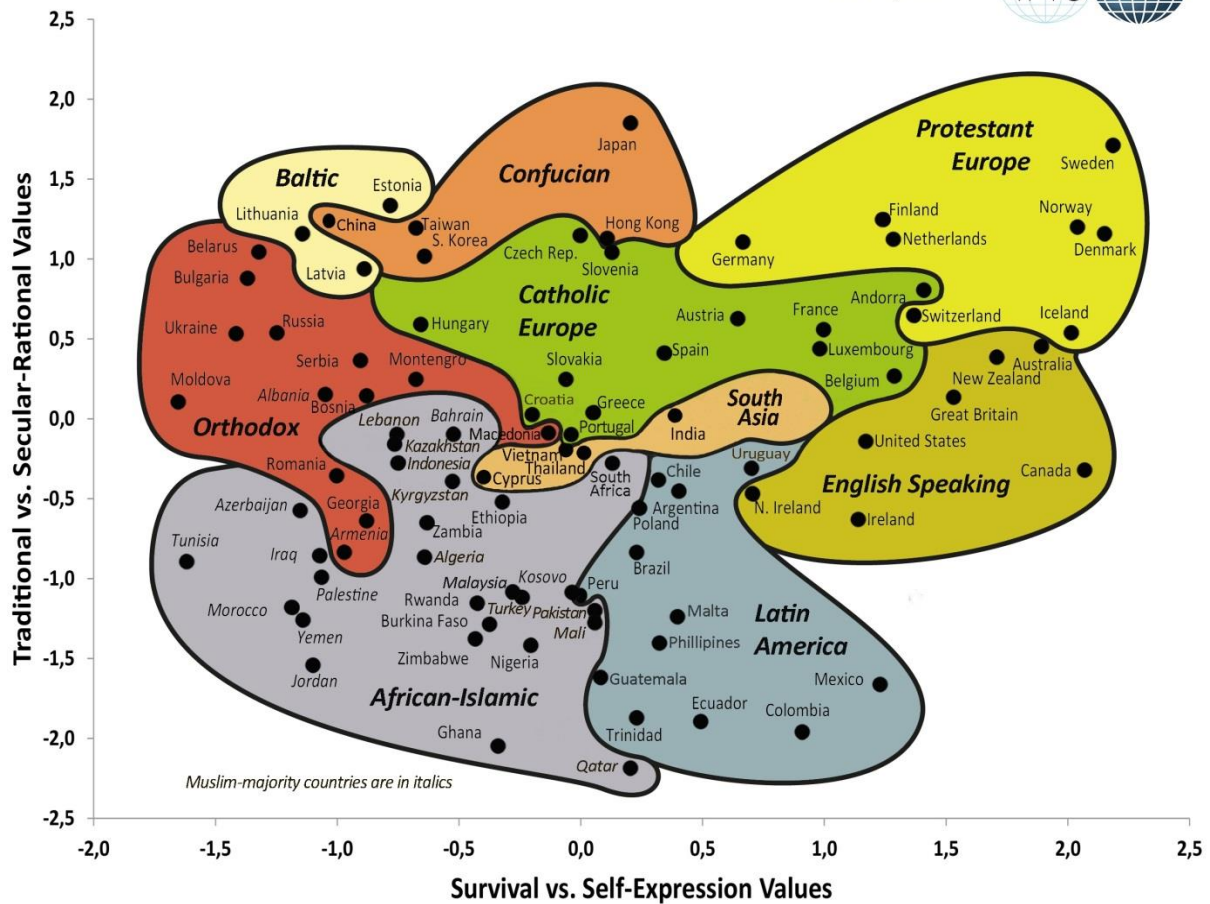
The World Values Survey subsumes Vietnam under the category of 'South Asian' countries together with India, Thailand, and Cyprus (at the centre of the culture map below). The map shows Vietnam placed in the middle at the crossroads of two axes, between traditional and secular-rational values, as well as at the middle point of survival and self-expression values. It means that Vietnam stands in the middle of two lines of value groups; Vietnam is half traditional and secular-rational, as well as half survival and self-expression. (Map 1)

Globally, the culture map position of a country reflects its standards of living, and a transition from developing country to post-industrial knowledge society. For example, Zimbabwe, Morocco, Jordan, and Bangladesh are societies that have high scores in traditional and survival values. The US, most of Latin America, and Ireland represent societies with high scores in traditional and self-expression values. Societies with high scores in secular-rational and survival values include Russia, Bulgaria, Ukraine, and Estonia. Societies with high scores in secular-rational and self-expression values are Germany, France, Switzerland, Japan, Sweden, Norway, Czech Republic, Slovenia, and some English-speaking countries. (WVS, *web link*)<sup>28</sup>

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<sup>28</sup> 'Secular-rational values and materialism were formulated by philosophers and the left-wing political camp during the French revolution, and can be consequently observed especially in countries with a long history of social democratic or socialistic policy, and in countries where a large portion of the population has studied philosophy and science at universities. Survival values are characteristic for Eastern countries, and self-expression values for Western countries. In a liberal post-industrial economy, an increasing share of the population has grown up taking survival and freedom of thought for granted, resulting in self-expression that is highly valued.' (WVS, *web link*)

Map 1. World Value Survey wave 6 (2010-2014), 2015



Source: [http://www.worldvaluessurvey.org/images/Cultural\\_map\\_WVS6\\_2015.jpg](http://www.worldvaluessurvey.org/images/Cultural_map_WVS6_2015.jpg)

### 3.1.2.3 Vietnamese values (in reference to American and Japanese values)

Roy D'Andrade (2008) studied and compared Vietnamese cultural values with those of Japan and America in his book titled *A Study of Personal and Cultural Values, Japanese, American, Vietnamese*. For the Vietnamese, caring for the family is the most important factor (see Table 5c below, values rank 1<sup>st</sup>, 2<sup>nd</sup>, 5<sup>th</sup>, and 6<sup>th</sup>), then human life, conscience or doing right things, and then values for oneself (employment, health, being responsible, secure job). Taking care of parents and grandparents is the second most important duty of a person in life according to Confucianism (beside loyalty to the king and taking good care of one's spouse).

Table 5(c). Top 10 of 328 value items: Americans, Japanese, and Vietnamese

Rank	Americans	Japanese	Vietnamese
1	Enjoying life	Being healthy	Having deep respect for parents and grandparents
2	Being a good person	Avoiding war	Taking care of one's parents when they get old
3	Having a personally fulfilling life	Treating human life as precious	Treating human life as precious
4	Having love	Having close supportive friends	Following one's conscience and doing right
5	Having someone one can really talk to	Having a world free of war	Not dishonouring one's family
6	Choosing one's own goals	Making friends	Fulfilling family obligations
7	Being true to oneself	Having someone one can really talk to	Being employed
8	Finding a mate with good qualities	Having a positive outlook on life	Being healthy
9	Having wisdom	Enjoying life	Being responsible
10	Being independent and self-reliant	Having love	Having a secure job

Source: (Rainey, 2010, p. 79)

According to Table 5c, Vietnam and Japan represent Confucian values, but America projects individualism. In his book *Confucius & Confucianism, The Essentials*, Lee Dian Rainey asserts that 'filial piety means respect and reverence for one's parents—this is then extended to one's teachers and elders. The reason that there is no modern word or phrase for it in English is that it is not a concept our society much discusses or cares about. It is, however, central to Confucius' thought and to those who follow him' (Rainey, 2010, p. 24). The value for family may be good for social stability, but it also slows down social change and transformation, especially in terms of innovation and technology. It may also pose the risk of nepotism, a form of corruption; for instance, Vietnamese officials may care for their family benefits more than the rule of law.

### 3.1.2.4 Vietnamese identity (through tradition and folklore)

Vietnamese have some common characteristics pertaining to community, flexibility, fear of and obedience to authority, as well as emotionality. First, Dr. Tran, Ngoc Them is among the most prestigious experts and researchers on current Vietnamese culture. In his books, he summarizes the identity of Vietnamese culture as that of 'community and flexibility'. These attributes shape the perceptions, values, norms, and actions of Vietnamese in their daily lives as well as in interactions with public offices through social transactions. These attributes partially explain how culture influences or determines the process of corrupt behaviour among Vietnamese officials.

Another scholar, Menras Andre-Ho Cuong Quyet, who also happens to be a French and Vietnamese film director, points out that Vietnamese have an inherent fear of authority. He compares his life experiences in Vietnam and France, and claims that ‘the fear (of Vietnamese towards authority) did not start yesterday, but many centuries ago’ (Andre, 2015, p. 1). The authority’s suppression and persecution of the people led to a culture of ‘obedience rooted in Vietnamese brains’ (Andre, 2015, p. 1). For instance, the people could be scared of police regime or lack of freedom. This fear cements the hierarchal difference between public officials and citizens, especially when the officials enjoy more information and power advantages than the citizens. This reality engenders the ‘asking-giving’ mechanism, which is the core seed of bribery in the public sector.

Historically, obedience has been nurtured and shaped through thousands of years of Confucianism. It casts power distance between the rulers and the ruled, as well as the rulers’ acceptance by the ruled without resistance. In a larger context, this phenomenon reflects the reluctance of ordinary people to voice their opinions on politics, government or official matters like anti-corruption, especially when they are not sure if they are protected enough against corrupt public managers and leaders. This trait strongly influences people’s perceptions and their weak resistance to corruption, especially by high profile or management officials.

An old Vietnamese proverb is saying that ‘100 reasons cannot be equal to a little emotion’ (‘Mot tram cai ly khong bang mot ti cai tinh’). The proverb has many meanings. It may reflect the typical Vietnamese way of reasoning, general relationships, and resolving disagreements or disputes. Vietnamese people give higher value to emotional relationships, family kinship and spiritual ideals than rationality, which is a clear demarcation between the right things (rational, logical, legal, etc.) and the wrong ones. This Vietnamese attribute can be termed emotionality, although it is not perfectly translated. It may also mean that the majority of Vietnamese typically are more emotional than rational, more subjective than objective, and more flexible than solid. They may accept irrational things in order to maintain a good relationship, face, dignity, or even to make the person quarrelling with them happy. They may violate regulations easily, especially little infractions, such as encroaching on public pavements for small trade, jaywalking or crossing roads at non-pedestrian zones, etc. This is because they think that such infractions are acceptable due to similar habits of others or their behaviours can be viewed sympathetically due to circumstances, such as small and narrow streets, etc. On the contrary, Westerners may find this to be nonsense or incomprehensible. At the same time, this mind-set may also prompt the Vietnamese people to take risks, such as indulge in nepotism (to help family or friends, etc.), or become harmfully flexible, and thereby leading to volatile or changeable law-building, and compromised compliance with laws.

### *3.1.3 Vietnamese society in socialist market economy, reflected in local mass media*

#### *3.1.3.1 First story*

Thu Ha, a journalist, conducted an interview with a famous Vietnamese culture journalist (her pen-name is Kim Dzung) and a retired dramatist and manager (Hong Ngat) in 2014. Ha's subsequent article 'Loss of cultural capital, the country struggled to develop' was published by the famous online newspaper *Vietnamnet*. The interviewees shared their views on current Vietnamese culture (problems) that also reflected on what was happening in society at large. Ngat complained that the Vietnamese people's sense of empathy had degenerated after the Vietnam War. She reminded that during the war, the Vietnamese people had sacrificed their own lives, and helped each other with their own bodies and souls. But in the following peace period, when living standards became better, Vietnamese turned out to be 'more selfish, self-interested, and their greed has become limitless'. There was a value shift during Vietnam's transition to market economy. She harshly criticized the people for becoming 'more aggressive, short-tempered, competitive, and trying to step on the heads of others, and not trusting other people'. She explained that the reason for this degeneration was 'greed, selfishness, and totally different goals for living'. She argued that these disturbing trends such as 'jealousy, lack of tolerance, and selfishness are eroding our culture'.

In her opinion, the present Vietnamese culture is not about solidarity, but 'gathering-like or cronyism'. In other words, her view was that 'in social relationships, people were centred on their own personal interests; they connected with others and considered them as "friends" whenever it could bring benefits, but it was an attribute of forming groups or networks rather than real friendship'. The quote signifies that 'friendship' is not the main target of the majority of Vietnamese today, but the means to make money or gain benefits through business networking or cronyism. Furthermore, Ngat explained that Vietnamese had become 'short sighted and selfish, going around for money', and this was especially exacerbated by gaps in current institutions and mechanisms that 'worsened our nation's cultural strength'. Although there are still good people in society, but they may be a 'vulnerable' lot due to the majority of bad guys. She added, '*Noble people (who have virtues and pride, but refuse to accept bribes or to show respect to bad guys) usually are more vulnerable*'. Her argument is a little bit pessimistic, but it is somewhat true in many contexts and spaces, especially in urban areas. It is dangerous and spoils society when good people are more vulnerable, just because they do not accept bribery. In other words, bribery is systemic and network-based which discriminates against honest men. She linked her story with social discourse on media in 2013 that 'there is public speech on selling and buying public offices and positions' in Hanoi. She speculated that it must be real according to the logic that 'there cannot be smoke without fire'. Her story reflects rampant nepotism in public offices in Hanoi.

In sum, Ngat's story implies re-orientation of values, with people choosing materialism, money and benefits through networks, comfort and convenience, rather than integrity or ethics. This is the 'loss of cultural capital' as the article title referred to, or the loss of moral foundation or 'downgraded moral' like the other experienced expert mentioned in the interview (see chapter 5). In other words, citizens rationally consider corruption and its forms (bribery, nepotism, etc.) as solutions to their social problems.

### *3.1.3.2. Second story*

Echoing the aforementioned views, Kim Dzung provided additional ideas on current Vietnamese cultural attributes. Firstly, during market economy, there appeared the sad concept of ‘corrupt culture’ suggesting that corruption is seen as a positive attitude in some societies. But in fact, corruption is not culture, but anti-culture or an opposite side of culture. However, it is very alarming and dangerous for society when people consider it as ‘an attribute of culture’. It means that corruption is systemic, endemic and tolerated as well.

Secondly, she mentioned that due to deviance of culture or disorder of values (‘rối loạn những giá trị’ in Vietnamese), many people were ‘falling down into traps of fictional fame’. It is good if a country and its people really appreciate higher education as long as it is truly quality education, but not ‘bought’ or ‘copied’, just in order to show off. It signifies a trend that people may even ‘fake’, ‘buy’ or ‘copy’ qualifications to garner fame and credibility. Thirdly, she criticized fake achievements by condemning those who ‘only run after fake ‘achievement by offering mass undeserved or un-credential awards or medals’. Similar to fake education qualifications, the third issue is linked to ‘mass undeserved or un-credential awards or medals’ that can be easily bought through bribery. It is a shame to think about the fact that people pay for others to be awarded with a medal or a prize. Later, these medals or prizes may be used to gain benefits.

Fourthly, Kim Dzung reminded readers of the reality that some people do not respect laws because of their arrogant belief that they are above the law. We can understand that the rule of law is not implemented appropriately in Vietnam. ‘Above the law’ is unacceptable for human dignity, development and anti-corruption. Many interviewees also mentioned this issue (see chapter 5).

### *3.1.3.3. Third story*

In a similar perspective, BBC Vietnamese broadcasted a forum on ‘good-mannered Vietnamese’, which raises the definitions, signs, causes, effects and challenges of good manner. The panellists comprised a sociologist (Dr Khuat, Thu Hong), an anti-corruption whistle-blower in the education sector (teacher, Do, Viet Khoa), and a social and policy researcher (Nguyen, Khac Giang). The key issues of their discussion were lack of social trust, social injustice, ‘paralyzed laws and ethos’, bad institutions and social environment, bad leadership or lack of decent leaders as role models, and poverty. The three commentators highlighted the importance of these factors differently. However, their ideas vividly summarised a true picture of modern Vietnamese culture and social life. Their ideas were common, similar to the un-structured interviews in chapter 5.

To explain the situation, Dr Khuat referred to the Vietnam War when people ‘were not as bad as now’. She further pointed out that Vietnamese these days ‘believe that if they follow laws seriously, or if they behave ethically, they will be seen as weird, abnormal, stupid or disadvantaged. This is a painful situation in Vietnam’. Speaking from an educational



viewpoint, Do (teacher) explained that ‘Vietnamese children were learning and seeing bad things and behaviours everywhere, from the streets to the schools’. Meanwhile, social researcher Nguyen highlighted the determinants of the level of economic development and modern institutions that had transformed Taiwan, Japan and South Korea into developed, less corrupt societies, but the same was not the case for China, Vietnam and North Korea, regardless of their comparable departure conditions.

In seeking a resolution, the three discussants mentioned challenges to convert the systemic trend in which the majority of people involuntarily accept these sufferings, while a few brave citizens (such as teacher Do) have fought, but failed bitterly. He informed that he himself was ‘threatened’, ‘terrorized’, and ignored by irresponsible law enforcers during his struggle against corruption. In summary, this appalling trend projects what and how perceptions, attitudes and values of contemporary Vietnamese people ‘construct’ a bitter, unjust and corrupt society<sup>29</sup>.

#### *3.1.3.4. Fourth story*

A BBC article titled ‘Low culture produces natural violence’ and published in early 2015, reported that 6,200 people were hospitalized and at least 15 were killed after beatings within one week during the 2015 Tet Holiday in Vietnam, and it cited statistics from the Ministry of Health (MoH)<sup>30</sup>. In the article, Dr Tran, Ngoc Them commented that ‘the situation of more aggressive and brutal people has been seen for years’, and listed three main causes: market economy without connection to cultural development; unjust and un-strict laws; and people’s loss of confidence on the legal system. Tran further commented that the values of the Vietnamese people were perceived as having ‘downgraded seriously’, and the CPV resolutions confirmed that ‘it is a culture that we need to be concerned about’. At the same time, he added that the situation in ‘Vietnam was not totally irreversible’.<sup>31</sup>

Similarly, a journalist (Doan, B.C.), commented that there is a trend in Vietnam by which people prefer to solve social problems on their own without asking for help from authorities like police. This apparent reluctance to seek help might be the consequence of the observation that many cases ended without positive results or that they got into trouble with the authorities themselves: ‘If the police would have done its job well to protect people’s property, such as their dogs by appropriately dealing with dog thefts, villagers would not gather to kill dog thieves so brutally’ (Doan, 2015). Besides, he criticized the fact that ‘Vietnam could defeat many strong enemies in the past mainly because of the flexibility and the participation of the whole nation and population. However, if these strengths continue in peaceful time, it is dangerous, leading to unmanageable disorganization’ (Doan, 2015). In his opinion, good Vietnamese militants in wars, however, can also get used to violence. His argument reflects the view of ‘above the law’ by a section of Vietnamese people that also pushed them to other law violations, such as corruption.

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<sup>29</sup> [http://www.bbc.com/vietnamese/vietnam/2016/03/160331\\_xa\\_hoi\\_tu\\_te\\_xuat\\_phat\\_tu\\_lanh\\_dao](http://www.bbc.com/vietnamese/vietnam/2016/03/160331_xa_hoi_tu_te_xuat_phat_tu_lanh_dao), accessed on 31 March 2016

<sup>30</sup> [http://www.bbc.com/vietnamese/vietnam/2015/02/150225\\_danh\\_nhau\\_ngay\\_tet](http://www.bbc.com/vietnamese/vietnam/2015/02/150225_danh_nhau_ngay_tet)

<sup>31</sup> BBC Vietnamese, 2015, accessed on 30 February 2015

In conclusion, we can see violence emerging like a trend in Vietnam under the current socialist market economy. Culture and peaceful behaviours are latent, and overtaken by disorganized behaviours, which are more ‘gangster-like’, and social unrest. Meanwhile, social interactions have become less tolerant, and there is loss of trust in authorities, while the legal system and the rule of law are considered to be weak or even missing. Inevitably, people go for the alternative to ensure social justice for them, instead of seeking police help. This story also links to the AC stories, and raises the questions of to what extent people trust the justice system, and if they are involved in the AC fight.

### *3.1.3.5 Summary*

On the basis of the four above stories, the social transformation of the country after the Vietnam War has been bold and universal, as well as negative, in terms of values and ethics. The shift, disorder and re-orientation of social values are very clear, both in terms of terminal values (desirable end-states) and instrumental values (modes of behaviour, means) in the sense of *Rockeach's Values Theory*. In short, honesty is compromised and corruption is tolerated. Now, Vietnamese people give greater value to more consumption, materialism, money, and benefits, than to integrity. The ethical and moral foundations of the Vietnamese society are seriously spoiled. Inevitably, forms of corruption (bribery, nepotism, etc.) are endemic, and they are perceived as rational choices or solutions to other problems as well.

### *3.1.4 Vietnamese attitudes towards capitalism, education and bribes*

The PEW Research Centre conducted a survey in 2014 on global attitudes and trends, covering 44 countries divided into three groups of economies (10 advanced, 25 emerging, and 9 developing). In Vietnam, a national sample, a multi-stage cluster sample stratified by region and urbanity, and 1000 face-to-face interviews were conducted. The survey pointed out that 95% of the surveyed Vietnamese people were better off in a free market system, the highest ratio in the world, as against the global median of 66%. The figure is meaningful because it represents the fact that Vietnamese people favour capitalism over socialism, irrespective of the fact that the country has been building socialism for decades. It may signal an attitude shift or social transformation among Vietnamese people.

In another aspect, majority of the surveyed Vietnamese (73%) agreed that success in life was pretty much determined by ‘forces outside our control’. However, in order to ‘get ahead in life’, the Vietnamese respondents ranked ‘having a good education’ as the biggest factor (48%), followed by ‘working hard’ (36%), ‘knowing the right people’ (28%), ‘being lucky’ (24%), ‘belonging to a wealthy family’ (19%), ‘being a male’ (13%), and the lowest (5%) was ‘giving bribes’.

‘Giving bribes’ is the lowest factor in Vietnam (5%), which is equal to the global median score. It may, however, play a bigger role in other countries such as Tunisia (24%), Nigeria and South Africa (13%), Russia (12%), Italy (10%), Thailand and Malaysia (8%), India (7%), and USA and France (6%). Meanwhile, ‘giving bribes’ is also the lowest important factor in

other countries like Japan, South Korea, and Brazil (1%), Indonesia, Israel, Peru and Venezuela (2%), China, Bangladesh, Egypt, and Argentina (3%), and Germany, Pakistan, Chile, Senegal, and Ghana (4%), etc.<sup>32</sup>. If the survey is a nationwide representation, it does not seem to explain the relationship between the prevalence of high bribery in reality and the low rankings given by the respondents in many countries like Vietnam, China, Indonesia, Pakistan, India, etc. There may be two reasons for this contradiction. Either, the respondents in these countries (Vietnam, China, Indonesia, Pakistan, India, etc.) did not speak the truth. Or, they told the truth (in theory), but the favourable conditions and environment contributed more to their corrupt practices than in other countries (South Africa, Italy, Thailand, Malaysia, etc.). Notwithstanding the contradiction, the survey revealed meaningful data on people's attitudes towards key social aspects and conditions.

### *3.1.5 Vietnamese youth integrity value*

In order to establish a more transparent society, 'Towards Transparency' (TT), a registered Vietnamese non-profit and non-state consultancy organisation, was set up in 2008 to contribute to national efforts in promoting transparency and accountability for corruption prevention and fighting. In March 2009, TT became the National Chapter of Transparency International (TI) in Vietnam. In 2011, TT conducted the *Youth Integrity in Vietnam* survey (n = 1032) with many interesting findings on perceptions, views, and behaviours of Vietnamese young people, who account for 55% of the country's population. Firstly, the youths' responses 'did not generally vary greatly from adults'. Secondly, 'less educated youths were more likely to have a less strict definition of integrity, and thereby more likely to approve or accept corrupt behaviours, and less likely to report cases of corruption'. Thirdly, 'compromising integrity is a learnt behaviour as youths are more willing to "relax" their principles as they grow older. This means that youths could play a greater role in promoting integrity' (TT, 2011). These results signify subjective corruption risks stemming from individual youths in supporting environment and conditions.

### *3.1.6. Summary of Vietnamese cultural values and social attributes*

Although it seems to be subjective and controversial to generalize a culture or typify the people of a nation, the majority of Vietnamese have some common characteristics in that they are family loving and caring, flexible, adaptive, and resilient. The characteristic of 'family loving and caring' is so strong that a person may sacrifice his or her own job, career or may commit to self-risks in exchange or indulge in corrupt activities. It may be difficult for western people to understand this because of their rational individualism outlook, according to which one's own interests and life are prioritized over others, including their closest family members. As a negative effect of the new role of money in a materialist society, the traditional Vietnamese value system is being spoiled with 'value disorder': Good education and hard work cannot be dominant solutions to success, but corruption can be. Besides, a recent trend

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<sup>32</sup> <http://www.pewglobal.org/2014/10/09/emerging-and-developing-economies-much-more-optimistic-than-rich-countries-about-the-future/>, accessed on 20 October 2014

of ‘appalling silence’ to cruelty and/or injustice emerges, while selfishness dominates. People seem to be more brutal, aggressive and violent, especially when they do not trust the public system, official institutions and social justice.

In general, integrity is easily compromised, at least among youths (TT, 2012). Furthermore, ordinary or less powerful people perceive injustice and unfairness in society as more serious and rampant, at least. These trends are so alarming that they incubate many hidden risks of corruption, anomia and social unrest.

At a macro level, Vietnam actually is a society in transition from socialism to socialist-oriented market economy under one ruling communist party, while power separation and the rule of law are missing. Apparently, there is a lack of democracy and freedom of press, and meanwhile the role of civil society is weak and limited due to many reasons and conditions. In short, Vietnam is still developing, although the Western states are now developed. All these conditions are conducive to systemic, structural as well as resilient corruption in Vietnam.

To illustrate this, I quoted below a famous Vietnamese satirical poem for the past two decades that summarizes the prevalent common sense among many Vietnamese: ‘Money is God or Buddha... like the momentum of fame... like the scale of justice’. These ironic words reflect the sighs of restrained people that not only represent their internal incompetence to challenge unjust social order, but also forcibly subjugate them by its rule. This satire reveals the hidden mechanism of the primacy of money in a transiting Vietnamese society. The quote is somehow similar to a Western idiom: ‘Money makes the world go around’. Money can be the mighty apparatus to solve social transactions or ‘to scale social justice’ that surpasses laws, integrity, conscience and ethics. Under this condition, corruption is naturally rampant, and contextual. *Corruption is not only the consequence or symptom, but also the solution to, cause of, or part of other social problems.* When corruption is taken to be a solution to problems, it is the most dangerous warning. The often-criticized primacy of money in market economy is undermining laws, values, integrity, conscience and ethics. Consequently, crime, and corruption is rampant, resilient, and reproductive.

Here is the complete satirical Vietnamese verse:

Money is God or Buddha	Tiền là tiên, là phật,
Like resilience of springs	Là sức bật của lò xo
Like concerns of youth	Là mối lo của tuổi trẻ
Like the health of the aging	Là sức khỏe của tuổi già
Like the momentum of fame	Là cái đà danh vọng
Like the body parasols	Là cái lọng che thân
Like the scale of justice	Là cán cân công lý
Like the justice of the superiors	Là cái lý của cấp trên
Like the advantages of the juniors...	Là cái hơn của cấp dưới...

*Anonymous Khuyết danh*

## 3.2 Singapore

### 3.2.1. Singaporean historical, economic and political dimensions

#### 3.2.1.1 Historical and political dimensions

Singapore has a quite short history, starting in 1819, when Sir Stamford Raffles of British East India Company established a trading post on Singapore Island where the Port of Temasek was founded in 1297. In 1826, Singapore (with Malacca and Penang) became a British colony of the Straits Settlements. During World War II, Japan bombed, invaded and occupied Singapore (1942-45). After Japan was defeated in 1945, Singapore was under British military administration and soon became a separate crown colony in 1946. Eleven years later, in 1957, Britain agreed to Singapore self-rule<sup>33</sup>.

The year 1959 marked a turning point of Singapore when its sovereign government attained with Lee Kuan Yew as prime minister. In 1963, Singapore joined the Federation of Malaya, Sabah (North Borneo), and Sarawak in the Federation of Malaysia. Two years later, in 1965, Singapore pulled out of the Federation of Malaysia, then became an independent republic and joined the United Nations. In 1971, the last British military forces withdraw<sup>34</sup>. In 1990, Prime Minister Lee Kuan Yew stood down after 31 years, but remained significant influence as senior minister (and mentor minister until 2011)<sup>35</sup>. The ruling of the People' Action Party (PAP) has been dominant for decades although there are other non-influential parties<sup>36</sup> (Workers' Party/ WP, National Solidarity Party/NSP, etc.).

The third Millennium reflects political and social dynamics of Singapore. In 2001, unprecedented anti-government rally, the first legal demonstration outside election campaign, broke out. In 2004, Lee Hsien Loong, eldest son of former Prime Minister Lee Kuan Yew, was sworn in as prime minister. In 2011, opposition parties make unprecedented gains—six seats in parliament. In the same year, the president (Tony Tan) was elected, the first election of its kind for 18 years. The first strike since the 1980s occurred in 2012. In 2012, massive pay cuts for ministers including prime minister and president was implemented. Recently, in 2015, Prime Minister Lee Hsien Loong unveiled stiffer measures against corruption after a number of high-profile graft scandals in the last two years<sup>37</sup>.

#### 3.2.1.2 Cultural, economic dimensions

Singapore developed from the third to the first world within only a single generation. Economically, GDP of Singapore is US\$292.7 billion, in 2015 (<http://data.worldbank.org/country/singapore>). GDP per capita is US\$55,909 in 2014, amongst

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<sup>33</sup> Based on <http://www.bbc.com/news/world-asia-15971013>

<sup>34</sup> <http://www.bbc.com/news/world-asia-15971013>

<sup>35</sup> <http://www.bbc.com/news/world-asia-15971013>.

<sup>36</sup> <http://www.singapore-elections.com/political-parties.html>, 2016

<sup>37</sup> Based on <http://www.bbc.com/news/world-asia-15971013>

the highest globally. Seventy five percent of GDP comes from service sector while the rest belongs to industry<sup>38</sup> .

Singapore has 5,567,301 inhabitants (July 2014 est.) of different ethnic origin: Chinese 74.2%, Malay 13.3%, Indian 9.2%, other 3.3% (2013 est.). There are three main official languages: Mandarin (Chinese) 36.3%, English 29.8%, Malay 11.9%, and some dialects of other smaller groups. Buddhist is the biggest religious group 33.9%, Muslim 14.3%, Taoist 11.3%, Catholic 7.1%, other Christian 11%, Hindu 5.2%, other 0.7%, none 16.4% (2010 est.)<sup>39</sup> .

### 3.2.2. Singaporean Constitution and philosophy of Singaporean State

#### 3.2.2.1. Singaporean Constitution

In Singapore, each branch of government (the Executive, Legislature and Judiciary), directly or indirectly, “acts as a watchdog over the other two” (Morgan, D.G., 2011, p.11). In reality, the Judiciary checks the Legislature and Executive through judicial review by examining administrative decisions and laws made by the Executive. Meanwhile, the Legislature checks the Executive by raising questions in Parliament. In order to preserve liberty, and autonomy of each department, members of each department should be as independent of the other departments as possible. In theory, power should be distributed, and not concentrated within the hands of a selected few.

The 80-member parliament is following the Westminster model but without the upper house and consists of both elected members and appointed ones. The appointed parliament members consist of maximum 9 best non-elected candidates in general elections or Non-Constituency Members of Parliament (NCMPs) and Nominated Members of Parliament (NMPs) (Morgan, D.G., 2011, p.20). These NCMPs and NMPs represent some best non-elected political runners and social outstanding figures. This mechanism is meaningful in the context of one dominant party (The People’s Action Party) in Singapore since 1959 and the lack of democracy as well as press freedom (in order to make the parliament may be more representative through the eyes of citizens).

#### 3.2.2.2. Philosophy of Singaporean State

##### a. The public governance philosophy of the PAP government

##### Box 3. The PAP government’s philosophy of governance

1. Meeting the basic needs of the population.
2. Maintaining the tradition of meritocracy.
3. Minimizing corruption to ensure clean government.
4. Investing in education to enhance the population.
5. Minimizing the potential for racial and/or religious conflict.
6. Preventing internal subversion by relying on the Internal Security Act.

<sup>38</sup> <http://data.un.org/CountryProfile.aspx?crName=SINGAPORE>

<sup>39</sup> CIA, 2015

- |                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>7. Learning from other countries' experiences in solving problems</li> <li>8. Rejecting the idea of a welfare state.</li> <li>9. Adopting a proactive and interventionist leadership style.</li> <li>10. Restriction on press freedom in order to control racial riots</li> </ol> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

(Source: Quah, 2010, p. 209)

The public governance philosophy of the PAP government shapes key institutional conditions for anti-corruption. The principles cited above are closely enforced by the PAP government in practice. Although “rejecting a welfare state” for the economic efficiency and competitiveness, 82% Singaporean citizens can live in public houses and majority of them possess their own flats (2010), even better than in European welfare cities. Besides, nearly all citizens can have a job as the unemployment rate is low. Moreover, meritocracy, good education or human resources are prioritized as national precious vision in order to achieve a clean and efficient government. Meanwhile, national security is secured through the prevention of racial, religious or internal conflicts.

*b. Public Administration Singapore-Style*

*Box 4. Public Administration Singapore-Style* (Source: Quah, 2010, p. 247)

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. <i>Macho-meritocracy</i>: to recruit the “best and brightest” political leaders and civil servants to form the government and civil service.</li> <li>2. Reliance on competitive salaries and accelerated promotion to compete with the private sector for <i>talent</i> in the civil service and government.</li> <li>3. The problem of <i>corruption has been minimized</i> in Singapore because of the PAP government’s political will as reflected in the allocation of adequate legal powers, budget and personnel to CPIB to enable it to enforce POCA impartially.</li> <li>4. <i>Administrative reforms</i> to enhance effectiveness in the SCS and to change the attitudes of civil servants to enable them to contribute to the attainment of national development goals.</li> <li>5. <i>Statutory boards</i>: reducing the workload of the SCS and accelerating the implementation of socio-economic development programs.</li> <li>6. Singapore has a good record in implementing <i>public policies</i> effectively</li> <li>7. The public bureaucracy’s <i>quality of service</i> to the population can be clearly seen in the creation of the Feedback Unit in March 1985, the formation of the Service Improvement Unit in April 1991, and the introduction of PS21 in May 1995.</li> <li>8. Reliance on <i>policy diffusion</i> by learning from other countries’ experiences and adapting the lessons learnt to suit the Singapore context.</li> </ol> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The above information reminds us once more about the significance of meritocracy, competitive salary and working conditions, good human resource management, as well as anti-corruption. In addition, comprehensive administrative reform is necessary with professional civil attitude, in parallel to efficient statutory boards, good public policies enforcement, and high-tech-based and client-based public service delivery. As a result, Singapore has built a clean, efficient and trust-worthy public administration system that is admired by the world. Thanks to the public administration system, corruption is preventive and anti-corruption is more effective because opportunities of corruption is minimized.

*c. The Singaporean founding father's view (and his responses to global critics)*

Although Singapore gains huge success, especially in economic development and building a clean, least corrupt city-state, it is criticized heavily on other aspects, especially for the lack of political competition and democracy, for authoritarian public governance, and for restricted press freedom. These aspects may be interpreted by looking at the philosophy of the Singaporean founding father Mr. Lee Kuan Yew. His ideology shaped the national building strategy in at least three decades and other structural institutions, social life, including AC. He italicized the importance of Asian values. Particularly, he visioned that a nation needs “*a strong state, hard-working and saving people*” (Head, 2015). Although the Singapore model is not democratic, it can suggest anti-corruption measures in one-ruling-party regime like Vietnam.

In fact, Singapore is famous for her strict law enforcement and its longest list of more than 4000 punishment articles, regarding public hygiene to personal life (nudity walking in house, etc.). Recently in late 2014, two German youths was imprisoned for 9 months and were beaten three times with a stick for their illegitimate drawing in a public tram after illegal access<sup>40</sup>. The iron founding father, Lee Kuan Yew, has shaped Singapore's strict laws. He said that, “*Freedom of the press, freedom of the news media, must be subordinated to the overriding needs of the integrity of Singapore, and to the primacy of purpose of an elected government*” (Lee, 1976). His view came into reality with the strong anti-corruption body (Corruption Practice Investigation Bureau- CPIB) and a strictly controlled media. To defend for undemocratic society, Acemoglu and Robinson (2006) reiterated Mr. Lee's words in the research of Milne and Mauzy (1990) “*I make no apologies that the PAP is the Government and the Government is the PAP*”. The ambivalence of state and the ruling party in Singapore is similar to Vietnam's context. The unique anti-corruption context of Singapore deserves investigation.

Furthermore, Lee explained, “*we would not have made economic progress, if we had not intervened on very personal matters*” (Lee, 1987). He defended the authoritarian regime and the limitations on liberty with reference to the so-called ‘economic miracle’. Responding to criticism, Mr. Lee said ‘*with few exceptions, democracy has not brought good government to new developing countries... As an Asian of Chinese cultural background, my values are for a government which is honest, effective and efficient*’ (Lee, 1992).

More frankly, LKY's view to Tianman- Square protest in China in 1989 was ‘*If I have to shoot 200,000 students to save China from another 100 years of disorder, so be it*’ (Lee, 2004). All above quote reflect LKY's strong and conservative views on democracy, public governance and national development. LKY's Asian values may be his sharp tools, especially when Asia (except Japan) has not undergone through a strong enlightenment movement. However, these Asian values are not recognized fully in term of Western standards of democracy. In sum, LKY argued for his iron policy, a compromise between economic progresses, clean government and ‘interfered’ democracy and private life.

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<sup>40</sup> [http://www.bbc.co.uk/vietnamese/business/2015/03/150305\\_singapore\\_vandalism\\_punishment](http://www.bbc.co.uk/vietnamese/business/2015/03/150305_singapore_vandalism_punishment).



Another BBC journalist, Giang Nguyen, pointed out that “Lee Kuan Yew’s government is strongly influenced by Victorian values and standards, especially discipline and a big role and caring responsibility of a strong central government to her citizens. Lee underlined Asian values with characters of “*praising local traditions and criticized over-due Western individual liberalism*” (Nguyen, 2015). Nguyen closed his argument by mentioning the currently-maintained British values of “*discipline in study, saving mind, self-relying, and discovery and inquiry spirit*” that also shared by Singaporean leaders but not Vietnamese ones (Nguyen G., 2015). Nguyen pointed out the crucial difference between Singapore and Vietnam that led two nations to opposite poles of development and integrity. In a later chapter, the citizens’ views on LKY’ policy will be analysed.

### 3.2.3. Singaporean values

#### 3.2.3.1 Singapore World Value Survey (WVS)

In WVS map, Singapore is grouped in the cluster of “Confucian” societies together with Japan, Hong Kong, Taiwan, China, S. Korea (at middle- top of the above map, see page 56). Singaporeans share secular-rational values more than traditional values. They show a strong pragmatism as mentioned by Jon Quah (2010). Singapore also stands between the value scale of survival and self-expression value. It means that material for survival (economic aspects) may be more weighted than idealistic ones such as democracy and freedom.

#### 3.2.3.2. Key values of Singaporeans

Table 5 signifies that Singaporean ethnicities estimate health, safety or spirituals (happiness, love) more than materialism (wealth, success). It seems to be opposite to LKY’s policy while economic progresses (and the clean government) have been prioritized over spiritual life. However, Table 5 highlighted the voices of Singaporeans but not the government. Specifically, for Chinese Singaporean, wealth is more valued (67%) than for Indian Singaporean, (60.9) or Malay Singaporean (53.3).

Table 5. Things wanted most in life by ethnic group in Singapore.

Rank	Chinese Singaporeans (%)	Malay Singaporeans (%)	Indian Singaporeans (%)
1	Health 78.3	Happiness 69.0	Happiness 77.3
2	Personal safety 74.3	Health 68.5	Personal safety 74.6
3	Happiness 73.3	Love 65.2	Success 74.5
4	Security 71.4	Peace of mind 65.2	Freedom 73.7
5	Success 70.9	Personal safety 65.2	Health 71.8
6	Peace of mind 70.2	Success 63.5	Security 69.1
7	Love 68.1	Security 62.5	Love 66.4
8	Wealth 67.1	Friendship 59.8	Peace of mind 65.5
9	Freedom 65.5	Freedom 55.5	Friendship 65.4
10	Friendship 65.1	Luck 55.4	Luck 64.5
11	Luck 64.6	Wealth 53.3	Wealth 60.9
12	Social status 58.8	Leisure time 52.2	Power 58.2
13	Leisure time 57.9	Power 52.2	Social status 56.4
14	Power 57.2	Social status 51.1	Youthfulness 56.4
15	Youthfulness 54.6	Youthfulness 50.5	Leisure time 54.6
16	Good looks 46.2	Good looks 38.0	Good looks 41.8

(Source: Kau et al., 2004, p. 45. Table 3.13: extracted by Jon Quah, 2010, p.203).

The measurement is not different from the Maslow needs pyramid but the content or concepts of the values may be interpreted or perceived differently, such as success and wealth or happiness. It may cause difficulties in comparison and analysis the difference between groups because of these general concepts.

Table 6 signifies Singaporean dreams, goals and their priorities in life. The findings show a balance between spiritual and material values of Singaporean. For Singaporean, in 2009, children and family is the core, then one house or home, then ‘making money’, and ‘retirement’. This survey result (Table 6) provided us a different aspect and more tangible view of Singaporean than the Table 5.

Table 6. Singaporean dreams and goals (2008–2009).

Rank	2008	2009
1	Seeing the world	Family and children
2	Self-improvement	Settling down/Starting a Family
3	Making money	House and home
4	House and home	Making money
5	Good health	Retirement
6	Family and children	Seeing the world
7	Charity and volunteering	Automobile
8	Automobile	Good health
9	Starting a business	Starting a business
10	Retirement	Self-improvement

Source: Singapore Dreaming (2009, p. 3), available at <http://www.askocbc.com>

#### *3.2.4. Summary of Singaporean cultural and institutional conditions*

The aforementioned parts described Singapore as a developed country of “the first world” with a globalized and competitive market economy as well as a strong, clean and efficient government. The rule of law in Singapore is comparable to the most advanced countries in the world with low crime rate, strict law enforcement, and people’s law-biding spirit. At the same time, the Singaporean society is still lacking a free press meanwhile civil rights and individual liberty is limited. Since the Singapore regime prioritizes economic efficiency, the companies have a conducive environment for development. All these dimensions listed above a crucial to establish a good public system in the perspective of ‘law and order’, not necessarily in the dimension of personal freedom), and active private sector to fight against corruption. In short, Singapore is now developed meanwhile Vietnam is still developing. Cultural and institutional conditions for anti-corruption in Singapore are opposite to Vietnam’s conditions.

## 4. The Institutional conditions of Corruption in Vietnam and Singapore

### 4.1 Vietnam

#### 4.1.1 Corruption in Vietnam

##### 4.1.1.1. Frequency of corruption in Vietnam in practice

*"The more I travel the more I feel down because corrupt people may take anything from people without any exception. /Tôi càng đi càng thấy buồn, (họ) ăn của dân không từ một cái gì".*

*(Mdm. Nguyen, Thi Doan, Vice-President of Vietnam, 2007-2016).*

*"Corruption is seen as a major threat to the legitimacy of the Party, and as a key impediment to socio-economic development" (NORAD, 2011).*

*"Almost 59% of the firms that have been interviewed by the Vietnam Provincial Competitiveness Report believe that the payment of informal charges is common among firms like their own" (USAID and VCCI, 2010).*

The Vietnamese government identified corruption as an obstacle to development. During the 10<sup>th</sup> Party Congress in April 2006, the CPV declared publicly that corruption is a 'national disease', an 'internal invader' and a threat to the very survival of Communist Party rule (CPV General Secretary, Nguyen, Phu Trong, 2006). Moreover, some politicians are beginning to talk about corruption as being a systemic problem in Vietnam, but such perspectives are relatively new in official circles. Systematic and in-depth studies of corruption in Vietnam are limited as mentioned above. The majority of assessments are based on cross-country surveys in which Vietnam is consistently ranked poorly, although the extent of corruption is generally comparable to that in other countries at a similar level of development.

Transparency International (TI) is a non-governmental organization that is prestigious worldwide on measuring and ranking the corruption status of countries. Annually, TI announces the Corruption Perception Index (PCI), ranking countries on a 0 to 10 point scale, (0 expressing the worst and 10 the best performance in anti-corruption). The rankings of Vietnam over time are shown table 7.

The statistics show that Vietnam is ranked among the most corrupt countries in the world at least for the recent decade. There is no big change in the fight against corruption in Vietnam in the decade although Vietnam has some big campaigns or movements to show its efforts to curb the disease. Some researchers on corruption in Vietnam share the view that corruption in Vietnam is systemic (Gainsborough M, Dang Ngoc Dinh, Tran Thanh Phuong, 2009; Nguyen Duc Sau, 2006; Nguyen Ngoc Chi, 2007). In general, "Corruption is a national plague that has complicated economic, legal, and social dimensions and takes place in various localities and sectors." (the CIAPV, 2005). The existing studies agree that corruption is widespread in Vietnam. It exists in both petty and grand forms. Petty corruption is a common practice and seems to be a quite normal behaviour to many people. (Martin G., Vietnam Report, 2006). Despite attempts to eradicate the corruption menace in Vietnam, the government believes that

“Corruption is still taking place in a rampant, serious and complicated fashion in multiple areas, especially in such areas as administration and use of land, construction investments, equalization of SOEs, management and use of state capital and assets” (The VN government, 2009). Furthermore, official sources report “*between 1 October 2007 and 31 August 2008, Ministries, sectors and local governments detected 379 cases of corruption, of which investigation agencies at various levels prosecuted 284 cases with 622 defendants accused of offences of corruption.*” (the Vietnamese Government, 2008).

Table 7. CPI of Vietnam

<b>Year</b>	<b>CPI</b>	<b>Rank</b>
2000	2.5	76/90
2001	2.6	75/91
2002	2.4	85/102
2003	2.4	100/133
2004	2.6	102/145
2005	2.6	107/159
2006	2.6	111/163
2007	2.6	123/180
2008	2.7	121/180
2009	NA	120/180
2010	NA	116/178
2011	NA	112/182
2012	31	123/174
2013	31	116/175
2014	31	119/175
2015	31	112/168
2016	33	113/176

(Source: author’s creation, based on <http://www.transparency.org>)

Moreover, the Justice Committee (JC) of the National Assembly issued the oversight mission report. The report showed that corruption has become even more complex as it is now occurring widely in many sectors and at various levels<sup>41</sup>. The report claims that corruption cases have been revealed very lately. More seriously, the report, however, failed to point out that the majority of cases was firstly revealed by citizens and not by the AC agencies or by people’s representatives (deputies to the National Assembly or People’s Councils at sub-

<sup>41</sup>[http://dangcongsan.vn/cpv/Modules/Preview/PrintPreview.aspx?co\\_id=30503&cn\\_id=606588](http://dangcongsan.vn/cpv/Modules/Preview/PrintPreview.aspx?co_id=30503&cn_id=606588)

national levels) as required by the AC law. Moreover, common administrative sanctioning of corruption cases reflects signs of omitting crimes.

*Is corruption a serious problem to Vietnam?*

The respondents of the WB (2012) and CIAPV report (2005) ranked corruption amongst the most three serious problems, which are facing Vietnam. The CIAPV study found that nearly one-third of public officials and civil servants were willing to accept bribes. Over 50 percent of public officials and civil servants responded that intermediate and higher-level offices are involved in corrupt activities. These findings go along with the literature review of Segon and Booth that ‘economies in transition, particularly from command to market based economies are more susceptible to corruption’ (Segon and Booth, 2010, p. 583). Broadly speaking, Vuving argued that ‘the ethos of the rent-seeking state, which administers Vietnam today, is to create barriers and extract rents from society’ (Vuving, 2013, p. 325).

The CIAPV Report and Diagnostic Survey concluded that ‘the political will of our Party and State to fight against corruption was not effectively put into practice’, adding that the effectiveness of anti-corruption activities is limited and corruption remains the commonplace. Finely, responsible persons are unwilling to fight against corruption, corruption is rarely reported and the current anti-corruption agencies are not effective.

Interestingly, the Investment Climate Survey conducted by the World Bank in 2005 found that corruption is of relatively low importance to businesses of all ownership types in Vietnam. From the perspective of business, corruption is manageable – and hence not very serious in Vietnam. Hence, it seems as if firms have much more pressing concerns than corruption (investment climate, the protection of property rights, regulation and taxation, infrastructure, interventions in finance and labour markets) – or have learned to deal with it – even though corruption is a serious problem. Both the Investment Climate Survey and the Diagnostic Survey found that bribes and gifts are required in dealing with most government agencies, but not to the same extent in all agencies.

This ‘perception’ by economic actors seems to falsify the main argument that corruption is dangerous. But it only means that businessmen pay bribes in order to run business and consider bribes as usual business costs. In addition, chapters 4 and 5 provide more testimonials of interviewees on property developers (real estates, etc.) benefit from corruption on the expense of the people, especially farmers. Moreover, below analysis identified that corruption hampers the growth of Vietnam’s private sector (p. 76) in general in terms of informal costs, delayed public service and other burdens, especially in the comparison to the privileged public stated-own enterprises. In sum, there is a paradox on corruption because it can ‘greases and sand’ the wheels of economic growth depending on perspectives of actors. However, corruption is disastrous to social moral, justice and quality of growth or development although corrupt income can bring wealth or reduce the hardship of the majority of public officials due to their very low salary.

#### 4.1.1.2. Corruption by sector

Corruption in Vietnam is dangerous, “rotten from core” and difficult to reverse because the police is perceived as the most corrupt sector in two recent national surveys (see tables 8 and 9 below). In addition, the judiciary is perceived as the 5<sup>th</sup> most corrupt sector (table 8 illustrates this finding). The tables provided details:

Table 8: Perceptions on incidence of corruption by sector

<b>Sector</b>	<b>PERCENTAGE OF RESPONDENTS “CORRUPT / EXTREMELY CORRUPT” (%)</b>
Police	72
Medical and health service	58
Public officials and civil servants	55
Judiciary	53
Education system	48
Business	33
Political parties	27
Parliament/ legislative	28
Military	25
Media	25
NGOs	19
Religious bodies	15

(<http://www.transparency.org/gcb2013/country/?country=vietnam>)

Table 9: Perceptions on most corrupt sectors in Vietnam

<b>Sector</b>	<b>Rank of prevalence (by respondents )</b>
Transport Police	1 <sup>st</sup>
Land Administration	2 <sup>nd</sup>
Customs	3 <sup>rd</sup>
Construction	4 <sup>th</sup>
Transport	5 <sup>th</sup>
Minerals management	6 <sup>th</sup>
Health care	7 <sup>th</sup>
Economic Police	8 <sup>th</sup>
Taxation	9 <sup>th</sup>
Planning and investment	10 <sup>th</sup>
Education system	11 <sup>th</sup>
Finance	12 <sup>th</sup>
Court	13 <sup>th</sup>
Banking	14 <sup>th</sup>
Inspectorate	15 <sup>th</sup>

(Source: WB, 2012). Note: no data in percentage

In both tables, law enforcers (police, judiciary, customs, etc.) are perceived to be the most corrupt actors. For instance, the law enforcers have been embroiled in many corruption cases and they constitute a hindrance to corruption eradication. It is alarming that corrupt enforcers are a counterforce (the stumbling block) to anti-corruption efforts. Actually, law enforcers are an urgent problem themselves and ought to be overhauled, cleaned and revamped both organizationally and individually, before they can act as effective anti-corruption agency. In a nutshell, the bad eggs in these agencies need to be sent ways from their positions.

In Vietnam, corruption cuts across many sectors. There is also a difference between corruption in the public and private sectors: “Corruption hampers the growth of Vietnam’s private sector, but is not detrimental for growth in the state sector. Corruption may harm economic growth because it favours the state sector at the expense of the private sector and that improving the quality of local public governance can help to mitigate corruption and stimulate economic growth” (Nguyen and Dijk, 2012, p. 2935 ).

At the sector level, the TI reveals that “*land management was perceived to be the second most corrupt sector in Vietnam. One in to five people came into contact with land services paying a bribe in the past year*” (TI, 2013). Land management is the hub of corruption by many means (see Section 4.3). In 2005, the Committee for Internal Affairs of the Communist Party of Vietnam conducted a survey on corruption (CIAPV report). The survey group has conducted 105 workshops in 10 provinces/ministries, 20 districts/corporations, 42 communalities, and 33 companies, collecting data from 5.407 civil servants (party, administration, political-social organizations), corporate staff and citizens. Afterward, they conducted 113 in-depth interviews and 7 group discussions with citizens to get more insights. Their findings revealed the top ten most corrupt sectors in Vietnam as follows:

*Table 10: Top 10 most corrupt sectors in Viet Nam & the world*

<b>N<sub>o</sub></b>	<b>Vietnam (2005)</b>	<b>The World (2005)</b>
1	Cadastral and housing agency	Political parties
2	Customs/import-export management agency	Legislature
3	Traffic police	Police
4	Public finance and tax agency	Tax revenue
5	Management/entities in the construction industry	Customs
6	Construction permit-granting agency	Education
7	Health care entity	Military
8	Planning and Investment agency	NGO
9	Management/entities in transport industry	Religion
10	Economic police	

Source: The CIAPV report and the 2005 global corruption report.



In the world context, the two tables reflect that corruption in Vietnam has some different characteristics. The most corrupt sector is related to political parties in the world; however, there is no research on that type of corruption within the political landscape in Vietnam. In Vietnam, corruption is common in the economic sector, especially where different kinds of permissions are provided (see table 3). The reason why political corruption is unknown in Vietnam is that the CPV is the only governing party without periodic elections. Political monopoly may not welcome or allows research on its internal problems and weaknesses.

*Table 11. The Most Corrupt Government Agencies*

<b>Investment Climate Survey (2006)</b>	<b>Diagnostic Study on Corruption (2005)</b>
Traffic police	Land administration agency
Customs department	Customs department
Tax department	Traffic police
Land administration agency	Tax department
Market controller	Regulators in construction
Construction permit authorities	Construction permit authorities
Import/export license authorities	Health care
	Planning and investment agencies
	Regulators in transportation
	Economic police

**Source:** Vietnam Development Report 2006: Business, World Bank, Hanoi 2006, p. 51.

#### *4.1.1.3. Typical forms of corruption in Vietnam*

##### *4.1.1.3.1 AC reports of Vietnamese government*

Not all the annual and 5-year AC reports of the Vietnamese government for the period of 2008-2013 identified common forms or types of corrupt activities in Vietnam. Only the 2007 Vietnamese government report presented statistics on corrupt cases (5% of all economically prosecuted cases) that are common in Vietnam as follows:

Table 12. Number of corrupt cases publicly investigated and prosecuted, 2007

No.	Corrupt activities	Newly publicly investigated <sup>42</sup>		Prosecuted	
		No. of cases	No. of people	No. of cases	No. of people
1	Embezzlement	228 (56.1%)	455 (55.0%)	258	600
2	Taking bribes	59 (13.0%)	120 (14.5%)	45	187
3	Abuse of position and power to misappropriate property	68 (16.7%)	97 (11.7%)	58	100
4	Abuse of position and power in performing a task or an official duty for undue benefits	45 (11.0%)	129 (15.6%)	30	133
5	Take advantage of power in performing a task or an official duty for undue benefits	4	6	0	0
6	Abuse of position and power to exert influence on others for undue benefits;	2	5	0	0
7	Fraud in public service for undue benefits	6	14	6	10
	<b>Sum</b>	<b>406</b>	<b>826</b>	<b>397</b>	<b>1030</b>

(Source: Author's calculation, based on the 2007 Vietnamese government report, p. 18)

The Government Report 2007 (Table 12) presented a list of common corruption activities in Vietnam include the embezzlement of assets, the abuse of given positions and authority in the performance of official functions and duties, the abuse of given positions and authority to appropriate assets, and the acceptance of bribery. However, this data contradict with PCI and other survey results that confirmed that transport police is perceived as one of the most corrupt sectors. Hence, bribe taking might rank the first, but not the second in the Table 12. To reconcile this information, there are three possibilities. Firstly, the number of prosecuted cases, (reported in the VN Government Report 2007); these may be only 'big' or serious cases (highest disciplinary forms of embezzlement may be death penalty by the Penal Code of Vietnam). Secondly, bribery cases may be mainly ignored due to its "petty corruption" and more "acceptable" or 'tolerated' by both bribers and bribees, leading to 'no report' or not calculated in the government report 2008. Thirdly, both the first and the second scenarios may be correct.

#### 4.1.1.3.2 Forms of corruption in Vietnam through the local website

The website [www.Toidihoilo.com](http://www.Toidihoilo.com) (in Vietnamese) is an Indian-modelled version of the website "I paid a bribe". This provides typical forms and cases of bribery through real

<sup>42</sup>"Newly publicly investigated" cases covered only cases incurred in reporting period (Since 01/10/2006 to 31/8/2007); No. of "prosecuted cases" included transferred number from the previous year.

citizens' experience, observation in Vietnam. The information of the website, especially details of cases and sectors, can supplement to general statement of government reports. Statistics on the website indicated that there are 74 cases relates to education, 42 health cases, 26 cases on land/construction inspectorate, 55 cases at the commune level, and 62 others that were posted on the website since its launch in 2013 until the end of 2014. Some key examples information revealed that “US\$10, 000 is required for a banking job”, “US\$3,500 is exchanged for a secondary teacher job”, or “US\$ 10 for a transportation law-breaking ignorance”. Besides this, the website informed that ‘around US\$100-300 is given by one patient for ‘thanking’ the doctor’, or “US\$ 150 is paid for a house-renovation-without-permit ignorance”. On the website, some denunciators pointed out that he or she “*exchange nearly 100 m<sup>2</sup> of land for a land-ownership certificate*”, or “US\$ 15,000 bribery was paid for the patronage of illegal public-lane land expansion, etc. These stories are among typical cases of corruption modes in Vietnam although their accuracy is not confirmed completely. In fact, corrupt actors (noticed in these stories) have not been prosecuted due to many reasons; such as there is no official report to the police.

Surprisingly, the website was temporarily shut down (2014) for not having a government permit and now it has been re-operated but hacked sometime. This website is the voice of the community and the ordinary citizens in Vietnam that it has won laurels and honoured by GI and WB in 2013<sup>43</sup>. However, it is probable that the Vietnamese authority does not welcome the website.

#### **4.1.2 Institutional and cultural anti-corruption conditions in Vietnam**

##### **Overview**

Through literature analysis, research on corruption in Vietnam confirmed that both cultural and institutional (formal) institutions play an important role in encouraging corruption practices. Their roles are to different extents. The key formal determinants are the political system, inefficient public governance, weak law enforcement, and swayed rule of law, dependent judiciary, and ineffective anti-corruption bodies. In terms of policy and legal framework, there are weak AC sanctioning and enforcement measures, as well as a weakened rule of law in regard to AC.

Regarding AC institutional arrangements, all three key AC dimensions of independence, integrity, and accountability are risky and problematic. Moreover, law enforcement capacity is also weak with three key criteria. First, enforcement capacity is fragmented, leading to constrain coordination among AC agencies at all levels. Secondly, integrity systems do not

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<sup>43</sup>[www.Toidihoilo.com](http://www.Toidihoilo.com)

work well while common political interferences reported. Furthermore, there is a lack of workable nationwide and sector evidence-based monitoring and evaluation systems, tools and database for evidence-based measuring AC's progress and reporting.

At the same time, civil society is weak while the press is censored. Hence, the CSOs role is constrained due to many key internal limitations, external deterrents and low participation of citizens. Moreover, conflict of interest is not well managed or prevented in the public sector. At the citizen or cultural side, tolerance of corruption, integrity compromise and gift giving are solutions for social transactions. Inevitably, institutional conditions in Vietnam are conducive to systemic corruption, both grand and petty corruption.

### *General introduction of conditions of corruption in Vietnam*

Mr Nguyen, a judge of the People's Court of Ho Chi Minh City, listed seven causes of corruption in Vietnam, most of which relate to governance or formal institutional failings: 1. poor leadership in governmental agencies; 2. weak control of governmental properties; 3. delivering properties to others to manage, without a mechanism to control and keep track of them; 4. cheating to steal properties; 5. unclear procedures allow corruption to prosper; 6. conspiracy among many people in an agency; and 7. corruption of law enforcement agencies. We can see many obvious reasons for his conclusion. There are corruption cases against leaders within the Prime Minister's Office; the Governmental Inspectorate; the Ministry of Transport - PMU 18 (corruption on the construction of the highway 18 project); bribed selling 'quota on exporting garment' at the Ministry of Trade; Truong Nam Cam case (collusion of organized crime, Police's Ex-director of Ho Chi Minh city and others); EPCO- Minh Phung and Tan Truong Sanh (big corruption and fraud). These causes may not be enough but they are crucial and relevant for almost all the big corruption cases in Vietnam, as confirmed and highlighted by the mass media.

Likewise, Dr Phan, Son (Ho Chi Minh National Academy of Administration and Politics) also pointed out some specific causes. These include both structural and 'soft' factors. He claimed that, objectively, 'Vietnam is a developing country with out-of-date management, low living standards, incomplete legislation,' with the consequence of 'negative effects of the market economy' and 'inconsistency of the legal system that is not holistic and not covering all areas of social life'. In addition, 'public administration reform hasn't reached expected outcomes, the asking-giving mechanism is still popular, administrative procedures still complicated, cumbersome, ambiguous, and irrational, which causes inconvenience to citizens, and creates conditions/chances for officials to require bribes'. Meanwhile, many 'soft' causes deepen corruption through the weak performance of the actors and agencies. These causes include 'slow innovation in the political system, ineffective government mechanisms', and 'weak public personnel management' (Phan and Phạm, 2008).

Furthermore, the CIAPV report (2005) of the Vietnamese Communist Party stated clearly that over 65 per cent of public officials and civil servants, 72 percent of enterprise managers and 55 per cent of citizens cited that the 'ask-give mechanism' as a major cause of corruption. Nearly two-thirds of the citizens responded that a lack of monitoring and inspection of people

in power contributed to corruption. Over 56 per cent of public officials and civil servants, 62 per cent of enterprise managers and 48 per cent of citizens reported that low detection levels contributed to the incidence of corruption. Meanwhile, over 64 per cent of public officials and civil servants, 58 per cent of enterprise managers and 59 per cent of citizens cited the lack of specific government ‘action plans’ as a key factor limiting the effectiveness of anti-corruption efforts. Formalistic participation by officials in anti-corruption campaigns was also cited as a common problem. Over 71 per cent of public officials and civil servants, 64 per cent of enterprise managers and 62 per cent of citizens cited the absence of a specialized anti-corruption agency as a significant limitation of the impact of anti-corruption activities (The CIAPV report, 2005, pp. 66-7).

#### **4.1.2.1. Political system and Integrity systems**

“There is no liberty, if the judiciary is not separated from the legislative and executive”

-Montesquieu-

*"Power tends to corrupt, and absolute power corrupts absolutely"*

-John Emerich Edward Dalberg Acton-1887

##### *4.1.2.1.1 Political system*

The one-ruling-party regime sets the Communist Party of Vietnam (CPV) as the supremacy of power in Vietnam. There is no separation of legislative, executive and judiciary powers. The Vietnam constitution defines the regime as ‘socialist rule of law’. The legislative, executive and judiciary powers are dependent to the CPV. Not the legislative, but the executive branch draft laws (below analysis). The regime is not only structurally inefficient and impotent to fight corruption, but the party monopoly of power is the main source of structural corruption. The political legitimacy of the Communist Party of Vietnam has been challenged in terms of ‘performance’, ‘rational-legal ground’, and ‘nationalism’ (Thayer, 2009, p. 47)

Mdm. Nguyen, Thi Binh, Ex-Deputy-President of Vietnamese State (1992-2002), criticised that by stating *“the national leaders also outlined the leadership methods of the Communist Party of Vietnam is “the Party leads, the state manages, and the people are sovereign.” But so far, it has not been documented. There are no legislative texts that clearly defined those leadership methods<sup>44</sup>”*. The vagueness and lack of legalization produce no separation of power, unclear structural and organizational institutions and blur accountability, especially accountability of the CPV (above noticed). Moreover, no separation of power hinder rule of law that obstructs anti-corruption efforts. Amid one-ruling-party regime, Mdm. Nguyen is brave to criticise CPV directly although she only did it after 14 years of retirement. Similar critics usually only come from powerful retirees whose careers may not be affected.

Consequently, through Nawaz research, we can see that the public governance factors are the most important causes of corruption in Vietnam. These reasons cover all three branches of

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<sup>44</sup> <http://www.bbc.com/vietnamese/vietnam-38510091>, accessed at 10:00, 05.01.2017

government, judiciary, executive and legislation. We can easily realize that he underlined both formal and informal institutions causing corruption in Vietnam. However, his below reasons are much more focus on formal institutions than informal ones. In his research named *Corruption in fast growing markets: lessons from Russia and Vietnam*, Farzana Nawaz summarized that Vietnam “comes from a tradition of corrupt, authoritarian political regime” (Nawaz, 2008, P2). In addition, Xuan Son Phan, The Luc Pham and associates mentioned many causes of corruption also, especially from a political point of view. The general cause is born from “*the internal system of organization and implementation of public power*” where state power is not set up democratically and not implemented openly and transparently, public power is not controlled steadily with power abuse and dictation that produces corruption.

Particularly, the National Assembly-NA (parliament) of Vietnam is formally “*the highest organ of state power*”. However, the NA is not the most powerful body in Vietnam, but the CPV. Ultimately, however, the Communist Party of Viet Nam (CPV) has great influence over the NA, the executive government and exercises control through the 200-member Central Committee of CPV, which elects the member Politburo (currently 19 members) at national party congresses held every five years. Members of the party hold all senior legislative, executive, and judiciary positions. It converted Political Bureau resolutions into laws and decrees as well as mobilizes popular support. In this role, the National Assembly consists of a variable number of special-purpose committees. Normally, the actual debate on legislation does not occur. Instead, a bill originates in the government, which registers the bill and assigns a key party member to present it on the floor and then vote according to the CPV party guidelines. This trend of legislative building is not participative, which ignores people’s voices and rights while gives favour to legislators and interest groups. Recently, however, the National Assembly has gradually been more active. Most of the legislations are now more proactively debated in the National Assembly<sup>45</sup> and attract more Vietnamese’s attention although these legislations still originate from the government.

On the experimental side, the CIAPV report (2005) confirmed that “*Badly implemented grassroots democracy statute*” is among the top five causes of corruption in Vietnam. Hence, corruption is an inevitable consequence. Mr. Son insisted on the fact that “*corruption (in Vietnam) is widespread because of the society of weak citizen rights*” (Phan Xuân Sơn, Phạm Thế Lực, 2008). This view was confirmed by Freedom House and JB Vu (ASIANEWS) “*Only democracy can put an end to corruption in Vietnam*”; everything for sale, from “government posts” that provide important responsibilities (Vu, 2006). Meanwhile the Waseda University blamed “*a blind eye*” from the Government. On political arena, Nawaz also concluded that “*similarly, in Vietnam, Political leaders are still closely tied to business empires and political parties are thinly veiled front for powerful firms*”. These symptoms of “state capture” bend state laws, policies and regulations to their benefit through corrupt transactions with public officers and politicians.

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<sup>45</sup> In the Constitution, the NA consists of 498 seats, elected to a five-year term. For the current term, 458 (92%) are Communist party members. Normally, the NA gathers 2 times per years (or more frequently if called for by the National Assembly Standing Committee), four to 8 weeks long each time. The assembly appoints the President (head of state), the Prime Minister (head of government), the Chief Justice of the Supreme People's Court of Vietnam, the Head of the Supreme People's Procuracy of Vietnam (or 'Supreme People's Office of Supervision and Inspection'), and the 21-member Government. (Source: Vietnamese NA website).

Briefly, the current Vietnamese political system weakens civil society and deters principles “separation of powers”, as well as “rule of law”, two macro keys for anti-corruption. The below article is the strong sign. “*Article 2.1 Point 3. State power is unified, with the assignment, coordination and control among state agencies in the implementation of the right to legislative, executive and judiciary*”. This statement confirms the separation of power is unclear in Vietnam. It is crucial in the context of the total hegemony of the CPV. Furthermore, the CPV’s classic doctrine is “democratic centralism” in which once decisions have been made inside the organization, e.g. CPV, party members are expected to obey without questions. In short, this political system cannot reduce systemic corruption unless the total reform happens.

#### 4.1.2.1.2 The National Integrity systems

The National Integrity systems (NIS) is defined as the key ‘pillars’ of a country’s governance system, both in terms of their internal corruption risks and their contribution in fighting corruption in society at large. The NIS consists of nine key pillars: legislative branch of government; executive branch of government; judiciary; public sector; law enforcement; electoral management body; ombudsman; audit institution; anti-corruption agencies; political parties; media; civil society; and business (TT, 2016)<sup>46</sup>.

The broken NIS is an inevitable consequence of Vietnam’s political regime (above noticed). More worrying is that political interferences and obstruction in all sectors and on all levels are commonly reported. More worrying is that political interferences and obstruction in all sectors and on all levels are commonly reported. In addition, inadequate conditions for lawyer’s professional work are commonly raised. Besides, there is a wide gap between the formal rules governing the integrity system and the actual practices on the ground (Painter, 2012).

Below is the important quote.

*“However, Vietnam’s integrity systems are not working well, with the mechanisms in place to tackle corruption either rudimentary or poorly enforced. There is wide gap between the formal rules governing the integrity systems and actual practices on the ground. The principal reasons why the integrity system is not operating well are: insufficient checks-and-balances between the executive and agencies such as the legislative, supreme audit, the judiciary, civil service, law enforcement, and anti-corruption agencies; an inadequate incentive structure for civil servants; a tendency for politicians and officials to operate outside the law; institutional rivalry; poorly enforced codes of conduct; widespread access to off-the-books funds; nepotism in appointments; a tendency toward secrecy in the public sector; narrowly based and formalistic public consultation and inadequate protection for whistle-blowers”* (Davidsen, 2007).

The above quote shows a complete macro view on institutional conditions, NIS in Vietnam<sup>47</sup>.

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<sup>46</sup> <http://www.transparency.org/whatwedo/nis/>

<sup>47</sup> Moreover, this NIS part may be updated with the TI’ Vietnam research on the National Integrity System.

The gaps are fatal hubs to anti-corruption efforts. All crucial institutions are weak, inefficient or impotent. More insights on the NIS will be discussed further elsewhere of the thesis.

In addition, there are contradictions between speeches and actions of nation leaders and policy makers. On the one hand, the Party Secretary-General, the State President, the National Assembly's Chairman and other politicians spoke a lot on mass media but they did not do any crucial acts for corruption crusade. Martini pointed out that the Vietnamese leaders *"increasingly and officially underlined the importance of cleaning up and consolidating integrity within AC agencies"* (Martini, 2012). On the other hand, *"there is still no law on "access to information", meanwhile the country has a one party system, and there is also no regulation on political party financing. Conflict of interest is only partially regulated by the Anti-Corruption Law, which requires members of the government to disclose their assets (to his or her organizations' leaders only), and several public institutions have adopted Codes of Conduct* (Martini, 2012). Clearly, political party financing and conflicts of interest are still major issues although they're are some progress on assets disclose and the newly passed law on "access to information" (2016). However, there is no specific regulation regarding members of the government and public officials receiving gifts and hospitality. Neither are there regulations on post-public employment (Global Integrity Report, 2009). A Directive of the Prime Minister strictly forbids the use of public funds for gifts and hospitality in contravention of the law in 2006 (No. 26/2006/CT-TTg). However, the enforcement of the Directive has not been assessed. Briefly, there are big structural loopholes for corruption.

#### **4.1.2.2. Anti-corruption bodies**

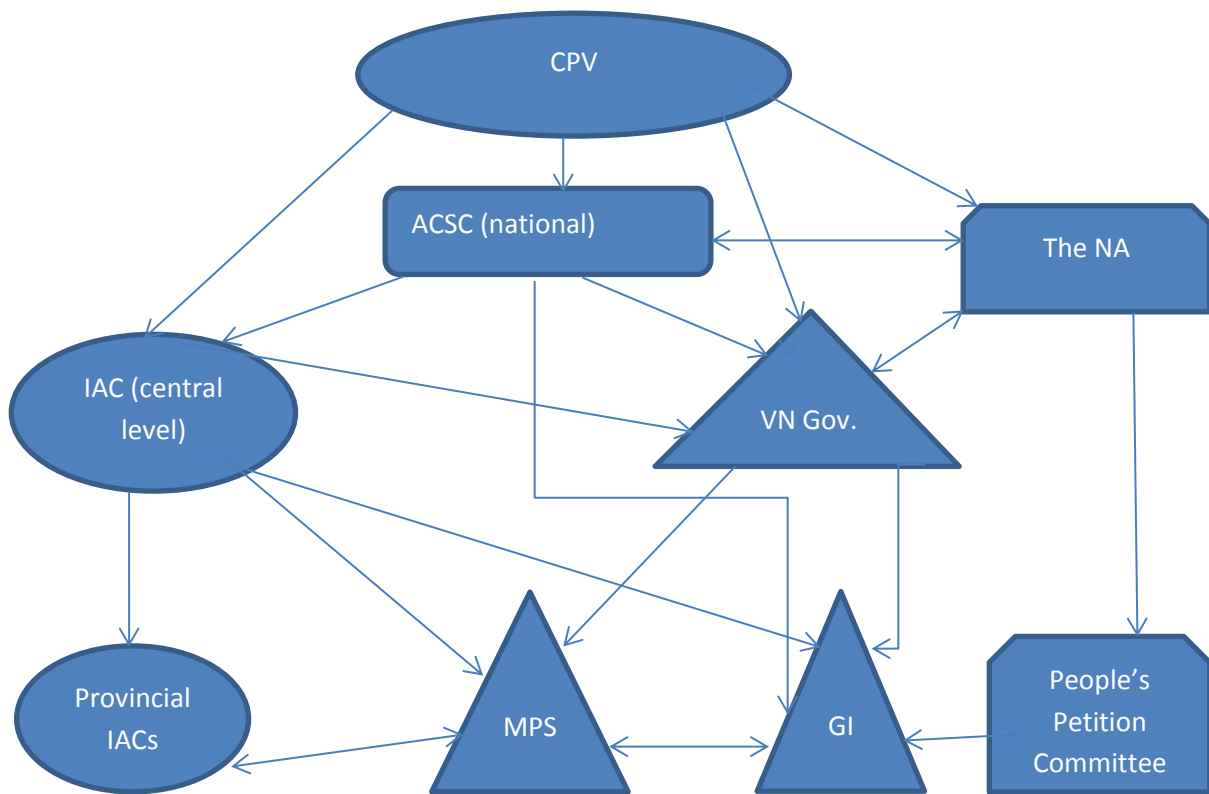
Vietnamese AC bodies consist of many branches (the CPV, the NA, the executive government, judicial agencies) and layers (central and local levels) (see Diagram 1). At the national level, the CPV's General Secretary chairs the AC Steering Committee; this consists of key figures from the CPV (IAC), executive government and ministries. The mission of CPV's Internal Affairs Committee is to lead and supervise the fight corruption nation-wide, both internal CPV and the government. At the executive branch, the Government Inspectorate (GI) is the leading and coordinating AC agency (with one AC department and other department stands as AC Ombudsman), while MPS is in charge of investigation of corruption crimes. Under the National Assembly, State Audit of Vietnam (SAV) is charged with the prevention and revealing corruption in the public budget use and management. At judiciary, SPC and SPP are the justice institutions prosecuting and trialing corruption crimes while they also have sub-departments conducting investigations. In theory, each agency seems to have a distinct role in the national system in combating corruption, however, how effective they discharge their assigned tasks and with necessary integrity is still a question. The current issues will be discussed in the subsequent sections.

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However, TT's publication is unknown until December 2016. There is a snapshot publicly provided to the media by TT recently instead.



Diagram 1: Anti-corruption bodies in Vietnam



Legend: CPV: The Communist Party of Vietnam; ACSC: The National AC Steering Committee  
 IAC: Internal Affairs Commission (of CPV);  
 The NA: The National Assembly (parliament)  
 VN Gov.: The Government of Vietnam; MPS: Ministry of Public Security; GI: Government Inspectorate

#### 4.1.2.2.1 Vietnamese Anti-Corruption Agencies

##### Recent changes

The revised Law on Anti-Corruption (LAC), passed in November 2012, contains a few fairly new changes compared to the old one. However, as expected, a safe improvement option was chosen instead of a more radical reform option on the establishment of an independent AC agency (see the Diagram above).

##### The AC Steering Committee (ACSC)

ACSC is moved from the executive branch (Government) to the Politburo that is directed by the General Secretary of the Communist Party (CPV). In principle, this is clearly a good move as it separates corruption monitoring from executive bodies (what might probably and substantially reduce conflicts of interest – one of major drivers of corruption). Furthermore, it is also important in the Vietnam context where the Party can play the bigger and much more effective role of oversight over the government, instead of the parliament (weaker, more symbolic and passive). However, a parallel institutional AC-body exists in Vietnam, conducted and managed by the Ministry of Public Security (MPS, C46), in cooperation with

the Government Inspectorate (GI). The ACSC plays the role of direction, oversight and speed-up AC process (investigation, prosecution and trial), especially with serious and super corruption cases.

In fact, however, there is the rumour that this change is a result of a fractional infighting, between the CPV leaders and the executive government leaders. The movement of ACSC to the CPV is a step of strengthening the supervision role and leadership of the CPV on the executive government. The political arena of Vietnam is different from China. In China, the regional and sectorial leaders have big power and (mis-)use it to gain economic assets. In reality, China's media broadcasted big scandals of Chinese Politburo's members (Bo Xi Lai, Chou Zongkang, Xu Caihou, Guo Boxiong, Chen Liang Vu, etc.). Some of these offenders were also ex-members of the Chinese Politburo who might have competed unsuccessfully to the Chinese President(s) (Xi Jin Ping, Hu Jin Tao).

In Vietnam, the Party leaders of the provinces, the cities and subordinated bodies normally are the most powerful officials at the provinces but they are much weaker than top four members of the Politburo<sup>48</sup> (The CPV Secretary-General, The President, The Prime Minister and the NA Chairman). However, sectorial leaders of Vietnam's Ministry of Industry and Commerce were recently disciplined on mismanagement and nepotism promotion (see Section 5.1.9 Nepotism)

#### *Re-establishment of the Internal Affairs Commission (IAC)*

The IAC (see Diagram above), the extended arms of the CPV, is mandated to monitor the punitive aspects of corruption, in order to support the Party to direct and monitor AC policies. However, this is not a brand new solution. This "new pot contains the old alcohol"-structure was not effective in the past either. Right after its establishment, the IAC faced a relatively strong resistance within the Party, which could not convince its members in giving more political power to the IAC's Chief. In addition, the death of IAC's chef in 2014 was publicly discussed on social networks as internal political assassination although the affair still remains a mystery. Moreover, this regime underestimates and take-over the supervisory role of the National Assembly (NA) meanwhile provokes intervention of the CPV. This signal poses questions on the feasibility of this new institutional mechanism in the future.

#### *More transparency but insufficient*

Transparency is improved by the strong and more focused AC legal measures in the legal framework: including transparency in public resources management, personal assets, public procurement; management of SOEs, natural resources, in organization and staffing affairs, etc. Especially, it is the first time that a new article on *accountability and disclosure of personal assets* was introduced in AC legislation. People hoped that these new provisions would have a positive impact on fighting corruption. Some new law bills have been suggested for consideration or discussion at the parliament.

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<sup>48</sup> The CPV leaders of Hanoi Capital and Ho Chi Minh City are two members out of the 19-member Politburo.

#### 4.1.2.2.2 Independence, integrity and accountability of anti-corruption institutions

The jurisdiction of the state inspection agencies of sectors and local governments is influenced in reality by state-management agencies at the respective levels. Painter (2012) agrees and shares that political interferences are rather popular at every level and in all sectors. The laws and regulations on AC investigation and prosecution in Viet Nam have not sought to ensure ‘independence’ even relatively as required and as observed elsewhere in the world. *An independent specialized agency* for criminal investigation and prosecution is a big advocate of Justice Committee’s members. However, there were also several options regarding its reporting line, including (i) as part of the National Assembly; (ii) to be headed by the President; (iii) by the MPS (Ministry of Public Security), etc. Such a relative independence is not a new set up at all. However, it would be completely unrealistic to expect an apolitical or fully political independence under the prevailing political circumstances in Vietnam. Painter also shares this opinion arguing that anti-corruption agencies in Singapore, Hong Kong and Indonesia are ‘independent’ more in the sense that they are more powerful, rather than in the sense that they are apolitical. UNDP is currently engaged with the CPV’s IAC in organizing discussions about models of independent anti-corruption institutions with international inputs. (Painter et al, 2012).

The State Audit became independent from the Government after the Law on State Audit was first passed in 2005, under the NA, following a series of strong and effective support of development partners like UNDP, ADB, DFID, etc. These oversight bodies used to report to the Executive Government before 2006.

In addition, there are some recent changes; the overlapping responsibilities of multiple AC agencies are still critical to Vietnam. The Permanent Office of the Steering Committee for Anti-Corruption (OSCAC) was set up in early 2007 to advise, organize, and serve the operations of the National Steering Committee, parallel to the above bodies.

#### 4.1.2.2.3 Weak anti-corruption bodies

Based on international and national surveys, the police are among the top three or top five most corrupt sectors in Vietnam during the period between 2005-2013 (see part I.2 above) while the police’s mission is to fight against corruption. These results severely condemned ethos, efficiency, and the effectiveness of police, as well as their role in AC. As a result, the Vietnamese Government Report stated that the *“number of corrupt cases exposed and investigated is not equivalent to the real corruption reality. Serious and complicated corruption investigation and treatment faced challenges, lead to prolonged investigation, profile return for additional investigation, and some others temporarily terminated investigation because of missing suspects or unready damage certificates”* (VN Gov. report, 2012, p.10). More seriously, *“MPS clarified and disciplined 336 policemen because of corrupt-related behaviours”* (VN Gov. Report, 2013, p.8). This quote signifies how corrupt the police are in Vietnam and they constitute a major problem in the fight against corruption, but not AC forces. Below are statistics on corruption cases.

Table 13. Recent real corruption cases in Vietnam, 2009-2014.

	2009	2011	2012	2013	2014
<i>No. of identified / investigated cases</i>	243	220	386 (49 cases by Inspectorates, 337 cases by police)	275	256
<i>No. of people investigated</i>	520	449	936 (67 people by inspectorates, 823 by police, 46 by military)	601	593
<i>No. of cases prosecuted</i>	209	219	278 (16 cases by military investigators, 18 cases by Supreme Procuracy's Investigators, 244 cases by Procuracy's Investigators at provincial, district levels).	293	329
<i>No. of people prosecuted</i>	701	456	621 (20 by Supreme Procuracy's investigators, 601 by Procuracy's investigators at provincial, district levels).	675	751
<i>No. of cases trialed (1st time)</i>	229 cases (537 defendants)	229 cases (501 defendants)	167 cases, 338 defendants (44,1% are serious, very serious or specially serious classified cases).	271 cases, 566 defendants	287
<i>Non-imprisonment Sentence</i>	NA	39,2% (No. of persons)	34,2% (No. of persons)	NA	675
<i>recovered corrupt Assets</i>	VND 350.5 (out of 700) billions	NA	VND 573 billion <sup>49</sup> (VND 410 billion by police, 163 million by military)	< 10% (VND 959 billions)	

Sources: Author's calculation, based on VN government reports (2009-2014).

In the previous period, the Central Steering Board on anti-corruption raised the problem that “regulations relating to institutions and structure and AC bodies are incomplete; the model of organizing/structure of provincial and local anti-corruption boards face many challenges and shortcomings due to these incomplete regulations and personnel structure” (VNA, 2009). This conclusion identified and recognized internal problems of anti- corruption system and bodies

<sup>49</sup> US\$ 1 = around VND 21,000 in 2012-2015, US\$ 1 = around VND 22,000 in 2016

that lead or create opportunities for corruption. Furthermore, during 2007-2012, the Vietnamese Prime Minister (PM) was also the head of the Central Anti-corruption Steering Board unlike the least corrupt countries in the world (Singapore, Hong Kong, Norway...). It reduces the independence and strength of the anti-corruption organization, an important lesson learned of the least corrupt countries although it was changed now. Moreover, in 'Chapter V, Part 1', key perception surveys showed that the Vietnamese police is on the top of corrupt list of sectors. Although perceptions are not completely real but these perceptions are meaningful for diagnosing high-risk areas or sectors. More dangerously, these survey results undermined the integrity of anti-corruption bodies and the weak rule of law, at least in police sector. It is a big hole for anti-corruption in Vietnam. Meanwhile, mechanism for protecting claimants/ (informants, and whistleblowers) is not working well and this need to be strengthened. From analysis, we strongly believe that the anti-corruption bodies and judicial system in Vietnam have their own problems of integrity and capacity. This fact opens wide systemic corrupt opportunities, both internally and externally.

In addition, the CIAPV 2005 report also reminded us about two major criteria of weak anti-corruption bodies: "Few or no exposed corruption cases", and "No strictly enforced penalties". Around 46% up to 62% of respondents (three groups: Civil servant (n =1301), Enterprise's officer (n= 855), Citizen (n= 3251)) fully agree with this statement.

Moreover, the AC agencies and the state authorities cannot identify wrongdoings among nearly one million 'Asset Declaration' of public officers<sup>50</sup>. There may be two scenarios: (1) one million public officers do it rightly and honestly, or (2) law enforcers do not have competence to identify or investigate wrongdoings. However, the first scenario seems to be impossible, as Section 4.1.2.9 (below) would point out bad ethos of public officers. It means that law enforcers do not have competence to identify or investigate wrongdoings due to many reasons including collusion.

### **4.1.2.3. Rule of law and judiciary**

#### *4.1.2.3.1. Dependent judiciary*

In a recent public parliamentary discussion between the Chairperson of Vietnam National Assembly (the Parliament)- Mr. Hung and the General Supreme Judge – the leader of Vietnamese Supreme People's Court - Mr. Binh, the dilemma of a division of powers in a one-party-regime became obvious:

Mr. Hung: 'We must ensure the judicial independence'.

Mr. Binh responded: 'Regarding the judicial independence, it is constitution-enshrined principle. The Constitution 2013 was stipulated clearly and in the draft Bill also. However there still exists the principle "the leadership of the CPV in the principle of trials", we will follow that principle'<sup>51</sup>.

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<sup>50</sup> <http://giaoduc.net.vn/Xa-hoi/Ong-Vu-Mao-Con-nhieu-so-ho-de-can-bo-long-quyen-dan-den-tham-nhung-nghiem-trong-post174030.gd>

<sup>51</sup> <http://www.tienphong.vn/xa-hoi/quyet-dinh-cua-chanh-an-ha-noi-la-vi-pham-nang-762803.tpo>, accessed 17.44, 01.02.2016

The discussion implies that *the leadership of the CPV surpasses the principle of judicial independence*. This is the most serious violation of independent courts that may lead to impunity or obstruction of justice in general (see Chapter 5, 7). In other words, dependent judiciary has been criticised widely on literature, such as “judges remain tightly controlled by the Party” (Nicholson, P.X, & Nguyen, H. Q., 2005, p.1). In another article, Nicholson pointed out that ‘judges are appointed for limited five-year terms. Many are apparently party members and therefore are accountable to both the party and the National Assembly, rather than only to law and constitution. The party is alleged to hold continuing-influence over the actual decisions of the court’ (Nicholson, 2002, p. 49). The problem of dependent judiciary should be cleared to promote the operation of the AC agency and independent courts.

#### 4.1.2.3.2 Weak rule of law,

Besides, on judicial corruption, Nawaz wrote that “legal systems in both Vietnam...found to be underdeveloped and unprepared to deal with the demands of economic transition, which not only led to a slew of ad hoc and inconsistent laws. Confusion in the application of these laws also led to greater opportunities for judicial corruption”. According to the BAC, corrupt judges, leading to a “rule by law”, rather than a “rule of law”, characterize the judicial system in Vietnam. (Nawaz F., 2008, p. 6). This is a very strong critic on the Vietnamese judiciary and it is mentioned by mass media in Vietnam.

When there is no separation of powers; there are fatal risks for AC law enforcers. This assessment is proven by a leading actor of the judiciary, police and anti-corruption department (Governmental Inspectorate), who admitted that: “*Anti-corruption is equivalent to fight against position-holders or power-holders, or similar to fight against the “asking-giving” mechanism. Hence, we fight against corruption means that we may “die” (be killed) before corrupt actors*”- Director of AC Department (Vietnamese Government Inspectorate)<sup>52</sup>. His quote indicates life dangers and risks of anti-corruption in the consequence of the fact that corrupt actors may be more powerful than the law enforcers while rule of law cannot protect law enforcers.

In reality, the deaths of two anti-corruption leaders (amidst grand corruption scandals in Vietnam that involve high-profile leaders) have scared millions of Vietnamese and anti-corruption and law enforcers, although they are officially announced to have died from cancer by the state media. The first death is of Mr. Nguyen, Ba Thanh (died on Feb. 2015) - the chairman of the CPV’s Internal Affairs Committee, the anti-corruption agency of the CPV, one powerful figure of the top 20 highest national leaders. The second one is Mr. Pham, Quy Ngo (died on Feb. 2014), the Deputy-Minister of Ministry of Public Security who was in charge of national investigation police. The situation is risky and does not prove the political will of anti-corruption. It implies the nature of AC is power, and the AC is politically selective. Consequently, impunity is present that undermine people’s trust, reduce costs and

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<sup>52</sup> <http://giaoduc.net.vn/Xa-hoi/Tuong-Cong-an-gap-kho-Cuc-truong-Cuc-chong-tham-nhung-lo-tham-nhung-post166362.gd>, accessed at 17:00, 25.03.2016

increase the rewards of corruption. This is harmful to the AC fight in general.

Likewise, the Deputy-Director of the Police Force of Ho Chi Minh City (Mr. Phan Anh Minh-Brigadier) stated that *“the HCM city’s police must also follow the CPV Directive No 15 (2007), according to which it is not allowed to organize preliminary proceedings on communist party members (when the CPV division of suspects is not reported in advance)”*. It is a challenge to corruption investigation, *“since the majority of corrupt actors are CPV members”*. Furthermore, he added that *“amongst types of investigation cases (which required extended investigation, cancelation, amendment, or change,) the number of corruption cases is biggest. Even some cases were required the 3th or 4th extended investigation. The ratio of ‘return of investigation profiles’ is 1 to 2.5 with all corruption cases. The ratio of cancelation of corruption profiles is high also”*. He added that *“for many cases of investigation (that were cancelled by the HCM city), I must follow but I didn’t believe that the cancelation are correct, or may be correct partially but not leading to cancelation of investigation”*. Clearly, his quote implies the intervention to suspend, delay or cancel investigation and its difficulty of corruption investigation. He said many suspended or canceled investigations are not correct or partly incorrect. His witness is a strong evidence and insightful observation of an insider on the swayed rule of law in Vietnam.

In reality, the principle “Leadership of the CPV” is still supreme power in Vietnam. In fact, no member of the Politburo (highest political leaders) has been investigated or prosecuted by the AC agency, although corrupt senior civil servants (deputy-ministers and below) have been prosecuted in the two last decades. Further restructure of the AC system (to fix above challenges) seems to be impossible when political will is not strong.

#### **4.1.2.4. Anti-corruption legislation**

##### *4.1.2.4.1 Anti-corruption definition in the revised Law on Anti-Corruption (LAC)*

In Vietnam, the LAC stipulated that corruption only happens in the public sector. It is clear that the private sector is exempted from corruption. It does not follow the recommendations of UNCAC and many other high-profile AC countries like Singapore. The loophole can miss potential corruption acts because the CPIB’s annual report (2014) wrote, “85% corruption cases in Singapore are in the private sector” (CPIB, 2014, p.8).

More specific, article 3 of the Law on Anti-corruption (LAC)<sup>53</sup> defined that corrupt acts are: (1). *Embezzle*; (2). *Take bribe*; (3). *Abuse of position and power to misappropriate property*; (4). *Abuse of position and power in performing a task or an official duty for undue benefits*; (5). *Take advantage of power in performing a task or an official duty for undue benefits*; (6). *Abuse of position and power to exert influence on others for undue benefits*; (7). *Fraud in public service for undue benefits*; (8). *Give bribes or act as bribery intermediary by a person holding a position and having power in order to complete an affair of his or her own agency*,

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<sup>53</sup> This article of the 2005 Law on Anti-Corruption was unchanged in the new revised Anti-Corruption Law (ACL) in 2012)

*organization, unit or locality for undue benefits;(9). Abuse of position and power to divert state property for undue benefits; (10). Harass for undue benefits; (11). Refrain from performing a task or an official duty for undue benefits; and (12). Abuse of position and power for undue benefits to harbor the person who has violated the law; illegally interfere in or cause obstacles to an examination, inspection, audit, investigation, prosecution, adjudication or judgment execution for undue benefits*<sup>54</sup>.

In addition, the above definition has some other loopholes, such as lacking specific and measurable criteria on corrupt acts. Particularly, what are definitions of ‘take advantage of’, ‘abuses’, ‘harass’, ‘cause obstacles’, etc. These loopholes are serious in the context of ‘laws are dependent on quasi-laws (to define concepts of acts, which are stated in laws) to be effective. I will analyse more below and at Section 5.

#### *4.1.2.4.2 Key AC legislative issues of Vietnam*

##### *a. Weak AC sanctions*

Although Viet Nam’s Anti-Corruption Law (LAC) can be seen as among the best in Asia, Painter (2012) correctly argues that it deals largely with preventive and administrative matters and it is limited in scope and intention to resolve problems in the AC sanctioning and enforcement processes. This is really true even in the new AC law (2012), which changes a total of 25 articles but did not mention criminal sanctioning. Prevention measures should be prioritized, but it is not sufficient without criminal punishments. Besides the low quality of legal framework, the ACL 2012 itself has its own problems, such as executive-dependent legislation, weak whistle-blowers protection mechanism, and a personal asset-declaration requirement for too many categories of officials. It is unfeasible and should be focused on public middle and high managers only. In addition, Viet Nam’s enforcement system is fragmented and poorly coordinated (Painter, 2012). These reflect weak AC sanctioning and enforcement measures.

In addition Dr. Phan, Thi Lan Huong criticized that “*government had played important role in legislation.... However, this practice also causes many problems of legal system such as contradictory, overlap, and inconsistency*” Phan’s critics are strongly supported by the fact that the Vietnamese parliament cannot function independently from the direction and intervention of the CPV. In other words, the executive government drafts laws and quasi-laws but not the National Assembly (NA). The reality reflects imperfect “rule of law” in Vietnam that leads to a lower quality of legal framework and other crucial effects on government efficiency, effectiveness and AC.

In 2013, the UNDP-UKaid’s report assessed certainly that the legal framework of Vietnam is ‘neither up-to-date, and nor implemented effectively’ (Doig, A.; Dao, L. T; and Hoang, X. C., 2013, p. 12). In the same year, the Vietnamese government suggested two things. Firstly, to revise, add the Penal Code and related documents to clarify better activities of corruption,

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<sup>54</sup><http://dSPACE.africaportal.org/jspui/bitstream/123456789/12935/1/Viet%20Nams%20Law%20on%20Anti%20Corruption.pdf?1>



positions- related orders to ensure the matching/ no conflict with the AC Law; to revise the article on the investigation period of the Criminal Procedure Law in order to fit with complicated corruption, positions-related lawsuits. Secondly, to punish and enforce laws strictly on corruption cases, restriction of non-imprisonment sentences; guidelines on unified application of articles of the Criminal Procedure Law regarding quantitative measurement (“causing serious consequences”, “severe consequences”, “big amount”, “very big amount”, “extra big”, “gain illegal benefits”, “for private gain”, etc.)

#### *b. Ambiguous and volatile legislation*

In practice, Truong, Hồng Quang, raised concerns on legal shortcomings relating to the rights of complaints and denunciations of Vietnamese citizens, such as ambiguous articles, lack of mechanism for whistle-blowers protection, limited access to information of citizens that led to low effectiveness of the complaints dealing process (Truong, 2015). Moreover, Nguyen, Nong, identified key reasons of “unjust sentence and preventive measures (Nguyen, 2015). This includes wrong practicing procedures of investigation, prosecution; lack of full participation of lawyers from initial steps; no “the right of keeping silence”; un-clarity and abuse of temporary detention; and dependent management of temporary detention camp under the investigation agency that may be prone to bias or lack of objectivity.

#### *c. Lack of key AC-related laws and measures*

There is some good news on anti-corruption measures. Firstly, Access to Information Law was passed in 2016 although it still has limitations. Secondly, the hotline of anti-corruption was launched since the end of the year 2015. However, Vietnam is still lack of and under construction of some *key AC-related laws*. Firstly, the Strike and Protests Bill has been delayed (from 2014 to 2016) to be submitted to the National Assembly for consideration and discussion. It is more problematic due to concern on liberty restriction when the Ministry of Public Security drafted it. However, it has not been passed until 2017. Secondly, although Association Bill is the foundation for “Rights of citizens”, however, it is always considered as “sensitive”. The National Assembly has delayed it for discussion for many times. Moreover, the Trans-Pacific Partnership promoted the Independent Trade Union but the road map is unforeseeable due to the reluctance of the USA’s Trump Administration. Besides, Income-control Bill (as stipulated by the LAC) is being drafted. The lack key AC-related laws and measures hinder significantly AC efforts.

#### *4.1.2.4.3 Key legal documents*

Significant AC policies and laws have been issued in Vietnam, since 1998, includes:

2013, New Constitution 2013 (amended from the Constitution 1992).

2012, The new Anti-Corruption Law (ACL) was passed on,

(a new article (Art. 32a) on **accountability** was introduced. In addition, further and extensively specifies provisions relating to **disclosure of personal assets**, which is generally considered by the public as the most important reasons leading corruption).

2011, the anti-corruption strategy in Vietnam was approved for the first time,

2011, the Law of Complaints and the Law on Denunciations.

2007, amended the Law on Anti-Corruption,

2005 Law on Practicing Thrift and Fighting Waste,

2005 Law on Anti-Corruption.

2004 Law on Inspection;

1999 Criminal Code, Chapter 20, Part A – Corruption Crimes;

1998 Ordinance on Anti-Corruption (revised 2000);

1998 Law on Complaints and Denunciations (revised 2004);

1998 Ordinance on Public Employees (revised 2003);

1998 Ordinance on Practicing Thrift and Fighting Waste;

At international level<sup>55</sup>, Vietnam:

2009, Ratified the UN Convention Against Corruption,

2004, joined the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific,

2003, signed the UN Convention Against Corruption,

#### **4.1.2.5. Conflicts of interest (COI), Monitoring and Evaluation, accountability and transparency**

##### *4.1.2.5.1 Conflicts of interest (COI) and Vietnam's management*

Conflicts of interest (COI) are new topics in Vietnam while it hides the risks of corruption. Recognizing its risks, the WB and GI conducted a research and provided meaningful findings on COI in the public sector and Vietnam's management. The legal review shows that “*Vietnam's existing legal framework does not yet provide a definition of COI and systematic COI management in the public sector*” (WB and GI, 2016, p.10). Between “*25% and 40% of public servants reported their agencies did not implement COI regulations*” (WB and GI, 2016, p. 12). The quotes signify high risks of corruption due to conflicts of interest. Particularly, participants of group discussions argued that “*most gifts given to public servants represented personal interest or even bribery*”.

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<sup>55</sup> 2011, Report of Vietnamese government after 2 years of UNCA ratification

And nearly “70% of witnesses believed the purpose of these gifts are to facilitate the gift-givers’ businesses. Both public servants and enterprises agreed, “giving gifts has become a “trend”, “custom”, or even “a rule of the game”. Enterprises give gifts in order to avoid “discrimination”, while public servants give gifts to supervisors to be “nice” to them”(WB and GI, 2016, p.11).

There exist the causal relationship between drives of the gift giving trend and covert bribery for personal gains or promoting business. The set of recommendations were provided, including legalizing restrictions on COI in Vietnam and strengthening capacity in managing COI situations. Particularly, defining COI and instituting mechanisms for COI management; expanding the governing scope of COI legal regulations; revising regulations on gifts giving and taking; engaging in outside employment and post-employment; and strengthening the management of assets and income. Moreover, a focal agency for COI management should be set up for public servant management, raising awareness, implementation and providing policy advice (WB and GI, 2016, p.10-14). These recommendations reflect current legal loopholes of COI management, as well as corruption opportunities in Vietnam.

#### *4.1.2.5.2 Monitoring and Evaluation Systems*

There is lack of workable evidence-based M&E systems, tools and database for measuring AC progress and reporting, both at nation and sector levels. True political will is much more important than political statements without actions for effective combating against corruption. From both sides, the government and the international donors, there are insufficient attentions to be paid to narrow down this gap, reflected both in legal documents and in reality. Some donors (e.g. UNDP, WB) provide some technical support to GI in this regard but this is far to be sufficient and adequate. More concerted support should now gear to set up and sustainably maintain such a nation-wide M&E systems in the IAC system (perhaps in its supporting units). This tool can be regarded as important as the Treasury and Budget Management Information System (TABMIS), which the Government and donors have put a lot of resources to build up for the Vietnamese public financial system.

#### *4.1.2.5.3 Accountability and transparency*

##### *Accountability*

The merriam-webster dictionary defines ‘accountability’ as an obligation or willingness to accept responsibility or to account for one's actions. Accountability has been a new term in Vietnam for the last two decades, although the accountability movement emerged in the United States around 1970. In ethics and governance, accountability is defined as answerability, blameworthiness, liability, and the expectation of account-giving (Dykstra, 1939) meanwhile responsibility may refer to be in charge, to be the owner of a task or project. Moreover, the accountability is broader than responsibility, which not only means responsibility but also answerability for someone’s actions, only after a task is done or not

done (Williams, 2006). However, responsibility can be questioned before and/or after a task is done or not done. In addition, the Oxford English dictionary points out the difference between two concepts may be in the context in which they are used. "Responsibility" is used more for everyday situation while "accountability" is used for more formal, business- or duty-oriented context. It means that accountability requires justification for actions, plans, etc. and to "suffer punishment in the case of eventual misconduct" (Schedler, 1999). Accountability is more results-based management than responsibility.

Discussing on accountability in Vietnam, Dr. Vasavakul stated: *"There remains a lack of any legal framework for further institutionalizing formal vertical accountability that would allow non-state actors to hold state officials accountable. In legislation, this absence includes that of any framework allowing associations to engage in public consultation on behalf of their members."* The quote means that the structural and legislative problem or regime weakens accountability of state-actors to non-state actors. This weakness produces corruption risks. And she suggested that *"continues its accountability project to address and clarify the questions of who is accountable to whom, for what, through what process, by what standards of success, and with what consequences for failure."* (Vasavakul, 2015, p. 62). Her idea is important to balance power, especially meaningful under one-party rule Vietnam.

Vasavakul firmly added, *"Be that as it may, the NA public accountability efficacy as a mechanism of accountability is limited. The NA, after all, is a body of, by, and for the Communist Party of Vietnam (CPV) while the establishment of an NA Standing Committee has undermined the influence of individual deputies."* (Vasavakul, 2015, p. 45). The quote signifies that the supervisory role of the NA (mechanism of accountability), as well as the individual influence of NA members, is undermined, subordinate to the CPV's leadership. Hence, the national accountability mechanism is broken from the top.

Riskier, *"Inspection units are dependent; they are attached to government agencies and under leadership of agency heads"*. The mechanism nullifies all internal denunciation on wrongdoings. Additionally, there is no framework to enforce compliance with a given inspectorate's findings. In fact, *"inspector's recommendations are not followed."* Furthermore, she identified some general overlap in the functions and mandates of Vietnam's public accountability mechanisms, such as *"the duplication of activities between administrative and specialized inspectorates", and between "the inspectorates and state auditing agencies"* (Vasavakul, 2015, p. 48-49). These structural problems hinder preventive shields of corruption.

### *Transparency*

The World Bank and the academia support the importance of transparency in AC efforts. Koessler and Lambert-Mogiliansky stressed that, "A mechanism combining both conditionality and a reward (a transparent selection advantage that needs not be large) allows complete elimination of corruption" (Koessler and Lambert-Mogiliansky, 2010, p.117). However, transparency cannot stand alone to reduce corruption although it is crucial.

“Transparency is insufficient in itself, and needs to be complemented by other types of policies. Transparency reform should focus on the areas most important to alleviating the resource curse” (Kolstad and Wiig, 2009, p. 521). The quote suggests transparency being an important component of the antidote of corruption, especially in resource management. Regrettably, Vietnam’s public sector is lacking transparency that leads to poor public service and opportunities for petty corruption (see Section 4.1.2.8 and Chapter 5).

#### **4.1.2.6. The law enforcement**

AC agencies are facing a fragmented enforcement capacity, as well as a constrained coordination at all levels. Criminal investigation and administrative inspection get in each other’s way (Painter, 2012). In the “Joint evaluation of donor support to AC efforts”, Country context, NORAD confirms that “*Investigative capacity is particularly weak*” (Norad, 2009, p. 31). People expect that the newly reinforced IAC mechanism can narrow down these gaps and consolidate the entire AC work as well as the enforcement system itself. However, the opposite has been observed (at nation-wide and regional conferences held in 2014) as they failed to provide an action agenda other than purely general speeches and slogans as usual. As a result, key topics and inputs were not discussed or initiated (e.g. transparency and personal assets of officials, capacity development for local branches of IAC, policy research, M&E system and database, and networking development, etc.)

Before that, in 2007, an assessment of anti-corruption law suggested: A general review of the secondary legislation of Vietnam indicated that the documents are sufficient in coverage with regard to the “why” and “what” of policy implementation, whereas the “how to do it” in terms of capacity and incentives is less clear.

Davidsen (2007) pointed out some challenges for AC law enforcement. Firstly, the lack of independence of the national and local steering committees will complicate or impede a more systematic anti-corruption approach. Secondly, the current organizational structure of AC Department mixes administrative supervision with specialized management. It may work more effectively if it coordinates by policy area rather than by administrative territory. The third problem is coordination within the same unit and inter-governmental agency coordination. The LAC does not clearly outline internal coordination within key anti-corruption agencies. The fourth one is no document mapping out a systematic way of how self-inspection or internal inspection may be carried out, and how to assess its preliminary impact on the prevention and detection of corruption within units. Finally, the challenge is the specialized capacity of the newly established anti-corruption agencies include collecting information and data; analysing the information; implementing the policies and decisions and managing the process; coordinating and using budget and other resources for effective implementation; monitoring, evaluation and reporting (all of these are so-called functional capacities) (Davidsen, 2007).

Almost all factors mentioned above put forward problems related to the quality of institutions and governance. Currently, these challenges are to be addressed to improve the situation in terms of corruptions. We can see a more specific analysis on law enforcement in Vietnam in Chapter 5. “Interview Analysis”

#### **4.1.2.7. Insufficient treatment of corruption denunciation and complaints**

The Transparency International report pointed out that “*seventy-nine percent of people said they would not report corruption because ‘it would not make a difference’ or because they are afraid of the consequences*” (TI, 2013). This data is alarming on insufficient treatment of corruption denunciation. It is also a key reason of low civil engagement on AC. In addition, the Viet Nam Provincial Governance and the Public Administration Performance Index (PAPI), since 2009 measures annually Vietnamese control of corruption and other key criteria of local public governance through citizen’s experience. In 2013, the report disclosed a similar alarming ratio “*48.4% claiming denunciations would be ineffective.*” (UNDP Vietnam, 2013, p. 61). This data is in highest significance. It implies that “fear of retaliation” is not the most influential factor hindering low denunciation rate among the Vietnamese people. In reality, this data reflects lack of people’s trust on the AC agencies competency and efficiency that lead to people’s low involvement into AC. Moreover, “*only 38% Vietnamese respondents are ready to report corrupt cases*” (Global Corruption Barometer, 2013). The reason behind this cause will be found in the analysis below.

We will see the data below are two extreme polar of two countries- Vietnam and Singapore-how corruption cases were denounced and treated. It helps us to understand why Singapore gained their people’s trust and success in anti-corruption war but Vietnam did not. It is also the biggest factor leading to a low prevalence of corruption denunciation in reality in Vietnam. The similar data also confirmed once more in the 2012 survey. The WB report (2012) pointed out that, 75% respondents perceived that “none or few cases of corruption detected” is a strong reason of (new) corruption. It also signifies bad law enforcement.

In Vietnam (2005), only 6.4% (people) to 19.8% (civil servant) of respondents perceived that corruption denunciations were “properly treated”. At the same time, “corruption concluded, job transfer instead of due treatment” were perceived to be accounted for 4.2% (people) or 9.3% (civil servant) while around 25% respondents said that these claims “investigated but not yet concluded”. Similarly, around 10% of three respondent groups replied that corrupt denunciation remains “uninvestigated” while 13.9% to 22.6% assessed rather “lenient”. Furthermore, 5-7% respondents thought that “corruption was concluded but not yet treated” while 26% people are “unclear”. Apparently, the alarming data condemned critically anti-corruption efforts of Vietnam, before 2005. This status seems not to be improved but worse, in PCI ranking. (Source: *The CIAPV report, 2005, p. 62*)

In addition, in Vietnam, the late treatment of corruption happens in all surveyed branches and provinces, although it may vary from one place to another. In general, the number of denounced corruption cases that have not been treated is not very high. 6.1% of civil servants, 4.7% of business staff and 7.4% of people agreed with this evaluation. However, this

situation showed the weaknesses in anti-corruption activities. The slow treatment of detecting cases has reduced the trust of people and denouncers. It also spares a room for corrupters to solicit for less severe punishment. Over the time, the denounced cases may be forgotten. Among the cases having been treated, the number of cases received deserved treatment accounted for small ratio (19.8% civil servants, 8.3% business staff, and 6.4% people). (Source: *The CIAPV report, 2005, p. 62*).

At a larger extent, corruption cases were not treated properly. In most cases, the treatment was not severe as it should be. Some cadres who were disciplined were transferred to more important posts or given more important responsibility. In some of the most significant corruption cases, which involve a number of other people, the corruption treatment was segmented or prolonged or even aimed at wrong persons or wrong behaviours (omission of crimes). Its education and preventive impacts was far from expected. It is obviously the decisive cause that entails a low number of denunciations of corruption case. This conclusion will be illustrated below in section 5 and 6 on the basis of the interview-analysis.

Riskier, whistle-blowers are not protected well enough. In 2016, the most famous AC facebooker- Mr. Loi Minh Tran (he use facebook to fight corruption), was investigated and then he was prosecuted in early 2017 because of ‘giving bribes’ or ‘instigated and organized others to bribe’<sup>56</sup>. Before that, Mr. Binh (a police officer) was one of six gamblers and then he guided captured gamblers to bribe his colleagues for prosecution impunity. Mr. Binh’ act may be collusion or a planned trap of police for private gain. However, other police officers have not been prosecuted except Loi and five gamblers.

The Vice-Director of Police Department of Dak Nong Province explained that

“Before handling this case, if the defendant Loi Tran only collected materials and evidence to provide immediately to the police office or posted to the press, then he would not be guilty. However, he has instigated and organized others to ‘give money’ to someone else (to collect evidence of ‘accepting bribe’). More seriously, after that, he called Mr. Binh to control, to threaten him for personal gain. His scoundrel nature is evident in this case. However, admittedly, he accomplished this act because of the corrupt Investigation Officer<sup>57</sup>”.

The case of Mr. Loi makes citizens like me to be reluctant to report corruption cases as the line between AC denunciations and “giving bribes” is too thin. Moreover, AC denunciations against powerful people, such as police (Mr .Binh, etc.) are highly risky. The case of Mr. Loi is quite common as some famous journalists (Thanh Nien Newspapers, Tuoi Tre Newspapers, etc.) were trialed and sentenced some years due to the similar scenarios of investigation, prosecution and trial. Loi Tran was sentenced to 4 years and 6 months imprisonment<sup>58</sup>. The verdict has scared the majority of denunciators and has seriously obstructed justice and AC.

Other whistle-blowers, such as teacher Viet Khoa Do, were affected bitterly although the media and the society welcomed him for the initial period. He denounced corrupt

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<sup>56</sup> <http://baophapluat.vn/ho-so-vu-an/vi-sao-nguoi-hung-chong-tham-nhung-bi-truy-to-toi-dua-hoi-lo-298576.html>

<sup>57</sup> <http://baophapluat.vn/ho-so-vu-an/vi-sao-nguoi-hung-chong-tham-nhung-bi-truy-to-toi-dua-hoi-lo-298576.html>

<sup>58</sup> <http://news.zing.vn/nguoi-to-tieu-cuc-o-tay-nguyen-lanh-hon-4-nam-tu-vi-toi-dua-hoi-lo-post731959.html>

examinations in Ha Tay Province in 2006. Then the Ministry of Education and Training of Vietnam awarded him a merit, and ignited the Program of Clean Examinations. However, two gangsters and two security officers of his high school beaten and robbed him by at his house and warned him stopping his denunciation on corruption at his high school in 2008. He resigned in 2010 due to ‘discrimination of Hanoi’s Education Department of his office<sup>59</sup>’. In addition, his villagers and colleagues condemned him that he let their children and pupils failed the national exams, etc. His bitter life mirrors the eroding trust of citizens and whistle-blowers on AC efforts and weak civil engagement into AC.

Opposite to Vietnam, here is the Singapore’s treatment on citizens’ reports on corruption

**Box 5. Some of the Service Standard that CPIB has for Singaporean citizens**

1. Attend to the visitors calling at Bureau as follows:  
 90% within 5 minutes;  
 10% within 10 minutes;  
 none exceeding 10 minutes;
2. Answer 100% of citizens’ calls to the DO Line by the 4th ring, and 90% of your calls to the DO Line by the 3rd ring;
3. Decide on whether your complaint on alleged corruption is pursuable immediately, for reports received from walk-in complainants;
4. Act on citizens’ complaint:  
 within 48 hours after it is assigned to the investigating officer;  
 immediately, for "offences in progress";

(Source: CIPB, 2009)<sup>60</sup>

The box 5 shows the impressive Singapore’s results of dealing and processing corrupt cases or complaints, both in term of tracking ability, quality and speed. This result builds citizens’ trust and in turn, it encourages them to engage into the fight against corruption.

Table 14 shows that around 7.5% to 12% of cases (line 4) are classified as eligible for the Government Inspectorates’ procession; the rest is transferred to other bodies. The classification criteria are not provided; hence, it is difficult to assess the process. Among eligible cases, the rate of processed cases is between 78%- 85.5% (line 5). The performance data is quite good but lag far behind Singapore (100% calls were answered within 10 minutes, by the 4th rings). It is more concerning when the unprocessed cases are more complicated and bigger ones, or ‘offenses in progresses. More impressive, CPIB can ‘*decide on whether your complaint on alleged corruption is pursuable immediately, for reports received from walk-in complainants*’.

<sup>59</sup> [https://vi.wikipedia.org/wiki/%C4%90%E1%BB%97\\_Vi%E1%BB%87t\\_Khoa](https://vi.wikipedia.org/wiki/%C4%90%E1%BB%97_Vi%E1%BB%87t_Khoa), accessed on 20 February 2017

<sup>60</sup> CIPB, 2009, accessed October 2009



Table 14. Result of corruption denunciation and complaint treatment in Vietnam

No.	Activities	Year 2012	Year 2013	Year 2014	Year 2016
1	Number of visits of denunciators, reporters	No data	No data	370,794	362,309
2	Number of denunciation, reporting cases	No data	No data	No data	200,415
3	Number of denunciation groups	No data	No data	4,732	5,168
4	<b>Total eligible cases<sup>61</sup>/ total cases (%)</b>	No data	No data	44,426/ 370,794 (12%)	27,308/ 362,309 (7.54%)
5	<b>Number of processed eligible cases/ total eligible cases (%)</b>	59,496/ 70,587 (84,3%)	40,206/ 47,060 (85,44%)	37,716/ 44,426 (84.9%)	21,300/ 27,308 (78%)
6	Money returned to citizens, state (VND billion)	312,2	341,025	110,9	67
7	Land recovered (ha)	116,3	40,3	30,8	89
8	Number of citizens was protected (in term of interest, honour)	3,303	3,739	2,131	1,460
9	Number of suggested cases of administrative discipline	493	537	594	532
10	Number of processed cases of administrative discipline	No data	275	446	No data
11	Number of cases moved to further investigation	49	50	83 (59 banking cases).	Not available
12	Number of persons moved to further investigation	56	84	Not available	Not available
13	Number of corrupt cases (found out by inspectorates and denunciation treatment )	Not available	Not available	Not available	49
14	Number of corrupt actors (found out by inspectorates, and denunciation treatment)	Not available	Not available	Not available	95

<sup>61</sup> Eligible cases are processed by the Government Inspectorates; the rest is transferred to other bodies.

Source: author's calculation, based on the Vietnamese Government Reports, 2012-2016

The result is convincing to highlight CPIB's competence. It explained why people in Vietnam mistrust public institutions meanwhile Singaporean respect and trusts their public offices. This is one of the key factors that have transformed Singapore to become the least corrupt country in the world from one of the most corrupt country.

#### **4.1.2.8. Weak public governance or administration**

The Central Internal Affair Committee of the Communist Party of Vietnam's (CIAPV) report (2005) pointed out that there are four main groups of causes of corruption. Three of them belong to governance causes (policy and laws, organizational and personnel management, supervision and judgment). All of these causes coincided with the research of the UNDP Vietnam (Gainsborough, Dang and Tran, 2009, p.19-23) and Nguyen Dinh Cu on corruption in the education sector (Nguyen, 2007, p.25-33). Poor governance can be seen via weak and volatile legislation system, complex and irrational administrative procedures and low quality of public services.

##### *4.1.2.8.1 Public Service and public sector*

The WB survey (2012) confirms that among 19 options in the questionnaire, key reasons for endemic corruption in Vietnam relate mainly to public governance. Indeed, "no serious sanctions" for corrupt officials is agreed mostly as the cause by all three groups (more than 90% respondents). Secondly, "erosion of public officials' ethos" is also influential (around 85%). Thirdly, "existing of the ask-give mechanism" is accounted for around 82% and the fourth one is "limited checks and balances for powerful public officials" (around 81%). The fifth strongest cause is "complicated and cumbersome administrative procedures" (around 81%). "Poor control of assets, incomes of powerful officials" is the 6<sup>th</sup> strongest cause (around 80% respondents). Other causes (more than 75% respondents) are "loopholes in regulations on public capitals and assets management", "none or few cases of corruption detected", "weak transparency or information disclosure". Other causes (70%- 75% respondents) include "weakness in HR promotion and appointment", "it is common that public officials receive gifts of unofficial payments while performing duties", "regulations on rights, duties and responsibilities of public officials not clear", "people give money to public officials to get things done is a habit". There are also three other factors mentioned "low salary" (69%), "due to faction, people who are not corrupt will be excluded" (around 60%) and "those who have corrupt chances but do not take them are unwise" (40%). In general, there is no big gap between three groups of respondents, except some opinion, such as "it is common that public officials receive gifts of unofficial payments while performing duties", 83%, 76% and 57% of enterprises, citizens, and public officials respectively, agree or strongly agree with this

statement. (WB, 2012, p.67-68)

Key findings of the Provincial Governance and the Public Administration Performance Index (PAPI, 2015) report confirms that the “*efforts to control corruption at the provincial level have had limited effects*”, “central and southern provinces tend to do better on corruption control than northern ones” (the top 16 best performers) (UNDP, 2015, p. XXIII-XXIV). Further to this, the UNDP states that “*a stronger willingness from citizens to report corrupt acts can be facilitated by the participation of both non-government actors and the media, who can serve as channels for citizens to report corruption. This will help Viet Nam to overcome systematic and spreading corruption*” (UNDP, 2015, p. 60).

### *Public Service Delivery*

The PAPI<sup>62</sup> report (2016) also measures the level of corruption (bribes) perceived and experienced by citizens when using public health care and primary schools. The findings show that ‘*bribery in public hospitals is still widely prevalent*’ and ‘*there was a decline in the number of respondents who felt that public health-care workers and primary teachers said no to bribes, compared to the previous two years*’ (UNDP, 2015, p.59). In half of the provinces, ‘*only between 28% and 47% of respondents indicate that users have to pay bribes when accessing public health care at district hospitals in the province*’. Similarly, in half of the country, ‘*only between 36% and 59% of respondents claims that bribery does not take place at primary schools*’ (UNDP, 2015, p. 59). It is common sense that school and hospital bribes are necessary to ensure favouritism. These are systemic corruption in public service delivery.

In the research about corruption in the education sector in Vietnam in 2009, the authors pointed out the strongest causes of corruption that related to the existing mechanism of educational management, which consists of weak accountability, weak staff oversight, insufficient legal system, the lack of transparency, limited people’s participation, poor paid for teacher, and wrong performance incentives. Two other groups are: (1). The causes related to stakeholder groups such as schools, teachers, and parents include wrong incentives for teachers, win-win situations (collusion), and (2) lack of a whistleblowing culture (TI, 2011, p. 27-28).

In the health sector in Vietnam, a research confirmed that informal payments incur due to “hospital capacity is significantly overstretched, and a significant portion of health expenditures must be paid by the citizens”. Other factors include “the model of private management mechanisms in public hospitals (collection of user fees and requiring hospitals to self-finance) is a risk factor increasing opportunities for informal payments. Additional risk factors are the lack of transparency in public health service management (including human resource and financial management), economic pressures, weaknesses in system management, and the lack of investigation. (Towards Transparency, 2011, p.11)

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<sup>62</sup> The Vietnam (PAPI) has been conducted annually by UNDP Vietnam, since 2009 to 2016, to measure citizen experiences with local government performance. The Control of Corruption in the Public Sector is one key aspect of this report (limits on public sector corruption, limits on corruption in public service delivery, equity in state employment and willingness to fight corruption, the tolerance of corruption practices by citizens.

### *Public Sector Corruption*

The 2015 PAPI report's findings are less optimistic because according to the UNDP, "*fewer citizens agreed that public officials did not divert public funds for private use, ask for bribes when handling land use rights certificates or ask for kickbacks when handling construction permits*" than two years ago (UNDP, 2015, p.59). The quote signifies that divert public funds, asking for bribes and kickbacks exist and may increase after two years.

Furthermore, according to the Transparency International, public procurement in Vietnam suffers from the "lack of competition", "preferential treatment of SOEs and collusion in bidding have opened up bigger market for political corruption... the problem is not the availability of procurement rules but their enforcement and implementation" (Nawaz, 2008, P5). Enforcement and implementation of laws are a resilient story in Vietnam. It either relates to institutions/bodies and traditions or practices in society.

#### *4.1.2.8.2 Red tape and other administrative reasons*

The WB findings (2012) on red tape in the public sector are that: the fifth strongest cause is "*complicated and cumbersome administrative procedures*" (around 81%). "Poor control of assets, incomes of powerful officials" is the 6<sup>th</sup> strongest cause (around 80% respondents). Other causes (more than 75% respondents) are "loopholes in regulations on public capitals and asset management", "it is common that public officials receive gifts of unofficial payments while performing duties", "regulations on rights, duties and responsibilities of public officials not clear", "people give money to public officials to get things done is a habit" (WB, 2012). These aspects are among the most influential administrative reasons of corruption.

Nawaz named three main kinds of corruption (administrative, political and judicial) on the more macro level that are "rampant and rising". On Administrative corruption, he clarified more that the need for more government permission (licenses, approvals, consents and the like) increases opportunities for administrative corruption. He quoted from the 2008 World Bank/IFC Business survey "*starting a business in Vietnam requires a company to go through 11 procedures, taking 50 days and costing 20% of GNI per capita*", and "*the firms are more likely to pay for a license, even though it is might be illegitimate and unnecessary*" (Nawaz, 2008, p. 4).

#### **4.1.2.9. Heavy nepotism (lack of meritocracy)**

##### *4.1.2.9.1 Nepotism*

Nepotism and favouritism also remain common in public sector recruitment. Much recent national research, social and state media confirm the nepotism trend. Firstly, the UNDP Vietnam report stated that:

*“As evidenced in PAPI findings over the past five years, nepotism in public sector employment has become a systemic problem” (UNDP, 2015, p.59). The PAPI even shows “a downward trend in the national average scores of the ‘no relationship required for state jobs’ indicator. For example, in Ha Noi only about 14% of respondents believed that they do not need to pay a bribe when seeking state employment. In Ha Giang, for the second year in a row, citizens also believe that personal relationships are crucial when applying for state employment, with almost none of the respondents saying that the five public sector posts that were asked about in the survey are free from nepotism” (UNDP, 2015, p.60).*

The quotes signify that nepotism (or personal relationships and informal payments) still play an important role in getting a job or promotion in the public sector. Likewise, the NORAD report also shares the PAPI findings that:

*“Nepotism and Cronyism are also considered a serious problem in the country. Appointments to the police sector, judiciary and across the public administration are often based on family ties or close relationships with the communist party. State officials are also known to use their authority in order to secure contracts for family members (US Department of State Investment Climate Statement, 2011). Reforms introducing merit and a position-based structure in the civil service are part of the current Public Administration Reform (PAR), and, if effectively implemented, they have the potential to address favouritism and nepotism in appointments and recruitment processes within the public administration” (NORAD, 2011).*

Moreover, UNDP Vietnam (2014) published new surveys and confirmed strong nepotism in Vietnam. *“Informal payments for state employment and personal relationships still play an important role for those who wish to pursue public sector careers” (UNDP VN, 2014, p.69).* According to the UNDP, the *“country still witness prevalent nepotism in state employment, bribery in the public sector and the lack of willingness to fight corruption from both sides of the transaction (i.e. the local government and citizens themselves) (UNDP VN, 2014, p.71).* In addition, in a survey of public officials, 18-19 percent of respondents believed that influence from powerful people were important in recruitment and promotion; while 13-16 percent of officials viewed connections with family and friends to be important (Government Inspectorate and World Bank, 2012, p.73-74.). Moreover, 29 percent of people who came into contact with government bodies and agencies reported paying bribes in the job application process (Government Inspectorate and World Bank, 2012, p.51; TT, 2014).

Furthermore, “weakness in HR promotion and appointment” is perceived as the main cause of corruption by 73.1% surveyed public officials and 74% citizens and 76, 6% firms respectively (WB, 2012, p.68.). Likewise, around 60% respondents claimed, “due to faction, people who do not corrupt will be excluded” (WB, 2012, p.67-68). These WB quotes involve different aspects of nepotism.

Nepotism was also confirmed by Nguyen, Do and Tran (2012):

*‘We find strong positive effects on several outcomes, some with lags, including roads to villages, marketplaces, clean water access, preschools, irrigation, and local radio broadcasters, as well as the hometown’s propensity to benefit from the State’s “poor commune support program”. Nepotism is not limited to only top-level officials, pervasive*

*even among those without direct authority over hometown budgets, stronger when the hometown chairperson's and promoted official's ages are closer, and where provincial leadership has more discretionary power in shaping policies, suggesting that nepotism works through informal channels based on specific political power and environment. Contrary to pork barrel politics in democratic parliaments, members of the Vietnamese legislative body have little influence on infrastructure investments for their hometowns. Given the top-down nature of political promotions, officials arguably do not help their tiny communes in exchange for political support. Consistent with that, officials favour only their home commune and ignore their home district, which could offer larger political support. These findings suggest that nepotism is motivated by officials' social preferences directed towards their related circles, and signals an additional form of corruption that may prevail in developing countries with low transparency' (Nguyen et al., 2012, p.1)*

More details, the WB report (2012) found out that

‘Among those who have to pay unofficial money, large unofficial payments are given when applying for jobs in the state sector, and when applying for land use right certificates (LURHOC). When visiting or interacting with a state agency in search of a job, 12% said that they made a “large” unofficial payment. Schools and other institutions of education have the highest probability of making a large unofficial payment (WB, 2012, p. 52).<sup>63</sup>

Closely relating to nepotism, the network-based business is bold in Viet Nam. , Wescott pointed out that, ‘stakeholders seek to better define the respective roles and authority of the party, and other public, quasi-public and private organizations at different territorial levels’, which ‘generating a rush of lucrative opportunities for well placed entrepreneurs within or closely linked to the party network’ (Wescott, 2003, p. 35)

This conclusion reflects a lack of meritocracy or merit-based recruitment is perceived as a reality in Vietnam. The issue lags behind many other consequences of the low quality of public service delivery and weak ethos of a fraction of Vietnamese public officials, including bribery and other forms of corruption. That issue also poses risks of accepting bribery of new public officials when they are recruiting new generations in order to fulfil the amount that they bribed. Ironically, it is a dangerous but a resilient vicious circle of corruption.

#### *4.1.2.9.2 Some recent concern examples of nepotism on Vietnamese media*

Because there is little academic research on nepotism in Vietnam, I select some articles of Vietnamese media for discussion. Firstly, Mr. Le, Phuoc Hoai Bao, the son of CPV Secretary of Quang Nam province, Central Vietnam was promoted to the Director of Quang Nam Department of Planning and Investment in 2015 at the age 30. Although the public and the media due to doubts on competency and the lack of governmental minimum standards have condemned this case strongly, the promotion is still effective. Later on, the inspectorate of the Ministry of Internal Affairs’ delegation even shocked the nation with the conclusion of the so-

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<sup>63</sup> These percentages are a fraction of all of those who interacted with the agencies.

called “procedural compliance” promotion (Oct. 2015)<sup>64</sup> Secondly, Mr. Nguyen, Thanh Nghi is now the CPV Secretary (the highest position in one province) of Kien Giang province, southern Vietnam, where his father, the Vietnamese Prime Minister (2006- Apr. 2016) was born. Nghi is the youngest provincial CPV Secretary<sup>65</sup>. Another son of the ex-PM, Nguyen, Minh Triet was recently promoted to the party leadership Board of Binh Dinh province, central Vietnam, at the age 24, the youngest member<sup>66</sup>. Both cases above are among the highest leadership at the provincial level at a record young age.

Thirdly, in a similar format, Mr. Le, Truong Hai Hieu, at the age of 34-year-old, (son of CPV Secretary, the highest position in Ho Chi Minh city, southern Vietnam) is the chairman of district 12, Ho Chi Minh city since 2015<sup>67</sup>. Another example is Mr. Nguyen Xuan Anh, (son of ex-commissioner of Central CPV’s Supervision and Discipline Committee), was elected in 2016 as the CPV Secretary of Da Nang city, the fourth largest city in central Vietnam at the record young age of 39.

Fourthly, Mr. Nong, Quoc Tuan, son of CPV’s ex-General Secretary, was promoted to the CPV Secretary in Bac Giang province, for the period 2010-2015, although he is criticized widely on social media due to his previous drug addict’s life during the 1980s and lack of competency (some of the information is not confirmed officially). Due to many reasons, his leadership was not successful and was moved back to the Deputy-Commissioner of the National Assembly’s Ethnic Committee after his father’s retirement<sup>68</sup>.

Fifthly, Ms. To, Huong Linh, a Bachelor of Arts graduate of Journalism, at the age 26 Y.O, was promoted to be the CEO of Vinaconex, a huge state-owned enterprise in the construction sector. After two months, she resigned in February 2012<sup>69</sup>. Her father is Mr. To, Huy Rua, Chairperson of CPV Central Personnel Commission that manages the promotion of high-profile CPV members. Although Huong’s promotion was done by the PM, not by her father, however, there had a doubt on the PM’s selection criteria and his accountability. Is there any political exchange or deal here?

Some recent cases in 2016 involved Vu, Thanh Hai, the son of ex-minister of Industry and Trade, Trinh, Xuan Thanh and Vu, Minh Hoang. All these cases have captured national discourse and protests on social and state media.

Sixthly, Vu, Thanh Hai (born 1986) was promoted to Deputy-General-Director of SABECO in 2015, the huge state-owned brewery company in Ho Chi Minh City. Previously, he was promoted the director of the PetroVietnam Finance Investment Company, PVFI (state-owned),

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<sup>64</sup><http://vnexpress.net/tin-tuc/thoi-su/bo-noi-vu-quang-nam-bo-nhiem-giam-doc-so-30-tuoi-dung-quy-trinh-3290813.html>

<sup>65</sup> <http://vnexpress.net/tin-tuc/thoi-su/ong-nguyen-thanh-nghi-la-bi-thu-tinh-uy-tre-nhat-nuoc-3297236.html>

<sup>66</sup> <http://vnexpress.net/tin-tuc/thoi-su/ong-nguyen-minh-triet-phai-ren-luyen-de-xung-dang-truyen-thong-gia-dinh-3299680.html>

<sup>67</sup> <http://vietnamnet.vn/vn/thoi-su/chinh-tri/ong-le-truong-hai-hieu-tham-gia-ban-chap-hanh-dang-bo-tp-hcm-306792.html>.

<sup>68</sup> <http://vnexpress.net/tin-tuc/thoi-su/ong-nong-quoc-tuan-thoi-chuc-bi-thu-bac-giang-2234229.html>

<sup>69</sup> <http://www.phunutoday.vn/sep-to-linh-huong-thoi-chuc-chu-tich-sau-2-thang-d15345.html#WwAsAYv67vo0UxKl.97>

at age 25, where he lost around US\$11 million in two years, 2011-2012. However, he was still promoted higher to be Deputy-Director of Export-Supporting Centre, Ministry of Industry and Trade where his father was the Minister. In late December 2016, he resigned after strong social protest<sup>70</sup> (after his father was disciplined, due to the violation of AC Law, some months ago by the Communist Party of Vietnam. His father retired in April 2016)

Seventhly, Trinh, Xuan Thanh (born 1960) case also involved the Ministry of Industry and Trade. In 2016, the Communist Party of Vietnam (CPV) issued the Discipline Notice on his wrongdoings. The document stated that he “*have been fired*” from the position of Party Secretary of the state-owned PVC Company, and the Chairman of the Managing Board, after making the company loss of US\$150 million in 2011-2013, but “*he still suggested himself to leadership positions in the Ministry of Industry and Trade and Hau Giang Province*”<sup>71</sup>. Ironically, the CPV only disciplined him after he was promoted (by the government). The question is who and why he was still promoted after having been fired due to bad management? What are the problems of public human resource management? Now Interpol and Vietnamese Police want Trinh.

The last case, Vu, Minh Hoang (born in 1990), was recruited without contest or examination in mid-2014 and then promoted to Deputy-Director position in early 2016. After 32 days, he was moved to be Deputy-Director of Investment, Trade Promotion, and Exhibition Fair Centre, Can Tho City meanwhile he is still doing his Ph.D. in Japan (8.2014-7.2017). His office was even not known about his promotion (except the person who signed the promotion decision) while he does not have the salary book<sup>72</sup>.

These above cases do not represent all concerning cases but they are mostly publicized and criticized nation-wide, especially in newspapers and social media. These cases are only a tip point of huge iceberg. Nepotism is a pandemic disease of Vietnam’s public sector.

#### **4.1.2.10. Ethos of public officers and professionalism**

Mdm. Nguyen, Thi Binh, Ex-Deputy-President of Vietnamese State (1992-2002), questioned that “*if the majority of the CPV party members met the standards as the CPV’s Charter (good citizens, exemplary and responsible officers, working for the country and for the people, etc. ), then surely the country situation would have been much better than now*”<sup>73</sup>. Her question signifies that a big faction of the CPV’s members is not qualified. It means that their merits and their ethos are insufficient to be enrolled. Inevitably, the ethos of the public officers is problematic because these CPV’s members are a core, leading faction of the public sector.

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<sup>70</sup> <http://vietnamnet.vn/vn/kinh-doanh/doanh-nhan/vu-quang-hai-con-trai-ong-vu-huy-hoang-rut-khoi-hdqt-sabeco-348382.html>

<sup>71</sup> <http://vietnamnet.vn/vn/thoi-su/chinh-tri/xem-xet-xu-ly-ky-luat-ong-trinh-xuan-thanh-315118.html>, accessed at 04.07.2016

<sup>72</sup> [http://thanhtra.com.vn/phap-luat/dieu-tra-qua-don-thu/khong-lam-viec-van-duoc-bo-nhiem-vu-pho\\_t114c39n112947](http://thanhtra.com.vn/phap-luat/dieu-tra-qua-don-thu/khong-lam-viec-van-duoc-bo-nhiem-vu-pho_t114c39n112947), accessed at 17:00, 04.01.2017

<sup>73</sup> <http://www.bbc.com/vietnamese/vietnam-38510091>, accessed at 10:00, 05.01.2017



In the World Bank report (2012), around 85% respondents answered that the corruption cause is “*erosion of public officials’ ethos*” (WB, 2012, p. 67-68). In the report of Transparency International, as mentioned above, “*wrong incentives for teachers*”, win-win situations (collusion of schools, teachers, etc.) are the second strongest groups of corruption causes (TT, 2011, p.27-28). These reports were produced in 2011 and 2012 and showed similar results on bad ethos of public officers. Likewise, the CIAPV report (2005) also pointed out the similar trend. Particularly, “*civil servant’s depraved morality*” is perceived as the strongest factor of corruption, in comparison with others, such as “weak personnel management”, collective discard or “low salary”.

A UNDP report stated that “*across the country, only 39.74% of respondents agreed that their provincial leaders were serious about combating corruption*” (UNDP VN, 2014, p.71). It means that provincial leaders may not care much about fighting corruption.

More details, the CIAPV report (2005), reflects a high percentage of officials who make demands on businesses, at least on perceptions of businesspeople and citizens. The figure shows that officials directly involved in corruption account for 73.8% (n = 3251). Nearly 41% of them are officials in charge, 21% are heads of organizations and 14% are juniors like assistants or secretaries. Their relatives (6.3%) also involved corruption process. The figure is very strong evidence that corruption is requested or initiated by officials. It proves that ethics in public institutions, especially their staff’s ethics are really a challenge.

Furthermore, the CIAPV report confirmed that about 32.6% civil servants might accept bribe right away or with consideration. It is really a high rate compared to 53% refusing and/or denouncing. The data may be biased by officials’ mind as all of us try to be nice in other people’s eyes. They tend to hide and keep their real intentions as their own secret when they said to refuse or denouncing corrupt practices. In any way, it can contribute to the spread of corruption among public officials. The rate of “hesitating to answer” is quite high also, namely 14.2% (CIAPV Report, 2005). According to psychological theories and experiments, these people may commit corruption more easily than other groups of respondents. It is similar to the famous experiment that people tend to pick up bank notes and keep it as their money if there is no camera on and vice versa.

Generally, the data of The CIAPV report do not show the high rate of tolerance to many petty corruption activities of civil servants. However, there is still some important rate of public officers (10-15%) may commit corruption when possible as they see these corrupt activities are normal, acceptable, although all of the above activities are illegal and punishable by the laws in Vietnam. It reflects that a proportion of public officers do not respect and follow related laws. It is similar to the study of corrupt perception and practices in Africa. People do not perceive their behaviours as corrupt ones while these acts are regulated as illegal/corrupt ones by local laws. This fact makes petty corruption widespread because of both governance and traditional causes. In other words, the above data proved that corruption is considered normal or unserious crime, especially petty ones. (*The CIAPV survey, 2005*)

In short, from the above scenario, we can conclude that Vietnamese public servants’ ethos is problematic. Many of them require bribes meanwhile people are eager to pay or give bribes.

At the same time, the public servants tolerate the corrupt activities of their colleges or themselves. Furthermore, corruption cases are not properly treated. These factors promote corruption to grow and spread like an endemic.

Vietnam can learn German practice of staff rotation because “rotation of interacting pairs significantly reduces the levels of bribes as well as the frequency of inefficient decisions due to bribery” (Abbink, 2004, p. 887). Moreover,

“On average, bribes are reduced by almost one half, and, perhaps more importantly, the average frequency of inefficient decisions caused by bribery decreases even stronger. The effect observed in the experiment is due to a lower tendency of firms of administrative services to pay bribes as well as to a lower propensity of public officials to be influenced by them in favour of the briber. As bribers cannot reciprocate on favourable decisions by paying bribes in later cases, we observe a significantly lower tendency to pay higher bribes after the firms experienced an advantageous decision” (Abbink, 2004, p. 900).

#### **4.1.2.11. The weak role of civil society and media**

*“In this world, we not only pity because words and actions of the bad people but for the appalling silence of the good people.”*

*- Martin Luther King-*

##### *4.1.2.11.1 Civil society organizations (CSOs), the AC watchdog*

The AC watchdog – CSOs cannot perform well or promote its strong role as expected due to key limitations: weak awareness and behaviour of CSOs; poor CSO’s capacity; weak whistle blower protection and the lack of their involvement; and continuously constrained performance of the press in AC exposure and reporting. These indicators will be analysed and confirmed in more details in the following paragraphs.

In Socialist Vietnam, it is controversial to define civil society due to political links of mass organizations (so-called civil society by the authorities). In fact, in Vietnam civil society is under control by Decrees No. 8 and No. 47. ‘Civil society’ is a sensitive and a new term to the Vietnamese government. In Vietnam exists no real-civil society in the sense of independent associations and bodies like non-governmental organizations, trade unions and other intermediary institutions. The six biggest mass organizations in Vietnam (Journalist Association, Lawyers Association, Women Union, Red Cross Societies, Farmer Association, and Veteran Association) are dependent on state funding and management<sup>74</sup>. Obviously, these

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<sup>74</sup> In the years after reunification in 1975, the Vietnamese state conducted people’s mobilization through large “mass organizations” (party-sponsored), which may not fit within some definitions of civil society. However, CIVICUS (the World Alliance for Citizen Participation) identifies four general types of CSOs in Viet Nam: „

state-run mass organizations are not independent and not ‘civil society’ (basing on international standards). Inevitably, CSOs are weak due to poor capacity, lack of independent resources (human, finance, regulations) because all CSOs rely on the patronage of a state umbrella of the Vietnam Father Front (a state-run union of civil and mass organizations, see note below).

In theory and practice, civil society, especially mass media and citizen voices play a key role in preventing and curbing corruption worldwide. However, CSO’s awareness of AC Party policies and State regulations is minimal and, especially at the local and grass-root levels, is even far below the required level due to practical difficulties they face on a daily basis. The fear of retaliation may discourage them from denouncing offenses. Current legislation (the newly passed law and especially the Decree 59 guiding law implementation) is sub-standard in preventing and incentivizing the CSOs in combating corruption, especially the article 58. Thus, this is a high risk. More seriously, in practice, CSOs get a little or almost no opportunity to raise their capacity needed as a watchdog to deal effectively with corruption exposure and reporting as required by law.

Both the government budget and non-budget support to raise the oversight capacity of the people and their CSOs over public spending at local levels remains purely symbolic. For example, PM’s Decision 80 (2006) allows two millions VND per year for a community investment oversight board. This is far to be sufficient just for minor drinks, no expenses for arranging workshops to raise awareness and develop capacity for social audit. Similarly, local NGOs get some symbolic support from donors and INGOs (Action Aid Viet Nam, etc.) but this is far to make any changes and to be active. Fortunately, UNICEF has been supporting MPI and four selected provinces (Dien Bien, Quang Nam, HCMC and Lao Cai) to institutionalize social audit tools: Citizen’s Report Card-CRC; Community Score Card –CSC; Gender audit; and Public Expenditure Tracking Survey-PETS (UNICEF-MPI, 2011)

In practice, many factors deter proactive role of civil society. These factors originate in the prevention and fight against corruption, even in their daily life sectors like education or health. As mentioned above, the two causes “limited people’s participation”, and “lack of a whistleblowing culture” was observed in the research on corruption in the education sector in Vietnam in 2011 (TI, 2011, p.27-28). While in health sector in Vietnam, risk factor is the lack of transparency in public health service management (including human resource and financial management) (Towards Transparency, 2011, p.11).

However, the emerging social media and unofficial civil society have contributed greatly to wake-up ‘appalling silence of the good’, especially with two recent environmental protection and social accountability movements. Civil activists, demonstrators and protests (against the vast destruction of 6,000 old trees for transportation project in Hanoi city in 2015) motivated the environmental protection movement (‘hug the trees’). Civil groups and activists disseminated environmental messages and required transparency of the project, its necessity, corporate-funding contribution, use of cut logs, and corruption risks. After some months, the

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community-based organizations (CBOs), mass organizations, professional associations and Vietnamese NGOs. (ADB, 2011, pp. 1-2)

Hanoi authority disciplined some public officials for wrongdoings and more closely control the project implementation.

The second incident involves ‘Formosa’, a Taiwanese company that discharges directly unprocessed toxic to the South China Sea, in Ha Tinh province, central Vietnam. The incident has caused massive fish deaths in four north-central provinces of Vietnam. However, only after some months of resilient demonstrations and protests, the Formosa leaders had to apologize for Vietnamese people publicly on television and accepted to pay US\$ five hundred million for affected fishers and farmers. Previously, the Ministry of Natural Resource and Environment noticed that the incident happened because of natural reasons. That notice, however, pushed up anger of millions of Vietnamese, leading to the citizens’ doubts on the state’s ‘back-up’, protection or even collusion.

Although these two above movements produced positive nation-wide effects on environmental protection and promoting public and corporate accountability to citizens, there is still a concern of the authority that it can turn out to be ‘Arab Spring’. Hence, these movements were closely monitored and controlled. The civil trend, however, proves the strength and potentials of civil society in fighting wrongdoings, including corruption, if there is more civil liberty.

#### *4.1.2.11.2 The “censored” or “dependent” press*

In Vietnam, there is no private press although there are between five and six hundred public press (printing press, online press, television, radios, etc.). In theory, the Constitution, the LAC and the Press Law (issued in 1989, amended in 1999, expected important revisions in 2015) do not limit mass media’s participation in fighting against corruption. In practice, however, access to official information is challenges for mass media in order to expose and report on corruption cases. The constrained performance of government backed-up press agencies is largely due to the absence of free mass media that, risky AC and weak press’s capacity. For example, *“after criminal charges were brought against a number of journalists for their reporting, the media seems to have concluded that corruption is a too sensitive subject to report on and has been quite reluctant to report on such allegation”* (NORAD’s Joint Evaluation, 2011).

Moreover, Committee to Protect Journalists (CPJ) ranks Vietnam in the top ten ‘jailers of journalists’, currently imprisoned 8 journalists (CPJ, 2014). These ‘journalists’ (some freelance and bloggers, two reporters of the Vietnam Redemptories News), were sentenced to between 3 and 16 years in prison. Their ‘verdicts’ are for: *“abusing democratic freedoms to impinge on the interests of the state”* (an anti-state offense under article 258 of the penal code); or for *“propagandizing” against the state* (article 88); or *“activities aimed at overthrowing the government”* (article 79). In fact, these ‘conscience prisoners’ have done social, political, anti-corruption, environmental protection activities. Particularly, they report on: the plight of the country's persecuted Catholic minority; land disputes between the government and grassroots communities, and other social issues; or ‘calling for official accountability and corporate responsibility for the Formosa disaster’; or for ‘established the

popular *Ba Sam* news site and aggregator’; or for ‘frequent contributor to the independent blog sites Lam Bao Dan (People’s Newspaper) and Dan Luan (People’s Opinion), Radio Free Asia’; or for writing partly a political book called *The Vietnam Path*.

Reminding that, in late 2014, Inspectorates of the Ministry of Information and Communication suddenly inspected and disciplined the Old People Newspaper while police investigated the General Editor. There is a social doubt that there is a causal link between their articles that disclosed some corrupt-suspected transactions on land grabbing and a villa constructed for the ex-GI’s General Inspector. Fortunately, the General Editor was released and his investigation was suspended after his 18-month detention.

Meanwhile, the political viability of the emerging Independent Association of Journalists of Vietnam (IJAVN) (formed on 4<sup>th</sup> July 2014) is too premature to be judged if the IJAVN would make a push on AC fight. In turn, these factors limit citizen’s legitimate rights to be kept informed and their AC participation.

Requiring the press to disclose AC information sources is a recent attempt to narrow down the manoeuvring room of the press (by attempting to add a new clause (Clause 4 of Article 101 of the draft law). If it is approved, it will put press into an even more challenging and embarrassing situation experienced during treatment of the big corruption case, PMU 18, a few years ago. Thanks to strong protest of reporters and press agencies, and other reasons, finally the promulgated law could not add more negative against the press’s role in combating corruption because that attempt went against the Press Law and the old law on AC. Moreover, the international communities may play a role in press policy advocacy. In 2012, the OSCAC, GI and the World Bank recommended, *“the role of the press and media in preventing and combating against corruption should be more respected” and that ‘Access to information of the press, for corruption prevention and combating, should be facilitated’. At the same time, its role in oversight and social reviews/audit activities should be further promoted”*. The Law on Information Access was recently, passed (2016) due to advocacy. However, there are still constraints that hinder the free press.

Previously, a UNDP research by McKinley (2009) also highlighted that “the arrest and jailing of Thanh Nien’s Nguyen Viet Chien (PMU 18 case) has intensified concerns that, despite government protestations to the contrary, AC reporting must remain within strictly monitored boundaries and reporters who stray beyond these boundaries will be punished”. The report stressed that:

*“Accessing the information needed to uncover and accurately research cases of corruption is extremely difficult in Vietnam, where only officially documented evidence is considered valid and such evidence is usually withheld from the media. Where it is released, usually via a leak (often within the police force), reporters may be barred from using it- or sanctioned if they do so- its release is unofficial. It is rare for state officials to offer on-the-record comments for inclusion in a story, but reporters can be reprimanded if their stories contain unattributed quotes”* (McKinley, 2009).

Furthermore, the CIAPV report (2005) quoted that *“over 85 per cent of public officials and civil servants and 78 per cent of enterprise managers said they were unwilling to participate*

*in the fight against corruption for fear of being victimized by their superiors*". It is an alarming ratio. The report indirectly criticized and affirmed that without the strong voices of the civil society and the mass media, the public institutions and organizations of Vietnam do not face the fourth power as a counter force to control corrupt practices. It is a favourable condition for the growth and expansion of corruption.

#### *4.1.2.11.3 Willingness to fight corruption.*

According to the Transparency International, "seventy-nine per cent of people said they would not report corruption because *"it wouldn't make a difference" or because "they are afraid of the consequences"* (TI, 2013). It is an alarming low rate of civil engagement on fighting corruption. Moreover, the PAPI (2015) report confirms the above trend that "fewer respondents would agree that corruption had no effect on them, and a much lower percentage of respondents agree that provincial leaders are serious about combating corruption compared to 2013 and 2014". The report also shows a *"declining willingness to denunciate public officials who collect bribes. In 2015, very few victims of bribery requests (less than 3%) would denunciate corrupt acts by local government officials"* (UNDP, 2015, p.60). Although there are some active denunciation rates in some provinces, *"the rate is 0% in half of the country"* (UNDP, 2015, p.60) is alarming on lack of willingness to fight corruption.

In addition, the PAPI report also provided details on different provinces: *Nearly 80% of Long An bribe victims said they reported bribe takers. The tolerance of bribe amounts surged in 2015 compared to the previous four years, with victims of corruption saying they would not denunciate the case unless the bribe being asked for reached around VND24 million. Hai Phong citizens would not take any action unless the bribe was over VND72 million, while in Quang Ngai the tolerance level is about ten times less at VND7.3 million"* (PAPI Report, 2015). On average, only when the amount of asked bribe is VND 24 million (= US\$ 1,150), nearly equal to average year income of Vietnamese (US\$ 1,409) (UNDP, 2015), , the bribe takers will be denounced. It is 'appalling silence' of citizens because the majority of petty bribery varies from US\$ 2.5 to US\$ 20 (which will not be reported). It is riskier for rich province, like Hai Phong, the asked bribe would not be reported unless it reached around US\$ 3,450. Even in the poor province (Quang Ngai), US\$ 350 (VND 7.3 million) is still a big amount of money, especially for poor farmers.

The reasons for low civil engagement in fighting corruption were identified in some other parts of the thesis. Here again, the WB report (2012) also pointed out that 40% of the respondents agrees with the statement: "those who have corrupt chances but do not take them are unwise". The quote reflects partly mind set of a Vietnamese faction, easily taking the corrupt chances. If it is the fact, then that Vietnamese faction will not fight corruption naturally because it affects their interests. The cultural factor of corruption will be further analysed below.

#### 4.1.2.12 Cultural conditions

On informal institutional (cultural) side, there are some researches on corruption, which underline causes from cultural and educational aspects. A research on corruption in the health sector in Vietnam confirmed that *“in-kind informal payments, usually in the form of gifts, is deeply rooted in the country’s history”*, *“grew into a significant social problem and shifted to ‘envelop payments’ when Vietnam shifted towards a market-oriented economy, encouraging the collection of user fees for public health services”*. Causes of informal payments are to *“express thanks”* or *“obtain better and more satisfactory service”*. The research alerted by the conclusion that informal payments are threatening the goals of *“equity, efficiency and sustainability”* in the health system. It is more serious in higher-level facilities where hospital capacity is significantly overstretched, and the citizens must pay a significant portion of health expenditures. Current efforts to date to address informal payments are mostly ineffective. In addition, the model of private management mechanisms in public hospitals (collection of user fees and requiring hospitals to self-finance) is a risk factor increasing opportunities for informal payments. Additional risk factors are the lack of transparency in public health service management (including human resource and financial management), economic pressures, weaknesses in system management, and the lack of investigation. (Towards Transparency, 2011, p.11)

The WB report (2012) pointed out that, among 19 choices in the questionnaire, the fourth one is *“limited checks and balances for powerful public officials”* (around 81%), *“none or few cases of corruption detected”* (75%). Other causes (70%- 75% respondents) include *“weakness in HR promotion and appointment”*, *“due to faction, people who do not corrupt will be excluded”* (around 60%) and *“those who have corrupt chances but do not take them are unwise”* (40%). (WB, 2012, p67-68)

The CIAPV research (2005) also revealed that 52.2% of citizens are ready for paying/ giving bribe to have affairs solved. It is a strong evidence for saying that people see corruption or at least petty corruption as normal or acceptable. They do not care much about its costs if detected. This reason contributes greatly to the spread of petty corrupt practice in society. Meanwhile, many authorities require money for their public service as stated in the table 6. Thus, corruption is a combined result of behaviours of both sides not only of competent authorities. It is more likely to happen because civil servants require (table 6) meanwhile citizens are eager to give bribes.

In addition, based on his research, Ngoc Chi Nguyen from the Law Department at the University of Hanoi also concluded that *‘gifts giving when going to meet bureaucrats has become “customs” or traditions in our society’* (Nguyễn , 2006). At some extent, Vietnamese people accept or tolerate corruption, especially petty or administrative corruption.

Phan, Xuan Son agreed with the point by stating that *“negative aspects of Vietnamese culture are environment favoring corruption”* (Phan and Phạm, 2008, P 127). They added that corruption origins from the *“effect of backward traditions and culture”*, *“weak ethics of parts of civil servants and CPV members”*, *“asking and giving mechanism”* and *“selfishness and*

*property greed*'. Nevertheless, we only see four causes relating to culture or ethics side along with dozens of governance factors in Son's research.

On the education side, Nguyen Duc Manh wrote "*The way we teach and grow up our children made our children learned bossy, bureaucratic ways when they have social positions... that leads to corruption*" (Nguyễn, 2005, P1-5). Manh italicized that "*our secondary education system, in decades, is administrative bureaucratic, with "asking and giving" characteristics*". Meanwhile, general education on anti-corruption and ethics training for civil servants are in shortage, weak and inefficient as well. Many Vietnamese students violate the exam rules for better marks and many adults violated transport laws. It is totally contrary to 3 English exams I took by foreigners in Vietnam. They are bad practices that we are transferring to generations and "teach" our children on integrity and "legal culture".

Similarly, the television channel Viet.com raised 35 kinds of non-tuition fees at schools (VTC News, 17 Sept. 2007). We can see an education case in Quang Ninh, that is typical nationwide in Vietnam: For example, a pupil at grade 8 has to pay VND 1,180,000 (US\$ 53) for one semester, of which only VND 40,000 (US\$ 1.8) (3%) is tuition fee. Other costs are about 20 types of extra fees like security, water, sanitary fee, uniform, class fund, extra tutor, construction... Year after year, pupils live and grow with the corruption practice at their school that they know by their parent and gradually, they may see it as normal. Consequently, corrupt culture is nurtured and tolerated naturally but no one cares or realizes.

In rural communities, the people and farmers have to face many kinds of fees born by local authorities. These funds are poorly managed and they are sources of corruption. Even if it is petty corruption, it is common and popular. That is why it is so harmful and risky that nurtures the corrupt values or makes people think that corruption is normal or an acceptable way of life. Consequently, people's minds have strengthened gradually corrupt values and these values have rooted deeply in society. People live or act corruptly and do not consider if they are wrong or not because they see, the majority of their community accept the trend.

#### **4.1.2.13 Salary and other conditions**

Experimentally, 79% of public officials agree or strongly agree that low salary contribute to corruption. 'Citizens, however, is less certain, less forgiving with only 58% agreeing to this cause (WB, 2012, p. 67). The finding shows that low salary produces partly 'needs' of corruption, for survival. Likewise, Quah also italicized Low salary is one condition of corruption, especially "*starvation*" salary: (Quah, 2010)

Here is information on salary in Vietnam.

a. The basic salary in Vietnam is 1,210,000 (VND/ month) (Decree no. 47/2016/NĐ-CP (as effective since 01.05.2016) (1 Euro = 25,000 VND)

The salary for POs is calculated by the formula:

$$F(\text{salary}) = M(\text{minimum wage}) \times S(\text{salary step})$$



E.g.,  $F = 1,210,000 \times 2.34$  (salary step 1 of BA graduates) = 2,831,400 (VND/ month) (= Euros 113.56).

For each three years, POs salary steps will be added 0.33 when the POs performance is satisfied. Managers receive ‘management’ subsidizes. The police and military men are subsidized ‘danger’ money that may turn their salary 2-3 times higher than normal POs income. Some sectors (hospitals doctors, teachers at remote areas, mining workers, etc.) may also receive hardship subsidizes.

The current Vietnam’s PM salary is 17,167,000 VND/ month (686.7 Euros).

*b. The minimum salary by region in Vietnam.*

*Box 6. Minimum salary by region<sup>75</sup> in Vietnam*

<i>Region</i>	<i>Minimum salary (VND/ month)</i>	<i>Minimum salary (Euros/ month)</i>
I	3,500,000	140
II	3,100,000	124
III	2,700,000	108
IV	2,400,000	96
<i>Note: 1 Euro = 25,000 VND</i>		

*(Source: Author’s calculation, based on Decree no. 122/2015/NĐ-CP, as effective since 01.01.2016)*

## **4.2 Anti-corruption in Singapore**

### **4.2.1. Corruption situation in Singapore**

#### *4.2.1.1 Corruption during the British colonial period in Singapore*

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<sup>75</sup> Note: Region I includes big cities (Hanoi, Ho Chi Minh City, Hai Phong, Bien Hoa, Vung Tau, Thuan An, Di An, etc.). Region II consists of second-class cities and districts (Da Nang, Vinh Yen, etc.). Region III consists of rural districts and urban small towns. Region IV consists of poorest communes in Vietnam (the full districtal lists of each regions are fixed)

(Source: <http://ketoanthienung.org/tin-tuc/danh-muc-dia-ban-ap-dung-muc-luong-toi-thieu-vung.htm>)

Singapore used to be a third world country, right after the post-colonial period and during the 1960s and the 1970s. Corruption in this era was common in almost all sectors of the Singaporean economy. According to Quah,

*“Corruption in Singapore during the colonial period was not confined to the police only as government agencies such as the customs, immigration, and the internal revenue departments provided more opportunities for corruption than those public agencies with limited contact with the public”* (Quah, 2010, p. 173).

More specifically, Siew Wah, a former director of CPIB posits that *“the areas in which corruption was widespread were almost all licencing activity, food and price control action, the protection rackets connected with smuggling of gold bars and opium, and gambling”* (Yoong, 1972, p. 56 as cited in Quah, 2010, p.174).

During the Japanese Occupation: corruption was deteriorated by inflation- the difficulty to live on low wages; and scarcity of food, and basic commodities. These eventually led many people; include public officials, to involve into black market trade. In other side, AC is ineffective because of The Prevention of Corruption Ordinance (POCO) and Anti-Corruption Branch (ACB):

*“POCO was ineffective because it limited powers of arrest, search, and investigations of police officers as warrants were required before arrests could be made; and the penalty of imprisonment for 2 years and/or a fine of S\$10,000 for those found guilty of corruption did not deter corrupt behaviours”* (Quah, 2010, P.174).

Furthermore,

*“The ACB could not perform its task of corruption control because of the prevalence of police corruption. As the ACB was part of the Criminal Investigation Department of the Singapore Police Force, it is not surprising that the ACB was ineffective in curbing corruption, especially among policemen.”* (17 staff at that time) (Quah, 2010, p. 174)

In that situation, the PAP Government of Singapore developed the AC strategy *“as corruption is a way of life in Singapore in June 1959”* (Quah, 2010, p.176), therefore a comprehensive AC strategy is required to change POCO into POCA, and to replace ACB by CPIB. (Quah J., 2010)

#### 4.2.1.2 Corruption definition of Singapore

CPIB website provides a definition of corruption with an illustrated graphical representation. According to CPIB, corruption is

*“An act done with intent to give advantage inconsistent with official duty or the rights of others. The act of official or fiduciary person who unlawfully or wrongfully uses his status or character to procure some benefits for himself or for another person contrary to duty or the rights of others”* or *“Corruption involves the dishonest use of power or position which has the*

*result of one person or organization being advantaged over another” (CPIB, n.d)*

*In addition, the CPIB stresses that:*

*“Corruption is the solicitation, receiving or agreeing to receive, giving, promising or offering any gratification as inducement or reward to a person to do or forbear to do any act, with a corrupt intention. Gratifications are illustrated as gift; service, favour or any advantage; money, loan, fee; property; reward; undertaking to perform any act or promise of office/ appointment<sup>76</sup>” (CPIB, n.d).*

The Singapore’s definition differs from the Vietnam’s definition of corruption in sector, scope and acts. The definition of corruption in Singapore encapsulates that corruption may happen both in the private and public sectors while Vietnam only states it happens within the public offices. The “gratifications” definition of Singapore covers all forms of corruption while Vietnamese definition may omit (gift, sex service, reward, promise of office/appointment, etc.). These omissions are corruption opportunities.

#### *4.2.1.3 Current situation of corruption in Singapore*

Singapore is among the least corrupt country as mentioned in Chapter 1. She has achieved and maintained her high ranking on AC for decades. By CPI, her rank is top 10 (1995-2000), top 5 (2001-2009). By PERC (Hong Kong), Singapore is the first since 1995 until now. In the Global Competitiveness report, Singapore is the first rank also since 1999-2008. However, her AC rank went down in 2012-2016 due to some high-profile corruption cases incurred in CPIB, arm forces, The National Narcotics Control Board, etc. These cases raised concerns and requirement for AC system review and restructure recently. It will present more details in later parts. Here is the national report on anti-corruption, which states that:

*“Corruption cases in Singapore remain low with private sector cases forming the majority. In 2014, 85% of the 136 cases registered for investigation, which involved private individuals giving, offering or receiving bribes. Only 15% of the cases registered for investigation in 2014 involved public officers. It is worth mentioning that of 85% of these private sector cases (77% in 2012 and 84% in 2013 respectively), 13% involved public officers rejecting bribes offered by private individuals” (CPIB annual report, 2014, p. 8).*

The CPIB report further stated that:

*“In 2014, the CPIB handled a total of 541 cases, of which 136 cases were new cases registered for the year and 217 were added new cases registered in the course of investigation while 188 were existing cases brought forward from the previous year. The total number of cases handled by the CPIB each year did not deviate much over the last 3 years (CPIB annual report, 2014, p.8). It is “a stable yearly clearance rate for the CPIB in the last 3 years”. In 2014, 77% of the cases investigated by the CPIB were completed.” The clearance rate of year 2012 is 76% and in year 2013 is 67%”(CPIB annual report, 2014, p.9).*

In continuation, the report posits that:

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<sup>76</sup> Retrieved from: <https://www.cpiib.gov.sg/education/what-corruption>. (Accessed 10 Feb, 2017).

*“The conviction rates (excluding withdrawal) for cases charged by the CPIB for corruption offences and other related offences remained high for the past 3 years, well above 95% mark.”* In addition, *“the high conviction rate is testament to Singapore’s zero tolerance approach towards corruption and the robust anti-corruption system, which is constantly being reviewed to ensure Singapore remains at the cutting edge of fighting corruption”* (CPIB annual report, 2014, p.10)

The CPIB report provides impressive results of anti-corruption in Singapore, in terms of low corruption prevalence in public office, high clearance rate (completed investigation), nearly 100% conviction rate, and zero tolerance on corruption. These criteria are strongest evidence on CPIB’s integrity, competence and efficiency.

#### **4.2.2. Anti-corruption paradigm of Singapore**

##### *4.2.2.1 AC strategy*

*Singaporean Anti-corruption Philosophy: “Do not want; do not need, do not dare and cannot commit corruption”*

Singapore was rife with corruption and the government resolved to create a climate of honesty and integrity making corruption socially unacceptable. Today, Singapore is reputed to be one of the few countries in the world where corruption is under control in both the private and public sectors. Singapore’s success is due to three key factors. Firstly and mostly important is the strong will of the political leaders to fight against corruption. Secondly, Singapore's anti-corruption laws are adequate in meting out sufficient punishment to deter corruption. Thirdly, the organization charged with the investigation of corruption is given a free hand to act against corrupt people irrespective of their social status, political affiliations, colour or creed. In fact, *‘staying clean and dismissing the venal’* is one of the guiding principles of the Government. They believed that corruption control has strategic significance in national development. The anti-corruption law has been reviewed regularly to ensure that offenders do not escape legal punishment and that corruption does not pay.

##### *4.2.2.2 Anti- corruption bodies*

The Corrupt Practices Investigation Bureau (CPIB) is an independent body, which investigates and aims to prevent corruption in the public and private sectors in Singapore. A director who is appointed by the President and directly responsible to the Prime Minister heads the bureau. The Director of CIPB has the authority to investigate the Prime Minister with the President’s approval. The number of CPIB Staff increased from 5 (1952) to 93 (2008) with Budget of S\$1,024,370 (1978) to S\$17,136,700 (2008). (Quah, 2010)

The bureau is responsible for safeguarding the integrity of the public service. Particular attention is paid to law enforcement officers and officers who, by the nature of their jobs, are more susceptible to corruption. CPIB encourages corruption-free transactions in the private sector. The three main *functions of CPIB* are: (i) receiving and investigating complaints concerning corruption in public and private sectors; (ii) investigating malpractices and

misconduct by public officers; (iii) examining the practices and procedures in the public service to minimize opportunities for corrupt practices.

CPIB has won most notable awards in Singapore for its excellence. Moreover, the public perceptions on CPIB have been very good (knowledge on CPIB and its role; reporting on corruption cases; confidentiality; service targets. Key CPIB's performance indicators include Cycle time (to complete an investigation); completion rate (cases/year); prosecution rate (prosecution cases/cases); conviction rate (cases convicted in court/ cases); attendance to visitors; proportion of reports investigated; number of persons charged and disciplined (Quah, 2010). These criteria can measure correctly the performance quality but also act as effective tools to maintain or improve CPI's performance if necessary.

#### **Box 7. Impressive customer orientation of CPIB**

*The cornerstone of CPIB's customer relation policy is to win the **support and confidence of the public, vindicate the Government's trust in it as a world-class investigation agency and secure the support of the organizations it partnered in fighting corruption.** CPIB has rigorously defined its customer base and determine their respective needs, through various feedback mechanisms, to fulfil this policy. In so doing CPIB has developed a customer-focused mission of 'delighting customers with a pleasant contact experience and excellent product quality through swift and sure action' and a customer-focused vision of 'exceeding its customers' expectations by attaining the Bureau's vision of a crack investigative agency'. At the same time, CPIB also subscribes to the Civil Service-wide customer satisfaction standards of C.A.R.E, which stands for Courtesy, Accessibility, Responsiveness and Effectiveness. In recognition for its pursuit of excellent customer service, CPIB was awarded the S-Class Award, in 2004, recognizing customer-focused organizations that have put in place a system and infrastructure to achieve excellent service for its customer.*

Source: CPIB, n.d.

Regarding the CPIB's operation, Tan, Ah Leak (2002) wrote that CPIB gained trust and support of people. It is assessed as efficient and prestigious because of its independent operation. The success of CIPB is due to: 1- strong culture of fighting against corruption, 2- High salary for public officers, 3- external organizations support strongly works of CIPB, 4- elite society with high education level of people/citizens, 5- Reaching to CIPB staff is very convenient and easy, 6- Quick and careful treatment/processing of corrupt complaints and denouncements.

#### *4.2.2.3 Legislation*

The Prevention of Corruption Act (POCA) was enacted in June 1960, to provide for the more effectual prevention of corruption. POCA was revised from the Prevention of Corruption Ordinance- POCO (12 sections) into (32 sections). Corruption is defined in terms of various forms of "gratification"; the penalty of imprisonment is 5 years and/or a fine of S\$10,000;

section 15: CPIB powers of arrest and search of arrested persons; the Public Prosecutor authorize the CPIB to investigate “*any bank account, share account or purchase account*” of any person suspected of having committed an offence against the POCA, etc. Section 24: “*the fact that an accused person is in possession, for which he cannot satisfactorily account, of pecuniary resources or property disproportionate to his known resources of income*” is evidence that he or she had obtained these pecuniary resources or property “*corruptly as an inducement or reward.*”

The law also empowers CPIB officers to investigate and arrest corrupt offenders. The PCA act was amended a few times since its enactment (in 1963, 1966, and 1981). The new legislation was amended in 1989 in order to deal with unanticipated problems or plug legal loopholes. Through these amendments, the punishments for corrupt offenders were enhanced and CPIB officers were given more investigative powers to make the fight against corruption easier.

Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act (Cap 65A) was enacted in 1999 to allow the Court to confiscate properties from convicted corrupt offenders, if the said properties are found to be benefits of corruption offences.

The recent amendments to the law so far included:

- 1) empowering the court to order offenders to pay a penalty equal to the amount of bribe received apart from the punishment in the form of fines and/or imprisonment term;
- 2) empowering investigators with wider powers, including to order public officers under investigation to furnish sworn statements specifying properties belonging to them, their spouses and children
- 3) empowering the public prosecutor to obtain information from the comptroller of income tax;
- 4) empowering the court to **admit wealth disproportionate to income as corroborative evidence;**
- 5) empowering the removal of the accomplice rule which views evidence of accomplice as unworthy of credit, unless corroborated; rendering it a legal obligation to provide information required by investigators of the bureau;
- 6) creating a new sizeable offence of knowingly giving false or misleading information;
- 7) rendering Singapore citizens to be liable for punishment for corrupt offences committed outside Singapore, etc.

Currently, the highest amount punishment to corrupt activity is S\$100,000, 5 years imprisonment (may be up to 7 years) or both. The offender has to return what he or she had embezzled. Corrupt (ex-) public officers may lose their jobs, are not re-recruited in the public sector or have cut their pensions and other benefits.

#### 4.2.2.4 Preventive measures

The primary responsibility for corruption prevention belongs to the central ministries. One vice-minister of each ministry has to assure all departments have a division to review anti-corruption measures. They are required to conduct appropriate measures to prevent corruption systematically. Some of these duties include improving methods and procedures,

strengthening supervision, building an efficient and integrity control system, etc. Every three years, Singapore government will review and revise all these measures.

In addition, ethics training and strict guidance for public officials in Singapore is professional and carefully concentrated. They have very clear and complete list of “Dos and Don’ts” and a reminder list for public officers. CIPB frequently has preventive talks with public officers about the pitfalls of corruption and advices how to deal with them.

### **4.2.3. Key anti-corruption lessons of Singapore paradigm**

#### *4.2.3.1 Tan Ah Leak*

Tan states:

*“The public sector in Singapore is famous for being one of the most clean and efficient in the world. Corrupt conspiracy is very rare. Corruption in the public sector is not serious in nature and limited to the low officers. There was a change from a wide spread corrupt to a least corrupt society at large scope. It is due to the combination of factors as: 1- strong commitment and will of political and civil leaders; 2- a complete legislation system; 3- strict punishment for corruption; 4- an efficient agency for fighting against corruption regardless of social status, political affiliation, colour and creed; 5- a strong support from people and senior officers of the government”.* (Leak, 2002)

#### *4.2.3.2. Jon Quah*

In his book ‘*Lessons learnt for Asian’s countries*’, Jon Quah highlights two key conditions for policy transferability of other countries: favourable policy context and the will of reform. (Quah, 2010). Besides, he summarises four policy lessons of anti-corruption in Singapore: Lesson 1: Political will is required for success. Lesson 2: The AC agency must be independent from the police and from the political control. Lesson 3. The AC agency must be incorruptible. Lesson 4: To curb corruption by increasing salaries, cutting red tape, and punishing corrupt offenders (see chapter 7).

In short, honesty and incorruptibility among civil servants and political leaders must be recognized and rewarded instead of being punished. Then correct and strong signals of AC will be sent to the general public.

## **4.3 Key case studies on corruption through mass media in Vietnam and Singapore**

### **4.3.1 Case Studies in Vietnam**

#### **4.3.1.1. Hoai Duc General Hospital staff in medical scandal (Hanoi, Vietnam)**

##### *a. Case description*

A medical scandal rocked the country in August 2013. Diagnostic lab technicians were found to have replicated around 1,149 blood test results over a 10-month period (*Note: for withdraw illegal health insurance, a type of corruption*). The scandal sparked a nationwide outcry with patients furious after having been given inaccurate health information and being charged for unnecessary medical tests. The Ha Noi People's Court sentenced Vuong Thi Kim Thanh, the former head of the Hoai Duc General Hospital's diagnostic unit, to one year in prison. She was convicted of being involved in the bastardised replication of blood test results given to patients. The court issued a warning to the hospital's former director, Nguyen Tri Liem, and ordered that the Deputy Director of Hoai Duc General Hospital, Nguyen Thi Nhien, has to undergo 10 months of re-education. Six other technicians involved in the case were sentenced to probation for 6 to 8 months.<sup>77</sup>

### *b. Case analysis*

*Interview of the whistle-blower* Hoang Thi Nguyet, a 47-year-old diagnostic technician from the Hoai Duc hospital: Hoang Thi Nguyet was interviewed and consented to post her name here, because millions of Vietnamese knew her story from national newspapers and television stations. The brave diagnostic technician shared with me the whole process from the beginning until her current legal fight to bring justice back after an "unfair" or "too light" court sentence to verdicts. During the interview period (May 2014), her case was heard at the Appeal Court. She worried about the "Appeal Court" and expected that the outcome of the judgment will not be to her favour, although she believed and had evidence against the defendants. In fact, one month after the interview (in June, 2014) the tentative appeal trial was delayed due to "insufficient" evidence. She criticized that she was not heard as a witness or a whistle-blower but only as "a related person" at the court trial, although she exposed the case and was the first person to provide evidence of unreal replicated blood results, which were issued by the convicts.

She also exposed all tricks of the hospital's former director, Mr. Nguyen Tri Liem, used against her and her family before, during and after the denunciation. These manoeuvres include temptation such as enticing her with money or promotion, threats of job loss, threats of gangster attack, children kidnap and anonymous flyer distribution for defamation at public places near her home.

Her story reflects a "unique" case. It is comparable to a research that "Seventy-nine per cent of people said they would not report corruption because "it wouldn't make a difference" or because "they are afraid of the consequences." (TI, 2013) Many reasons hinder potential denunciators to speak, especially due to the lack of a sufficient whistle-blower protection. Meanwhile only denunciation with clear ID will be processed. She expected that the society needs to recognize and award prizes (both material and spiritual ones) for whistle-blowers<sup>78</sup>.

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<sup>77</sup> <http://www.vietnambreakingnews.com/2014/03/hospital-staff-in-blood-test-scam-get-jail-time/>, accessed at 10:00, Sept. 2015

<sup>78</sup> *Note: there is no more news until January 2017 relating to the appeal trial after having been delayed since June 2014 due to "insufficient" evidence*



#### 4.3.1.2. Land-using-right-dispute-related corruption

*Doan Van Vuon, a ground-braking land dispute case in Tien Lang commune - Hai Phong province, Vietnam*

*a. Case description:*

The story was extracted from the article published on the website of Transparency International in 2013<sup>79</sup>.

*Box 8: Corruption's cruel backlash: the case of Doan Van Vuon*

*In early 2012, “the fish farmer Doan Van Vuon armed himself with homemade bombs and guns in a violent resistance against the public officials who had come to forcibly confiscate his land. Doan Van Vuon acquired his property back in 1993 and like all landholders in Vietnam received only temporary land-use rights. In that time he converted what was once swampland into a profitable business raising fish and prawn on his land. The confrontation with public officials left seven security officers injured but the publicity the case generated led to Vietnam’s Prime Minister publically rebuking local authorities in Hai Phong and declaring the eviction to be illegal. One day after the confrontation more than a hundred police and public security officials stormed Vuon’s property and demolished his and his brother’s houses, which was not even on the land marked for confiscation. Doan Van Vuon and his family have since been allowed to keep their land as an investigation showed local officials had made mistakes in ordering his eviction. But in April this year (2013) he was sentenced to five years imprisonment for attempted murder as a result of the conflict with the authorities”.*

*“In Vuon’s case, the Hai Phong People’s Court later found that issues in land management had resulted in mistakes in revoking his land. Others have pointed out that evictions are in some cases driven by local officials who receive “commissions” from new landholders”. To a larger extent, “the systemic problem of corruption in the key institutions, which are meant to protect the legitimate rights and interests of citizens, show the quandary faced by people like Vuon. His well-publicised story and similar cases have provoked public protests that show that there is growing anger against perceived public mismanagement as well as lacking of transparency and accountability in the performance of public officials.”*

(Source: TI, 2013)

Vuon’s case poses fatal loopholes of institutional and cultural conditions of anti-corruption in Vietnam, especially weak rule of law, public mismanagement, suppressed farmers and hopeless civil protest or anti-corruption engagement. I will also analyse the corruption in land management through interviews in Chapter 5.

*b. Further information and public opinion on Vuon’s case*

Doan Van Vuon’s relatives were sentenced to imprisonment for attempted murder for five years (Doan van Quy), three years and six months (Doan Van Sinh), and two years (Doan Van

<sup>79</sup> [http://www.transparency.org/news/feature/vietnam\\_citizens\\_against\\_corruption](http://www.transparency.org/news/feature/vietnam_citizens_against_corruption), accessed Sept. 2013

Ve). In August 2015, Vuon and his brothers were given special amnesty by the Vietnamese President after nearly 44 months imprisonment. Their return was welcomed locally and nationally. Vuon explained that *"I forcibly stood up"* and *"my activity is a necessary one"*. He added that he is innocent and *"still respond once more time like previously if he is pushed to a corner"*<sup>80</sup>. Vuon also said that he would continuously start the lawsuit against Tien Lang District Authority for compensation<sup>81</sup>.

Huy Duc (a famous blogger, author of the ground-breaking book "The Victorious Side", 2012-2013, to challenge communist knowledge and traditional view on the Vietnam War), wrote on his Facebook page: *"On offensive side, Vuon only "scratched skin" of policemen". On the contribution side, he wakened up the highest leadership"*. And he added that *"The history will remind the case of Doan Van Vuon, the trial (sentence) is the choice to mark a blueprint or a 100-year dirty mark of the regime"*<sup>82</sup>. These quotes are the most powerful and severe critique of injustice in Vietnam. However, his story woke up the whole nation's awareness of the farmers' rights of land and property, and their perception on social justice and progress. In a similar tone, Lawyer Tran, Vu Hai who has defended many Vietnamese dissents, criticised: *"In this trial, citizens hope that Vietnamese courts, inside the state of workers and farmers, will protect farmers' rights better than French colonial courts or at least equally."*<sup>83</sup> The quote is a metaphor to condemn the injustice of the current judicial regime to be even worse than during the exploitative French colonial times.

Another similar idea comes from Mr. Hong Ngoc, ex-journalist, saying that, *"If the trial will be used as apparatus of authorities to revenge protestors, little confidence in justice will be trampled in Vietnam, and violence in this place or elsewhere will be resumed, more serious"*<sup>84</sup>. Ngoc's quote signifies that the sentence was too harsh and unfair for Vuon and his family members while the authority 'revenged' protestors like Vuon. As Transparency International pointed out: the Vuon affaire was a *'corruption's cruel backlash'*.

Briefly, the cases of Doan Van Vuon and the Hoai Duc hospital reflect all key issues or loopholes of anti-corruption institutional conditions in Vietnam. These issues range from impotence of anti-corruption agencies, lacking of transparency and accountability of public officials to inefficient public governance, weak law enforcement, loose rule of law, insufficient protection of whistle-blowers, and weak civil society to low civil engagement on fighting corruption. Moreover, it proves the blur right of property or ownership of citizens like Vuon in communist country, as well as risks of land-related corruption. Besides, corrupt actors can seriously undermine the destiny or life of citizens while the borderline between wrong and right, legal and illegal is totally relative and easily biased or distorted. Inevitably, these institutional conditions nurture systemic and persistent corruption at all levels.

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<sup>80</sup>[http://www.bbc.com/vietnamese/vietnam/2015/09/150902\\_doan\\_van\\_vuon\\_se\\_hanh\\_dong\\_nhu\\_truoc](http://www.bbc.com/vietnamese/vietnam/2015/09/150902_doan_van_vuon_se_hanh_dong_nhu_truoc)

<sup>81</sup><http://www.thanhvien.com.vn/chinh-tri-xa-hoi/anh-em-ong-doan-van-vuon-se-tiep-tuc-kien-603408.html>

<sup>82</sup>[http://www.bbc.com/vietnamese/vietnam/2013/03/130330\\_doanvanvuon\\_views.shtml](http://www.bbc.com/vietnamese/vietnam/2013/03/130330_doanvanvuon_views.shtml)

<sup>83</sup>[http://www.bbc.com/vietnamese/vietnam/2013/03/130330\\_doanvanvuon\\_views.shtml](http://www.bbc.com/vietnamese/vietnam/2013/03/130330_doanvanvuon_views.shtml)

<sup>84</sup>[http://www.bbc.com/vietnamese/vietnam/2013/03/130330\\_doanvanvuon\\_views.shtml](http://www.bbc.com/vietnamese/vietnam/2013/03/130330_doanvanvuon_views.shtml)

### **4.3.1.3 Mismanagement of State-owned-enterprises (SOEs)**

The graft scandal of Vinashin (Vietnam National Shipbuilding Industry Group) broke out in 2012 with the former chairman and CEO, Thanh Binh Pham, sentenced to 20 years in jail on charges of having intentionally violated State regulations on economic management that caused serious consequences (a huge loss of nearly EUR 36 million). Another state economic giant, Vietnam National Shipping Lines (Vinalines), racked up losses of around US\$ 81 million in the period from 2009 to 2010 alone. Ironically, ‘running a loss-making business like Vinalines, Dung (the CEO) still got promoted’ (AmCham, 2012). Two years later, Dung was sentenced to death penalty on charges of embezzlement and having intentionally violated state regulations. Many other offenders of the Vinalines scandal were sentenced to 22 years in jail or life imprisonment<sup>85</sup>

‘Others like Vietnam Coal and Mineral Industries Group and Vietnam Electricity Group are also found to have committed serious violations’. Economic expert Pham, Chi Lan said that SOEs must be ‘listed on the stock market’ to ‘strictly follow information disclosure regulations’ (AmCham, 2012). Amidst these scandals, two leaders, the Chairman of the CPV’s IAC and Vice-Minister of Public Security, came to death, followed by many speculations. These scandals pointed out Vietnam’s fatal loopholes of law enforcement, the monitoring and evaluation system, and badly human resource management, among others (see chapter 5, 7).

## **4.3.2. Case studies in Singapore**

### **4.3.2.1. Recent corruption cases in Singapore**

#### *4.3.2.1.1 Edwin Yeo – Ex-CPIB Assistant Director*

Between 2008 and 2013, Edwin (*Head of Field Research and Technical Support for the Corrupt Practices Investigation Bureau*) stole US\$ 1.76 million from a CPIB bank account for gambling. After the court having convicted him 21 counts of financial impropriety in Feb. 2014, he is now serving 10 years in Changi Prison<sup>86</sup>.

The CPIB case proves zero tolerance on corruption of Singapore government in fighting corruption. It also shows efficiency, competence of CPIB in bringing its own boss to justice, as well as the strong rule of law in Singapore. The cases, as well as long history of integrity in Singapore, scare corrupt actors and their corrupt intention.

#### *4.3.2.1.2 ‘Sex-for-grade’, Tey Tsun Hang – National University of Singapore (NUS) Law Professor*

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<sup>85</sup> <http://vnexpress.net/tin-tuc/phap-luat/duong-chi-dung-bi-y-an-tu-hinh-boi-thuong-110-ty-dong-2987389.html>

<sup>86</sup> <http://www.straitstimes.com/singapore/ex-cpiib-assistant-director-edwin-yeo-jailed-10-years-for-criminal-breach-of-trust>

The ex-law professor, Tey Tsun Hang, graded “favourably” the former NUS student Darinne Ko after receiving a Mont Blanc pen, tailor-made shirts, an Apple iPod, and sex (in July 2010). In 2013, he was trailed and found guilty. He served a five-month sentence, and later acquitted on appeal on 28 February 2014. The judge ruled that Miss Ko “was in love with Mr. Tey” at the time, and that she was “*not trying to get better grades in return for having sex with him and showering him with gifts*” but also the judge said that he was “*a man without honour*<sup>87</sup>”, and that he had abused his position as a lecturer.

The case signifies that there is no perfect zero corruption and the line between corruption or non-corruption case at court is blur, even in a developed country with highest score of rule of law like Singapore. Although it is not a perfect trial result, however, the NUS professor was disciplined and condemned, affecting seriously his career. For this case, social condemns is the toughest sentence. It is also a lesson on anti-corruption of Singapore, by mobilizing civil consensus and their engagement on the fight against corruption.

#### *4.3.2.1.3 The director who lost his position (private sector)*

“Lo Keng Foo, the Director in charge of the Failure Analysis & Reliability Engineering (QRA) Section of Chartered Semiconductor Manufacturing Ltd (CSM), received gratifications totalling \$1,228,743 from two of CSM's suppliers. Lo, who was responsible for acquiring new testing technology to ensure the quality of CSM's products, had accepted the bribes over a period of 4 years. In return, he had exercised his influence to ensure that the two suppliers were awarded contracts worth millions of dollars. Lo was charged and sentenced to 4 years imprisonment and ordered to pay a penalty of \$1,228,743<sup>88</sup>”.

The case shows the difference in definition of corruption between Singapore and Vietnam. Gratification, especially in private sector, is not defined as corruption in Vietnam but it is still a critical legal loophole that Singapore healed. However, corruption in private sector in Singapore, like the mentioned case, is the majority while its public sector is clean. More crucially, corruption has high costs in Singapore, no impunity for its actors.

#### **4.3.2.2. Singapore’s public land management and public housing**

“The Housing and Development Board (HDB) contributes greatly to meet housing demand of nearly all Singaporean that indirectly reduce corruption demand of people”. In 2009, 82% of the resident population of Singapore (3 out of 3.7 millions) lived in HDB flats. Its peak was 87% in 1985<sup>89</sup>. Starting with a capital expenditure of S\$10 million in 1960, the Housing and Development Board's annual capital expenditures rose to about S\$4 billion in 1985. The board's capital budget—with funds obtained in the form of low-interest government loans,

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<sup>87</sup> <http://www.straitstimes.com/singapore/sex-for-grades-case-takes-a-surprising-turn>

<sup>88</sup> <https://www.cpib.gov.sg/cases-interest/private-sector-cases/cases-involving-public-listed-companies>, accessed Oct. 2015

<sup>89</sup> [www.hdb.gov.sg/fi10/fi10221p.nsf/0/.../\\$file/Key%20Statistics.pdf](http://www.hdb.gov.sg/fi10/fi10221p.nsf/0/.../$file/Key%20Statistics.pdf)

represented 40 per cent of the government's capital budget. Selling prices, rent-rates, and maintenance charges were determined by the government, and the board received an annual subsidy of 1 to 2 per cent of the government's main operating expenditure<sup>90</sup>. However, there is a small gap in the data source of Singaporean Statistics and HDB. In 2015, 90.8% Singaporean own a home, lower than its peak (92%) in 2000, and much higher than in 1980 (58.8%)<sup>91</sup>. The data show a miracle of Housing and Development Board of Singapore, a crucial warrant or material condition of anti-corruption and development.

Statistically, in Singapore *'about 58% of the total land area or 41,000 hectares are state-owned. This figure excludes land that has been sold to statutory boards. The various government ministries and other State organs use almost two-thirds of Government land. SLA manages the rest'*<sup>92</sup>. It is a good lesson on land management in Singapore or as a Singaporean businessman said, *'other countries like Vietnam can apply this model to public land management and social housing policies'*. Apparently, Singapore is a positive reverse picture of negative land management in Vietnam (see chapter 5). Singapore minimizes corruption opportunities, especially on wet sector like public land management while Vietnam creates corruption with its ridiculous, unfair state-based price-fixing mechanism of land-taking compensation, even for business or quasi-business purpose.

#### **4.3.2.3 Conclusion**

It seems as if corruption cases do not frequently occur among low-level civil servants or ordinary people, but exclusively on the highest level of the public agencies or in the private sector of Singapore. In other words, petty corruption is not common. Fortunately, these individuals were caught and became known due to good investigative work of the government agencies, especially CPIB, and by whistle-blowing of Singaporean people. The main difference between Vietnam and Singapore is to be seen in the efficient law enforcement that scared corrupt offenders in Singapore but ignored by those in Vietnam.

The desk review confirms that the cost of corruption is high in Singapore but low in Vietnam. Oppositely, the reward of corruption is high in Vietnam, but low in Singapore. In sum, all institutional and cultural conditions of anti-corruption of Singapore are very strong and supporting to fight corruption meanwhile they are weak, blur but conducive to endemic corruption in Vietnam (see chapter 5 and 6 for more interview analysis and case studies).

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<sup>90</sup> <http://countrystudies.us/singapore/31.html>

<sup>91</sup> <http://www.singstat.gov.sg/statistics/visualising-data/charts/home-ownership-rate-of-resident-households>

<sup>92</sup> <http://www.sla.gov.sg/hm/ser/ser02.html>

## 5. Ethnographic analysis of interviews in Vietnam

Given the fact that even I am still subject to danger for exposing corruption, it is riskier to comment directly or criticise corrupt actors in Vietnam, especially in the context of the one-ruling-party regime. Alternatively, I have used interview quotes and stories more than my own ideas (thoughts, memos, analyses, etc.) as objective testimony as well as background for my study. However, I may add more of my analyses when possible.

### 5.1 Situation and attributes of corruption in Vietnam

In this part, I introduce some gridlines in order to create a mind map on important points that I will further analyse in the next sections.

#### 5.1.1. General context

The transitional political regime and social context of Vietnam (from a planned economy to a more open society with socialist market economy) and the abuse of culture bear corruption. The current mode of corruption and society is '*money controls all social relationships*' (C-01)<sup>93</sup>. For example, public officer (PO 06) suggests that 'the service will not be done if I do not do so. Everyone does it, so how can he behave differently?'. This implies bribery is necessary to do one's duty. In the same way, the social, cultural, economic and political regime plays an important role. It is similar to how a public officer has pointed out that 'all reasons stem at regime or institutions, including the people-linked reasons, and bad public administration reform, unclear information and perception of citizens' (PO 02). Similarly, according to a journalist in his/her piece 'Why Japanese still had to bribe in Vietnam' (CS 01), it is because of the administrative regime and local habitual norms. Specifically, as pointed out by expert E01, 'Mr. Lee Kuan Yew (LKY) said that Singapore is lucky because it used to be British colony and British colonies are more successful than French colonies. The reason is that Britain left a good public regime of governance, an environment for development.' According to this argument, Vietnam, unfortunately as a former French Colony, has been left with a bad legacy of administrative regime. In short, corruption is systematic, structural, and contextual in Vietnam, and anti-corruption is a painful struggle that requires complete transformation.

#### 5.1.2. Forms and patterns of corruption

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<sup>93</sup> *Note: Coding of Interview names:* Each code for each interview consists of 3 parts, such as SG PO 01 or VN B 02. The first part (SN, VN) represent the country of the interview, VN = Vietnam, SG = Singapore. 'VN' and 'SG' may be omitted because all interviews in Vietnam will only mentioned in this 'Section 5 Vietnam' while all interviews in Singapore will only mentioned in 'Section 6 Singapore'. Meanwhile, the second part symbol for interviewee group, PO = Public Officials, B = Business, E = Expert, C = Citizens (R = resident who live in Singapore without citizenship), CS = Civil Society (see Chapter 3). For example, SG B 02 signifies that the interview is in Singapore; interviewee is a businessman and numbered 02 (Among other interviews of that group). For Singapore, there are four foreign residents who are classified at experts regardless their non-citizen status (one Dutch, one Chinese and two Vietnamese).

There are some typical patterns or forms of corruption, including: 1) fake receipts or inflated prices; 2) hidden norms (bribery and corrupt benefits sharing); 3) ‘*delicate*’ forms such as covert networked companies ‘*pay-to-play*’; and 4) no-bidding or ‘*puppet competitors*’.

*a. Fake receipts or inflated prices*

Some interviewees have pointed out fake receipts or inflated prices (PO 04, B 09). Hidden norms regarding bribery and corrupt benefits sharing will be further analysed in Section II.B.2. Public officers (POs) create barriers and then signalise for bribery or a ‘lifebuoy’, which implies a potential solution with mandatory bribery. They sometimes mention the amount, but it is often untold and unclear (VN PO 07, B 06, B 05). According to a civil activist (DE CS 09), ‘Doctors need not ask for but only wait for an offer or delay the treatment in order to seek bribes’. It is because people or patients understand and know about the hidden norm in which bribery is expected. This ‘automatic’ procedure requires no instruction or announcement.

*b. Hidden norms (will be analysed at Section 5.2.2 as it requires a larger space)*

*c. ‘Delicate’ forms*

To quote public officer PO 05, ‘They may not give [a] bribe but [instead] sign the contract with the companies or the ‘target’s’ relatives in order to pay gratification (reconciliation). The target’s children can open covert companies or banks even [though] they do not have competence. It is one kind of money laundering. All gratification goes to the other company’. The alternative, according to PO 05, is that the children can ‘sell a property, such as a car, piece of land, or a house with the very low, under-market price (around 10% of the market price) to hide the real bribery’. The story implies a delicate form or complication of corruption. Current legislative loopholes help to hide involving covertly networked company in bidding that.

*Pay-to-play, or ‘hired’ public service*

One public officer informed us: ‘My friend wants to build a house, but doesn’t have time to ask for a complete permit of construction. She or he then “hires” a public construction inspectorate to do it, only to be billed for the inspection time. The amount of fee is not fixed, but rather dependable on the scale of the construction and mutual consent’ (PO 01). The story is an example of common *pay-to-play* in public administration. The PO argued for the wrongdoing (e.g. bribery, extra non-documented fees) due to the POs’ low salary and extra time spent on the service for citizens’ needs. She or he does not consider it as corrupt but simply practical and logical. However, this form should be seriously considered to combat corruption.

*d. No-bidding or ‘puppet competitors’*

‘No-bidding’ is a common form of corruption, especially with small public projects. As pointed out by an experienced construction engineer who is very experienced with the mechanism, ‘no bidding is required for under-20,000-Euro construction. It is one face of corruption. All bidders are weak but easily selected after “lobby”, which is a bribe or concession. “The Director, who decides the winning bidder, then takes home at least 2,000-4,000 Euros” (B-VN 09). More seriously, an officer (PO 05) showed us that ‘[the directors] do not invite bidders or create “puppet competitors” (*quan xanh-do in Vietnamese*). Puppet-competitors are companies that tie to the directors’ own networks. A minimum of three companies is required to bid on their own covert properties. This way, even if there are two failed bidders, the winning bidder is always secured to be his [own] company’. The stories imply anti-corruption (AC) bodies to renovate current legal loopholes on bidding and public procurement.

### 5.1.3. Attributes of corruption in Vietnam:

The key attributes of corruption in Vietnam are ‘back-up’, collusion, networks, and intermediaries (see sub-section 5.2 below) and ‘benefits-sharing’ among corrupt actors, inside public offices. A larger mechanism such as organised crime is obviously more dangerous to combat, as it provides organizational shields from external intrusion from authorities. These protective measures also prevent internal friction among corrupt actors, with the exception of betrayal of its own members. It may be different from the West when corruption may be more individual.

First, intermediaries, or *cò* in Vietnamese, mean a person or group of people who stand in between actors to bridge the transaction, as evidenced by mention from many interviewees. Specifically, journalist CS 02 pointed out, ‘They connect two or three sides and intermediaries may share to 2-3 partners’. Similarly, networks, or *e-kip* in Vietnamese, mean a group or more than two actors who are involved in one joint activity. Corruption is perceived to involve a network, a group, a ring, collective, backed-up agencies or some other combination of actors. Sometimes it links to a system such as an organisation or a group of corrupt people). It also links to inside and outside actors of a public organisation. In addition, family members can be involved in the ring, often receiving bribes or gifts. For some amounts, subordinates can take bribes then return them or share with their seniors. Normally, corruption is hidden, covert and difficult to curb. Moreover, POs may take bribes directly as they ‘get accustomed to it’, points out businessman B 04.

In addition, another businessman has recounted ‘when I need you (to bribe for help or exchange), I may meet your brothers. Hence, it is difficult to cure. How can we know or investigate that your brothers will give bribery to you? It is partially because we use cash much and cannot track the cash flow’ (VN B 10). His quote explains clearly complicated networks or mode of corruption that involves many relatives. Similarly, PO 04 suggests, ‘When recognised interest source, among interest ring, corruptors can identify potential new members to embezzle, and then convince them to get involved in corrupt acts. The more



experienced [a recruiter] is, the covert techniques he will use to corrupt bigger amounts (he is "more skilful"). It is habitual, normal or procedural. For example, he knows how to make fake receipts'. This officer also disclosed how to build a real network for corruption, how it operates and explained its specific resilient techniques of corruption.

In addition, another quote provides more information, as pointed out by a Vietnamese individual in Germany, 'corruption means mafia in Vietnam. Anti-corruption at the higher level of managers means risk of their life and their beloveds' lives' (DE CS 09). In other words, it is highly organised corruption and it is risky to fight such 'mafia' networks of corruption, especially at a high-profile level. Similarly, public officer PO 05 explained, 'It is a system in which both leaders and subordinates are wrong. When all of them sign one receipt (faked or inflated) (all of them are corrupt), who want to disclose themselves? It only happens unless the benefit-sharing is unfair'. The quote implies the collective corruption ('a system'); sharing corrupt benefits that make it cannot be combatted.

Secondly, as the nature of corruption in Vietnam is collective or group-based, 'benefits-sharing' among corrupt actors then is the rule. In contrast to Western individualism, Vietnamese or other Asian culture has been deeply rooted in communalism for thousands of years, and this is echoed in the group-based benefits. For example, according to one construction engineer and businessman, 'whenever the construction of one road costing less than Euro 400,000 is installed, a fixed amount of concession is shared among division-heads, vice-heads, and instalments at each level' (B 09). Specifically, a civil actor CS 05 pointed out, 'In Vietnam, nobody commits corruption and benefits alone; they have to split and share benefits. Everyone is corrupt and every household is corrupt. That is the culture'. It is because the corruption requires many steps, and contributions, many different roles of on the parts of numerous participants, and mutual cover-up and protection. When corruption becomes the custom, it roots firmly and proves to be more resilient against penetration.

## **5.2 Key institutional and cultural conditions of (anti-)corruption**

### **5.2.1. The abuse of gift giving and network-based culture, and civil tolerance of corruption**

Experts and other interviewees emphasised that the abuse of gift giving and network-based culture, as well as the civil tolerance of corruption can be seen as an effect of a fundamental 'value-re-orientation' or ethical deterioration of the society where people become 'baseless, short-sighted and selfish' (CS 05). Furthermore, there is a high rate of tolerance among Vietnamese people to bribery, especially petty ones. They accept the bitter reality because they do not have other choices or are simply following convenience, which would be the rational choice when dealing with corrupt public personnel. People can be judged 'stupid' or 'crazy' if they do not behave like the corrupt majority. A new value orientation is emerging and dominating, which rewards efficiency or material wealth over integrity. Above all, in

Vietnam customs and norms are more influential over behaviour than laws. To this end, we can say that corruption is not the exception in Vietnamese society, but rather a cultural norm or simply a common habit.

This 'culture' of corruption in Vietnam has many aspects and facets. Firstly, Vietnam has a tradition of gift giving to friends, relatives and business partners to thank and tighten relationships. Secondly, with the transition to a market economy, values of Vietnamese people have been changing to weigh efficiency and pragmatism more than integrity. Specifically, the custom of gift giving is abused to hide bribery. Third, petty corruption, especially bribery in public administration, is perceived and tolerated like a hidden norm in social transactions. Gifts are simply exchanged for the bribe giver's own convenience and comfort, as well as for sympathy for the officials' 'starvation salary' (poorly paid salary, which is not enough for a basic living standard). In other words, it coexists due to the perception of ease and the cost-benefit calculation of corrupt Vietnamese actors.

These findings are validated by other researchers, who found that there is a relationship between 'some cultural aspects such as power distance and uncertainty avoidance and the prevalence of bribery and corruption' in Vietnam although 'a disconnection between cultural values and business etiquette' exists (Segon and Booth, 2010, p. 583).

#### *5.2.1.1. Perception and awareness*

Many aspects of a culture of corruption are present in Vietnam. Firstly, expert 05 pointed out that '[the] practice of one thousand years under feudalism of gift giving, and 60-70 years under 'half-hatched socialism' is strongly ingrained in people's minds and behaviours'. Secondly, according to CS 02, 'Vietnamese habits are: learn to be mandarins (public officials), honour yourself, and enrich the whole family, "one mandarin benefits the whole clan". Corruption is the abuse of power, to help relatives. This solid social construct of 'helping family members' or 'being a mandarin' i.e. a public officer is the result of a thousand years of objectification of this office.

At the national level, citizen C-01, a retired public leader, told us, 'Vietnam is infected [with] two serious diseases: 1) a fondness for achievement, even faked ones, and 2) for weighing the cover more heavily than the content of a book', i.e. appreciating the hollow facade of materialism. It is similar to the film *American Beauty*, which highlights the dark side of market, consumption and capitalism that make people tend to be liars to be more successful in other people's eyes. The effect is that bribery and corruption spread in order to have 'achievement', wealth, or the proverbial book's 'cover'. Citizen C-01 added that 'slogans are everywhere but are not implemented. During the war against the US, streets were cleaned on Saturdays. Now, no one does it even though street sweepers are hired. People, however, accept it [as] a dangerous habit. It must be corrected'. The quote does not praise formalism but it rather criticises 'speaking without doing'. The need is not for one to fly one's own banners or mottos but to act. This is even true for the anti-corruption struggle in Vietnam that often employs noisy campaigns without much action or results. This quote also mentions the social transformation from the Vietnam War into a socialist market economy, from voluntary, unpaid street cleaners (citizens) to irresponsible paid (and corrupt) street sweepers. His story is a

metaphor that reflects the change in values during transition of Vietnam when money became supreme.

Moreover, it is common sense that bribery works as a solution to social and economic problems. As pointed out by CS 03, 'giving money (bribery) is the quickest way to get things done'. Similarly, B-VN 05 says, 'It is believed that giving money will bring better care or service', and still further, PO 01 simply states, 'It is customs or manners'." It is clear that no one questions the necessity of bribery. Above all, customs or norms are more influential than laws in Vietnam. When corruption is an accepted norm or solution, then is the most dangerous form.

#### *5.2.1.2. Gift giving and its abuse*

Vietnam has a tradition of gift giving to friends, relatives and business partners to show appreciation and tighten relationships. As one governance expert has pointed out, 'There are also cultural factors involved. Culture is good in the sense of national identity. But as culture turns into the ugly, the negative, it should not be used to justify the corruption, especially receiving gifts that have huge value and even influence public decisions' (E 03). Vietnamese people have the habit of giving and receiving gifts, to appreciate and thank for what others have done. However, according to this expert, gifts need to be limited to a certain value, and the purpose of the gifts should be made transparent in order to deter corruption. This argument will be analysed further below.

#### *5.2.1.3 Tolerance and 'must accept' corruption*

There is a high tolerance among Vietnamese people to bribery, especially on a small scale. Citizens have two alternatives. One choice is that they must reluctantly accept the bitter reality of participating in bribery as they have no other choices when they have to deal with corrupt public officers (e.g. transport police, hospital nurses, doctors, administrative officers, etc.), The other is that they can choose bribery for convenience or other benefits. Ironically, people can be judged as 'stupid' or 'crazy' if they do not wish to join the corrupt majority. Corruption, or at least bribery, is a norm more than exception. Bribery (or corruption) is seen simply as a solution.

#### *Habits, 'choice' or tolerance*

In this trend, citizens are sympathetic toward public officers' low salaries or understand that there is a cost-benefits calculation. Bribery in this case is considered as 'habit' or a daily practise. They do not want to be seen as weird or abnormal when they act differently from the common practise. This gradually shapes and standardises practise into norm. When one bribes officers with petty gifts, the service is certain to be completed quicker although one may not agree with or value the means from the beginning. It may reflect 'adaptation' of Vietnamese people but not its 'resilience'. Despite being resilient to external invaders throughout history, the Vietnamese do not fight against corruption, at least petty bribery. In other words, bribery

(or corruption) is a solution to corrupt administrative service.

### *'Must accept'*

The common answer of respondents (for their bribe giving) is 'Must accept or service is delayed'. Many motives push people to an end that they 'must accept'. In sum, external pressure and individual calculation interplay to neutralise corruption and making it acceptable, but not immoral.

Firstly, as an overseas Vietnamese civil activist (DE CS 09) pointed out: 'If Vietnamese do not bribe, they cannot survive. They live by and with corruption'. He continued that '99 out of 100 people accept corruption because they need their business to be quickly processed by public officials even if they have to pay "undocumented money"'. All people understand this money like a normal practise if they want to speed up administrative procedures.

Secondly, according to expert E 06, 'It means that while everyone sees corruption as a serious pandemic, they still do it in practise'. Thirdly, an expert E 01 told us that 'In Vietnam, it is different. In feudal society, the upper authority say and the lower follow completely without reaction'. It is dangerous and risky when the boss does wrong things such as corruption and lower staff cannot resist. Finally, a public officer PO 04 stated, 'I feel reluctantly to give money. If it is culture, it should be comfortable. The reasons of giving money are economics, time saving, etc.' In other words, economic calculation forces citizens to accept giving bribes.

#### *5.2.1.4. Values and value re-orientation (Choice of convenience over integrity)*

##### *An expert case study*

The civil actor CS 05 received education in public governance in the United States with around 30 years of professional experience in non-governmental and international multi-lateral organisations. Here are the details of our interview. CS 05 pointed out:

'Currently, the boundary of professionalism and ethics do not exist. Even those who are called 'moral' or 'ethical' do not know how to base their morality. Now what are the fundamental ethical values of Vietnamese people? During the last decades, all inherent moral roots of Vietnamese people have been uprooted, including moral values of Confucianism (although values of Confucianism might be not really good for modernization of the economy and society). In addition, its bases were knocked down, plus the bad effects of radical marketization of society, with the moral foundation being blasted, plus a very frail education in a fragile economy. What constitutes a so-called 'blooming culture' is actually culture of corruption or theft'.

The respondent's ideas reflect that a new value orientation is emerging and dominating, which outweighs efficiency or material wealth over integrity or moral. Other Vietnamese people may criticise her for being too pessimistic or negative. Her critics may consider her an exception with a minority view that is expressing her opinion too boldly, and would not take this to

mean that all Vietnamese are complicit in ‘corruption or theft’. We cannot call it a culture even if more than 50% of population commits corruption or theft. I consider culture means only the ‘good’ while the ‘bad’ or corruption is evil although I understand that it may not be a useful definition of culture. This is because what seems to be ‘good’ for one may be ‘bad’ in the eyes of the others. Moreover, her idea is not representative for Vietnamese. It is even not representative to 74 interviewees of this PhD research. The condemnation of ‘culture of corruption’, however, wakes up Vietnamese on the alarming level of corruption frequency, like a reverse of value between good and bad, corruption and integrity. In fact, corruption of Vietnamese plays a role of temporal ‘means’ of survival, especially for the low-paid officials. However, means of ‘survival’ is not true for corrupt elites while they can be millionaires.

However, I find her view brave and insightful although some words are too strong. Her ideas are also ‘objective’ when she mentions the shame of Vietnamese as stigmatised in Thai and Japanese media because of the stereotype of Vietnamese supermarket shoplifting. She continues to criticise that: ‘Our ethnic group, as we see, steals wherever they go. In Thailand, Laos, Japan, [the local people] see Vietnamese and think of thieves. Vietnamese are seen as first class petty thieves. In Thailand, they recently have not been issuing visas for some Vietnamese groups’. Unfortunately, she pointed out, that ‘in the past, the Vietnamese person was not like that. We do not have to be so. Now his best skill is stealing, corruption. He does not need ‘the face’ as long as he can take something (CS 05’s own word is ‘licking’ in Vietnamese): ‘I do not need anything else, you can call me ‘corrupt’, oh no problem, as long as I get the money at all’. In such circumstances, you need to build moral values’.

This is a downgraded ethos of Vietnamese people during the transition to a market economy. CS 05 perceives corruption to be more pandemic and chronic than the average Vietnamese. Nearly all interviews of experts and knowledgeable senior citizens agree with the trend.

Similarly, she added, ‘Vietnamese “culture” is culture of prostitutes, pimps, thieves. The whole (society) is pimp[ed], pimp[ed] from top to bottom. It is growing and has shattered the entire standard values. Have you found any country [where] public officials only speak nonsense or promiscuous ideas in meetings? These symptoms can be observed’. Her ideas are most strongly critical of current Vietnamese society and the turmoil of traditional values, or a ‘culture of corruption and theft, pimps and prostitutes’, in her words.

It is an obvious exaggeration to say that all Vietnamese are ‘thieves, pimps, and prostitutes.’ The ‘prostitution’ is not only literal but metaphorical, where people are willing to sell their values to meet their end by whatever means necessary.

Moreover, she pointed out that Vietnamese people have not had such attributes previously. ‘The former officers in [the] 1960s [were] clean-fingered’. In the old days, they would do their duty for the people and for the nation. Fortunately, she clarified the clean past of Vietnamese. She explained that “in the past, the social face of people (honour or virtues) was very important because the moral value system was very important. For example, stealing is shamed and considered horrible. Alternatively, if teachers hold the money of students, it is humiliating. Nevertheless, it is unfortunate that (good values) fade gradually, and now they are

gone. Ironically, bad values become the culture. If I do not get bribes or am not corrupt, it turns me into a laughingstock”.

Her ideas reflect that a new value orientation is emerging and dominating, which weighs efficiency or material wealth more than integrity or virtue. The term ‘face’ is also a moral or virtue of people in old Confucian times. Regrettably, the transition in Vietnamese society has also witnessed the spoiling of cultural values. She interpreted this occurrence: ‘Then there are three options. First, I actively participate in corruption, following “the trend”. Second, I am reluctant to do so because of unavoidable circumstances. Third, I follow the rules even if it is burdensome. All those factors lead to the so-called culture becoming common’. Following her logical argument, we see alternatives of individual behaviours, to corrupt as a trend, to resist it or to do reluctantly. These options are also the results of tolerance or ‘must accept’ that were analysed above.

She explained that

“Vietnam is based partly on Buddhism. In Buddhist ethics, stealing is guilty, a great sin. In the afterlife one cannot live anymore, but goes into hell ... But Vietnamese do not have such ingrained Buddhism (like Thailand), and have gradually lost that platform. Then, they are infected with stealing habit, or even become ‘culture’ (i.e norm). Moreover, the difference is that it (bribery) now becomes culture. Back to some decades ago, the procedure is rigid because of the war but only small prevalence give and take bribes. But giving ‘envelope’ (bribery) for teachers at the time was not happened. Now it is usual. If not taken, you are not assured, and then you have to do it. People do it at all costs; even the best, most moral person still does it. The danger, the difference is that situation”.

She explained clearly her propositions. For example, she said ‘culture’ (bribery) implies more the trend, the norm, high prevalence or frequency of an incidence or social phenomenon but does not refer to 100% of population. Her description explains why ‘particularism’ (separate corrupt cases) becomes a universal social construct. She argued, ‘There are no individuals (in Vietnamese culture). Collectives are pimps, prostitutes, and thieves. We ourselves can be thieves also, and anyone can be seen as thieves, always’. She assumed that: ‘collectives are exactly pimps, prostitutes, and thieves’ like the collective or network-based corruption which were mentioned above, although she does not mean all collectives are corrupt.

To look for a solution, she suggested an idea for ‘refugees in education’. She remarked, ‘In Vietnam, including university professors, no one dared to school children in that system’. She explained that ‘education itself (in Vietnam) is dead and rotten. How can we rely on individuals while individuals are extinct?’ For her, the bad education system transfers corrupt minds. ‘Descendants of Vietnam, from the womb, have heard about bribes, then, in kindergarten, children hear about bribes’. In comparison, she said, ‘When I look to Singapore, I find right education’. For her, education is the origin of a clean Singapore. This may be a possible solution for Vietnam. In short, during the transition to market economy, values of Vietnamese have changed to weigh pragmatism, wealth more than integrity, ethics over

morality. This interview is coincident with other Vietnamese articles on the shift of cultural values in Vietnamese society (see Chapter 3).

### **5.2.2. Hidden norms and ‘asking-giving’ mechanism (public administrative service)**

Two main attributes of Vietnamese Public Administration are hidden norms, which are informal but codified, and the ‘asking-giving’ mechanism, in which people ‘ask’ or ‘beg’ for a public service. These are always unwritten or not necessarily told but people widely understand that this is a part of public service. Petty corruption, especially bribery in public administration, is perceived like a hidden norm in social transactions and exchange for bribe giver’s convenience and comfort, as well as sympathy for officials’ ‘starvation salary’. In other words, bribery is a norm more than exception. In the same way, ‘asking-giving’ mechanism is perceived as a practise that not only shapes a sort of ‘master-servant’ status relationship, and serving attitude of POs, but also destroys the required professionalism or client-oriented standards of service that will be analysed below.

#### *5.2.2.1 Hidden norms*

Petty corruption, especially bribery in public administration, is a hidden norm, widely used in order to ease social transactions. (See more at Section 5.10 below). Bribery, social exchange and embezzlement are three main forms of corrupt ‘norms’ in Vietnam. The finding of Mishra supports analysis on corruption norm in Vietnam. He wrote that ‘a high level of corruption or a low level of compliance can be an equilibrium outcome. In such a case, corruption becomes the social norm’ (Mishra, 2006, p.349). Mishra stated further ‘corrupt behaviour can be immune to interventions and it can sustain itself against different individual behavioural norms’ (Mishra, 2006, p.349).

##### *a. Terms of norms*

In interviews the word ‘lubricant’ was mentioned widely as hidden norms in transactions with the public sector. Another respondent used the term ‘catalyst’ (B-VN 05). Bribery is perceived as a ‘normal practise’ (B 10). Still others referred to it as a ‘secretly shared understanding’ (C 03, B 07, B 03, PO 07), ‘benefit-sharing’ or ‘internal or verbal-understanding regulations’ (E 06), ‘unwritten laws’ (B 09, PO 06), ‘convention or moulds’ (CS 05), ‘mechanism’ (C 01), ‘principle’ (C 07), ‘procedure’ (PO 04), ‘trend’ (CS 08) or even ‘evil customs’ (SN VN E 02). Still another used the phrase ‘a habit and emotionalism (leading to law violation)’ (E 06).

Additionally, businessman B 09 pointed out, ‘in our construction sector, it is considered obvious or natural’, ‘it’ here referring to bribery or ‘benefit-sharing’. In addition, expert E 02 and others told us, ‘It is wiser to give money in advance’ (to imply bribe) (*‘Đồng tiền đi trước là đồng tiền khôn’* in Vietnamese). This is reminiscent of the Vietnamese idiom, which

instructs Vietnamese to bribe to ease social transactions with public officers. Another interviewee, officer PO 09 pointed out, 'People usually say, "All public service is required money to be done"', also implying the necessity of bribery.

Upon interviewing, one civil actor CS 08 considered bribery as a social exchange. He stated, "Money is given, then the soup [is] ladled". For example, in the purchase of an office, they offer a price for each position. (...) Or if you want fast service, you must give money first'. More specifically, CS 04 pointed out: 'The (informal) price is fixed hidden. (...) If you want to cross (the river), you need to build a bridge (to pay or give bribe). In education, if you seek promotion, you need to go through the "back-door", the "mandarin's doors" (to bribe). Their parents teach children this from young. It is the common perception on corruption'. These idioms imply bribery in dealing with public offices. By verbal education, the social institutions such as families construct the norm as reality.

Finally yet importantly, norms consist also of embezzlement. According to expert E 05, "There exists a practise of embezzlement of public property (stealing or taking public property or funds)." In sum, bribery, social exchange and embezzlement are three main terms or forms of corruption norms in Vietnam.

In short, when the reality is constructed as a norm, it is difficult to resist on an individual level. As journalist CS 01 pointed out, 'Japanese [people] still have to offer and accept bribes in Vietnam. French police (in France) are still willing to approach Vietnamese on streets in order to earn money. Vietnamese people spread bad qualities out. Vietnamese people in Russia, Malaysia are similar too'. The norm will be analysed more in Section C below, where I will explain how Vietnamese tolerate it.

#### *b. 'Untold but understood' by all*

The following are the most typical quotes that we have found to be representative of attitudes on hidden norms. Journalist VN CS 04 has said, 'the whole society knows so I know'. Businessman B 04 stated, 'you must understand yourself.'" Citizen C 03 pointed out, 'No one needs to say [anything], [it is] understood. All these quotes signify bribery is common standard of practice during social and business transactions for public service. Similarly, Nam Cam, a death-penalty holder, said, "What cannot be bought with money, will be bought with a lot of money".' The norm is understandable without words. On the one hand, it is a social construct of corrupt norm. On the other hand, it must be followed when it is a norm. As pointed out by expert E 06, '[Individuals] think they [act] like the whole society, if they don't do that they are less advantaged or they lose benefits. In other side, it is "normal habit". That is why it is dangerous'. It is vicious circle of corruption.

#### *c. 'Benefits sharing'*

As mentioned briefly in the beginning, the nature of corruption in Vietnam is collective or group-based, and as such, there must be "sharing benefits" among corruptors. Surprisingly, CS 05 pointed out, 'It may be miserable for POs to do that because if they do not, they cannot



feed the rest', referring to other POs and bosses. This is the special idea which discloses not only sharing but also a 'quota' which means that POs are required to meet a minimum level of contribution (fines or fees collected by each officer) to the common fund. Quotas are harmful to POs' ethos and integrity because innocent, new POs are put under pressure to practise corrupt norms quicker and more systematically.

#### 5.2.2.2 'Asking- giving' (*Xin-cho*) mechanism in public service

'Asking- giving' mechanism means that the relationship between POs and citizens is one of an 'upper-lower' structure. In the experience of officer PO 01, people 'ask or beg' for public service. Many respondents perceive the 'asking-giving' mechanism as a practice (*xin-cho*).

In general, this mechanism not only shapes the power dynamics and working attitudes of POs but also destroys the professionalism and client-oriented standards of service required in their work. As pointed out by expert E 01: 'In principle, the intention of the government is to serve the people. But the current regime is reversed into the ruling apparatus. Once it is ruling regime, people naturally must follow 'asking-giving' mechanism, because of totalitarianism'. This means that POs behave like a master to his servants (citizens). In the same way, journalist CS 04 expressed the concern that 'the master (people) was not under the asses of servants (POs). Civil servants decide to do duty or not as they like. They are full of reasons, they even can move elsewhere'. Thus, we can see that the mechanism is against ethos and integrity with many consequences. The mechanism is the power-based origin of bad public service and corruption or bribery there. It also reflects asymmetric information between citizens and POs that force citizens to 'give' petty bribes.

### 5.2.3. Ethos, integrity, and confidence

#### 5.2.3.1 *Ethos and Integrity*

The largest number of statements (128) identifies bad ethos of POs. Likewise, integrity is widely perceived as compromised and alarming. Some of the most common adjectives to describe POs as perceived by interviewees are: greedy, bribed, unprofessional, pragmatic, interests-oriented, compromised (integrity), downgraded, illegal or unexplainably rich, badly-behaved, irresponsible, abusive, even cheating. This can be explained partly by nepotism (Section 5.2.4 below), hidden-norms (Section 5.2.2 above), swayed 'rule of law' (Section 5.2.6 below), among other aspects.

It is very frequently said that bribery, regardless of its diverse phrasing, is a common way of public service. The word '*bribed*' was pointed out dozens of times in interviews, and other similar terms used were 'lubricated' (CS01), 'fostered' (*bồi dưỡng*) (CS02), or 'palmed, squared' (*hối lộ, chày*) (CS01, B-VN 04). The term 'envelop' (*phong bì*) has also been mentioned (PO 05, Citizen 03). In other context, concepts such as 'spread cash' (*rải tiền*) are

recalled by several sources (CS05, C02, CS 05 PO 07, B 02). Citizen 04 pointed out, ‘POs said the price’, and B 04 stated, ‘POs get accustomed to bribery’.

In addition, respondents described POs with some words such as ‘greedy’ (PO 01, 04, 06; B 02, 03, 04; C 10; S 07), ‘downgraded’ (E 03, PO 09, 10, C 07), and ‘care more about benefits’, ‘money or other interests’ (C 01, E 02, B 06,10; P0 04, 11, 12), or ‘incentives’ (E 04, E 07), ‘earn income’ (B 04. To look for its causes, expert E01 pointed out, ‘the serving public system is reversed into the ruling apparatus’, as introduced above. This means that the attitude of service is non-existent, and instead the public officers behave as if they are masters of citizens. Some other terms are noted by respondents to describe POs, namely that they are ‘required to be bribed’ (E01), ‘suggested, signalised’ to bribe (B 06, PO 03, 06), ‘alluded, or referred’ (PO 03, B 02) and ‘extort money’ (B 06).

More seriously, one citizen pointed out, ‘Reward and medals [are] awarded with bribery’ (C 01). Now public officers, especially seniors or managers, can buy honour although their salary is ‘starvation salary’ (see Section 5.2.12). It is difficult to convince ordinary citizens of PO’s integrity. Citizen 07 remarked, ‘It is worse than Ho Chi Minh times. We sacrificed our lives for the nation, even if our salary was 5,000 VND. Now, they get tens of millions or billions of VND, and they can buy houses or cars.’ It implies corruption or otherwise unexplainable wealth, and it signifies the shift in culture and values in Vietnam, from integrity during Vietnam War to the current corruption with the market economy.

### 5.2.3.2 *Cheated farmers and bribed’ POs*

#### *a. Cheated farmers*

Bitter stories are told, and all of them confirm that public officers cheated farmers. First, citizen VN 10 recalled, ‘The POs gave us six copies of receipts to sign on, but we were not allowed to bring even one copy back home. Three of them were printed with an amount of 86 million VND, three others with 89 million VND. They might have destroyed the three with the lesser amount and shared the 3 million VND balance’. The case mentioned faked copies with different amounts of money, which would be used for corruption. Second, citizen VN 08 stated: ‘They informed us and threatened that if farmers do not take compensation for their forceful-taken-land, money will be sent to the banks. Someone was scared of losing it so they took it at 10 PM. Someone rumoured that some members (refusing farmers) agreed to take compensation... in order to cheat others [by convincing them] to take it’. For the second case, falsified information was provided to cheat farmers to accept a price for land-compensation. Third, citizen 04 suggested, ‘It is wrong-doing as there are many rates of compensation’. That case made farmers confused about the correct price to which they were entitled. Lastly, citizen VN 08 told us, ‘the Ward Chairman hired gangsters to choke people’s necks’, and he provided photos of coercive land clearance. Thus, we can see that these are clear examples of POs cheating while ‘serving citizens’. They are intentionally purposeful when calculating their intended ends. Above all, these examples show that the POs are unacceptable in terms of ethos and decent human behaviour.

### *b. 'Bribed' POs*

The value of petty bribery is reported as '50,000-100,000 VND' (2 to 4 Euro) (C-01, PO 04) or tens of millions of VND for construction certificate (PO 07). In addition, expert E 06 pointed out, 'In a recent survey, it is noted that some businessmen actively give bribes, not all of them are asked to give bribes'. These quotes signify bribery is real and common.

At a larger extent, "there is substantial variation across countries in the extent to which firms know the amount of illicit payments necessary to do business, and that this is correlated with the legal origin of countries. In particular, the association between bargaining time and bribe paid gets stronger when we move from French- to British-origin legal systems" (Fisman and Gatti (2006), p. 137). The finding explains stronger time of bargaining and bribe in Vietnam (French legal system) and Singapore (British legal system). This also suggests diverse amount of bribe necessary to do business in Vietnam and other countries.

#### *5.2.3.3 Low confidence, mistrust or low quality administrative service*

The confidence of people on POs is alarming also due to symptoms mentioned above. Respondents have stated that they were 'unsatisfied' and have 'no trust' with regard to public administrative service. 'No confidence' is a common answer (VN CS 07, C 10, CS 02, PO 13, PO 02, B 02, 04, 08, and 10). Some other descriptions are 'dissatisfied' (PO 05), 'Low confidence, needs revision' (PO 08), 'do not trust' (E 04), or 'lost confidence' (PO 03). Some statistics of interviewees were even provided, for example, '99% people do not trust anti-corruption (AC) bodies' (CS04), i.e. 'less than 0.1% of population trust [them]. Almost no one believes in them' (CS 09). Some features of the low quality service that respondents have found are slowness, unresponsiveness, impoliteness and bribes. Although they recognise some improvement with 'one-stop shops' (reformed, transparent procedures in public combined offices) in cities such as Bien Hoa, Binh Duong, and Da Nang. The largely bad ethos of POs partly stems from change in values, hidden norms, asking-giving mechanism, low POs' integrity, nepotism, swayed 'rule of law' and other aspects mentioned elsewhere in this chapter. Alternatively, people seek reliance in other social relation like networks of families, relatives, neighbours or friends.

#### **5.2.4. Nepotism**

Nepotism, one of the seven common forms of corruption by the UNDP, is widely perceived in interviews and literature, especially in public recruitment and job promotion. A Vietnamese idiom states, 'Money first, network second, blood third, merit last-stand'. Public officers are recruited and promoted not principally based on merits but mostly on bribery, networking, relatives, or informal exchange. Incidentally, this is the very definition of nepotism. The above idiom implies that the order or rank of importance of money (bribery), networks, and relatives is considered higher than merits in public recruitment and promotion. The order of importance can be switched due to perception or time. In other words, those 'cunning but corrupt' men

take advantage of mechanisms to confer, pull faction, always in the shadow of principles and provisions. They know that such behaviour is wrong and damageable for the office, but more importantly, it generates benefits for them. Therefore, they proactively appoint lower managers and leaders to create faction and clientelism for profit. They do not care whether it brings any material results because in the end they are assured to upgrade each other and gain social 'status and prestige'. The logic of merit-based job creation, selection and promotion has been eliminated. This reality leads to the relationship-based mechanism of interest group formation that undermines public servants and offices. The interest groups cover for each other and seek to eliminate incompatible individuals (those not in one's own network). Those who have the opportunity and the self-esteem will leave state agencies because the work environment there no longer seems appropriate to them.

Although the selected POs are perceived as incompetent and greedy, the qualified ones still do not receive sufficient recognition, reward, and promotion. This leads to injustice, and despite the overflow of POs, low productivity. Above all, disqualified POs construct their own goals of private gain, corruption. Consequently, the quality of officials, the motivation or duty is severely affected by this incorrect and corrupt recruitment and promotion. In short, nepotism is not only a site of petty corruption, but also a source of systemic corruption due to its rotten seeds of public personnel.

#### *5.2.4.1 Nepotism*

Humans have always been perceived as the most precious resource of all regimes and agencies. In the feudal society of ancient Vietnam there was the rule called 'Talents are national souls or stem-cells'. However, this is reversed now in the current socialist market economy. It is more perilous because the needy and greedy officers compromise integrity while citizens are reluctant to fight corruption.

##### *a. Promotion by bribery, exchange or faction*

Nearly all respondents perceive promotion by bribery or exchange. There are dozens of stories told by them. The promoted managers and leaders are not the best, in terms of merit. The situation is perilous, just as the souls of the AC machine or public administration in general are spoiled.

Firstly, the criteria of promotion are not clear while merits are definitely not the most important factor, but rather bribery. Secondly, the relative relationship, exchange or faction can be decisive to determine promotion. Thirdly, the consequence is the reverse of virtue and evil, the good and the bad, competence and inability. However, it brings gains to individuals but undermines the public good, values and confidence. We can now only wait and see if it can be changed in next two decades. I will discuss further this topic in Chapter 7.

##### *b. Recruitment in public sector*

###### *b.i. 'Money first' or 'Jobs/offices sold'*

Similar to the problem of promotion, buying and selling public jobs is also widely perceived by respondents (PO 05, CS 03, B 04, B 10, C 06, etc.). There is solid base to conclude that buying a job in public office frequently happens. There are clear price scales for different posts and sectors depending on its 'fertile' level (profitable). Nepotism is not only the root of widespread public disease, but it also perpetuates an unjust system in which disqualified and unethical individuals are able to have good jobs while talented and qualified are left unemployed, forced into the foreign sector or employed elsewhere. In reality, some suicide cases were reported due to unfair recruitment while productivity of public sector (including state corporates) remains very low.

The logic, modes and tactics of public recruitment are similar to promotion in public sector.

*b.ii. 'Network third' and 'Blood third' or "one mandarin brings benefits to the whole clan"*

One civil society member CS 05 pointed out, 'Vietnamese culture is family-based, relative-based. When one of them is a mandarin who has advantages of information and policies, other relatives or family members do business with them to turn public or common assets into their private possession. It is one way of money laundering, to formally clean up their corrupt proceeds'. The family factor is important in network-based recruitment and promotion for private gains. When these conflicts of interests are tolerated, they bear corruption.

*5.2.4.2 Motivation or duty of public personnel*

The 'vicious circle' of reckless recruitment, bad ethos, poor competence, low salary (and in turn low productivity) is one that bears no motivation on duty or high corruption but on free or low discipline. When public officers are poorly recruited, they have no motivation or sense of duty, but are instead oriented toward private gain. As analysed above, due to subpar standards of recruitment and promotion, the selected POs are perceived as incompetent and greedy, meanwhile the qualified ones do not receive sufficient recognition, reward, or due promotion. Consequently, the motivation to do one's duty in either case is severely affected. This may lead to an inflated number of POs but with productivity remaining low.

*5.2.4.3 Required solution: meritocracy or merit-based human resource management*

*5.2.4.3.1 Why cannot discipline rotten POs?*

The mismanagement of public personnel is a systemic disease that requires strong political will to reform it. As pointed out by expert 05, 'The ex-PM Phan, Van Khai said, "I haven't eliminated him, but he tried to eliminate me because his network or his "force" is everywhere". Hence, personnel management reform is among the most challenging task in combating corruption and will be analysed further in Chapter 7. Similarly, the expert added, 'When I worked for the institute and managed 14 people, I did not discipline one of them

while s/he reported to my boss (her/his family). It is not so easy'. We can see, then, that it is typical situation nationwide and not simply an exception.

Nonetheless, expert E 03 discussed, 'The PO Act (2009) set out a roadmap of public recruitment basing on positions, but it is still experimental and has not yet been implemented'. Now, the recruitment is general sector-based, e.g. the recruitment of 'specialists', though no exact post is mentioned, such as legal, development, or public policy specialists.

Broadly speaking, everyone in Vietnamese society must understand and accept the status quo. Only a good motivation system can help us. There are many good and educated Vietnamese people but the environment seems to lead them to the 'three phenomena', as explained by Expert 06. He stated

'Among three groups, the second group tries to seize opportunities to get rich for themselves and their big families or rings. They seem to want to "to climb up" or be promoted to high positions. Three groups are in the same boat, but it is more difficult for the third group (small) to change the status quo. Because they are not in decisive positions, they cannot do meaningful things'.

If these small people were to be in decisive positions, they would change themselves, and would not want to do meaningful things any more.

In order to fix the issue, expert 05 and two businessmen (B 04, B 10) stated: 'A merit-based system is the best choice.' But the problem is, like citizen C01 pointed out: 'The challenge is whether or not we have the right mandarin (officers) with integrity'. It is evidently still a challenge to fix the public personnel management.

### **5.2.5. Anti-corruption bodies, law enforcement**

Law enforcement is perceived to be ineffective and inefficient due to its dependence on incompetent and corrupt officers. They are not well paid, and their recruitment and promotions are not based principally on merits but rather more on nepotism, networks, or exchange. AC bodies are interdependent, poorly coordinated, and overlapped. There is not a unique AC agency like Corrupt Practices Investigation Bureau (CPIB) of Singapore. Instead there are separated agencies (see chapter 3).

Law enforcement bodies (the police, inspectorates, etc.) are perceived as among the most corrupt actors and do not have the confidence of the people. Consequently, the integrity of law enforcement officers is often compromised in favour of material gain. The enforcement bodies are much more a counterforce to anti-corruption efforts than they are supporters. As they are a part of the problem of corruption in Vietnam themselves, they should be the first agents to be reconstructed organisationally and individually. They are a problem themselves and should be the first sector to be cleaned in order to combat corruption as in Singapore or in Hong Kong.

### 5.2.5.1 *'Corruptible' AC agencies*

#### *'Dependent' or 'not allowed' to fight selected cases*

AC bodies are dependent, poorly coordinated and overlapped. In Vietnam there is not a unique AC agency like the CPIB of Singapore but instead there are separate agencies. The dependence of AC bodies on political intervention is also widely perceived by interviewees (VN CS 04, VN E 04). According to citizen-03, 'One AC agency inside one corruptible organisation is not objective and independent because nobody protects AC officers or the agency. It is impossible to fight corruption because appointed AC officers can also be dismissed, sacked, imprisoned for any reason'. The AC machine is lacking its crucial character of independence to be powerful and maintain its autonomy.

Regarding the inspectorate, expert 04 argued

'You know that the Government Inspectorate (GI) inspect the wrong doings in the public sector and whenever the case is severe, they will transfer it to the Ministry of Public Security (MPS) for further investigation. However, the MPS does not ask what are the case but they only care about that is involved in the case. Normally, after the investigation is finished, it will be reported to the Vice Minister of the MPS, and then be reported again to the Minister to get approval of further investigation, and may be reported to higher level. In many cases, it will be stopped without real reasons of doing that. That is a lack of independence of function'.

In this quote, it is clear to say that intervention is reported and dependent on investigation officers, especially when involving seniors.

Similarly, as pointed out by expert E03,

"The Government Inspectorate does not have the right to inspect independently. MPS has no right to investigate independently. They may need the Prime Minister's approval before doing so. Who has the right to approve [and] announce the conclusion of the inspection, who can be the first to read the conclusions before they are announced? In many cases, Politburo can read before it is announced at the NA".

Clearly, the Politburo has more power than the NA and the executive government. Hence, external disturbance affects the performance of GI or MPS. It may lead to the suspension of any investigation or impunity. Similarly, citizen C 01 suggested, 'It is not objective when the Provincial Chairman leads the AC Committees. AC Committees should sit outside the executive national branch or the Provincial Chairman. AC should be under the CPV Chief or the President (not the PM) in order to fight corruption successfully. Independence is required to do it'. The situation can lead to conflict of interest that biases the objectivity, impartiality and power of provincial AC committees. Furthermore, citizen C 03 declared, 'You fight against corruption but you need to be protected by me'. This metaphor denotes the vulnerability of AC staff and bodies which may be due to political pressure or risks.

Broadly speaking, as pointed out by a businessman, the current AC bodies ‘create mismatch between police, inspectorates and courts...They should also be improved’ (VN B 05). The coordination and cooperation among state agencies is loose. In other words, CS 08 suggested, ‘Transparency, independence is not clear. Hence, how is about its transparency, independence, accountability? One agency plays 3-7 roles which might be difficult to be effective’. This is a critique on the effectiveness of anti-corruption agencies. Following this trend, there are more critics, such as those who have said, ‘State agencies don’t fight against corruption, of course’ (VN CS 08), or ‘AC bodies contribute nothing to [the] AC fight because their salary is too low. They may be the most corrupt’ (VN B 06). One officer pessimistically stated, ‘It is impossible to fight corruption when they [are] fighting each other’ (VN PO 06). It is as if the right hand beats the left hand of the same person, and there is no smooth concentration of power into one AC agency.

Regarding the CPV’s Internal Affairs Committee (IAC), expert 05 argued, ‘The re-establishment of IAC (Ban Noi chinh) is not effective’. The IAC now like to be ‘hung in the air’; with their feet do not reach the land nor their head and body reaching the heavens. He suggests there are not enough resources (staff, capacity, techniques, etc.) for AC efforts. He further analysed that the model does not work because they ‘have only a name but in reality, no strength’. He explained that all agencies are under the leadership of the party. All levels have the IAC. Expert 04 has also pointed out the weaknesses of previous Ban Noi chinh. Unfortunately, he did not provide any specific examples due to time constraints.

As consequence, ‘there are not really effective AC bodies’ as pointed out by officer VN PO 06. In a metaphor, an overseas Vietnamese told that AC bodies enforce their duty ‘uselessly’, as though in a ‘circus’ (DE CS 09), comparing the AC to a show rather than a real and effective anti-corruption effort. According to a civil society member CS 03, ‘the anti-corruption apparatus is not effective. AC handling is compromised, bargained, undemocratic, and not transparent’. Another expert further criticised: ‘To be honest, the AC has not achieved anything. They are like ships on field, which are raised and supervised by someone riding on a horse. If they are pushed, they will go. If not, they will stay there. Nevertheless, they may also abuse their powers by all means to do wrong things for private gain’ (Expert 05). His criticism shows the passivity, and even corruption, of AC bodies.

Alternatively, some experts suggested constructing a new AC agency. First, expert SN E 05 stated, ‘It must be a powerful and independent agency’ while expert E 03 suggested, ‘All the separate AC agencies should be merged into one agency’. Technically, expert- 05 suggested, ‘They must be capable of accessing institutions, data, documents, and policy building machines, etc. in order to fight corruption. How can they do anything without enough staff, resources, capacity, techniques, etc.?’ Overall, these experts propose that the existing AC agencies should be merged into one independent, powerful, resourceful, competent and clean agency.

#### *5.2.5.2 Law Enforcement*



Law enforcement officers, including police and inspectorates, are perceived to be among the most corrupt in Vietnam. As they do not have confidence of people, and they are a counterforce to anti-corruption rather than enforcers, they themselves are a problem and should be the first sector to be cleaned in order to combat corruption, as has been done in Singapore or Hong Kong (see Chapter 7).

### *Police*

Police, especially transportation police, is perceived as the most corrupt sector by interviewees. According to PO 06, 'The AC staff is corrupt himself. It is momentum of a machine'. Some respondents (VN B 05, B 06) stated that 'police are hated by people', or 'not beloved like soldiers'. It is similar to a research in Egypt<sup>94</sup>. It is due to the perception that police are corrupt but soldiers are not. The police always defend themselves as explained in the following story by an expert.

According to expert E 02, 'yes, the results is controversial that make the police unhappy', but objectively speaking, the comments from the people are ground-based because the police are the group of law enforcement officers with whom the most people have contact. In fact, the grand corruption may also be happening at high level, but people do not realise because they are more exposed to police on the streets. Thus, they see the most corruption with those whom they can see. It is similar to health sector in that employees of the service sector are the most exposed to the public, and vice versa. She argued further, 'However, this survey is a good one because the World Bank study also gives the same results, similar to that of The Vietnam Provincial Governance and Public Administration Performance Index (PAPI). Therefore, they also have little basis for counterargument because other research studies are similar. Hence, the police agency must review as they have problems'. The conclusion can be further strengthened by below quotes.

First, the expert E 04 told the following story, providing a testimonial of a foreigner on corrupt police officer in Vietnam:

'I myself witnessed a bribe case between a transport police [officer] and a taxi driver in Daklak province, Central Highland in Vietnam. The police officer stopped the taxi and took 200,000 VND (7.8 euros) without receipts/bills and [provided a] clear explanation on his transport law violation. This case was then reported (by me) and posted on Tien Phong newspaper... In this case, the mass media made the police out to be accountable for their activities, at least for these two officers. As a result, it was requested by MPS in Hanoi to investigate the case. I do not know about the policeman's punishments were, but at least the mass media made them more accountable for their conduct'.

The second account is from a businessman (VN B 06) after having read a newspaper article entitled 'Police robbed money of prostitutes in Lang Son Province'. The article was also posted on the radio, Voice of Vietnam, and disclosed the imprisonment sentence for two ex-

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<sup>94</sup> <http://foreignpolicy.com/2015/02/10/in-egypt-police-are-the-real-hooligans-deaths-cairo-soccer-stadium/>

police and one imprisoned gangster who colluded to trap a prostitute and a number of gamblers for money. It is shameless and unconscionable to rob and trap even prostitutes. Surprisingly, as pointed out by a journalist CS02, 'Enterprises give money to the police, in their locality, in holidays of 19 Aug., 30 Apr. (Vietnam's August Revolution Day and Unification Day) for them to bring their families and to go on vacation with the whole agency'. If correct, it is another shameless form of bribe taking, normally after being asked. In a similar manner, DE CS 09 showed us that 'Only 1% do not do that (bribe) but they are suffering from police pressure'. In contrast, businessman B VN 10 shared the experience of a friend, 'who lives in a foreign country, expected the police to accept his bribe so as to stay there longer but the police didn't. It is not like police in Vietnam'. Due to the widespread understanding and even resignation of police corruption in Vietnam, this individual was. It is another critic on corrupt police of Vietnam. To sum up briefly, police are perceived as highly corrupt and it is alarming for the AC fight. The AC combat will never win if it is not solved.

### *Inspectors, procurators and judges*

Inspection is perceived as problematic by many interviewees, VN C 08, C 10, PO 06, PO 03, B 04 and others. According to officer PO 13, 'It depends on the level or severity of specific cases. However, the inspectorate system is weak due to lack of time, staff and expertise, and extent of inspectorate that leads to low identification of corrupt practises. Some big corrupt cases like Vinalines and Vinashin (two big state-owned enterprises) are only investigated after their internal staff denounced, reported on'. The quote mentioned internal denunciation of corrupt groups, as well as inefficiency of inspectorates. Similarly, citizen-03 pointed out that 'the AC agencies do not empower, do not have the power or right to do it', and they are weak because they are lack of independence of operation. Technically, expert E02 showed, 'Another reason is the capacity of the authorities there'. She also heard that 'many judges, procurators also went up or promoted from the profession regardless of background, such as security guards, or drivers, etc.' In short, AC agencies are perceived to be weak, unqualified, incompetent and powerless.

Regarding ethos, citizen C01 pointed out that 'If the inspectors find out the wrongdoings, it can be bargained, 50-50 benefit-sharing (proceedings) for inspectors and inspected ones, in order to hide, ignore, or bias the danger of the identified wrongdoings'. This means that inspectors are corrupt or colluded to hide corrupt cases for private gains. Similarly, officer PO 05 also said that

'Inspectors still receive bribery or *phong bi* (*envelop of money*) or they may find out the identified issues can link to other big men. They are under direction of big men. For small cases, it is too common so they do not catch violators. For big cases, there are back up who protect violators. Hence, inspection plays a role only in data collection and reporting, but does not fight corruption successfully. Police may investigate corruption but inspectorates only administrate publicly. They do not have powers to combat corruption'.

Clearly, the officer's critics mentioned the corrupt, dependent and powerless inspectorates.

Similarly, citizen-VN 08 discussed, ‘Governmental Inspectorates only drives cars here. When farmers want to approach them, they run away. How can they inspect?’ In short, in the perception of interviewees, AC enforcers do not do their duty professionally, effectively and impartially. They themselves are corrupt and unable to fight corruption. They are core problem and should be prioritised to clean in order to fight corruption as in Singapore or Hong Kong, two successful stories.

### **5.2.6. Impunity (rule of law and judiciary)**

‘Rule of law’ and independent judiciary are two preconditions of justice, liberty and progress in modern societies. They are also requirements of good practise in public administration and governance, as well as anti-corruption policies that minimise impunity or immunisation of prosecution of corrupt actors. However, “Rule of law” in Vietnam is considered as compromised while the judiciary is dependent. In other words, the judicial sector must follow ‘the principle of leadership of the Communist Party (CPV)’ and political intervention is reported by interviewees.

A dependent judiciary is a serious issue that is perceived by nearly all interviews, especially experts and knowledgeable ones, and other research findings. Its consequences consist of bias, injustice, justice obstruction, impunity, especially in ACs. Moreover, interviewees also perceived that laws and punishment of corrupt actors are not stringent and sustainable. Clientelism is highly risky that lead to impunity, which set powerful but corrupt actors above the law. Prosecution due to suspended or delayed investigation and/or patronage seldom confronts corrupt actors. In other words, impunity or immunisation is noticed. Many sentences even will not be executed completely. Injustice is anticipated widely while social resistance is hopeless (see Chapter 5.3).

#### *5.2.6.1 Check and balance system*

A clear ‘check and balance’ system in Vietnam does not exist (E 06, C03, and PO 08). In reality, as pointed out by DE CS 09, is that, ‘the Communist party is the unique leadership. There are no independent branches of legislative, executive, and judiciary’. It means that there is no ‘check and balance’ system in Vietnam but the supremacy of communist leadership. Hence, power control is perceived as insufficient (like the statement of the public officer, PO 06). Indeed 80% of legislative documents were issued by administrative or executive agencies (as confirmed by both literature review and expert E 07). The issue recalls us to the quote ‘Absolute power corrupts absolutely’ by Lord Acton.

### 5.2.6.2 *Dependent Judiciary*

Politically dependent judiciary is a serious issue perceived by nearly all interviewees, especially the experts. Its consequences consist of bias, in-justice, obstruction of justice, impunity, especially in AC agencies. Many detailed quotes on that issue can also be found below and at the sub-section ‘Rule of law’. Below are dozens of quotes that share the critics of the lack of independence of the judiciary.

‘Intervention’ or ‘steering’ has also been pointed out by many participants (PO 09, B 06, B 09, B 05, C 04, E 03, E 07, E 05). Similarly, expert E 04 discussed that ‘they have all the same principle of operation. None of these agencies as you mentioned Government Inspectorate (GI), Ministry of Public Security, *Ban Noi chinh* (Internal Affair Committee of the Party); mass organisations operate in the principle of independence’. The problem is no independence of operation of all AC agencies, including judicial ones. It created many consequences, such as impunity, or unjust sentences, even death penalties for innocents. Citizen C03 similarly stated, ‘In Vietnam, there are no independent agencies. If you don’t follow interest groups who influence your boss that promoted you, you will be removed next year’. This means that corrupt actors may be forced to follow higher corrupt bosses if he wants to keep his job, position or corrupt income. This is a dangerous and resilient mechanism of corrupt networks.

### 5.2.6.3 *Rule of law*

#### 5.2.6.3.1 *Definition*

Basing on the definition in box 9, rule of law, as well as an independent judiciary are two preconditions of justice, liberty and progress in modern societies. They are also pre-required of good public administration and governance, as well as anti-corruption, which minimises impunity or immunisation of prosecution of corrupt actors.

#### *Box 9. ‘Rule of law’ definition<sup>95</sup>*

The World Justice Project (WJP) uses the definition of the ‘rule of law’ based on four universal principles, derived from internationally accepted standards. The rule of law is a system where the following four universal principles are upheld:

1. The government, its officials and agents as well as individuals and private entities are accountable under the law.
2. The laws are clear, publicized, stable, and just; are applied evenly; and protect fundamental rights, including the security of persons and property.
3. The process by which the laws are enacted, administered, and enforced is accessible, fair.
4. Justice is delivered timely by competent, ethical, and independent representatives and neutrals.

<sup>95</sup> <http://worldjusticeproject.org/what-rule-law>, accessed on 04.02, 2017

'Rule of law' in Vietnam is considered to be compromised meanwhile the judiciary is dependent on 'the principle of leadership of the Communist Party (CPV)'. In sum, the three categories above seriously weaken the backbone of the public governance system and make the AC machine rotten from its core, which can nurture impunity and nullify key AC efforts. Interviewees even did not appreciate or recognise 'rule of law' in Vietnam. There is lack of an independent judiciary while the existing sector must follow and practise 'the principle of leadership of the Communist Party (CPV)'. This leads to inequality, injustice and special treatment of CPV members as well as other powerful public officers.

#### 5.2.6.3.2 Lack of rule of law

##### a. Patronage, clientelism, protection for the corrupt

Majority of interviewees perceived that laws and punishment of the corrupt are not stringent. Clientelism is a highly risky practice that leads to impunity, setting powerful but corrupt actors above the law. The corrupt are seldom confronted by the prosecution due to suspended investigation or delayed prosecution caused by collective corruption and/or patronage. Many sentences will not even be executed completely. Injustice is widely anticipated while resistance is hopeless. Realistically, the costs of corruption are very low while the opportunities are abundant. Therefore, people are not inspired or desperate to combat corruption. The vicious circle of the acceptance of corruption, corrupt involvement, low costs or impunity, do not fight corruption and instead commit new corrupt acts (see more in Section 10, 11 below).

Interviewees criticised the current laws and judiciary as 'not strict', 'inexact' or 'not stringent' (*Khong nghiêm*). They also used different terms such as easy-going, lax, loose, lenient, indulgent, 'not enough deterrent', or benign. Some others pointed out that the treatment of corruption is 'unfinished, superficial' (CS 0, B 08) or 'no one is punished' (CS 01). In addition, it also may be that officials 'pretend' to fight (*giơ cao đánh khẽ*) (VN B- 03, PO 09) or dole out 'only non-imprisonment sentence' (*Có xử án treo thoi*) (C 04), 'do not let it go to courts' (VN B- 03, PO 05). Only big cases (hundred of billions of VND) would be prosecuted and smaller ones (some millions of VND) would not be. These signals can produce or exacerbate impunity or immunisation of corruption.

Likewise, 'patronage', 'clientelism', or 'protection' (*'bao che'* in Vietnamese) of corrupt people is perceived widely. All respondents cited below highlight the protection shields over corrupt actors. 'Corrupt actors protect each other. People (non-corrupt actors), who are working in the same industry or office with corrupt ones, finally suffer' (VN C 02). Citizen C03 stated that: 'Any case with a chance to be covered will be untreated. They must be in the same ring or network to do it'. Similarly, a civil society agent CS 01 claimed that 'they are afraid of touching extended corruption-rings or bonds'. A businessman reported that 'a court trial of five police officers who had beaten a man until [he was] dead in Tuy Hoa, Phu Yen Province, made the whole nation resentful' (B 06). These quotes show dangerous signals that can produce unfair and unjust protection for bad or corrupt actors. In other words, as B-VN 09

pointed out: 'Corrupt actors are processed by group interests. Leaders may be involved in a power game. Sometimes, corrupt actors may be isolated or use scapegoats to protect the leaders. Leaders will not be indicted. These quotes can imply impunity or immunisation of corrupt behaviour, especially of leaders.

Other crucial forms obstruction in the judiciary are listed as suspended investigation, delayed or prolonged prosecution, non-executed sentence, unfairness, injustice or impunity (VN B04, PO 10, B 07). One officer (PO 07) told that 'the total number of corrupt cases that will be persecuted is small. The Secretary General said that corrupt actors might be inside of the AC bodies. Due to networks, the results of investigation can be biased, implying that the majority of corrupt actors have not been punished. Besides, PO 05 showed that 'No one will be brought to the law. If yes, law enforcement is not deterrent. Acquittal (between actors) is observed because of bribes', and PO 04 similarly reported, 'bribe for tolerant trial'. In other words, bribery can bias trials and result in impunity. To quote B-VN 03, 'The sentence has not been implemented', nor are verdicts. Similarly, Citizen-03 suggested, 'There is a ring (of corruption). If the suspect may be connected to others, there should be two alternatives, he will be dead or no punishment for him'. This implies that the prosecutors stop further punishment to the whole ring, at least the leaders. Another respondent CS 09 stated that 'law enforcement will be stopped when it links or involves higher leaders (at central level) like Vinashin, Chi Dung Duong, Quy Ngo Pham. It is interconnected issue, a network'. The corrupt scandals are named and discussed to point out that senior leaders cannot be investigated when they are accused of corruption. These are serious obstruction of justice, and clear signals of corruption.

To illustrate, journalist CS 01 stated that 'It is said that trials are determined by power, not by law. The stronger (individual or network) is the winner'. That is the law of nature, where the powerful dominate the others. Citizen C-01 proceeded by saying that a prosecutors reply is "unprecedented" when someone sent a lawsuit against the Prime Minister. In my opinion, it is very wrong because all citizens are alike, equal to law. The Premier is exempt only from physical punishment, not to arrest him immediately, but he still has to be investigated instead'. The quote is another evidence of violation of the rule that 'all citizens are alike and equal to law'.

In the following two trials of ground-breaking corruption cases are reported (see more in chapter 4): The first one is the Doan, Van Vuon land-taking case: 'The authority robbed his land systematically. In this case, the whole nation stood up to support him to such an extent that Mr. Vuon could achieve a little result. It is only because such political fractions compete and fight against each other. However, he and [his] family are still imprisoned. Who can do anything [to control corrupt ones]? (VN B 04, B 06). This is a strong criticism and an impotent sigh of two businesspeople that reflect the general voice of the folk. Mr. Vuon was jailed because of 'killing' although he resisted unlawful and forceful land taking with hand-made weapons (gas, etc.). He was just acquitted before the end of his imprisonment, which made millions of people happy. Even worse, however, Mr. Hien, District Vice-Chairman in Mr. Vuon's case, still has a job while he is under 'non-imprisonment' sentence.

The second case is the Hoai Duc Hospital affair. The hospital director was 'warned' in the

court while other verdicts got light sentences. The whistle blower showed that the retired CPV senior criticised that *'such trial is like you scratch your itchy skin'*. She completely objected it. She condemned the unfair trial. Until now, the appeal trial has still not completed since 2013. Both cases reflected clearly injustice relating to anti-corruption (AC) efforts (see more details at Section 5.3)

For other less ground-breaking cases, injustice is obvious. As a public officer pointed out: 'the warned or disciplined person even can be promoted then' (PO 02). The bad one can be rewarded by promotion, displaying nepotism as discussed earlier. Similarly, according to one businessman (B-VN 04), 'an easy and comfortable way (for corrupt actors) is to retire safely, or to move to other offices or ministries. For example, I know one deputy-director who moved and maybe promoted. Consequently, corruption still happens'. This is slight case, but it represents a common trend. Retirees are under the impression that their past corrupt conduct will be ignored. Ironically, according to CS 01, 'if an accuser in a land-related lawsuit wants to win, he must bribe'. It is a dangerous norm when bribery becomes a magical but bad solution. Finally, SN E 02 concluded: 'when there is no real rule of law, we cannot fight against corruption'.

Clearly, the famous corruption formula of Klitgaard (see chapter 2), however, undervalued or explained unclearly the rule of law, because patronage, clientelism and protection are 'against justice' for the corrupt but 'favouring corrupt actors'.

#### 5.2.6.3.3 *'Rule by law' instead of 'rule of law'*

The norm in Vietnam is the practice of 'rule by law' whereas the ideal should be 'rule of law'. 'Rule by law' is defined as the abuse of laws (that may be issued by the executive branch) to govern, rule or manage society meanwhile 'rule of law' means that all people are equal to law. Here are some selected stories regarding a lawsuit against protesting farmers. First, according to a journalist CS 02, 'the criminal prosecution was started with the injury 1% of health damage meanwhile the laws requires minimum damage is 11%. The sentence is 6 month house imprisonment'. Second, as pointed out by another journalist CS 04, *'People are not noticed about the trial'*. Third, Citizen-VN 08 stated that *'Seven innocent people were arrested'*. Fourth, C 05 stated, *'some captives are not located until now. Others are caught annually, extended once in three months'*. Fifth, C 09 told us that *"the man who was shot for months (protested against land-grabbing) but no one did anything for him"*. In conclusion, abuse of law is quite common and injustice is reported widely.

### **5.2.7. Transparency, accountability, and monitoring and evaluation (M&E) system**

A lack of transparency and accountability (and M&E) exacerbates the bad performance of the public administrators caused by inappropriate deterrents. Nearly all interviewees perceive widely the lack of transparency in public administration, especially in administrative service and land-taking policies. In this way, opaqueness is helpful to perpetuating petty corruption.

#### *5.2.7.1 Transparency*

Regarding land-taking and compensation policies, farmers perceived and criticised their ambiguity. They do not have reliable information on the exact sum of paid compensation prices, of the ‘service land’, the total land area of clearance; the number of the divided plots of land, the infrastructure fee or others payments, the nature of the planned projects and involved corporations. Someone told us that if the farmers wants to take ‘service land’ as a compensation (instead of taking in cash), they should pay some hundreds of millions VND for the construction of basic infrastructure what they could not understand. According to another farmer (C 07), ‘wrong or faked information was provided’. This way, corruption was initiated by making policies opaque and misleading.

#### *5.2.7.2 Accountability*

Nearly all interviewees also perceived the lack of accountability (see Section 4.1.2.5), like the lack of transparency in public administration; meanwhile it is a key condition for AC (see the corruption formula of Klitgaard in Chapter 2). Unfortunately, there is no clarity of accountability (or responsibility) and good practice of public administration in Vietnam that leads to a baseless discipline and reward system. Whenever there is a scandal or big failure, such as corruption, no one is willing to accept responsibility or to be held accountable for his wrongdoing, and then be charged or punished accordingly. This is a dangerous loophole. Dozens of stories on corruption (unconfirmed cases, told by interviewees) or real corrupt cases refer to a lack of accountability, especially in state-owned-enterprises, in land-affairs or other natural resources-affairs and in public asset management and/or distribution. A lack of accountability may go hand in hand with ‘collective leadership’ as a tango where a system of checks and balances is not available or nullified meanwhile corrupt benefits sharing is the sufficient means of mutual protection and organisational collusion.

To begin with, a civil activist CS 05 stated that ‘no one is accountable’ and C 01 pointed out that they are ‘irresponsible’. More seriously, Citizen VN C10 told us that ‘they kick citizens as balls. Nobody is [held] accountable’. Indeed, expert E 05 discussed that ‘Accountability is even worse. Do you see, for example, the Bau Kien case trial, a Vietinbank scandal (4 thousand VND billions)? Nobody is accountable for the scandal. Vietinbank should be accountable for their fault and wrong-doing but in fact, Huyen Nhu is set up as “experiment mouse” (a scapegoat). Nobody is responsible or accountable for it’. No accountability is also perceived in the quote, in parallel to impunity of the corrupt actors. The answerability, blameworthiness, liability of account giving is not traceable in the scandal.



In the same way, expert E 06 agreed, ‘yes, it is difficult to clarify accountability or responsibility or whose faults. There are many seals, signatures and people under layers. No one is identified as “responsible for wrong-doing” or this process is a challenging even at court trials’. Clearly, the components of accountability (answerability, blameworthiness, liability, etc.) cannot be identified, leading to no punishment. Ironically, citizen C 01 also stated that ‘wrongdoers do not resign to make [themselves] accountable’. It is because he does not accept that it is his fault, or even worse, the system cannot prove his fault. This situation is dangerous for the nation if we do not fight it decisively, in terms of not only economy but also politics and society.

Looking for its cause, an overseas Vietnamese (DE CS 09) pointed out that ‘the party rule of “Democratic Centralism” is that no one is responsible for any failures or issues and [there is] no mechanism for checks and control’. The collective leadership mechanism is the cause that needs to be reformed. In addition, expert 05 suggested that ‘It is because of lack of responsibility of policy makers, relating to market planning, access, information’. The quote also signifies the use of the term ‘responsibility’ more frequently than ‘accountability’. It may be used to refer to leaders or managers only and not normal employees. Additionally, expert E 05 pointed out ‘It is because institutions don’t state clearly whose responsibilities and accountability. It is all because “collective mechanism”. There is no accountability’. As collective decision is labelled as the perpetrator, this is a structural issue more than individual one.

Less seriously but more commonly found is the inefficiency in public administration. As pointed out by CS 05, ‘One can get a small amount of money, but also no one takes responsibility or pays the price at all. I think that is also the problem of corruption. This is boundless that he cannot be judged to be guilty because he makes it completely under administrative process although he gets no results. In other words, no punishment or no guilt is found due to ‘due process’ although it is useless and fruitless.

Like a conclusion, expert E 02 argued that ‘Recently, accountability increases slightly, such as live parliamentary forum or dialogue on TV or radio. However, it is still weak in the Vietnam. The participation is required, and this decision must be explained before it is made. Then, the transparency of the decision-making in public policies needs to be presented. Everything is affected’. The issue of accountability is both a symptom and a disease.

In sum, accountability is questionable. It may stem from many structural conditions including lacking the effective monitoring and evaluation system (below), biased rule of law (Section 5.2.2 above), and controlled civil surveillance (Section 5.2.10-11 below).

#### 5.2.7.3. *M&E mechanism* (see also Section 5.2.1-3, and 5.2.1.4 above)

In addition, the absence of workable nationwide evidence-based M&E systems, tools and database for evidence-based measuring AC’s progress and reporting runs parallel to the presence of uncertain accountability of the public sector, extorted judicial courts and limited civil scrutiny (censored media). Statistically, 28 respondents criticised the current M&E

system, if it can even be called such.

Interviewees stated there is an urgent need of ‘performance supervision’, or control. These terms imply concerns or weakness of monitoring and evaluation mechanism, which ensure quality of public governance and management. When the system does not work well, there is a big loophole or opportunities for corruption. In other words, some respondents highlighted some issues such as ‘no monitoring’, scanning mechanism (or surveillance monitoring). Similarly, expert E 07 pointed out that ‘Financial control is weak’. According to businessman VN B 05, ‘since there is no supervision system, the corruptors cannot be traced or caught’. To quote PO 12, ‘the M&E is not solid, especially regarding power check and control. The grand corruption cases did not happen by economic hardship of POs’. Additionally, officer PO 02 criticised, ‘the M&E is loose’, while expert SN VN E 02 suggested that society be allowed to supervise and expert E 07 showed us that ‘cross-check is required in public offices and corporations’. Apparently, there is a close and strong relationship between weak monitoring and evaluation, and prevalent corruption.

To illustrate, citizen C 01 (a retired public leader) told us the following:

“Before, no one dared to steal cement and steel. At that ‘coupon’ time (the socialist time during the 1960s to mid-1980s), supervisors were also doing well. At that time, staff members and employees were entitled to the same wages, and granted similar food. Now workers are working hard, but the contractors, bosses pay low. Since there are sub-contractors, should it dangerous because the POs, supervisors are high-paid. Sub-contractors bribed chefs already, hence it is so corrupt”.

It is a common observation when checkers, monitors or supervisors are bribed to distort or misinterpret the quality performance that cannot deter corruption. It is also the common mechanism of collusion between corrupt actors that is mentioned above. The anti-corruption prevention function of monitoring and evaluation is being weakened for private gains.

Looking at Italy, Sargiacomo, Lanni, D’Andreamatteo and Servalli pointed out “government procurement practices were shaped by an organizational culture of corruption” (Sargiacomo et al., 2015, p. 89). The case of Italy recommends Vietnam to strengthen M&E mechanism to prevent ‘organizational culture of corruption’, which is observable widely at this Section 5.2

## **5.2.8. Regime (mechanism), institutions and legislation**

### *5.2.8.1 Institutions and legislation*

There are loopholes in the legal framework and the policies against corruption, especially regarding administrative service, natural resources management, and public corporate bodies, among others, which create opportunities for petty or grand corruption in public service. This produces pressure and hidden social outcry due to injustice of people who lost their land and

houses without appropriate compensation. The root causes of the legal loopholes stem with the weak legislative role of the National Assembly, relying too much on the government and its dependence on leadership of the CPV. Meanwhile, all laws must wait as drafted documents such as circulars or decrees before becoming fully enforced.

Largely, the executive branch of government plays a big part of the legislative role of the National Assembly, as sort of ‘a referee and a player’ at the same time. The law building is perceived as not mainly carried out by the NA but the entire CPV or government. Some modern terms were also pointed out such as ‘speculation’ or ‘lobbying’. There are no positive quotes on law building in Vietnam. There are conflicts of interests between legislators who are also the executive ministries. Moreover, it may have collusion in law-making process and the potential favour of politics over selective projects. Logically, the benefits can also be shared among corrupt actors later.

There are many critics on the current legal framework who use descriptive terms such as ‘overlapping’, ‘miscellaneous’ policies, ‘unclear’, ‘problematic’, ‘not rigid’, ‘not deterring’. Another problem is unpredictability and irrationality of laws (see below for details). Besides, there are too many laws and quasi-legal documents. These documents might cause challenges for people who do not have access to all regulations while transparency is limited. It is a paradoxical result of the quantity and quality of laws.

Above all, legal framework is ‘lucrative’, stated by a public officer (PO 06), meaning that legal framework is made wilfully with loopholes for private gains (CS 05). Similarly, citizen-03 (a retired public official) pointed out that ‘I made one circular, but I left a ‘loophole’, so that the enterprises come to me for "consultation", like a trap for me to make money’. Thus, we can see that legislative loopholes are made intentionally for private gain more than due to objective causes. Subjective legislative loopholes are more risky and fertile for corruption opportunities. At the same time, laws do not stipulate or tie closely to individual POs’ accountability that makes ‘blossomed corruption’ as a civil society actor (CS 05) suggested.

#### 5.2.8.2 ‘Regime’

‘Regime’ or institutions (meaning structural conditions of one organisation, society or nation) are perceived as ineffective. Academically, Douglas North defines ‘institutions’ as ‘rules of games’. The topic is perceived with different local terms and concepts. These terms may be named ‘mechanism’ (*Co che*, in Vietnamese) by interviewees, or ‘institutional diseases’ (*bệnh thể chế*) by expert E 01. Overall, expert 04 pointed out that ‘It is the whole system, all ministries, all government agencies, mass organisations, and at all levels. The state has the same problem’. In contrast to Vietnam, Singapore can reduce 80% of corruption cases by detecting and healing the legal loopholes with their AC efforts (CPIB website).

Altogether, the social and institutional engine shares core problems, such as dependency, lack of incentives and integrity. It is two sides of one problem; both ‘society and institutions’ are broken, and according to interviewees, it is a ‘systematic’ error.

Firstly, the problem is power control. It is the root cause of corruption, as no power control leads to abuse. Secondly, due to vagueness of institutions or rules, as widely pointed out by

respondents, there are no clear responsibilities of central and local level agencies across the board. Thirdly, many institutions are not in the hands of the AC, so there is a problem of jurisdiction. Fourthly, there are loopholes and ‘allowed corruption’, so ‘Corruption is completely administrated or bureaucratised’. That is where corruption ‘blossoms’, as pointed out also by CS 05. Fifth, the ‘advantage of information’ and ‘punishment’ has also been pointed out as a form of abuse for corruption. Lastly, the network of retired official and economy can be abused also although laws prohibit it. To summarise, I borrow the quote of expert E 01 that ‘Corruption in VN absolutely not a moral issue, but it is an institutional issue’.

On a more negative note, a businessman (VN B 06) discussed that ‘It is ‘obscurantist regime, parental officials’ (*che do ngu dan. Quan phu mau*). He means ‘obscurantist’ is ‘opposition to enlightenment’ when the authorities try to rule by keeping the knowledge gap (in the form of perception, awareness and rights) between rulers and citizens, maybe by typical vehicles of propaganda, blocked access to information, new ideas, ideologies, and progress, or by shaping the master-servant view on the relationship between public servants and citizens. Next, citizen 04 reported that ‘the whole political system, all agencies are corrupt’ (*cả hệ thống chính trị. Cơ quan nào chẳng tiêu cực, tham nhũng*). Then, a businessman (B 02) stated desperately that ‘The whole system, top down, it is incurable’. These quotes are pessimistic statements as they reflect hopelessness about AC in Vietnam. In addition, officer PO 02 suggested that ‘The AC mechanism is quite bad’. In the same way, citizen C-01 told us that ‘the current mechanism is problematic. People frequently said that AC is encouraged but it is challenging the CPV to lead the fight. If you fight corruption too strongly, you may be lost or be fought back’. In short, the current AC machine and the public machine do not work well together.

Looking at China, a similar regime to Vietnam, “Local officials must pursue high priority political targets but have immense discretion over which laws to implement. A relative standard for corruption consequently arises since non-implementation of laws may be mandate-serving or may be corrupt; and determining which requires extra information on why non-implementation occurred” (Birney, M. 2014, p. 55). This study finding may also explain similar situation in local public offices in Vietnam, which lead discretion into mass corruption opportunities.

### 5.2.8.3 ‘Conflict of interests’ and state-capture

#### a. Conflict of interests’

In addition, experts and citizens perceive ‘interest groups and conflict of interests’ widely. There is cooperation or even collusion between politics and economy elites in Vietnam, including those involved in law- and policy-making processes.

#### b. State-capture

State-capture may go through many channels such as law-building, public policies making,

influencing key national programmes or resource distribution. As there is no common definition by interviewees, it can be considered that interest groups do state-capture. The state-capture may be in policy-making process. Officer PO 13 showed us that ‘State-capture happens especially in “vulnerable” sectors’. Each sector (e.g. health) tends to defend their own sector’s interests through influencing and drafting bills. The perception of sector-favour or region-favour is commonly found in Vietnamese mind-sets.

Next, to name some forms of state-capture, CS 01 stated that ‘policy speculation is common’ (*buôn chính sách phổ biến*), and SN VN E02 stated similar terms ‘policy speculation or policy-capture’ (*đầu cơ, lung đoạn chính sách* in Vietnamese). Similarly, expert E 01 told us that ‘The major interest groups manipulate the National Assembly (NA) since the NA could not have been elected in a legitimate way’ (*Các nhóm lợi ích thao túng chính QH. Vì chính QH cũng đâu có được bầu một cách chính đáng* in Vietnamese). There is still lacking more insights on the state-capture topic in Vietnam due to its political sensitiveness.

Finally, CS 05 expressed the concern that ‘Ministerial legislators (or ministries) can make the money. Money is kept milling around in some among these people or the ministry. Corruption only can happen with people who make and enforce policy. Corruption blossoms boundless because the public policy making and the legislative process are not good. Apparently, lobbying and/or policy-capture is obvious. Consequently, as pointed out by Expert 04, ‘interest groups have captured rents in state-owned enterprises (SOE), for example. Interest groups capture policy makers’. In short, state-capture is perceived as a very prominent problem in Vietnam now. Regrettably, there are no more insights on the issue.

### **5.2.9. Media, and social media**

In modern society, mass media are called the state fourth power functioning as watchdog for the three other state powers (legislative, executive and judiciary) and monitoring their accountability to the people. However, things work differently in socialist Vietnam. Although praised by local people as among the biggest contributors to anti-corruption (AC), the role of mass media is constrained and cannot be effective due to strict censorship. It features propaganda, providing biased, ideologically motivated, and false information, rather than communication (mirroring objectively the true events and true information). In a one-party-ruling regime, the state aims to keep a weak role and to constrain the performance of watchdogs – the press and civil society organisations (CSOs) in AC. Few journalists, newspapers or media channels dare to report on grand corruption cases because it is risky for them or under political pressure. However, there is also concern on the ethos of journalists. Alternatively, social media can supply to censored media, however, the official suppression (capture, investigation, lawsuits, threatens, and public defamation on anti-corruption and social activists) is reported to increase.

### *5.2.9.1 Leading role of mass media*

The press is the fourth branch of power in Vietnam and is expected to independently inform the populace as to the functioning of the government. Although praised by local people as one of the biggest contributors to AC, the role of mass media is constrained and cannot be more influential due to strict censorship. The independent controlled media's mandate is to serve the authority more than to serve the audience. AC pioneering journalists face limited access to information and strict criminal punishments. Consequently, few journalists and media outlets dare to report on corruption cases because it is risky for them.

In general, as expert E 03 pointed out, 'Mass media is perceived to be among the biggest and most effective players to AC, beside people. 80% of respondents agreed to the above statement'. The majority of interviewees stated similar statements. In the same way, CS 09 suggested that 'the only thing that can be considered "effective" is the fact that mass media can inform on 'propaganda' and anti-corruption, and [the] news are wide-spread. It is effective. Interviewees highlighted the sole role of mass media in the AC fight. Similarly, citizen C-01 stated that 'AC cases are investigated mainly only after publicised on media. If not, nobody cares or [addresses] the cases'. This means than other AC agencies are not effective or proactive as it should be. Additionally, officer PO 13 showed us that 'The role of mass media is important because of the number of cases identified and publicised by them'. The statement is widely perceived by interviewees.

### *5.2.9.2 Censorship ('one Editor-In-Chief for 600 newspapers')*

Mass media of Vietnam, however, is perceived as under heavy censorship regardless to its AC effectiveness. There are dozens of quotes on this theme. According to expert E 01, 'There is only 'One General Editor for 600 (public) newspapers' in Vietnam. Private newspapers are not allowed to operate by law. To read one is ... to read all of them'. Similarly, a journalist (CS 02) pointed out that 'General- Editors of all newspapers must attend weekly meetings by CPV's Propaganda and Education Committee'. This demonstrates that in Vietnam journalism is strictly controlled, which is very concerning as there is no private media or journalism in Vietnam.

Moreover, citizen VN C 03, DE CS 09 and SN E 05 also stated that 'It follows direction and under control of the communist party'. In the same way, DE CS 09 told that 'In Vietnam, only after Communists party members have meeting(s) and agreed to allow the press to speak up, disclose these'. In addition, a civil society activist (CS 09) suggested that 'Mass media is only allowed to provide information within limits, for example up to Communist Central Committee Members. It is different to Germany where the cases like Bayern FC President was investigated by mass media and then prosecuted by the court and finally sentenced 7 years

imprisonment'. All of these quotes prove that mass media are dependent and work as part of state propaganda. All topics are controlled if they should be published or not. 'Sensitive' information or state secrecy is frequently labelled to limit free press, and the effect of media is consequently reduced.

Still another civil society activist, CS 05, argued that 'Journalism must serve the CPV. Hence, it is never independent like [it is] in the West'. She explained the common understanding that it is natural but I myself see the free media is the civil society's power, of the people, by the people and for the people. It is international standard. Moreover, an NGO man (CS 08) stated that 'the official press can only speak up the voice of the CPV or the government. Only speak when allowed and for special cases. The press cannot write freely on all injustice cases'. These are huge limits on media.

Consequently, few journalists, newspaper or media channels dare to report on corruption cases because it is risky for them, and if they do attempt to, the articles are not published or are the reports aired. To fix the problem, many respondents suggested expanding independence of the press in order to fight corruption even better.

### *5.2.9.3 Access to information, risks and punishment of journalists*

#### *a. Access to information*

Access to information is a technical barrier that hinders the journalists to investigate wrongdoings, including corruption. It is crucial when the Vietnamese government classifies much of their information as 'secret or top-secret'. At the same time, transparency is also a bottleneck of public sectors in Vietnam. In conclusion, the law on information was just issued but there is still hindrance for wider role of investigative journalism against corruption need to be lifted up.

#### *b. Risks and punishment of journalists*

Different interviewees that journalists were beaten or jailed, or harassed in different forms narrate this sub-section.

Citizen C 10 told the first story in the Ecopark case:

'We visited two journalists of the Voice of Vietnam Radio (VOV) who were beaten seriously in village culture house (by unknown actors) at their office. They said to have only five minutes because they are busy in a meeting. After that, these journalists (named Long and Han) came back to our village but kept silent on my village's land clearance and suppress'. We also noticed that there was an article named "The dog even can bark or cried out when beaten but not the journalists

His story (and the article) refers to the injustice, danger and bitterness of journalism. As dogs often symbolise disgrace in Vietnamese culture, it is even more humiliating for the article to refer to the fearful reaction of journalists as weaker (more coward) than dogs. Broadly

speaking, risks and punishment that journalists face are cruel and discourage them to be involved in AC.

The below stories are strong evidence for the criticism. First, expert E04 suggested that 'Three years ago, the Tuoi Tre Newspaper's journalist got into trouble who tried to pay bribe to traffic police'. He wrote about it in order to expose corruption amongst traffic police but he was sentenced with imprisonment instead. Second, expert E 03 discussed that 'Criminal treatment to journalists, such as imprisonment, is too strict or severe to reduce their inspiration of corruption investigation. Hence, her organisation (a development bank) suggests only to 'treating' (punish) journalists administratively when mistakes or wrongdoing is clear, wilful, and subjective. However, the majority of the mistakes of journalists are objective or 'cannot be avoided or controlled', according to her.

In other words, journalism is always a dangerous profession, regardless of its anti-corruption nature. Some other stories are told here. Third, a journalist CS 02 stated that 'for some cases, journalists might accept that they 'had technique mistakes'. Police then only warned the Ministry of Information and Communication (MoIC) and the newspaper on technique mistakes'. This means that journalists surrendered before police pressure although they might not have made any mistake. Fourth, CS 07 stated bitterly that 'Many good journalists who denounced corruption or wrote truths were caught'. This signifies that rights of journalists are badly violated and the AC fight is risky for them. Fifth, the expert (E 05) stated that 'some political opponent used the press to attack the other and forced them to resign after their scandal was exposed. They caused pressure, material or spiritual, but mainly political pressure'. It is a paradox between the lonely fight for justice and appalling silence of the majority, even when the bravery ones was under attack, punishment or retaliation.

Lastly, another journalist (CS 02) expressed the concern that:

'If big companies want to cover it up, shut the press down, they bribe the CPV's Propaganda and Education Committee or MoIC. The newspapers are always gagged. That is huge cases, such as Vinashin. Tien Phong (Pioneer) Newspaper got into trouble in such a big case when the Ministry of Public Security in the south office investigated the general-editor and two section heads for nearly one month. It probably relates to interest groups. Finally, they were only warned. However, one year later, that case was trailed and sentenced among the biggest corruption scandals'.

The story implies 'bullying' or power game in which journalists are the weaker parties that were suppressed or bullied. The journalism's situation is similar to anti-corruption combat that both face injustice and swayed rule of law. In other words, it is highly risky for investigative journalists to fight corruption if nothing is improved.

#### *5.2.9.4 Ethos of journalists*

Although mass media is perceived to be among the biggest contributor to the AC effort, there is also concern on the ethos of journalists. Some journalists may abuse their status, commit corruption themselves, or collude to corrupt investors for private gain. To some extent, the



ethos of a faction of journalists is worrisome by some interviewees, regarding independent journalism and corruption accusation of journalists raised by businessman, expert, civil activist, or citizen. The quotes are omitted due to its lengths and minor stream.

#### *5.2.9.5 Social media or informal press*

As a response to censorship, social media and informal media were born and they are emerging as a strong alternative force for social, cultural, political discourse, including AC (see the case of Mr. Loi in Section 4.1.2.7). Emerging social networks also play an increasingly important scrutinising role. To quote from a businessman (B 06), ‘Social network has a tremendous role’. According to CS 05, ‘Social discourse ignited by social media, in general is positive’. Additionally, expert E 01 pointed out that ‘Informal press was born. The state does not want it but cannot deter. Its birth requires formal press must process information carefully’. Although the bold role of social media is emerging proactively, the researcher cannot focus on this source of data, information due to time and resource constraints.

#### **5.2.10. AC Denunciation and whistle-blower protection**

Exacerbating that trend, however, the treatment of AC whistle-blowers is widely perceived as slow response due to ignorance and neglect from the authority. Furthermore, laws require that the recipient of the whistle blowing have to be the director of claimants, complainants or the whistle-blower. The receiver cannot be independent, objective, or effective as for many real cases the receiver is also the accused. Consequently, the result of treatment is recognised as alarming and troublesome as it *‘brings no change’*. Furthermore, the protection mechanism of whistle-blowers, if any at all exists, is perceived as ‘not good’, i.e. denunciation. That inappropriate mechanism inevitably discourages civil engagement into the fight against corruption. The prevalence of whistle blowing is low in reality, as the further analysis will demonstrate.

#### *10.1 AC Denunciation*

As a civil agent CS 08 pointed out that, ‘the denunciation receiver is located inside the accused offices. Hence, corruption can’t be investigated as it is not independent’. It is barrier for AC. Similarly, B-VN 04 pointed out that ‘Sending an allegation letter to the receiver who is at the same side or network of the accused person [...] makes no sense’. It may be made wilfully or recklessly in order to nullify AC denunciation. In addition, citizen C 01 stated that ‘they (the denunciation receiver, the accusation solver, and the accused) protect each other’. That may reflect the nature of collective, structural or systemic corruption. Therefore, as stated by E 02, ‘the mechanism is not good because it does not protect and does not encourage people to denounce as many researches point out. People do not dare to go for denunciations’. This suggests that a neutral mechanism is required in order to solve the issue more sufficiently. There is a paradox amongst denunciators or complainants. When corruption

affects their big benefits, e.g. house or land, everyone stands up, and meanwhile they keep silent on other cases. However, it is also said that the reason is that it ‘brings no change’ (mentioned by 38 dozens of ideas, see Section 4.1.2.7). Interviewees perceive that complaining is useless as they observe daily social realities. Many land-taking processes take years due to farmers' protests. Enthusiasm and devotion of protestors, demonstrators, and complainants are killed by authorities' silence. Alternatively, many cases or profiles of denunciation are posted on websites and social media. Although not all of them are processed, this at least raises social awareness about the resentment and discontent that wakes up authority and draws attention to the need for accountability.

### *10.2 Whistle-blower protection*

The protection mechanism of whistle-blowers, if any exist at all, is often referred to as ‘not good’ by interviewees. Similarly, officer PO 13 stated that ‘the prevalence of whistle-blowers is low’. The condition is required in order to encourage more civil involvement in the combat against corruption.

Moreover, a citizen DE CS 09 pointed out that ‘there are no laws (in practice) to protect whistle-blowers in Vietnam’. It differs from China where one law exists that stipulates, “The state can not imprison people who disclaim or denounce the public sector”. This is a legislative and structural loophole for the AC fight. Similarly, CS 05 and SG E 05 also recognised that ‘no regulations protect whistle-blowers, and then they get hurt or harmed by the corrupt actors’. As observed by journalists who supported many denunciators, ‘they mostly fear being exposed, and [that this will affect] their jobs, income and family’. These issues need to be solved in order to encourage more AC denunciation and safeguard whistle-blowers from retaliation.

Additionally, expert E 05 stated that ‘AC people’s interests are affected or may even be victimised. In some laws like ACL, Denunciation Law, some protective measures were passed, but it seems not to be sufficient. In practice, whistle-blowers and their families were victimised’. In the same way, CS 06 stated the similar things. The quote implies that denunciators’ interests are not well protected. Moreover, CS 02 stated that ‘Protection is nearly zero. Authorities even can trap the denunciator. He told us a true story: ‘in the district People’s Council dialogue session to people, they trapped [a real denunciator] and provoked him. He was beaten a village cadre with brick, left only 1% of injury, not serious, but then he was prosecuted with the sentence of six months non-imprisonment sentence meanwhile the law requires that minimum 11% injury should be prosecuted’ The consequence is that everyone is scared of being trapped in similar scenarios or plots. These concerns discourage people from reporting corruption.

Indeed, the denunciator, who supported many others in combating corruption in Dak Nong province, was caught, investigated or prosecuted as they allegedly ‘supported and suggested others to bribe police’ (see Section 4.4.1.2.7). Similarly, some journalists (of Tuoi Tre, Thanh Nien Newspapers, etc.) were prosecuted as they ‘set up’ an attempt to bribe transportation police (VN local News). This is evidence of no protection, or even worse. For some extreme

cases, as pointed out by SN E 05, ‘the denunciators will be killed. They are only safe if they turn a blind eye to it until retirement’. According to DE CS 09, ‘Tran Quang Thanh (a famous anti-corruption journalist in the 1990s) was attacked severely with acid around 20 years ago by police supported criminals. He has needed to live in Slovakia since then’. He was lucky to survive. His case warns reformers of the need to strengthen protection for AC reporters.

Regarding the most famous denunciators, such as Ms. Nguyet in Hoai Duc hospital or teacher Do Viet Khoa, the businessman VN B 04 suggested, ‘their careers were badly affected. Even their relatives can be affected, though in the beginning they were praised nationally’. Clearly, the protection is not sufficient, not only for the denunciator, but also for their family. That is a deterrent that hinders people's participation in AC combat, as seen in the below analysis.

### **5.2.11. Individual involvement, corporates and Civil Society Organisations (CSOs)**

People do not want to report corrupt cases or denounce corrupt people mainly because they think it will change nothing, they choose it as a solution or they do not want to take time or to be afraid of retaliation, due to bad whistle-blower protection (above). In addition, corruption (at least in the form of bribery) is a rational option as analysed in part 1 above. One participant quoted the result of a recent survey that “seventy-nine per cent of people said they would not report corruption because “it wouldn’t make a difference” or because “they are afraid of the consequences”. It is more serious when people do not trust public officers or the public sector in general while efficient protection mechanisms and policies for whistle-blowers are lacking. Hence, people engagement in anti-corruption is still underdeveloped.

Specifically, there are three main alternatives or trends in which individuals tend to participate in AC efforts. First, citizens only stand up to report or denunciate when corruption directly affects their interests (such as their land, house, job, income, business, etc.). Second, in other circumstances, ordinary people will ignore or neglect corruption, especially petty ones. Moreover, when people accept or tolerate petty corruption or bribes, they will not report it naturally, as it involves himself to trouble. Third, some brave citizens, especially old or retired ones, are able to fight against corruption because they have more free time but only to do so when they have confirmed, secured evidence.

Similarly, the awareness and behaviour of CSOs is weak due to CSO’s capacity, lack of independent resources (human, finance, etc.) because all CSOs rely on patronage of a state umbrella of the Vietnam Father Front (a state-run union of civil and mass organisations, see Chapter 4). In Socialist Vietnam, it is controversial to define civil society due to political linkage and ideology. In fact, Vietnam has Decrees no 8 and no 47, which control civil society. ‘Civil society’ is a sensitive and new term to Vietnamese government. There is no real or perfectly independent civil society in Vietnam. Development non-government organisations (NGOs) define civil society informally and controversially as independent associations, societies, mass organisations and non-government organisations. However, the six biggest mass organisations in Vietnam (Journalist Association, Lawyers Association, Women Union, Red Cross Societies, Farmer Association, and Veteran Association) are dependent on state

funding and management.

Civil societies in Vietnam seem to be ‘set up, supported by, and linked to the state’ (stated by PO 04). Civil society organisations (independent, religious, political- or human rights - linked) cannot formally be recognised or permitted to establish by the state although they can fight against corruption and other social evils (DE CS 09). In general, ‘*Vietnam has no civil society*’, pointed out by expert SN E 02. The same informant explained that there are NGOs and civil organisations, run by people who used to be CPV members and favour communism regardless in full or in part. Consequently, the role of CSOs (especially six biggest mass organisations) is blurring, unclear and limited due to its interests. Only some agencies, such as Toward Transparency (a focal point of Transparency International in Vietnam) that have duties can supervise, identify and contribute to fight corruption.

Moreover, corporates do not actively fight against corruption, as it is risky for them. Besides, the majority of them acknowledge and tolerate it as a sort of a co-existence (for majority) and a rational choice to get benefits from it.

#### **5.2.12. Public officers (POs) Salary**

‘Starvation’ (poorly paid) salary, to some extent, plays a big but negative role on shaping corruption in the public sector. In general, it is a common sense that one’s ‘*salary is not enough to afford a normal life that forces them to do it*’. It is understandable and logical to note the point (see more at Chapter 4). It is also the lesson of successful countries like Singapore, especially in fighting against petty corruption. It was unable to fight corruption, especially when you are starving. It also might be because the earning for a living is too difficult. Low salary can be abused by POs to defend them as they ‘need’ to survive (by accepting bribery), before they can choose integrity.

Although the salary for public officials (POs) is low, many Vietnamese people still apply for jobs in the public sector. This raises the question, what makes such jobs attractive? Are there any other incomes available for POs? In fact, especially for the management and or people in leading positions there exist sources to generate non-official income in the public sector that might even enrich POs, not necessarily perceived as corruption. A public officer ironically comments this paradox pointing out: ‘*Join the public sector! Because nobody lives exclusively on salary here*’ (PO 05). Another informant stated that ‘*POs are starving by cash money. A communal officer’s or chairman’s salary is low; nevertheless he can buy a Camry car or a house*’ (citizen 07). Vietnamese people think that this non-official income, to some extent, is corruption.

Although low salary is understandable for high petty corruption (small bribery) in public administration services, it should not be argued for grand corruption (state-capture, political corruption, big embezzlement by state-enterprise CEOs, etc. ) and greedy POs. There are

clearly both “need” and ‘greed’ of Vietnamese POs about corruption. Low salary, nepotism, large public sectors, and low productivity interplays in a vicious circle of corruption. It is a strong counterforce of AC reform in Vietnam.

### 5.2.13. Political will, leadership

*"Power tends to corrupt, and absolute power corrupts absolutely"*

-John Emerich Edward Dalberg Acton-1887

One key difference helps to explain the extreme different between Vietnam and Singapore is leadership. On the one hand, Singapore is praised highly for strong leadership of Lee Kuan Yew, and his clean, efficient policy and government. On the other hand, Vietnam is criticized for inefficient leadership; public management and compromised integrity (see Chapter 7). At the highest level, Vietnam’s political will of reform to fight corruption is perceived as not sufficient to retain dependent and corruptible AC forces (police, inspectorates and judges).

Political will is perceived among top ten categories of concerns on the AC fight (75 times mentioned by respondents). Regrettably, it is the lacking aspect of Vietnam, as opposed to the blue print of Singapore where there is ‘no compromise on corruption’ and a corrupt minister can be prosecuted objectively. There is ambivalence between national motto to consider corruption as the ‘internal enemy’ (by the Communist Party of Vietnam- CPV) and its fear of losing political control over the nation when necessary fundamental institution reforms can be started, especially in politics, judicial and legislative, etc. As pointed out by expert E 05: *‘All AC efforts are aimed to protect the current system. That the elite sees it as problematic’* Hence, the elite class are reluctant to risk losing their power and their ruling status in the CPV to reform the status quo when they recall the dissolution of Soviet Union and the Eastern European Block.

Alternatively, Vietnam chooses more compromised strategies and solutions rather than those that are more fundamental or efficient. Besides, anti-corruption also implies a factional ‘power game’. More delicately but harmful is that the political will (on anti-corruption) is not motivated to fight corruption itself, but for the sake of the CPV, and the propagandized benefits or interests of all people as broadcasted. This implies that the nature of AC is power, and the AC is politically selective.

At the individual level, elites want to maintain their corrupt benefits, as expert E 04 stated, *‘because they are all benefiting from corruption. They are benefited from corruption. They are all making money so why would they want to change’*. Expert E 02 shared that view when sayin: *“they don’t want to impact on their income sources”*. Similarly, expert E 06 stated that *‘they do not like but they still are corrupt because they do not want to lose benefits’* meanwhile businessman B 09 questioned that *“they are corrupt themselves, how can they fight it”*? Broadly speaking, corruption is wide-spread endemic and systemic, as shown in the

statement of expert SG E 02. “*Vietnam does not dare to fight corruption more strongly and widely because it may involve many top leaders.*” The quotes imply weak political will of combating corruption due to involvement of top leaders, its complicated network, and huge benefits from corruption. In other words, ‘patients’ cannot do the surgery for him, nor can they cut their own corrupt hands.

Furthermore, Vietnamese leadership is criticised by interviewees for endemic corruption for many reasons, such as blur role model, short vision and ineffective strategies. ‘*The principle of leadership of the Communist Party (CPV)*’ negatively affects the national integrity system of Vietnam by making the judiciary dependent and deflecting the “rule of law” in Vietnam. For the outlook, there are both optimistic and pessimistic attitudes on Vietnam’s anti-corruption will. Consequently, impunity of corrupt actors undermines people’s trust, reduces costs and increases rewards of corruption. This is harmful to the AC fight in general.

### **5.3 (Interview and sector) case analysis**

#### **5.3.1. Interview 1 (VN E 06)<sup>96</sup>**

The interviewee affirmed ‘*I share honestly and freely*’ and thus confirmed explicitly to trust the researcher what is to be seen as a crucial pre-supposition to generate authentic and reliable informations on corruption. The interviewee was one of the rare kind of brave men who spoke up and frankly criticising the current system, both indirectly or directly or at least daring to mention about sensitive or ‘dangerous’ topics. He especially disposed his opinion on the current political system. He is outstanding among the potential participants, who in the majority were reluctant to join or completely answer my questions during my field research (including public officials, businesspeople or other experts).

There are also some other factors that help me to understand why he was so open to me. Firstly, he studied economics in Russia in the 1980s and in Australia in the early 1990s, which equipped him with and exposed him to western education, philosophy and views. Secondly, he is an experienced manager of a central research institution of economics in Vietnam and will retire in the next few years. Thirdly, he may be a communist party member (a necessary criterion). Unfortunately, due to time limits and potential risks, I myself did not ask whether he is a communist party member or not. This information can support us to understand more about the factors that influenced his view and approaches to corruption in Vietnam. In fact, his view implies that he is not a real orthodox communist.

In comparison to other Vietnamese his world-view are strongly influenced by modern Western ideas. Technically, his answers covered a broad vision, diverse sub-topics and reflected his expertise in economics management, as well as the social, economic and political system of

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<sup>96</sup> This interview is one of the best of my sample. My MA teacher, whom I also interviewed, referred the interviewee for my research.

Vietnam where corruption is rampant. His explanation disclosed several hidden layers, roots, and causes as well as the nature of corruption; further on he specified crucial objective determinants, subjective motifs, and potential remedies of corrupt behaviour.

In details, he mentioned public perception, people's values and norms, 'habits or emotionalism', daily customary practice, 'jealousy of being better than others', 'lubricants', 'collective leadership', 'lack of motivation system', the vicious circle of corruption and other key concepts that cause and spread corruption.

### **Causes of corruption: Vietnamese norms and their logic of thinking**

Firstly, he mentioned and explained, when and how people consider or label a 'thanking' or 'gift giving' behaviour as corrupt. When mentioning the 'thanking' activities of patients or their relatives to the doctors, he questioned whether they are corrupt. He demonstrated that the practice of gift giving 'promotes or hinders corruption'. His statement raised the question of 'the difference between gift giving and corruption' as well as between morally accepted and criminal behaviour, if evident or hidden? The following analysis can provide an answer.

Here, in order to categorise or name it as corrupt or not, we must clarify the value of a gift, the transparency of an exchange, the intention of the giver and the taker, finally the context in which the gift giving takes place. The interviewee illustrated the logic of gift giving by giving an example: in the relation to doctors 'chicken can turn into money, envelop money or bigger 100 times or one whisky bottle'. Apparently, the value of a gift and its role changes dramatically from a home raised chicken to money or whisky. The gift is not only a personal gratification for the support given by others but is also a delicately hidden form of 'bribery', namely an obligatory benefit in a functional social system, here the health service. The change of meaning of gift is related to the transition from socialism to capitalism in Vietnam.

The social reality changed due to the increase of prosperity in Vietnam during the last three decades since Doi Moi started the so-called renovation in 1986. While comfort and convenience has improved, the substitution of bargaining goods by money transfers changed the logic of gift giving and, mostly important, the transparency of the interaction. Gift giving can be done secretly more easily by giving an envelope of money rather than bringing a chicken, and especially if giver and taker do not want that other people know about it. This way, the intention of the gift-giver varies from its original intention of expressing thanks to by benefits. Now, the nature of gift giving may turn into bribery in exchange for better health service. The transactional character of this social behaviour between the patient and the doctor is obvious. The intention of this behaviour is not only to express symbolically thanks to the doctor, but really to buy a quicker and better health service. Looking at this general trend in a larger context, the difference between gift and corruption is internationally called the shift from 'give-me-a-favour-society' to 'give-me-a-bribe-society'. The example from the health service represents a general trend, i.e. the monetarising of social relations in the name of the "socialist market economy" that is in fact a pseudo market economy where the prize-mechanism does not regulate the allocation of goods.

Nevertheless, this social transition is important. It reshaped all social relationships in the Vietnamese society. In the planning economy of Vietnam before 1986, many goods and services were provided freely or distributed with subsidised price. These mechanisms were commonly handled in communist countries through “coupon-for-goods or services”. Cash or money is not used frequently. Still, its value is not converted by the market but by subjective decision of the state. Whereas the relationships of people with public sellers had the power to distribute goods while there was a severe lack of basic goods. To ensure a favoured or better stake to the necessities of every-day life (meat, milk, sugar, cloths, etc.), network-relations to people were compulsory. These relationships are initial signals of cronyism and nepotism in society that may evolve to corruption in a ‘reform’ or ‘socialist market’ economy. Moreover, the emerging socialist economy of Vietnam gave birth to a frequent use of cash instead of banking transactions with cards like in mature economies. This fact became a key attribute and enabling context of petty corruption. In reality, cash is more difficult to track than bank transactions.

At later paragraph, the interviewee claimed that “enveloped money” paid for conference or meeting participants might be considered differently. Participants see it as an unwritten rule to receive, per diem / travel support by the organizers as remuneration for the information-sharing time but not as corruption. The practice might be looking strange to Westerners. However, a majority of Vietnamese get used to it and they expect to receive “enveloped money” whenever they participate in meetings, conferences, and workshops. This practice is integrated into the budgeting of internationally funded projects that are managed or implemented by public agencies. The practice is legitimized by the low salary of public officials that should be subsidised by such ‘extra income’.

Apparently, the criteria to identify corruption are blurred because the gift giving practice and other traditional habits of Vietnamese people hinder a clear social perception and general awareness of the problem and its destructive consequences. In addition, the interviewee reported that businesspeople in the private sector accept “informal costs” and treat it as a normal practice. It seems to be a must-be-followed rule if the businesspeople do not want to pay certain costs (opportunity or other costs). This social reality constitutes the public view and common attitude to ‘tolerate’ bribery and/or corruption.

However, social knowledge and cultural attitude may not lead to corruption automatically. It can only be more harmful if people even commit corruption in practice. It criticises corrupt behaviors (but not knowledge and corrupt attitude) although knowledge and attitude are foundation of behaviors. He added that *‘corruption is of course bad and wrong. But, in practice and in reality, how people react to it?’* In many cases, there is conflict between perception and behaviour. They *‘do not like but they still are corrupt because they do not want to lose benefits’*. The statement also reminds me about rampant bribery among the public sector, especially the transport police, hospital doctors, or nurses. Both sides, the bribe giver and the taker, perform this cultural pattern. The bribe giver, on the one hand, may think that there is a social norm that dictates people to “thank” doctors or nurses. If not, their relatives’ or their own health service might be worse. On the other hand, the doctors or nurses may think that they deserve such additional gratification from patients as compensation for the official



low price of health service that is under its real value. In fact, doctors and nurses may also proactively ask patients for unofficial additional money. The same explanation can be applied for the transport police in relation to travellers. Gradually, the particularism morphs into universalism, sympathized, accepted, and practised by the majority.

The interviewee also pointed out the Vietnamese' *"jealousness of being better than others"*. They want to be *"better, more advantageous than others"*. He highlighted that this mind-set of Vietnamese people creates more motivation of public officials to be corrupt whenever available opportunities arise. If not, his co-workers, his family or even himself may look or label him as stupid or abnormal. Furthermore, in many surveys, ordinary people may commit giving speed money in order to avoid larger opportunity costs or disadvantages in comparison to others. This trend is very common now in society.

In the public sector, many public officials may defend themselves by the nepotistic idea that 'the whole society helps their relatives to enrol when they are not qualified. Why don't you help my son?' It is similar when "they think they do like the whole society. If they do not act this way they are less advantaged or they lose benefits'. This trend stems from strong influence of big and strong networks and links among relatives in Vietnamese communities.

At the end of the interview, the expert spoke of the good habits of Vietnamese people like 'adaptation and emotionalism'. He also pointed out that this attributes develops 'envy, zigzag or indirect expression, flexibility, and selfishness for private gain'. He added that 'Vietnamese seem to be more 'an adaptive race or nation than a creative one'. Vietnamese seem to be "wise", i.e. pragmatic, and do not really focus on visions or long-term planning." He emphasised that Vietnamese might shape the violation of laws or rules among Vietnamese for convenience or ease, in a short term. The Vietnamese proverb "rationale cannot exceed emotions" may help us to explain Vietnamese emotionalism. Vietnamese have not prioritised the 'rational choice' or 'bounded rational choice' approach. It is true, especially in situations, where role-conflicts appear because of nepotism or other law-violation cases that involve his friends, family members or relatives. In other words, the interests of friends, family members or relatives sometimes prevails over the player's own interests. He or she may share benefits, even commit risks, such as rule-breaking or other negative activities that may include corruption, in order to help others. He or she does not follow the Western individualism that prioritizes the player's own interests, regardless of his or her private relationships. In short, emotions and personal relationship are important variables that influences corruption formula.

In addition, the corruption formula is determined also by the 'advantage of information, and power'. It means that whoever has the power or has more inside information can gain a bigger part of public properties', especially during equalization or privatization or state asset management.

"Adaptation" also means flexibility of Vietnamese culture. Everything can be changed and easily adapt to a new contexts, even in a very short term such as one day or one week. This is a common philosophy and working style of Vietnamese people that may shock Westerners. For example, Germans generally stick to their original plan; they may even plan their work a year in advance without changing it during implementation. In contrast, Vietnamese do not spend much time on careful planning and preparation. They may face problems and therefore

change plans during the implementation phase because they abuse “trial and error” tactics. This phenomenon is important to understand corruption among Vietnamese people who change the rules of the game frequently. For example, POs can interpret the rules differently in diverse contexts and with specific citizens.

### **Collective leadership, anti-corruption motivation system, and corruption remedies for institutional reform**

In the following, the expert mentioned that the principle of collective leadership in Vietnam leads to the fact that nobody takes accountability for corruption cases. The mechanism originates from the form of leadership that is still used in the Communist Party of Vietnam and their rule, based on formal consensus and solidarity among its committees. The parliament, the government and most public offices also firmly apply this principle at all levels. Consequently, it is more difficult to answer the questions ‘who must be accountable to what?’ or ‘how to punish corrupt people when a corruption case is identified?’ Hence, nobody is punished appropriately for corrupt behaviour. This type of governance has in fact the effect to nurture an advantageous environment for middle-range or high profile officials to commit grand corruption like in a snowball system. Unfortunately, public or state ownership of state-owned enterprises and other resources such as collective or state land property are fertile grounds for corrupt leaders who are not held accountable for their actions.

On the other hand, the interviewee also pointed out the mechanism of ‘benefit-sharing’ that no one party can take all the benefits of corruption. These ‘regulations’ or ‘norms’ may be tacit rules on the basis of ‘internal or verbal-understanding’ that ensure collusion and protection from crosschecks among nodes of corrupt networks. In this context, corruption becomes more resilient and invincible unless the internal actors break their own network due to ‘unfair’ interest sharing or other reasons, such as fighting political opponents.

At the individual level, another key criterion is the principle of ‘costs and benefits’ of corrupt activities. Whoever wants to commit corruption always must seriously consider potential benefits or risks if caught. The current context of Vietnam signalises this rule as ‘low costs and high reward’ quite opposite to clean countries like Singapore where corruption bears ‘high costs and low rewards’ (see chapter 6).

Suprising for an extern observe is the interviewee’s vigor to perpetually highlight the motivational factor among public officials. With irony he asked ‘why we must be transparent while we are so poor?’ or ‘it is stupid for us snot to be corrupt or abuse the situation or power while we are poor’. Poverty (financial and material) seems to make the globe go round. Poverty may be connected with a low salary of public servants. Hence, he suggested that a remedy for anti-corruption might be the existence of a motivation for transparency, efficiency and professionalism. Now, we must confess that corruption is not only an individual problem but also a systemic disease of society. In general, individuals cannot struggle for their integrity within a corrupt system exists. The bitter question rises, why single public servants should

fight against corruption while they are benefiting from it? The situation is similar to the principle 'it seems to be impossible for patients to operate themselves'.

Regarding the motivational system, the interviewed expert criticised the kind of evaluation of the Vietnamese public sector's performance. It is closely linked to an unfair 'sticks and carrots' mechanism, nepotism or bad meritocracy. In Vietnam, meritocracy is not implemented seriously. There are many examples of 'bad apples' that are recruited and/or promoted unfairly. In fact, there have been many corrupt public servants who are convicted and proved to use fake qualification or backed-up patronage in order to be promoted in an uncompetitive and problematic manner. This reality spoils public confidence in the public sector, its integrity and professionalism. Inevitably, the brightest employees do not choose or cannot get a job in the public sector due to many barriers. It is believed that a candidate has to pay a large amount of money (some thousands of US dollars) in order to get a job in the public sector regardless their competences. This does not only hinder the establishment of a motivational system for anti-corruption, but also nurtures and multiplies corrupt incentives for even 'clean' and professional public servants. They have to find a way to cover their previous costs or 'investments' while their bosses think about increasing their income by 'selling' more posts. Consequently, the vicious cycle of nepotism and corruption is reproduced.

On the other hand, there has to be space for good public servants' or their 'decent enrichment or earning for living' in a transparent and official manner in order to reduce their need for corruption. It is suggested that the current working environment, especially the compensation and motivation mechanism for good public service is not sustainable. Transparent and appropriate income is required but it is in short of. Furthermore, the expert also reminded us about many other concerns related to corruption in Vietnam, such as 'conflicts of interest, the role conflict of a referee and a player' in the public sector, loopholes in the legal framework, the problematic application of the 'rule of law' principle, the system of checks and balances in Vietnam.

Especially regarding the 'rule of law' principle, he agreed with my concern on the reality of 'having a bath only from shoulders down'. This means that only low or mid-level managers and/or leaders may be investigated, prosecuted and convicted meanwhile top ones cannot be touched even if there is clear evidence. To exercise the 'rule of law' requires time, he confessed. The practice of 'the leadership of the CPV' is a major blockade for the implementation of the 'rule of law' principle.

In the expert's opinion, the anti-corruption fight depends on three factors. The first factor is the level of economic development. The second factor is social justice, poverty reduction and building a strong state. The third factor in his eyes is direct AC like political will and other efforts, which have to be linked with real and fast results in order to foster the market and to gain people's trust. All these factors, he believes, have to be integrated into all-embracing reform. Everything should be transparent. His ideas correspond to Klitgaard's formula, which stresses crucial variables such as monopoly, discretion and accountability.

Regarding a potential remedy for corruption, the expert suggested that Vietnam should learn from Singapore. He acknowledged the important role of a market economy and its institutions, which promote competition, efficiency, transparency, and meritocracy. The system should be

“freer and more open”, as well as require more administrative reform. However, he also noted that the current ruling party and government are afraid of ‘losing control’ or the establishment of an alternate instead of the recent socialist regime. This issue is not only the interviewee’s concern but also the question of political will for national change in order to fight against corruption successfully.

In comparison with Singapore, the interviewee mentioned the interrelation between leadership and practices in official institutions. These are two key chapters of the lessons Vietnam can learn from Singapore’s success in anti-corruption. This fight requires clean, typical and competent leadership with strong will while the administrative regimes must be advanced, regulated and institutionalised professionally.

At the end of the interview, the participant shared his visions of the future of Vietnam and the CPV. He said, ‘the communist party still has the chance to lead. I cannot say for how long’. He told a story from his own family to explain the situation: ‘there is a corrupt policeman, a father with a bad mind, but who loves his country. His good intentions are indicated when he is criticising the fact that ‘the communist party recently changes a lot and is moving little by little from its former mission or ideology’. He claimed that ‘the nature of the communist party is to close ranks with the working people. People joined the CPV because they loved their country or want to fight against the French colonial regime and to unite the country although they did not have any idea of Marx and his communist doctrine’. However, Vietnam is actually building a socialist market economy like China. This fact reflects the transition of the political, economic and social contexts that allow the co-existence of a market economy and a communist political rule. This polit-economic compromise guaranties the CPV’s survival in the post-soviet era. However, it is the core concern for anti-corruption.

In contrast to the CPV, the People’s Action Party, the sole ruling party in Singapore since 1959, was able to reduce corruption in two decades. Although Singapore is among the top ten least corrupt countries, there are some critics over past few decades. Formally there has been party pluralism; however, the international community criticized Singapore as in fact having an authoritarian and dynastic state. Lee Kuan Yew was the Prime Minister since 1959 until 1990. Then his son, Lee Hsien Loong, ascended from 2004 until now. Experts explained the AC success of Singapore by the PAP’s economic affine philosophy and the strong will to fight corruption, his excellent public administration, his macho-meritocracy, the good rule of law, an an effective and independent AC agency. The Singapore model demonstrates that Vietnam can fight against corruption only when these key practices will be applied.

### **5.3.2. Interview 2 (VN E 05)**

The next interviewee is a male, retired governance expert and ex-manager of an international organization in Vietnam, between 65-70 years old. He holds a PhD in Economics from an Eastern Europe University and is working in the field of governance from 1990s until now.

The interview provides very rich in information, based on his experiences in governance. His reasoning is less culture-focused than strategic and macro-oriented due to the interviewee's expertise as an 'insider' of the public sector and the international AC community in Vietnam. In addition, his answers sometimes lack details or are beyond the topics of governance because his thinking is more vision-oriented than details-focused. Overall, he trusts the researcher after being briefed to the ethical research principles. His changeover from the state sector to the international organizations in the 1990s was accompanied by a reset of his world-view and vision. Finally, his retirement may encourage him to talk frankly about governance and political-related anti-corruption issues in Vietnam. His words and statements are unique and impressive among the more than 50 Vietnamese interviewees of the sample. Throughout the interview, I myself recognised his frank and direct statements on all topics with clear structure. The words he used in Vietnamese are very strong and critical, sometimes slang, in contrast to the majority who are 'humble' and 'obedient' Vietnamese. Besides, he knows how to show his social position up by frequently mentioning much on his jobs and relationships with senior government and international figures. Overall, I think he is an independent and radical thinker in terms of socialism and he is open to me. In fact, he sometimes writes for the local newspaper and criticizes the system indirectly as he confessed that he 'cannot write directly due to security reasons'. In general, the context of AC in Vietnam is very negative through his eyes. His AC responses are strongly influenced by international communities such as WB and UN organizations to which he had contacts frequently.

Although this intended to be a semi-structured interview, in fact, the format became more of an unstructured one after the interviewee asked and suggested that he would talk freely on key sub-topics of corruption mentioned to him by the researcher. He commenced by asking me about literature reviews on AC that may be helpful for his consultancy later on. Then we continued with some technical questions on specific surveys and reports (PAPA, PCI) with which he tested how much I know the subject before we discussed more details. He also suggested some good literature like Justice Access Perception Index- JAPI.

The expert mentioned the key backbone of the current macro system, especially his critics on its problems, weaknesses, and AC mechanism. The interview is comprehensive and systematic because his statements are basing on recent surveys and assessment and through his own life stories and experience as he said: 'I experienced and lived with these ones so my stories are living'. He provided his own deep clarification and interpretation on many dimensions. Therefore, his interview provides me a small space for more analysis or interpretation. However, I can rearrange his ideas for a more cohesive structure in order to illustrate my research question in a more readable way. Moreover, my comparison and connection of his view to other experts will be focused and systemized. This can help to draw a more cohesive and clearer picture on AC conditions in Vietnam.

### **Issues of AC in VN: "Sheep are on the fields" and "the CPV sits on the laws"**

The expert listed the fundamental conditions for endemic corruption in Vietnam, as there are: a problematic regime, weak legal framework, incomplete market institutions and lack of all

four dimensions of good governance: rule of law, transparency, accountability and participation.

In his words, ‘corruption may appear everywhere’ in the world from the US, the UK to France. But in Vietnam, if we use the definition of the World Bank (corruption as abuse of public power for private gain), all people in this country are corrupt, from the guards to teachers, etc. Apparently, corruption is rampant in Vietnam, even among lowest ranking citizens with minimal power. The broad WB definition of corruption gave the interviewee the opportunity for talking about corruption in the private as well as in the public sector, although he did not mention it directly. His position, experience and professional exposure to update surveys on corruption in Vietnam provided him with very direct answers focused on the topic.

Regarding the causes of corruption, firstly, he criticised the legislative staff: ‘the education quality of members of the National Assembly (NA) is low. There are only two divisions, which are in well trained, the NA’s Justice Committee and Ministry of Justice (MoJ). However, they do not care much about their legislation work’. He explained that ‘they really do not want to work properly’. In a later statement, his criticism coincides with the expert 06 mentioning a lack of official’s intrinsic motivation for AC: ‘they (AC agencies) are like sheep on field (i.e. passive) which are raised and supervised by someone riding on the horse. If they are pushed, they will go. If not, they will stay there. Nevertheless, they may also abuse their powers by all means to do wrong things for private gain’. During nearly 20 years of working with legislators, for him, legislators have ‘no motivation or do not want to work’. This bitter reality may be the result of a bad meritocracy system that does not reward individual achievement but shares collective results equally or even favour the bad guys. This situation is risky for ‘free riders’ in the ‘collective theory’. Furthermore, in his view, the public legislators’ education level and work ethics are alarming. Inevitably, it leads to the fact that ‘the legislative framework is problematic, uneven or unmatched to each other. Relating to this dimension, ‘political corruption’ is a new phenomenon in Vietnam and becomes ‘more and more serious’. He told that ‘some very wealthy businessman (among 7% of 500 NA members), who are rich like the general director of a SOE, could not get enough and still tried to be standing member of the NA committee to ‘steer’, ‘direct’ policies’ (on land, real estate, infrastructure, banking, mineral,...) that can bring benefits to the company he represents.

He also mentioned that ‘interests of all sector, areas, and regions and groups are involved. In fact, group interest appears in every country but there are opposing parties to scan and find out these problems. In Vietnam, this scanning mechanism is lacking due to one ruling Party. At the end of the interview, the expert added that ‘95% NA members are Communist Party Members (CPM) while they represent people’s interests and expectations<sup>97</sup>. Furthermore, the National Assembly (NA) has its Communist Delegation (Đảng Đoàn Quốc hội), which monitors and supervises the behaviour of the CPM. This fact hinders independent role and legislative function of the NA in terms of building the legal framework. He also pointed out another technique to control the NA ‘whenever there is the NA majority (more than 50%) to

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<sup>97</sup> Note: In fact, it is only 92%

change the bill (although not available in reality), the standing NA Committee decides on the decision of the majority or the minority. It is totally not a good mechanism'. This mechanism nullifies independent voice of the NA over the CPV. The standing NA Committee nullifies the NA majority whenever it appears. In other words, the standing NA Committee, which consists of only few NA members is sometimes more powerful than the whole NA itself. He suggested 'it should be stated in laws that the NA majority's decision will be acknowledged and has to be followed'.

He pointed out that 'our institutions are really bad'. He criticized structural overlapping and unclarity of institutions, especially between central public policy building agencies and state corporations, but also between central and local agencies. He added, that Vietnam is stepping into a market economy but 'we have not a vision for it'. There is 'confusion between the legislative framework and the institutions in Vietnam'. It is unclear, who is doing what and who has responsibility in Vietnamese agencies, including AC. The relationship between the central level and the local level has to be clear, too. For example, the role of the Ministry of Health (MoH) in relation to the district hospitals is defined vague, or the involvement of Ministry of Information and Communication (MoIC) to the control over production (rather than policy making alone) is counter-productive. Consequently, it causes conflicts of interest when one party plays the two roles of 'referee and players at the same time'.

These phenomena are rooted in the legacies from former times. He said, that 'Vietnamese institutions are characterized by the "coupon period in the 1970s and 1980s" (Tem phiếu in Vietnamese). The relationship between the agencies on the central and the local level are problematic horizontally and vertically. There are many reasons, but the crucial one is that Vietnamese people do not care much about institutions. If we want to transit to a market economy, we have to build up legitimated institutions. He explained that ministries tend to 'be sticky to production in order to get 'food' (benefits). Central officials could not earn for a living during the 'coupon period' if they only did paperwork. This philosophy is changing now but its remnants still exist in the society.

To a broader extent, 'we do not have all four indicators' of good governance: rule of law, transparency, accountability and 'participation. This is a strong statement of the expert. These factors are all necessary conditions for any state government, good governance and sustainable AC. Unfortunately, all of them are problematic in Vietnam, according to him.

Firstly, he said that 'in Vietnam, the party sits on the laws' (i.e. above the law). For example, the passing of the Land Law (LL) case: the party issued its own resolution before the NA passed to revise LL. The party only protected the interests of one small group of authorities, instead of all the people. He stated that 'the rule of law does not exist in Vietnam'. 'In general' he meant that 'the CPV is afraid of being intervened by external countries after Vietnam ratified that UNACC. In conclusion, Vietnam's rule of law is problematic'. He provided three more mechanisms to prove that there is no rule of law in Vietnam. First, 'the judge's mouth is locked by the way. The judge's decision is not the final decision'. In other countries, the judge decides all. In Vietnam, we have the Judging Committee, and then the Petition Judgment, etc.

for complicated cases, especially sensitive ones. ‘This mechanism kills all AC efforts from the egg (womb). It is the way it affects AC fight’. Second, the fact that officials ‘have a bath from his bell down’, i.e. only middle or low ranking managers are prosecuted while high ranking ones (from shoulders up to head) are not. Third and most worrying, it is because of one ruling party. There is no competition in politics and governance that could establish any mechanism to prosecute high profile but corrupt ones.

Secondly, he characterised the actual vague and tricky situation as ‘disclosed but not transparent’: ‘on the one side, Viet Nam is disclosed (‘*công khai*’) to some extent (and the situation is getting better and better). But on the other side, the process is not transparent’. Disclosure is the mean for transparency as the final target, but Vietnam cares only for ‘the means’ but not the ‘end’. For his saying, he provided more evidences: a) ‘the Law on Access to Information’ was not passed until now. ‘There is a rule of law problem. Article 4 of the Constitution (“The CPV is the leadership of VN”) still exists’; b) ‘if there is transparency, people’s interests will not be exploited or violated. People can participate’; and c) ‘only some meetings (discussion sessions of the NA) are open for the public via mass media. The mass media report incompletely and sometimes wrongly’. ‘People should be allowed to participate directly and to raise their voices in these meetings. Although the mass media can play a role, journalists are puppets-on-a-string writers (‘*bồi bút*’ in Vietnamese), i.e. write as their masters wants.

Thirdly, ‘accountability is even worse’, he continued. He named, ‘the *Bầu Kiên* case trial, a (four thousand billions of VND) Vietinbank scandal’ as an example. He said ‘nobody is accountable for the scandal. Vietinbank should be accountable for its fault and wrongdoing but in fact, *Huyền Như* is set-up as ‘experiment mouse’ and nobody is held responsible or accountable. Like expert VN E 06 expert VN E 05 saw the principle of ‘collective mechanism’ or ‘collective leadership’ as cause of the problem.

Fourthly, regarding the participation of the people or the civil society, he told the ‘new event’ that Mr. Dinh Tuyen Truong (former Minister of Commerce, ex-member of the Party Central Committee) reminded publicly in a government workshop about one simple philosophy. People already mentioned it during the last one hundred years but it seems to be innovative and new in the context of Vietnam. It is ‘governance is a balanced triangle with two side lines of the state and civil society’. It is a phenomenon because he is ‘the first to publicly speak’ about it at a workshop, not in a pub or cafeteria. It is more meaningful in the context of Vietnam meanwhile ‘Vietnam’s public expenditure is more than 50% of state budget. This means the state of Vietnam intervenes much in the production processes’. It also implies that space for civil society is limited. The expert raised the issue: ‘and civil society ensures people’s participation. I must mention it because if *there is no civil society, there is no participation also in reality*’. In Vietnam’s context, people usually perceive civil society as mass organizations due to restricted political freedom. He proved that

‘There are six big mass organizations in Vietnam (Women Union, Youth union, Farmer Union, etc.....). Their employees are paid by state budget like public officials’.



In fact, these organizations are dependent; they act and say ‘following the state’s direction’. The Vietnamese government does not create participation. It is difficult for people to join as we lack good governance criteria from the beginning. It is difficult because we are not allowed to fight against AC that way. It is not because we can’t fight against AC’

Briefly, we can imagine how serious the AC situation is if all key dimensions or conditions for AC are weak, lacking or problematic. The official institutional context for AC Vietnam is very challenging and complex. How can Vietnam seek solutions to change it?

### **Other crucial AC conditions in Vietnam**

The expert identified four key issues of corruption in Vietnam: education, traditions, public official ethics and nepotism. Firstly, the average education level of the Vietnamese people is still low. This factor contributes to people’s mind-set, such as low respect to the rule of law, perceptions on (the definition of) corruption and other social construction of (anti-) corruption.

Secondly, a big share of the widespread corruption in Vietnam has its roots in traditions and long lasting practices. Practice of one thousand years under feudalism and 60-70 years under ‘half-hatched socialism’ effected strongly on people’s mind and behaviour. The expert said that ‘the US capitalism exists less than 300 years and his practice is different also. The US capitalism respects clearly the border between private and public property’. Nobody can violate this rule without being confronted with consequences. To the contrary, the border between private and public property is blurred in Vietnam what finally raises opportunities and incentives for corruption. He also underlined the social transformation of Vietnam in last centuries: ‘in a feudal society, the upper authority gives orders and the lower ranks obey without any resistance. Recently, since the *Doi moi* reform in 1986 ‘people start to speak up, raise their voice. It is a value shift of democracy and people’s voice over time although it is not as strong as in the West. Within the last few decades, there has been dramatic social change in parallel to Vietnam’s transition to a socialist market economy. The expert stated that ‘in the 1970s and 1980s people are used to stealing and sharing (petty) public property.

His argument seems to be adaequate for the 1980s, but does not coincide with the analysis of the 1960s, 1970s by other scholars. Before 1975, i.e. the end of the Vietnam War, Vietnamese people were less corrupt because of their belief in socialist values, the role model of the political leaders and, last not least, the existence of mass poverty and, consequently, social equality. During the 1980s and much more in the 1990s, the market economy boomed and raised materialism. Money became more valued regardless of its corrupt origin. However, he is right to say that ‘stealing and sharing public property practice’ is rooted for decades and it is ‘the most difficult’ for Vietnam to fight against corruption, especially as it is related to public land management and SOEs, as I have analysed in other parts of this chapter.

Thirdly, ‘public ethics have to be strengthened’ accompagnied by an enhancement of citizens’ education. Education fosters the awareness of corruption and other misconduct in society and

the will of the people for change. Therefore education of the people is another crucial precondition for sustainable anti-corruption.

The fourth issue is nepotism. According to the expert, it is a common issue in Vietnam. Recruitment and promotion of staff as well as their performance evaluation are not based on merits but family relationships, friendships or other rings and their personal deals. Nepotism is pervasive and a core cause or starter of corrupt chains, especially when it spoils ethics of current and public officials. It also hinders efforts to eliminate bad performers among civil servants. This problem will be analysed in a following part.

In brief, this part reminds us about the resilient factor of attitudes, awareness, beliefs, norms, and ethics, as well as common practices that people perceived and accepted. This informal environment strongly influences corrupt behaviours of ordinary people, especially petty corruption. Other interviewees identified these four conditions as crucial dimensions of anti-corruption in Vietnam.

### **Effectiveness of current AC agencies in Vietnam**

When discussing the current AC measures, the expert continuously criticized the ineffectiveness of the key AC agencies and its practices. Firstly, he commented that ‘the IAC/ Ban Noi chinh re-establishment is not effective. The transfer of the leadership in the AC agency from the PM to the Party Secretary-General is the fight between forces (fractional fighting over the supervisory role) while people or AC itself are not benefiting at all. All agencies are under the leadership of the Party. All level has the IAC. Nevertheless, the model does not work because they have only a name but in reality, no strength’. His quote refers to the IAC as a no-teeth tiger. This is not a new idea as it appears sometimes among people’s perceptions. Secondly, there is no motivation for AC. Interests of AC people are affected or they may even be victimized. In some laws like ACL, Denunciation Law, some protection mechanisms were passed but it seemed to be insufficient. In practice, whistle-blowers and their families were victimised. He pointed out that ‘they have to be capable of accessing institutions, data, documents, and policy building machine etc. in order to fight against corruption. How can they do anything without enough staff, resources, capacity, techniques, etc.? Now, the IAC is like “hung on the air”, their feet does not reach the land and their body does not reach the heaven’. His image ‘hung on the air’ is really impressive and sharp to underestimate its role and functions (see chapter 4). He continually mentioned that Mr. “Lú” (an ironical nick-name for the head of Communist Party of Vietnam, Lú = misremember, confused, or stupid in Vietnamese) lost everything. Now, he is very keen on restoring credit of the Party. But he can’t do much except some big and serious case trial”.

He criticised more that Vietnam is fighting against corruption ‘strangely’ to the world, especially with regard to its structure. The world does not consider death penalties or court trials to be good solutions to fight against corruption. Vietnam should consider ‘the best way of AC are rule of law, transparency, accountability and participation’. The trials are the last resort. We must focus more on legal and institutions framework and corruption prevention’. All of these lessons are common sense among international aid donors. They are critical points to explain why Vietnam is still struggling to fight corruption.

In short, he identified key formal institutional and cultural causes of Vietnam's current situation, such as a weak legal framework, incomplete market institutions and the lack of all four dimensions of good governance: rule of law, transparency, accountability and participation, ethos of public officials, nepotism, ineffectiveness of AC machine and cultural causes, such as low education level, traditional mind-set. All other interviewees also identified these conditions as crucial dimensions of anti-corruption in Vietnam.

**Solution:** He suggested that 'political reform' is required and noted that it is 'difficult for Vietnam to learn from Singapore model' (see Chapter 7)

### **5.3.3. Sector case study: *Land taking and compensation (Land-using and property right)*** near Eco Park (Hung Yen province) and Duong Noi (Hanoi city)

*"Land management was perceived to be the second most corrupt sector in Vietnam with more than one in five people who came into contact with land services paying a bribe in the past year"* (TT, 2013).

Land-management is a central area of corruption, especially rents of public officers and property developers. That's why land-management should be a case study. Land-related enrichment is the magic formula of new overt and covert millionaires, the majority of which are senior public officers and businessmen (see Section 4.3). In addition, land taking and compensation is the most intense and complicated form of corruption that has been strongly and widely protested by farmers who account for nearly two thirds of the Vietnamese population. The biggest reason is that the land-price-calculation mechanism is state-decided but not market-based which has created strong opposition and disagreement. Moreover, land-taking and compensation process is perceived by farmer interviewees to be opaque, forceful, unfair and even corrupt. Some respondents stated that there is collusion between corrupt public officers (POs), private property developers and gangsters to suppress farmers. In other words, farmers' rights are not recognized at least in their perception. Peaceful demonstrations of farmers are quickly and severely oppressed but it has still been resilient for years. Mass media sometimes has raised the voice of farmers but it is usually censored and 'closed-mouth'. Alternatively, social media is emerging to voice farmers' views.

In short, land-taking is an important test to assess all key characters of corruption, its severity, the ethos and integrity of public officials, the perception and tolerance level of local people, their confidence, as well as the political commitment to fighting corruption. Broadly speaking, it implies the conflict of interests between social classes during the transition from socialism to a capitalist economy, especially between farmers, entrepreneurs, and the politicians. In other words, it also reflects the contestation of values among these groups, justice, fairness and equality. The politicians lean more on entrepreneurs for gaining benefits and leave farmers to struggle alone against corrupt property developers, or even worse, collude to the developers for personal gain.

In addition, it is widely reported on local mass media that corrupt POs issue many certificates of *land-using right* for their own relatives (wife, children,...) to hide property or nullify

‘property declaration’ which is compulsory for more than one million POs, public personnel and civil servants. To illustrate, as pointed by citizen cC05, *‘POs can become rich by land or the information (on urban planning). They do it (abuse information advantage to enrich) legally while information is not transparent’*. As land-using rights are the biggest property of all citizens, and may be of organizations, it should be the focus of the corruption fight.

To suggest a solution to land-management, the compensation rate should be market-based for all private property projects in order to ensure fairness and justice to farmers. The government should only decide compensation with state or public infrastructure construction projects, with close consultation with the consent of farmers. The authority should not cooperate to corporations in coercive land-clearance in order to preserve its neutrality and to prevent conflicts of interest and collusion.

#### *5.3.3.1 Compensation rates (Giá đất) of land-using right*

The land-price mechanism is state-decided but not market-based which has created strong opposition and disagreement. Not only farmers but also public officers disagreed with compensation. According to a public officer, PO 08, it is a *‘forcing price’*. Similarly, PO 09 stated it is *‘inappropriate lower than market price’*. Besides, officer PO 11 told that it is *‘not market price, only 50% market’*. The farmers’ protest the price was raised (C 10). In short, the compensation rate should be market based for all private property projects in order to ensure fairness and justice to farmers. The government should only decide compensation with state or public infrastructure construction projects, with close consultation and consent of farmers’ voices or compensate partly by land in another locations.

#### *5.3.3.2 Coercive land-taking (cuong che) and suppression (Đan ap)*

The land-taking process is perceived by farmer interviewees to be opaque, forceful, unfair and even corrupt. Peaceful demonstrations of farmers are quickly and severely oppressed but it has still been resilient for years. Mass media sometimes raises the voice of farmers but it is usually censored and *‘closed-mouth’*. Alternatively, the government should closely consult farmers to get their support or let the market decide the compensation rate, respectively should allow that property developers cooperate autonomously with the farmers. The authorities should not cooperate with corporations in coercive land-clearance in order to preserve its neutrality and to prevent conflicts of interest and collusion.

##### *a. Land-taking in Van Giang district, Hung Yen Province*

There are two farmers in Van Giang district who were interviewed. Both of them and another businessman (B 04) criticised the ‘forced’ or coercive land-taking process.

First, the farmer VN C 09 pointed out that

‘On 24 April 2009, the land-taking day, they drove more than 90 bulldozers to destroy our farms; hundreds of pigs were thrown into ponds. They did it at 3 a.m., then made a fence surrounding the land area and forbade us to enter these land areas. Their forces consisted of 3,000 police, gangsters, and gas-masked people meanwhile there were only 160 households who had not received land-compensation money. The local, commune, provincial officers joined also. It is reported that ‘gangsters beat farmers’.

All attributes of land-taking process in Vietnam are mentioned in that quote, such as uninformed and abnormal execution (at 3 A.M), forced, devastating, and diverse suppressing forces with collusion. She continued that ‘on other land-taking days (in 2012), they brought also one big bag of bullets (and other weapons). When a farmer has been shot in his leg, this scared all the people here. Land-taking has been not completed until now and it repeated many times’. There was a shooting that hurt one farmer. She explained that farmers had to resist like a self-defensive act that ‘farmers have no weapons to resist except dry tree branches. They left it on village roads to stop police, soldiers. If they entered, we would burn the dry wood’. In addition, she explained that they did not do it in reality.

Citizen VN C 09 clarified further that

They even shot people. The bullet was still inside the man’s lung, could not be taken out. Three or four other people were injured. They (police) prohibited us from moving from this village to other villages. In 2009, a man was beaten here that made us upset to demonstrate from Cau Giay (a western district of Hanoi city) to Ho Chi Minh Mausoleum (central Hanoi city) many times. Now, he is weak and unable to join us’.

The story told us that peaceful demonstrations of farmers are quickly and severely oppressed but it has still been resilient for years. The authority suppressed farmers brutally, even shot people, although farmers protect their rights and legal interests. Their struggle is difficult for farmers as they are unarmed and smaller in number regardless of their platform.

#### b. Land-taking in Duong Noi ward, Ha Dong district, Ha Noi city

From the four interviews, made with farmers in Duong Noi ward, two typical stories were selected

First, citizen C07 stated that

‘The land in Dương Nội was taken in a manner not different from Tiên Lãng, Hai Phong province. E.g. on the land-taking day, bulldozers can be seen like tanks on a battlefields. There are also 50-70 trucks meanwhile police and soldiers protect land clearers at the outer round. The non-receiving farmers (did not receive money who protest the land-taking) were not allowed to enter the areas. Otherwise, they would be treated like anti-enforcers. Farmers see that it is suppression in numbers. It is not different from the time of war in South Vietnam’

She added that ‘they even hired *tomb-raiders* to destroy our ancestral graves. Some new graves of children were torn up by bulldozers; the buried bodies were still fresh’. Land-taking is perceived as merciless as fighting in the Vietnam War. It signifies its fierce confrontation while farmers are less advantaged.

Second, citizen-VN 08 discussed that

‘Many were beaten, arrested, put into big sacks, pushed into a car sending to the infirmary. Every land-taking time, someone was beaten, I do not remember. One woman who was taking care of her fields was beaten with an electric baton, and then she must be brought to the clinic. Each session, two or three people were caught, for some days. Currently, seven people have not been free for one or two months. One family was captured both two spouses. Two people were not known location of detention. One man was arrested as though kidnapped, while he was going to buy food (near the house) at around three or four P.M.’. Furthermore, ‘they devastated rice and vegetable fields in 2010. They even destroyed our ancestor’s graves. There were 18 bulldozers that tore up graves while the buried bodies were still fresh. Specific bones were splattered across the field after the bone-containers were broken’. Moreover, ‘recently, they burned our camps near the cemetery and took all of our cooking equipment (to push us out of these lands).

The above stories imply that land-taking process is perceived by farmer interviewees to be opaque, forceful, unfair and even corrupt. Farmers reported collusion. Captives of protests or demonstrators, as well as brutally treated detainees are also reported. Besides, graves and camps were destroyed which escalated tensions between farmers and land-takers.

### *c. Hopeless farmers’ resistance*

Because land-clearance is perceived as coercive, forced or unfair, farmers have resisted for years in both Duong Noi and Van Giang districts. Their hometowns have been hot pots of demonstrations and social unrest in recent years. There are many homemade videos posted on YouTube and social media to protest the land-takers (real-estate developers and the authorities). According to citizen C 05 (a farmer), ‘*we have fought for two years*’.

Similarly, citizen C 10 (a farmer) pointed out that

*‘We went to The Petition Office in Cau Giay district 110 times in one year to ask for justice (2009 until 2010). The authorities considered us as hypercritics or opponents. They continued land-taking tougher in 2012; we still went to Hanoi to report the government, NA and Father Front to seek for answers’.*

The quote implies farmers’ resilience and non-action or ineffectiveness of People’s Petition agencies. In addition, according to another farmer C 08, ‘*before we do not know ‘where is where’ but now we know the whole city offices.* They now know all corners of the big capital, Hanoi after some years of reclamation. Additionally, citizen C 05 stated that ‘*villagers in Duong Noi have higher education so they are more insistent on resistance. They struggled until the end. Thanks to them, the land-compensation price was increased from VND 54*

million to 96 million per 360 m<sup>2</sup>. These educated people are amongst the most active and resilient groups who have struggled for their rights and interests for years'. However, they have not received many results; even over two years have passed since these interviews were conducted.

#### 5.3.3.3 Collusion in land-taking

Some respondents stated that there is collusion between corrupt POs, private property developers and gangsters to suppress farmers. The collusion is one form of corruption. Hence, the authorities should not cooperate with corporations in coercive land-clearance in order to preserve their neutrality and to prevent conflicts of interest or collusion. Here are key quotes.

First, citizen 09 pointed out that, '*Gangsters bought lunch boxes for police to eat together*'. Farmers believe that gangsters and police are working for the same master for similar interests. Second, citizen 08 stated that '*corporations hired police, soldiers, and traffic police, more than 1000 people (but only 100 farmers). We couldn't resist them or even be thrown away*' She added that '*They bought nearly one thousand lunch stakes for land-clearance enforcers, even though some of them were fake*'. Third, citizen C 05 directly pointed out that '*they hired guards, gangsters (thuê bọn bảo vệ, cả xã hội đen), civil defence officers (dân phòng), polices*. In the same way, a businessman VN B 02 stated directly that there is '*collusion*' (dong loa). All these above quotes imply collusion or corrupt relationships between real-estate corporations, authorities and gangsters. Now they work like comrades to suppress farmers.

Also, citizen C 10 stated that '*the officer who beat farmer resisters were assigned to other offices. He bought a villa in Ecopark, previously pricing 660 million of VND, now discounted only to 33 million due to his 'contribution'*'. In reality, that villa costs billions of VND. The story may imply evidence of collusion, and its corrupt benefits. Similarly, citizen C 09 discussed that '*Mrs. Hien signed to approve this project, and then passed to Mrs. Dang Thi Thuy. She bought a villa in Gia Lam Bus Stop and moved their residence to Hanoi, no longer residence registration in Hung Yen province. How could she be so rich?*' Two women mentioned are two district leaders. Regrettably, it is impossible and dangerous for me to verify the information provided.

In the quotes above, farmers observed and thought that police and gangsters colluded to clear their land. However, one officer (PO 08) argued that gangsters were '*not hired by the authorities but the corporates to protect their land*'. However, it is important to recognise that current land-taking processes pose many problems and hidden social upheavals. It goes against the ideology of socialism of equity, equality and against the legal interests of the farmer, one of two revolutionary forces of socialism beside workers.

#### 5.3.3.4 Rights of farmers

Farmers' rights are not recognized, respected, and fulfilled, at least by farmers' perception. Interviewees perceived that people's rights are 'limited' or small, 'no rights' (chả có quyền gì) (VN B 07, Citizen-05). Some others mentioned rights, children's rights, or citizens' rights, and 'democracy' (CS 01). It is understandable in the one-ruling-party authority of Vietnam. Similarly, some other respondents criticized the current situation of rights, such as 'forced' (C 04), 'only people have rights that need to be protected (C 10), or 'people are 'obedient' since feudalism who can't resist the authority' (C 08). Others perceive that people are 'scared of police' or 'impotent to resist' (C 06). The citizen (C 10) also lamented that he was not recognized as the village leader by the authorities although he was elected by villagers who demonstrated to protect their farming land'. The last voice, a farmer's, pointed out that 'the NA's Petition Committee' did not receive their petition'.

Alternatively, the government should recognize, protect and fulfil citizens' rights. Land taking should only be implemented after the full consultation with farmers, a consensus is reached and fairness is ensured. The authorities should not cooperate with corporations in coercive land-taking in order to preserve its neutrality, to prevent conflicts of interest and collusion. The compensation of taken-land can be paid or exchanged with another piece of land but not necessarily cash. It is crucial to protect the legal interests of farmer, the largest class in Vietnam, and for the equity and equality of all (the ideology of socialism).

Briefly, all land dispute cases and interviews reflected a problematic price-fixing mechanism, lack of transparency as well as accountability, as well as unfair involvement or back up between authorities, investors/ interest groups. It is explicit or implicit corruption while the farmers cannot protect their rights and ownership. Land mismanagement poses fatal loopholes of institutional and cultural conditions of anti-corruption in Vietnam, especially the weak rule of law, public mismanagement, suppressed farmers, civil hopeless confrontation or anti-corruption engagement. Hence, transparency and accountability, rights of farmers, ownership should be strengthened in order to reduce corruption risks and better protect farmers, citizens and further extend social progress.

## 5.4 Conclusion

The interviewees mentioned the severity and the systematic nature of corrupt behaviours in Vietnam. It occurs frequently, and has been increasing in recent years at all levels, regions, sectors, jobs and positions. Corruption is structural and contextual as it has sprouted roots in even 'holy' sectors like rewards, medals, awarding of qualifications, as well as in some sectors that require high standards of justice, ethics and morality such as judiciary, health and education. Broadly speaking, honour, integrity and ethics can be bargained, bought and sold, transacted or exchanged, which produce and reproduce corruption forcefully. It is more dangerous that the interviewees perceived law enforcers, such as police, and especially transport police, as amongst those most-frequently caught for bribery and are seen as being corrupt. Bribery is even inherent among the lowest public job-holders, such as 'street cleaners', electricity rent collectors and workers. Moreover, inspectors can be bribed to misreport the findings of their inspections.



More dangerous, corruption in Vietnam is network-based, relative-based or intermediated by a third party, organized like the mafia, systemic, involving both leaders and staff, as well as hidden or covert, and hence more difficult to curb. Based on the interview analysis, there are some typical patterns of corruption, including: 1–fake receipts or inflated prices; 2–hidden norms (bribery and corrupt benefits-sharing); 3–‘delicate’ forms such as a covert networked company; and 4–no-bidding or ‘puppet competitors’.

The ‘collective’ mechanism provides collective or organizational shields or protection from external intrusion by authorities and internal friction among corrupt actors. At the same time, the mechanisms of detection and sanction lag far behind the required conditions and successful anti-corruption strategies. The actual number of prosecutions annually is small (see Chapter 5). Only when the cases are big or serious enough, they are taken up for prosecution.

In reality, 56% of the prosecuted cases pertain to embezzlements. Bribe-taking is perceived as the most observable form of corruption, but it is more ignored (accounting for 13% of all prosecuted cases). The social discourse on anti-corruption, especially on social media and the Internet, boom like ‘mushroom after rain’ because the state-run media is strictly controlled, while people don’t trust the current anti-corruption agencies and institutions (including official media), unlike what it should be in a modern society. It is because the ethos and the integrity of public personnel are alarming, ‘above the law, below ethics’.

People’s voices are not heard, and their involvement in anti-corruption or resistance to corruption is hopeless. In this context, the interviewees pointed out the considerable discrepancy between perceptions of high levels of corruption and low levels of exposure and penalized corruption. In other words, the cost of corruption is very low, while the reward is very high.

Above all, there is a big and negative shift of value system and trust during the transition from socialism to socialist market economy in Vietnam. Money is more and more becoming the ‘gloomy and wholly negative’ standard, a kind of ‘ethics’ or ‘norm’ of social transactions and social life. The hegemony of money encourages greater corrupt enrichment, even as it minimizes exceptional and incommensurable achievements in knowledge and honour endeavours. Ironically, this results in greater potential freedom of choice for a Vietnamese citizen, as money can be deployed towards achieving any possible goal.

The majority of people consider corruption as a rational choice in terms of economy, interests and values, at least. Similarly, the Vietnamese value system has been strongly shaken during the transition, resulting in ‘contested perceptions, and shared disappointments’ (Tänzler, et al., 2012). It can be understood as a ‘reorientation’ or a ‘reversal of values’. For example, a billionaire, even a corrupt one, is seen and treated with more respect and honour than a noble professor or artist.

Furthermore, people do not trust official institutions or public personnel unlike what it should be in a modern society.

In stark contrast to Vietnam, merits and integrity are accorded the highest status in Singapore. The perception and definition of corruption is culturally and historically relative, depending on the contexts of Vietnam and Singapore.

At the highest level, political will to reform to fight corruption is perceived as insufficient, and also to retain dependent and corruptible AC forces. AC institutions and agencies are perceived as dependent, ineffective and fragmented, while their three components (police, inspectorates and judges) are incompetent.

In other words, three categories—law enforcement, rule of law and judiciary, and AC institutions—seriously weaken the back-bone of AC machinery, the public governance system, and create deep turmoil in their cores, which can nurture impunity and nullify key AC efforts. Specifically, AC sanctioning and enforcement measures are weak, with regard to abundant legal loopholes, weakened rule of law, and dependency of the judiciary. Especially, reported political interferences are common, leading to impunity or ‘selective’ prosecution with features of a factional struggle. In other words, law enforcement is also weak regarding three key criteria—independence, capacity, and integrity.

In the context of public administrative service, all the five key dimensions—ethos and integrity; transparency; accountability and M&E; public personnel (nepotism); and public sector salaries—are risky and problematic. At the same time, the role of media and CSOs is constrained due to several key internal limitations as well as external deterrents. Exacerbating the trend, the low involvement of citizens and corporate bodies in the AC fight stems from their tolerance, bribery giving, and reluctance to condemn corruption due to poor protection for whistle-blowers and ineffective denunciation treatment.

In brief, social value and ethic foundations, as well as the public sector in Vietnam is perceived to be ‘rotten’ from the core, like cancer at the critical stage, a tipping point that requires a strong will for reforms by political elites. Consequently, people, corporates and politicians are incompetent, and also not inspired or desperate enough to combat corruption. Thereby, the vicious circle of corruption is repeated: acceptance of corruption, involvement in of corruption, low costs or impunity, no fight against corruption, and commit new corrupt acts. Inevitably, anti-corruption efforts are lost in a delicate labyrinth of collusion, wrong choices of values, ethics, means, and the impotency of official institutions and systems.

## 6. Ethnographic analysis of interviews in Singapore

### *Introduction*

Having employed the Grounded Theory approach<sup>98</sup>, the categories and property codes will be presented, analysed, and induced integration with the key quotes and analysis below. The key ‘category and property’ codes for AC in Singapore can be grouped (from the initial concepts and codes) as leadership, good regime (public administration) for AC, elite system, appropriate salary scales for public officials, public ethos, e-government, rule of law, strict law enforcement, good denunciation mechanism, and people’s awareness against corruption. At an earlier stage, by coding and grouping the key codes or key terms of (least) corruption in Singapore, the most important institutional conditions were categorized. These terms include cleanness, integrity, honesty, values, public trust, efficient public sector, good system, good leadership, punishment, ‘fear of’ law, AC autonomy/ autonomous, fair/ fairness, justice, rule of law, AC independence, and law enforcement. Besides, other terms were mentioned, such as prompt AC action, talents, elite system, meritocracy, less nepotism, pragmatism, social order, discipline, the first and the third world, the best international ranking (surveys), competitiveness, high or sufficient salary, subsidized housing, report of corruption/ denouncement, no tolerance, no acceptance, social and cultural norms and perception, exception, law-biding, no fear of revenge/ retaliation, accountability, transparency, openness, e-government, etc. These are positive conditions of least corruption.

At the other side, however, there are also some risks such as ‘hidden dirty activities’, risk of corruption, state capture, lack of freedom and democracy, censorship, and political ‘monopoly’. In other words, Singaporeans are proud of the motto ‘do not want, do not need, do not dare and cannot commit’ (to corruption). The 10 key institutional and cultural conditions (mentioned above) are interlinked and interdependent. All these categories are positive factors that explain least corruption in Singapore.

However, the sub-chapter also shed light on ‘short comings’ of Singapore’s PA, like efforts to provide more insights into its system, as well as finding out any similar conditions that Vietnam can watch out for when it tries to adapt or reform its system. Each ‘category’ will be justified by key quotes with interpretations. There are some grey areas, but overall, Singapore still surpasses Vietnam on the AC front.

The Chapter 6 consists of four sections. Section 6.1 describe situation while Section 6.2 provides an overview on institutional conditions of AC in Singapore. In addition, Section 6.3 provides details on the institutional and the cultural conditions of the least corruption in Singapore. Section 6.4 summarises on transferability of Singapore lessons.

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<sup>98</sup> The software Atlas.ti has not been applied for coding interviews in Singapore because of two main reasons. First, the number of interviews is small. Second, some interviews are too short. Instead, the researcher read all interviews line by line to highlight key terms, ideas and quotes for later analysis. This interview analysis is partially-based on Grounded Theory.

## **6.1. Situation**

Based on the interviewees' responses, Singapore has been very clean since the early 1970s, and now stands 'on top' (international ranking) of 'first-class countries'. The respondents confirmed that it was very difficult to give bribes to public officials like policeman, teachers, doctors, etc. Bribery is not even seen in schools, on the streets, in hospitals, and in public offices. In other words, the practice of bribe giving does not exist in Singapore. People are groomed to be clean and honest since their childhood. Several respondents mentioned that 'corruption is an exception, not a norm in Singapore'. Local residents are not familiar with it and cannot accept it as well. They willingly report all corruption cases because they trust CPIB to act promptly and have no fear of revenge.

In Singapore, corruption is more common in the private sector than in the public sector. It is opposite to Vietnam, where corruption is defined in the public-sector context only. In Singapore, embezzlement (see UNDP's definition in Chapter 1), may still occur, although bribery, another form of corruption, is very low. Similarly, some forms of corruption, especially grand corruption, such as political corruption, state capture, policy manipulation, are found all over the world, including Singapore; but citizens there know less about its existence and frequency, and 'perceive' it only after prosecutions or investigative articles.

Clearly, there are ethnic, legal, and social differences between the two countries regarding the perception of corruption as well as its sectorial existence—either public or private—although they may share some common values. In short, corruption is a 'disease' in Singapore, but not a 'solution' like in Vietnam. Corrupt actors are punished severely in Singapore, thereby making corruption a 'high costs and low rewards' affair there, unlike Vietnam, where it's associated with 'high rewards and low costs'.

Moreover, differences exist in perception, the definitions and scope of corruption between Vietnam and Singapore. Some of the reasons that prompt corrupt acts—such as ethnic origin, education, integrity, and public office burdens, standards, values and ethos—play different roles in the respective national contexts of the two countries. The perception and definition of corruption and integrity are important to fight against corruption. Hence, citizens should be educated on what is corrupt or what is not right from their childhood. There is also a value gap between Vietnam and Singapore. For Vietnamese, petty bribes are as natural as breathing. On the contrary, the same behaviour in Singapore is a serious infraction. Singaporean citizens are very careful, serious and obedient to all laws and codes of conduct in order to be clean. As a result, immigrants and foreign workers must adapt to the integrity-system in Singapore, or else they have to pay a high cost. The interview stories reflect a choice between values—integrity or favouritism. It is also a social construct of either corruption or anti-corruption in the two neighbouring countries.

A Singaporean businessman asserted that 'I think corruption may occur in the private sector where I work. But we do not refer to them as corrupt acts, but kick-backs'. Referring to entertainment, a businessman argued that 'it is different. They relate to women (sex-contract exchange). It is not corruption in Indonesia or Vietnam. I have visited Vietnam several times. When I do business in Indonesia, they invite me to have lunch, dinner or "meet" women, and

either they pay or I pay. They do not perceive it as corruption. I work there and I must do what they do'. Clearly, there are ethnic, legal, and social differences between the countries in terms of defining corruption: 'They (Vietnamese, Singaporeans and Indonesians, etc.) also appreciate Asian values and ethos, such as honesty, hard work, creativity, and so on' (SG R 02). These quotes signify the different perceptions and definitions of corruption, as well as its forms, and other attributes, such as the public or the private sector.

In general, the Singaporean interviewees gave further insights into corruption. In Singapore, embezzlement, a specific form of corruption, may still occur, although bribery, another form of corruption, is very low. Similarly, some forms of corruption, especially grand corruption, such as political corruption, state capture, policy manipulation, are found all over the world, including Singapore, but citizens there know less about its existence and frequency, and 'perceive' it only after prosecutions or investigative articles. In fact, one political professor stated that there are potentials for fraudulent financial hubs in Singapore that even international experts apparently fail to identify (SG E 05). His doubts coincide with some other ideas on 'political monopoly' of one ruling party in Singapore that may breed 'state capture', but difficult to identify and prosecute. It is highly risky when the President and the PM used to be members of the same party, and who may be each other's 'former allies'; meanwhile the anti-corruption agency is under the leadership of the PM with the absence of the Senate, but the House of Representative with a majority (around 82%) of PAP members.

In short, Singapore transformed itself dramatically from a corrupt and least developed country in the 1960s to a state very clean of corruption beginning from the early 1970s; a miracle shift to the developed world or modernity (the idea of Habermas). Now, it stands 'on top' (international ranking) of 'first-class countries' as recognized by the interviewees. There is one famous line that all Singaporeans can be proud of: 'Do not want, do not need, do not dare and cannot commit' (corruption), although there are still some corruption cases.

## ***6.2. Institutional Lessons***

The behind reasons of Singapore's miracle can be grouped into ten categories of institutional conditions that should be applied systematically, evenly and consistently. In other words, the AC regime is ineffective if any of these ten categories is weakened or omitted. The ten institutional conditions are (1) leadership; (2) good regime for AC; (3) independent, clean, and competent AC body (CPIB); (4) meritocracy; high salary for public officials; (5) e-government, (6) professional public administration; (7) public sector ethos, integrity and accountability; (8) rule of law; (9) strict law enforcement; and (10) good AC denunciation treatment and active civil participation. These key conditions are specific tactics of strategies, principles and four lessons mentioned in literature review.

All these above categories are interlinked, interdependent and intertwined. They are precondition for minimizing opportunities and firmly hold high costs of any corruption act. Some key factors, such as legislative system or AC strategy that are not mentioned directly in interviews, should be considered interactively at some key categories such as the AC regime,

rule of law, law enforcement, and accountability. In short, Singapore has conducive conditions for anti-corruption.

In principle, the authoritarian one-party-rule or political monopoly is a source or risk for grand corruption, especially when other institutional conditions are nullified. However, Singapore can fight corruption because of its clean leaders' role model. Besides, institutional conditions, such as rule of law, independent judiciary, and independent anti-corruption agency, among others are enabled. It is different to Vietnam where nearly all cultural and institutional AC conditions are inactive.

In reality, however, some high profile cases still occurred in Singapore in recent years. Inevitably, more and more people still has a doubt on their free of corruption. The downing trend of Singapore in term of integrity poses serious warning of institutional reforms, especially regarding fighting corruption.

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Broadly speaking, some scholars suggest the key anti-corruption strategies of national development and AC in Singapore are three key values or principles of meritocracy (merits-based ruling and management), pragmatism (efficiency and competitiveness), and honesty (integrity). These values and principles are ultimate goals that shape all detailed efforts, and mean in order to govern all social, economic, cultural and political relations, interactions and transactions. In short, Singapore can generate sufficient conditions for anti-corruption comprehensively.

As the research is a comparison between Vietnam and Singapore, it is meaningful to give some comparative quotes in order to illustrate key institutional differences.

Regarding the definition of corruption, there are big differences in perceptions of the respondents depending on their ethnic origin. While acknowledging the context, a Singaporean businessman made a significant claim: 'Corruption is very common in ASEAN countries like Indonesia, Vietnam, etc. But Singapore being a developed state, the situation is very different. Compared to Singapore, Ho Chi Minh City and Jakarta are 25 years behind. We cannot fight against corruption for one night. We need time. And I think we have to start with education first. Students need to be taught integrity. I think the most important thing is the perception of corruption. Singaporeans recognize and accept integrity as a way of life' (SG B 0X). The quote signifies that perception and definition of corruption and integrity are important. People should be educated on what is corrupt or not corrupt when they are children.

Another impressive story was told by 33-year-old Vietnamese woman (who has studied and worked in Singapore for 10 years) . She said, 'Following the recommendations that my mother—a former teacher in Vietnam—gave to me some years ago, I offered a gift and S\$50 to my daughter's private kinder garden teacher. But she gave me back S\$50 and another gift' (SG VN 02). She added that 'people are very aware and cautious so as not to commit corruption'. I could clearly see the value gap between Vietnam and Singapore in her story. For a Vietnamese, giving S\$50 cash (accompanying a gift) to a child's teacher is perceived as

natural like breathing, as suggested by a retired teacher, her mom. At the opposite side, the same behaviour in Singapore is seen as a seriously wrong act. That's why the Singaporean teacher returned S\$50, accepted the gift but gave another gift to the giver. Such incidents leave foreigners (like the Vietnamese woman) surprised. The Vietnamese woman observed, 'To be cautious against corruption is at the highest level here'. It means that a Singaporean citizen is very careful, serious and obedient to all laws and codes of conduct in order to be clean. As a result, immigrants and foreign workers (like the young woman from Vietnam) must adapt to the integrity-system in Singapore, or else they have to pay a high cost. The story reflects a choice between values—integrity or favouritism. It is also a social construct of either corruption or anti-corruption in the two neighbouring countries.

Many other quotes will also be analyzed at section 6.3

### **6.3 Specific institutional causes or conditions of (free) corruption in Singapore**

#### **6.3.1. Leadership**

'The most important (lesson) is that politicians keep themselves incorruptible. If politicians are corrupt, the society cannot be clean' (SG E 03<sup>99</sup>).

Leadership is not exactly defined the same as the term 'political will', which is a broader concept. These two concepts are equivalent to two circles with some overlaps, but not covering each other completely. The attributes of 'leadership' will be interpreted through interviewees' views, but not by the researcher. Many aspects of leadership can also be found in the other categories, especially application of the key principles of 'clean government', 'pragmatism', 'meritocracy', or 'rule of law'.

There is a general sense that Lee Kuan Yew (LKY), the Prime Minister (PM) of Singapore for more than three decades (1959–90) and a Mentor Minister (1990–2004), was a key actor in national development and also in the AC fight of Singapore. More crucially, AC and national development were considered as causal by him and his administration (see more in Chapter 4.2). In my research, the interviewees highlighted his and the People Action Party's (PAP) leadership as the boldest blueprint. As a Vietnamese resident in Singapore pointed out, 'Lee Kuan Yew could win elections twice just because he insisted to fight against corruption. And he did it successfully. He and his PAP party emerged from zero. Now they win nearly all members of the Parliament (MP) seats (80%). His AC wills was so strong that he could win'

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<sup>99</sup> *Note: Coding of Interview names:* Each code for each interview consists of 3 parts, such as SG PO 01 or VN B 02. The first part (SN, VN) represent the country of the interview, VN = Vietnam, SG = Singapore. 'VN' and 'SG' may be omitted because all interviews in Vietnam will only mentioned in this 'Section 5 Vietnam' while all interviews in Singapore will only mentioned in 'Section 6. Singapore'. Meanwhile, the second part symbol for interviewee group, PO = Public Officials, B = Business, E = Expert, C = Citizens (R = resident who live in Singapore without citizenship), CS = Civil Society (see Chapter 3). For example, SG B 02 signifies that the interview is in Singapore; interviewee is a businessman and numbered 02 (Among other interviews of that group). For Singapore, there are four foreign residents who are classified at experts regardless their non-citizen status (one Dutch, one Chinese and two Vietnamese).

(SG R 02). LKY can be called the national founder and nation's father in Singapore for decades. His success of national building coincides with his AC vision.

Coming back to history, LKY administration characterized AC as a strategy of election winning and national development. In fact, his party (PAP) convinced Singaporeans by both magic economic growth and clean government for decades. Referring to his national development strategy (as introduced in Chapter 5), his three key principles were 'meritocracy, pragmatism and honesty (integrity)', as a professor (SG E 05) pointed out. In practice, the motto of the Singapore government is 'integrity, service, excellence', which can be easily observed on all government websites. In addition, among the 16 ministries of the Singapore government, work force is one important branch in order 'to develop a productive workforce and progressive workplaces, for Singaporeans to have better jobs and secure retirement', and hence, meritocracy or manpower can be seen as key drivers of clean development.

Now, key dimensions of the importance of leadership in Singapore will be analysed. First, one professor expressed the opinion that 'leadership is very important. ASEAN need good directors' (SG E 02). The statement is correct with impressive evidence in Asia—the two trajectories of Vietnam and Singapore. Comparatively, 'their leaders (Singaporeans) are much better than Vietnamese leaders at strategic vision', argued another professor (SG E 05). One expert (SG E 05) made another point that under PAP's leadership, 'Singapore appreciates international standards and rankings, surveys. It relies on these to review its position and to improve, aiming to promote competitiveness for the economy, and attracting FDI'. These standards and rankings are the moulds for miracle transformation of Singapore to a developed country.

In contrast, 'Vietnamese leaders are short of vision, as well as selfish by caring for personal gains. Many managers, when involved in some identified scandals, can be even threatened to be reported or to be disclosed by his juniors. Then, these managers are driven or lose autonomy. When leaders have low- or medium-level of competence, exacerbated by autonomy-lost by his juniors, it is much riskier and more dangerous', the respondent added (SG E 05). Ironically, many leaders only speak, but don not act to fight corruption. More seriously, they may be the most corrupt and can't play any good role model.

Secondly, other Vietnamese people who have worked there for some years appreciated the living in Singapore. An expert (SG E 06) said: 'Singapore has a strong leader, a decision maker. Vietnam has one party but many ideas. Vietnamese are difficult to unite, hence, need a strong leader. Chinese Singaporeans in Singapore are not united, but Singapore has one leader who "stands over others' heads" (is super competent), so other people should follow him. Although LKY was criticized as a dictator, he could nevertheless concentrate national strength into an efficient and clean direction that transformed Singapore dramatically'. Strategically, another researcher (SG E 05) pointed out, 'Singaporeans are very pragmatic. They have praised America for a long time. Now they praise China even more. Their aims are to seize opportunities to develop their country, and for their own country interests. Their leaders are much better than Vietnamese leaders at strategic vision'. The quote implies pragmatism as a



philosophy of the Singaporean government for nation building. It may be efficient in terms of economic development, but also undervalue other Western liberal values.

Third, to explain social order and a leader's 'following', one researcher (SG E 05) found out the knowledge and competence gaps between Singaporean leaders and ordinary citizens. He narrated: 'Singaporeans majorly used to be manual workers. Nowadays, however, they can emerge globally mainly due to their previous talented leaders. For many years, they have been dependent employees, their status has been lower than their bosses, and thus they must be scared of their bosses. It is now the established culture'. People can criticize it as not being democratic, but it is more appropriate and logical than in Vietnam because top leaders of communist Vietnam in the 60s and 70s were not highly educated. It happened due to class struggle by which farmers and workers were valued more than the intellectuals. This reality promoted Singapore's miracle, but hindered Vietnam's development. He added, 'Moreover, in Singapore, the status and power of the bosses are much higher than their staff as the former are more intelligent at least at some levels' (SG E 05). It can be inferred that intellectuals should be assigned advisory or managerial jobs in order to contribute better to national development. Farmers should not be national leaders like in Vietnam. Inevitably, Singapore joined the group of most developed and cleanest countries after only a few decades. Singapore's miracle can be compared to Japan.

To answer any doubts on the firm relationship between leadership and corruption, the discussion with a Singaporean professor given below can help us to look back at the history of both Vietnam and Singapore since after the Vietnam War. The biggest factor is the clean role model of leaders (Ho Chi Minh in North Vietnam and LKY in Singapore). Besides, it also rejects nepotism in Singapore, and explains why PAP has retained ruling power for five decades.

Extract of an expert interview (SG E 03):

*"(Interviewee): Who was corrupt? Ho Chi Minh (leader of North Vietnam, 1945–69), or Ngo Dinh Diem (leader of South Vietnam, 1954–63)*

R(earcher): Ho Chi Minh was not corrupt.

*I: Exactly, how could Vietnam become corrupt if Ho Chi Minh was not corrupt?*

R: Communism, state ownership?

*I: The problem is that the communists assign jobs based on the political party, and not by merit. They are assigned by their connections. They don't have the skills to do these jobs.*

R: Nepotism was very strong at that time in Vietnam. It is one type of corruption as per WB and UNDP

*I: It is true, but Vietnam. You can be sceptical about Singapore as you want. Lee Kwan Yew (LKY) and Lee Hsien Loong. It is a different story. It cannot be said the father was a PM, but the son cannot be.*

R: Is there fair election in Singapore?

*I: Yes, absolutely.*

*The rule of election is in favour of PAP government, but the voting itself is totally and completely clean'*

...

R: Do you think there is state capture in Singapore?

I: No, because I think that PAP is able to maintain efficiency. It is for a sufficient government. Not because it has state power.

In the past, there was opposition, and PAP became the majority, and stayed as the majority. In the past 50 years, it has been redeveloping. If you are Singaporean, you may always vote for PAP.

R; Ok, I hope so

I: If you had lived here since a child, you may think differently.

Now the competition is very different. Now politics is changing. It can be better. Why we vote against PAP?' (SG E 03)

The interview extract implies many interesting ideas. First, it reflects a clear example role of clean leadership and a clean government of which Ho Chi Minh and Ngo Dinh Diem were two representatives. It is a pity, however, that the discussion did not provide sufficient and specific examples on Vietnam during the Vietnam War. Second, there is a strong criticism against communist countries like Vietnam that 'assigns job based on political party, and not by merits. They are assigned by their connections. They don't have skills to do these jobs'. The quote is a condemnation, masking up the nature of cronyism, nepotism, clientelism or kleptocracy that undervalue merits. This trend is a fatal failure and a seed for rampant corruption (see more below and Chapter 6.1). Consequently, the international community agrees that Vietnam now ranks high on the corrupt list (see Chapter 3), opposite to Singapore.

In a broader context, it can refer to different leaderships in Asian countries like Singapore and today's Vietnam. The interviewee also argued for the legitimacy (and the merit) of Lee Hsien Loong, the current Singaporean PM, in that he is elected by clean election and due to his competence, but not by his father LKY. At the national level, the PAP could survive and stay in power as the only ruler of Singapore for five decades (and may be for some more decades), mainly due to its efficiency, integrity and the people's trust.

Finally, I want to close this category of 'leadership' by one more time highlighting the importance of clean leadership. As pointed out by an expert (SG E 03), 'you cannot manage the below (juniors) if the upper (leaders) are corrupt'. In short, role model is always necessary. In other words, leadership is the key, and it can unlock as in Singapore. However, it also locks any reforms or efforts to transform clean and healthy development like in Vietnam.

### **6.3.2. Good regime for anti-corruption**

'Private sector poses other things. They may give gifts, all kinds of discounts. The important thing is (they are) the private sector. The important thing is that the public sector must not be corrupt' (SG E 03).

A good system or regime can ensure that its citizens ‘do not want, do not need, do not dare and cannot be corrupt’. That motto is a pride of Singaporeans. Here is the statement of one doctor who has worked in Singapore for 13 years. He said, ‘Singaporean system of AC is good. PO’s salary is very good, sufficient to live a decent life. Checks and balances are tightened so people are reluctant to commit corruption due to its high risks that may destroy a PO’s own career. Naturally, there are a few who are corrupt’ (SG R 04). The quote highlights many good sides of the AC regime in Singapore. These aspects will be analysed as independent factors of the regime. For this part, the regime for AC may consist of many components, such as development vision and principles, macro economy management, public administration system, AC agencies, micro management, etc. The details are mentioned below:

#### *6.3.2.1 Development vision and principles, macro economy management*

At the macro level, the core of ‘good regime’ comprises the three key principles of ‘meritocracy, pragmatism and honesty (integrity)’ that are introduced and analysed during the investigation of the 10 categories. More specifically, there are dozens of examples and stories of excellent public administration or ‘clean’ Singapore. We can see all corners of its system with least complaints.

In terms of macro economy management, an interviewee stated that ‘public or state corporations control key business sectors such as banking, sea transportation, air transportation, real estates, etc. When they start new projects, normally the government is very transparent. The process of bidding is transparent and there is no lobbying’ (SG R 04). Apparently, transparency and bidding are the key standards that reduce opportunities for corruption worldwide. These terms are also the strengths of Singapore. Moreover, according to an expert (SG E 03), ‘(Singapore) does not have timber, mining, resources... We cannot be corrupt by giving resources. The government owns 90% land in Singapore’. Scarcity of natural resources gave Singapore fewer opportunities for misuse or public embezzlement and strengthened their will to develop themselves.

In contrast, there are more and more scandals of big corruption cases being identified, investigated, and/or prosecuted in Vietnam. These scandals involve key ministries (Transportation and Logistics; Industry and Commerce; Agriculture and Rural Development, etc.) and big public corporations such as PMU18 (transportation and construction), PVC (in energy, oil and gas), Vinalines, Vinashin (sea ship-building and transportation), or huge joint companies like Ocean Bank, ACB, and VNCB (banking sector), etc.

#### *6.3.2.2 Public administration*

The good regime of public administration has been a direct success of LKY and his colleagues. As an expert (SG E 05) pointed out, ‘Singapore has a good system, although they are lacking in geniuses. In contrast, India has many geniuses, but they are short of a good

system'. It is an impressive statement by a Harvard educated Vietnamese doctor. Foreigners who come from corrupt countries follow Singaporean laws, including the AC ones. It helps to explain the role of governance, rule of law and system. All foreign interviewees who had migrated to Singapore from Indonesia, India, Vietnam or Malaysia, confirmed the statement. In addition, the participants believed that they may commit corruption if they went back to live in their corrupt countries of origin. This reality interprets the logic and construction of corrupt behaviours, norms, and cultures in other countries.

In a similar context, a Chinese professor (SG E 01) in Singapore said in appreciation: 'Public governance in Singapore is very impressive... Especially, talking about the government and their policymaking, I would rank it as very high'. It is unnecessary to explain or interpret more, especially when the quote is clear enough. Similarly, one Vietnamese resident in Singapore (SG VN 04) shared the view that public administration or governance in Singapore was "very well-organized, more international ranking, and less corrupt'. Or, 'the PA system is very transparent, very clean and efficient.in Singapore'.

In a similar manner, another Vietnamese researcher (SG VN 02) asserted: 'The Singaporean system is logical and minimized loopholes with cross-checks and close inspectorate. Laws are developed professionally due to huge funding and investments. Law enforcement is good'. All the above quotes underscore the excellent public administration service in Singapore that helps to minimize corruption (bribery, etc.) in the sector.

Moreover, one doctor (SG R 04) having lived for 17 years in Singapore and the West, admired the advancement of Singapore over the US and the UK. He said that 'it is much better here than the US and the UK. I lost my insurance profile in the US, but nobody is responsible for his faults. It will not happen in Singapore. There is no loss of profile and they responded to me timely, etc. At hospitals or ministries, when provided with gifts, public officials must declare all to his or her boss: by whom, given what and of what value'. The quote applauds the perfect PA system of Singapore. The small scale of a city-state may contribute to its success, but other factors are influential as well. Yet this does not go far enough to conclude about the perfect regime for AC, but at least, it confirms excellent PA system and gift declaration at public offices, which help to build transparency and prevent opportunities for bribery.

In comparison to Singapore, one Vietnamese researcher (SG R 01) complained: "The Vietnamese government's responses to citizens are too slow, undetermined or incomplete in short time. In Singapore, due to a small population, the government's responsiveness is better. They may provide temporary answer, although it is not a complete answer. Vietnam AC is not as good as Singapore. AC must be done from the top down'. Apparently, responsiveness to citizens is one of the key criteria of new public governance, but it is the dark side of Vietnam, a wetland for bribery. To clarify with details, he added: 'The Singaporean PM and MPs visit people quite often, to listen to them. When asked for a meeting, MPs will respond, at least to listen to what is happening. It is what I saw. People feel that it is democratic'. Many Vietnamese like me perceive that Vietnamese MPs respond to their voters slowly, even without field visits or consultations. Bureaucracy is still a challenge for Vietnam (see more in Chapter 5).

On the contrary, ‘Singapore is very open to modernisation and business. Other countries and companies have to pay bribes if they want to enter the country’s market’, as one expert (SG E 02) pointed out. In addition, ‘Generally, it is very fast and effective. Hence, people trust and proactively fight against corruption’ (SG R 05). Specifically, another expert (SG E 02) stated: ‘many senior officers are doing their jobs very well. It is hard and difficult to deviate here because many things are online; e-government is very strong here. If we want, we can track what a PO is doing’. In fact, online tracking of how public officers discharge their duties is an advantage of Singaporean citizens compared to their counterparts in developing Asian neighbours, in terms of quality assurance and AC. Due to its importance, however, e-government will also be analysed as a separate category below.

### *6.3.2.3 Direct public service*

At micro level, direct public service, Singapore’s public service is highlighted as well. And here are real experiences with the PA system in Singapore, ranging from administrative service, education, health, to law enforcement.

First, to quote a businessman (SG B 03), ‘the public sector and government officers are clean. The public sector is not corrupt. The private sector is more corrupt’. In general, it is opposite to the public sector in Vietnam. Besides this, another idea of one Vietnamese (SG R 05) is that ‘corruption seldom happens. At the National University of Singapore (NUS), one admin officer provided fake receipts and had to pay with her job, a severe punishment’. The quote not only mentions the ‘rare’ prevalence of corruption, but also quick and severe punishment consequently that makes it a ‘high costs and low rewards’ affair. Similarly, one Chinese professor (SG E 01) stated, ‘I went to hospitals twice. I think the service is pretty good. They are friendly. They speak different languages. It is comfortable’. And more importantly, ‘un-documented money for public service’ is not found. She confirmed least bribery in Singaporean hospitals. It is because of their professionalism and high price. Naturally, Singapore attracts billions of US dollars in health care from its patients from neighbouring countries, including Vietnam.

### *6.3.2.4 Summary*

In a nutshell, Singapore has developed a good governance system that minimizes loopholes and opportunities for corruption, for all types. It includes, but not limited to, modern public offices, good government system and public policy making, clean and responsive public service, e-government and online-tracking, transparency and accountability at both level, macro and micro public management, as well as rewarding system, and honesty building for all. Overall, the key successes of Singapore’s public sector are integrity, high risks and costs of corruption due to good personnel monitoring system, and good salary. There are two points that can be drawn from the above discussion. First, Singapore does not really need the media or NGOs to fight against corruption as the government is doing it well. Second, it is more

important to investigate and punish identified cases of corruption in order to warn potential offenders in future. Further details of a clean PA regime, such as meritocracy, public ethos, and strict law enforcement, will be analysed below.

### **6.3.3. Independent, clean, and competent AC body**

The Corrupt Practice Investigation Bureau (CPIB) is the sole AC agency in Singapore. Like the introduction on CPIB's primacy in Asia and on the world stage in Chapter 5, I only present here real praises for its efficiency, effectiveness, independence and integrity. First, regarding its efficiency and effectiveness, one expert (SG E 02) pointed out that 'CPIB is very famous in Asia. CPIB is doing a pretty good job, though corruption is never zero'. CPIB is admired across Asia and serves as the model for the AC agency of Hong Kong (ICAC). Second, regarding independence, he (SG E 02) added that 'CPIB is very independent and powerful in Singapore, similar to that in Hong Kong. It is independent from political turbulence. Dependence on political turbulence in some countries, like Korea and Taiwan, may be used as a weapon by the ruling political class to attack other classes or political rivalry. Singapore's CPIB has achieved global level of independence (from political intervention) that is mandatory for fighting against impunity or non-prosecution of corrupt politicians. In view of this, its independence is a key lesson for success for other national AC bodies. Its prerequisites are a check and balance system, independent judiciary, and rule of law. Third, with regard to integrity, CPIB is very clean, and nearly not corrupt. During its five decades of operation, only few CPIB staff have been investigated or prosecuted due to corruption. That's why CPIB has won the people's absolute trust and nearly all of the most prestigious awards for public service in Singapore.

However, there are still doubts on the CPIB's independence because it functions under the PM's office. On the other hand, a Singaporean professor (SG E 03) explained the CPIB's independence by saying that 'According to law, if approved by the President, CPIB can investigate the PM. If we have a corrupt PM, we will find out, but there has been no investigation against the PM so far. So currently, there is the answer to your question. The law says yes'. This does not seem to be enough on the practice; especially given the fact that the PAP (the PM's ruling party) is supreme. Another western professor (SG E 02) also confirmed that by saying 'As per the Constitution, the PM is subject to investigation. The President has power to approve investigation if necessary. They could either decide to investigate or to search for more papers. Powers are very far. They can. Singapore has a clean judicial system. Otherwise, it would turn out to be a mess'. CPIB prevents and controls corruption due to the mechanism of 'do not dare' (and 'do not want') because of its efficiency and severe punishment, contributing to the ultimate goal of 'can't be corrupt'. The second quote on clean judicial system may be sufficient to underscore CPIB's independence and its effectiveness.

Moreover, the CPIB design is ideal for countries in terms of incorruptible and competent officers, free of political interference, and investigative autonomy and power. In other words,

independence and professional sovereignty are the key traits of an AC agency that Vietnam can learn from. (More information on CPIB can be found in Chapter 5.2). The meaning and scale of importance of political independence and incorruptibility of the AC body is analysed elsewhere (Chapter 6). Jon Quah, a Singaporean professor, highlighted the fact that the lesson could only be learned by Singapore after a decade of high costs, and by Hong Kong after 18 years.

In socialist Vietnam, the CPIB counterpart is C46 (Department of AC and economic criminal investigation police, an organ of the General Department of Police, under the Ministry of Public Security). C46 is mandated mainly with investigative power, but is less powerful, competent and autonomous than CPIB. Limited resources for AC and shortage of meritocracy are more crucial issues, especially in the context of the principle of CPV's leadership (see Chapters 4, 5). The idea of meritocracy will be introduced in a later category.

#### **6.3.4. Elite system or merit-based (public) human resource management (meritocracy)**

Human resource is the soul and brain of any system. Therefore, the quality of public officials, especially their integrity and merit, can multiply or hinder all other criteria of public administration, such as impartiality, incorruptibility and productivity. It is more strategic in key offices such as CPIB, the judiciary and public resource management offices. Among the 10 categories, meritocracy characterizes nearly all, including leadership, regime, CPIB, public ethos, rule of law, law enforcement, e-government, and AC denunciation treatment. Moreover, meritocracy is among the biggest success stories and the most admirable development strategy of Singapore, not only in terms of anti-corruption.

The public sector of Singapore is world famous for its integrity, especially compared to the private sector. Participants agree that the governance system is assessed as being efficient and clean. The rule of law is good when judges are fair. Senior civil officers are selected and promoted competitively based on meritocracy and paid high salaries. According to a respondent (SG R 02), 'buying a job or a post (to give money to be recruited, posted or promoted) rarely happens here, especially in the public sector. If you are good and qualified, you can have a good job'. This is also the common perception. More importantly, there is no stigma or discrimination based on gender, race, and countries of origin of immigrants or permanent resident status. And most important, the practice of meritocracy is praised not only by Singaporeans, but also nearly by all foreigners interviewed (as presented in the quotes below):

First, the Vietnamese professor (SG E 06) in Singapore glorified that: 'Appreciation, using and rewarding (treatment) of talents in Singapore deserves to be learnt. No country accepts the fact that talented foreigners can rank higher than its citizens like Singapore does. They provide the best working conditions, in addition to a good assistant team, so that the talents can only concentrate on their technical expertise'. Meritocracy ensures fairness of selection, good

working condition, and promotion regardless of the employees' origin. Merits (and integrity) are the most determined criteria of recruitment selection.

Second, the Chinese professor (SG E 01) also stated: 'Meritocracy is a key value for Singapore, especially for public officials. They have kind of such traits. It is quite true. HR management is, in my understanding, is a very important part of Singapore's success. Elite system makes Singapore efficient and to achieve good governance'. In general, merit-based HR management is a solid principle of Singapore for efficiency and integrity of the whole system. For her own job, she (SG E 01) disclosed that the process was very transparent and standard: 'I came here after very standard (public recruitment) procedures. The recruitment was open. I sent materials; they invited me to visit the campus and interviewed me. It was very standard, very normal'. There may be some minor cases in the private sector where nepotism may be influential.

Third, another Vietnamese researcher (SG R 01) made similar comments. She said Singapore does not only recruit 'ready for use' talents, but also invests in the future generations and takes care of the talents' children. The compensation package for talents is generous enough, including low personal income tax (PIT), subsidies for housing, children's education, etc. She (SG R 01) clarified: 'Meritocracy is marvellous in Singapore. For example, children in Class 3 are tested for IQ. They try to find out children with high IQ scores, then invest and provide scholarship since that point of time. Singaporean graduates from overseas will be paid quite well. Foreigners working in Singapore will be given subsidized housing rent, and fee for children schooling at international schools. Personal income tax is not exempted for foreigners, but it is low in comparison to European countries (around 18%) in order to retain talented foreigners'. The full compensation package for talents is considerable and quite attractive to immigrants to Singapore.

Fourth, a western expert (SG E 02) revealed that 'Singapore recruits on the basis of meritocracy and network surveys (in order to prevent conflict of interests during recruitment or promotion process). Some other countries... very powerful, they can sleep in the office, but it is not possible here'. 'PA needs to be measured often, looking at ways to promote them. To make sure employees... motivated to work. Look for performance'. Performance evaluation is emphasised to ensure quality tracking, continuity of good service and results-based management. Its specific techniques such as network survey, monitoring and evaluation, motivation to work are mentioned. All of them can be models for Vietnam.

Fifth, an Indonesian Singaporean retiree (SG C 02) also highlighted the fairness of merit-based promotion of his daughter. He shared: 'Singapore is so good and fair. My daughter has been promoted to be the vice-president of a public bank because of her meritocracy, regardless of her Indonesian origin. It creates a fair playground for all citizens and people here. That's why we need not commit corruption.' His story is seldom seen elsewhere, especially in third world countries like Vietnam. There may be exceptions like the USA or some other nations, in terms of posting talents at honoured status and power.



The sixth story is told by a professor (SG E 02) who emphasised that there is no nepotism in Singapore and ‘people are promoted based on ability, and not based on relatives, party members, not by family members or any kind of non-professional criteria’. In his opinion, it is true for Lee’s family as well since elections cannot lie.

In addition, the voices of two Vietnamese are the two clearest evidences. First, ‘In general it is good. Singapore treats meritocracy as the best’ and ‘Recruitment is very serious. Competition can ensure recruitment of good employees’ (SG R 05). Second, ‘In Singapore, recruitment is transparent, requirements are known, and then dossiers are submitted, capability test and probation are required. It is free in Singapore and not to “have to pay for the job” like in Vietnam’ (SG R 01). Both quotes are convincing ‘testimonials’ of meritocracy in Singapore.

Unfortunately, very few countries fully practice meritocracy as seriously as Singapore. The reason is because nepotism (opposite to meritocracy) is beneficial to corrupt public officials and their networks, while talented people may pose threats to their status. For example, contrary to Singapore, Vietnam’s public human management is darker and beset with nepotism. Many comments criticized Vietnam, such as the following true story: ‘when I newly graduated in Vietnam, they told me frankly the price for the post. It is so common that people accept it like a norm. It is totally not so in Singapore’ (SG R 01). The quote reflects the prevalence of ‘office for sale’ in Vietnam, but ‘there is no nepotism in Singapore’, as pointed out by officers SG PO 01 and SG PO 02. It is a sad reality of public recruitment in Vietnam that is perceived by many Vietnamese. Chapter 4 also mentioned real corruption cases of nepotism in Vietnam.

Consequently, nepotism or ‘buying’ public post is a kind of corruption that leads to wasting of national resources, deepening of social injustice and unfairness. In a critical condemnation, one Vietnamese interviewee (SG E 05) said: ‘Vietnam values specific persons (regardless of his virtues or quality) higher than talents or competency. Public officials are “set-up” or “arranged” by a network, “favourite fraction”, or relatives. In general, public administration is weak and bad. China is better than Vietnam as it can select competent staff for public system due to high competition’. In other words, public posts, when bought and sold, spoil public ethos and is paid back by bribery, bad public service and new ‘sold’ posts like an inevitable mechanism for taking back ‘investment’ of position buyers. Clearly, it is a bitter reality that is voiced by a Vietnamese respondent (SG R 01): ‘Vietnamese public officials are rich, but covert or unclear. Why they are so rich while their salary is so low? I can understand if the businessmen are rich. But I cannot understand why public officials are so rich’. The quote is also very common like those of other Vietnamese interviewees in Vietnam as analysed in Chapter 5. When unqualified people work at wrong places, it engenders all other corrupt things.

To conclude, merited personnel are the souls of all services, including AC. Meritocracy is Singapore’s pride, but Vietnam’s disgrace, and leads to the two nations being poles apart regarding integrity and efficiency. Briefly, merit, fair competition and productivity still prevail in Singapore. Public recruitment and promotion are open, transparent and fair to all. It is the

core characteristic of a capitalist economy like Singapore. In view of this, the elite system should replace the socialist equality of qualified and unqualified officials.

### **6.3.5. Appropriate salary for public officials**

‘As people in many countries in Asia work hard, but they do not earn enough to survive. Automatically, it raises a very bad system of nepotism. It ends up in corruption’ (SG E 02)

One important aspect of Singaporean officials is ‘do not need’ to be corrupt if their salary is good enough. Better, good salary (for) and merited persons are two sides of one coin, and vice versa. As a respondent (SG B 03) pointed out: ‘The salary is high, hence, they do not need to be corrupt. I am sure about that’. Therefore, appropriate salary for public officials is the second AC key. Paradoxically, other countries may face the dilemma of ‘starving’ salary and a bloated public sector, full of unqualified officials and low productivity. Similarly, AC policy advocates should bear in mind to reduce ‘needs’, at the same time, to punish ‘greed’.

At the higher level, Singaporean public leaders and managers are among the highest paid civil servants in the world. It can be competitive to the private sector. It is a fact that ‘the Singaporean PM’s salary is five times higher than that of the US President’ (SG E 02). Recently, however, it became a controversial topic in Singapore, as the respondent pointed out: ‘It is a social debate. High salary is very high and it is very controversial topic here. They argue that they do not want their seniors to be corrupt. Some secretaries (ministers) get 2 million dollars annually. It is very high, very high. (The PM used to get over S\$3 million annually): It is very high, a lot, even much higher than the western countries’. After the social debate, the PM’s salary was reduced. This proves that justification of super high salary can be discussed and compromised according to citizens’ voices. However, even it is comparable to other highly developed territories or countries like Hong Kong (HK), like an expert (SG E 01) stated: “Both in HK and Singapore, salaries for POs are very high. They want to maintain high integrity of public officials’. Singapore is well known for good pay for public officials. ‘I think it is important but not necessary. Singapore is a wealthy state. It is reasonable to do so’. In other words, government success or AC success is not the only reason for such high salary for public officials. It is also to do with attracting talents from the private sector.

For lower public officers in Singapore, according to one resident (SG R 03), ‘PO salary is very good, sufficient to live a decent life. ... Naturally, there are few who want to be corrupt’. Thus, not only leaders and managers but also lower-level employees are well-paid. Specifically, low level public officers like teachers are paid ‘enough’ and housing is subsidized in order to live a healthy and clean life. This is a crucial philosophy of public human resource management that contributes greatly to AC. Nearly all the respondents shared this view.

It is an endless story about well-paid public jobs in Singapore. Here is an architect’s (SG R 05) experience: ‘My Company is a sub-company of Housing and Development Board (HDB), a public Singaporean company, specializing in techniques and architecture, and design. Two talented senior employees left it to work for the (higher) government (although HDB jobs are

already high-paid). It proves that government salary and other benefits are very good, and this is what attracted them'. Apparently, a decent job and appropriate salary is a basic condition to help in curbing petty corruption. In a broader context, efficiency and competition of market or capitalism are two fundamental principles of integrity. He (SG R 05) further clarified: 'Because of high salary, public officials consider against the risk of joblessness and other punishments if their corrupt activities were to be exposed. As a result, bribery (and other types of corruption) is very low'. In other words, rational calculation of people prompts them to be clean in Singapore. This is because they know that corruption comes with 'high costs and low opportunities' there.

Here are some answers. First, as one public official (SG PO 02), pointed out: 'They are perfect because of good payment'. A respondent (SG R 05) stated a similar opinion. A retired driver (SG C 02) told me: 'I think it is salary. They are paid \$10,000–15,000 monthly and need not to be corrupt. However, salary is very low elsewhere and they need money to raise their family'. Fourth, citizen SG C 04 stated that 'Two key reasons are very high salary for senior public officials and strict law enforcement. Government employees have much higher pay than the other sector, especially in senior positions'. Fifth, one expert (SG E 02) said: 'Singapore is quite clean and has low corruption. Because the government wants to try to keep it clean by paying very high salary for government officers'. In short, the wordings can be different, but all the opinions echo the key role of good salary in terms of reducing the 'needs' for corruption.

Resulting from this, people explained that it was appropriate to prevent corruption, at least petty ones. This is a weakness of Vietnam. The following discussion (SG E 03) provides more details, 'if you pay police probably, they can live on. They cannot be wealthy. If not, they look elsewhere'. In the health sector, my observations in Singapore, Vietnam and Germany show that only the best students can enrol in medical schools. However, there is a big gap between their salaries, as pointed by a researcher (SG R 04): 'Salary for medical doctors in Vietnam is very low. Singaporean doctors are paid higher than NUS professors. Salary of public doctors is around S\$ 300,000–500,000 annually. The NUS law professor (who retired recently in 2014) got S\$ 225,000 per year. Law professors get higher than other disciplines as tuition fee'. The situation is also applicable to other public sectors in Vietnam and Singapore. Moreover, low PIT Tax (in Singapore as compared to western countries) contributes to keep the take-home income higher and can increase employee welfare. The doctor added: "PIT of Singapore (maximum 20%) is lower than European countries. Low PIT is applicable to the annual income sum of S\$100,000–300,000'.

In a nutshell, salary and meritocracy should be the two sides of the same coin. Singapore employs it like a compass and achieves miracle development and anti-corruption. The values behind these rules are productivity, efficiency and competition or evolution of the nation. Sadly, many developing countries like Vietnam do not recognize this fact. Vietnamese public officers consider too low salary as 'needs' or the 'inevitable' answer for corruption (Chapter 5). It seems to be more dangerous when that paradox poses unfixable challenges for Vietnam because of strong nepotism and a huge public sector with nearly 10 million people who receive salary or all kinds of income from public funds (see more in Chapters 5 and 7).

### **6.3.6. Public ethos, integrity and accountability**

‘If you are not corrupt, sooner or later, you will be kicked-out of that system (in Vietnam)’ (SG E 05)

Referring to public ethos, I want to start by quoting a Vietnamese expert who lives in Singapore (SG E 05) that in Vietnam, ‘if you are not corrupt, sooner or later, you will be kicked-out of that system’. It is a bitter and resilient reality of endemic corruption in Vietnam. He explained that he used to work in the public sector in Vietnam, and so he knew that. In addition, he wondered how Vietnam could win the fight against corruption within this context. Apparently, it is impossible to fight any evil when its system is full of corrupt personnel that can ‘transfer’ corrupt practice and ‘kick-out’ honest ones. Similarly, another respondent (SG R 02) said: ‘When the roof of the house is broken, how we can stop raindrops from pouring in’. It means that AC should be from the top down or a role model should be maintained in order to ensure clean subordinates.

To put it more simply, integrity is a core value for good service, publicly or privately. It is a requirement of ethos and a constituent of public accountability. Without these elements, officials can lose their conscience, ethics and moral law for personal gains. Surprisingly, it is a blueprint of Singapore, especially the public sector that contributes to maintain the ‘do not want’ attitude to corruption. That standard is practiced at all levels, without any exception, up to the highest leaders. It is like a brand image, as one expert (SG E 01) pointed out: ‘All people here in Singapore are proud of its integrity’. In short, integrity cannot be compromised.

In Singapore, professionalism and ethos of public sector are prioritized. Referring to this point, the international expert (SG E 02) argued that they are the ‘core values of the Singaporean government. My students tell me that in many countries, public administration (PA) is not perfect. When POs are not performing well, they do not get fired. There are ways to get around. Singapore is about professionalism. It is part of a good system that makes Singaporeans to be well paid, it is really helpful’. These are two sides of the same coin—good performance along with well-paid job and public ethos go hand in hand with professionalism. Besides, discipline is necessary to fix the problem.

In the same way, accountability requires duties and punishment when (they) perform below standard. For example, a resident (SG R 02) said that ‘in term of ethos, Singaporean public civil servants follow laws and do not dare to violate the laws. Everyone is scared of punishments that are convertible to fines or to imprisonment. And the punishment is very strict. It is impossible to change the court trial verdict. There was an exception in a case of a minister’s son, who was addicted to drugs. He was supported to get lower sentence. The probability of similar cases is 3%, not 0%. It may be true for the elite classes. Duties and punishments are parallel. Strict law enforcement is the key for maintaining social justice and fairness. Besides, the rule of law is strictly maintained.

These quotes clearly project the ideal that ‘everyone is equal in the eyes of the law’, although it is not always perfect. ‘Scared of punishment’ is a strong factor. More crucially, it is a result of the mind-set of what is wrong and right. It is national ethics or a thread, as one foreign resident (SG E 02) stated that ‘I am involved in civil service workshops, etc. Their mind-set: Corruption is wrong. Ethical values are important’. In this context, another respondent (SG R 04) suggested that ‘integrity is a standard of any career. At the same time, there is ethics in hands. There are also clear punishments or discipline such as dismissal and others’. Inevitably, ‘the system is very clean and efficient’ (SG R 04). In brief, integrity is the foundation of public ethos, accountability, and a clean and productive government.

How can Singapore achieve this level of integrity or non-corruption? There may be many complementing responses. First, education and awareness can play a role: Public ethos is constructed in schools. Second, they understand legal procedures and strictly follow the law.

First, the Chinese expert (SG E 01) shared that there are ‘no cases of cheating in my own exams. They cannot do that’. In society, ordinary citizens too value integrity and consider ‘giving of gifts’, and even tips, as uncommon. This is a clear distinction of social construct of corruption in Singapore and in Vietnam. Correspondingly, the expert (SG E 01) told me: ‘Sometimes, I give tips to taxi drivers as a way of appreciation, but they don’t accept them. I guess it has become a culture here. They try to build up integrity of the city. I think the international ranking of the city by the Transparency International was in the top 3 or 5, this year. I have never heard about anything, any corruption scandals during the time that I have been living here’. In an honest context like Singapore, taxi tips are even refused, although it is not a corrupt act, but a polite gratitude for good service. It is also a culture, like in Japan. When integrity is a culture, no other forces can undermine it.

In contrast, as one Vietnamese (SG R 01) pointed out: ‘In general, the ethos of public officials (in Vietnam) is not much different from that of businessmen and academics. Compared to the citizens’ expectation, it is lower. I had contact experiences with them and didn’t welcome or trust them. They have higher education than manual labourers or workers but their explicit ethos is not different from them. They are educated, but not civilized or polite enough’. Clearly, it is a critique of Vietnamese public ethos—‘not different’ from workers or ‘not polite enough’. On the other hand, she admired Singapore’s public ethos.

To conclude, the ethos, integrity and accountability of public officers are the three moral and ethical bases of AC in Singapore. Hence, Vietnam should seriously study and build integrity in its public sector, starting from the school system, changing perceptions and a close monitoring and evaluation of public service delivery. Furthermore, these values of ethos, integrity and accountability can only be established through meritocracy and other fundamental conditions.

### **6.3.7. E-government and transparency, professional public administration**

Many researches confirm the role of e-government on AC. Firstly, Andersen pointed out ‘e-government is a useful tool in the global effort to reduce corruption’ (Andersen, 2009, p. 210). Secondly, ‘e-government is a powerful tool in reducing corruption—via telecommunication infrastructure and the scope and quality of online services—which is strengthened by greater internet adoption. The interaction effects between e-government and internet adoption suggest both as complements in anti-corruption programs’ and ‘a unidirectional causality from e-government to corruption, while a bilateral causality between internet adoption and corruption’ (Elbahnasawy, 2014, p. 114).

E-government of Singapore is assessed to be efficient because it provides all related requirements, steps, procedures, and formulas with clarity in different languages. Public staff (with different ethnic origins such as Chinese, Malay, Indian, etc.) works cooperatively in each office in order to meet different residents. Transparency is one key aspect that the World Bank and UNDP strongly advocate nations to promote.

According to one resident (SG R 05), ‘In general, it is good because everything is transparent and clear, publicized on the websites and Singapore uses e-government to make all procedures, steps, and the required documents for everything available. Every citizen who meets this requirement will be qualified and accepted. The reality that public officials’ purposes fully hinders or create challenges aiming for bribery like in Vietnam doesn’t exist here. Administrative and paper works in Vietnam are a burden’. As a result, e-government increases comfort and access to public services, as well as transparency, leading to curb opportunities for corruption in public services.

Furthermore, as pointed out by one expert (SG E 02), ‘It is hard, difficult to deviate here because many things are online; e-government is very strong here. If we want, we can track what POs do’. In this case, citizens can track public officials and make them more accountable. Practically, it promotes clarity and time for public services. Referring to its use, one Vietnamese (SG R 2) argued that ‘administration is burdensome everywhere, but it is transparent in Singapore. E-government is available, and officials are reachable online. It is unnecessary to go in person. After studying, we submit applications with limited errors. Regulations are very clear, although long. It is accessible while people’s education is high and it is not stuck’. Transparency is a blue print of Singapore, whereas lack of transparency creates a bottleneck for public administrative services in Vietnam. Transparency reduces burdensome paper-work and minimizes face-to-face contacts, as well as discretion of public servants.

Regarding languages, a respondent (SG R 05) pointed out that the ‘websites are written in English and Chinese. All formulas and forms are bilingual. Standards of public official recruitments are in those two languages’. I myself checked this claim and found it was true. In other words, one interviewee (SG R 01) stated that ‘I haven’t seen any non-transparent procedures. Administratively, I do things relating to housing, and everything is transparent. The procedure guideline is instructed carefully when I do not know. They also gave me an

evaluation template to rate their service, then I give it back to one box'. This means transparency contributes to building professional public administration in Singapore.

In terms of service satisfaction, one client (SG R 03) pointed out that, 'they serve us quite professionally. I am their customer. They provide public service. When they work, they follow legal procedures. The mission forces them to do so. In general, I am satisfied. There may have been some bad cases and system errors, or the ABC staffs would have been in a bad mood. But I have never felt of complaining to them'. Satisfaction is the criteria of a service's success. There are not many complaints in Singapore. From a wider perspective, according to an engineer (SG R 06), 'It is because the government is very strong. Laws are very tough and this system was set up for some decades. It is difficult to change or reverse the system'. The public system works well.

In contrast, public administrative service in Vietnam is burdensome for all citizens, businesses and organizations with huge paperwork and vagueness (see Chapters 4, 5). It retains loopholes and opportunities for corruption, consequences of discretion of public officials and lack of transparency. In the context of Vietnam, Klitgaard's formula is true (although it is not enough), especially in the public service sector. Responding to this issue, the Vietnamese government started the 'e-government' programme (called Program 112) during the 1990s and 2000s. Ironically, however, it too became a hub of corruption after some years, leading some middle managers to be sentenced, removed or relocated. Finally, the programme was closed down, leaving a very bad legacy. Fortunately, it revitalies recently. Notwithstanding this, Vietnam is successfully reforming some public administration services, such as 'one-stop shop', in some cities such as Da Nang, Binh Duong and Dong Nai. However, it still offers opportunities for petty corruption such as bribes.

### **6.3.8. Rule of law**

'Rule of law', in parallel with 'strict law enforcement' and 'strong CPIB', are the three key categories that guarantee the ideals of 'don't dare' or 'can't be' corrupt (to some extent) in Singapore. 'Rule of law' comprises the key dimensions of 'everyone is equal to the law', 'no impunity', and legislative and judiciary being independent of executive branch.

Particularly, while dealing with high-profiled officers, there are still no favours or loose trials in Singapore. The rule of law in Singapore is internationally confirmed. An expert (SG E 05) pointed out, 'The judiciary in Singapore is ranked among the best in the world. If corruption adheres to police and courts, it can be considered as cancer in the critical final stage; there is no cure for it'. This is a key condition for anti-corruption. Also, to quote a businessman (SG B 03), 'It is very strict in Singapore. Singapore is famous for that. Police can be loose towards less serious cases like friends fighting. They only call the two parties to warn them, and then

let them go. But they are very strict to criminals in cases like corruptions, murder, rape, etc.'. The quote implies clean police, a condition for AC enforcement.

Indeed, one expert (SG E 03) said, 'Commercial law is excellent. Basically, in Singapore, there is rule of law. The problem is they make law in government papers. There is nothing to do with corruption. In the 1970s, you could not demonstrate in the streets'. Although it is indirect to AC fight, but economic transactions are accounted for by the majority of Singaporeans. Excellent commercial law guarantees fewer opportunities for corruption in both private and public sectors.

Justice is valuable to all, but it is not easy to get. In Singapore, an expert (SG E 02) stated, 'What they did, were very big things. There were some Singaporean ministers who had been offered free trips to the USA, and then have been arrested when coming back to Singapore (in the 60s and 70s). The same laws apply to you. Ministers may not be arrested elsewhere'. It illustrates the rule of law and strict law enforcement that scare corrupt actors. However, it is not the same in China, as one expert (SG E 01) said that 'these (rule of law and judicial independence) are not complete in China, but in Singapore is very well-managed'. Singapore is a global topper in terms of 'rule of law', while it's stagnating in China and Vietnam.

In reality, as one Vietnamese resident (SG R 02) pointed out that 'in judicial matters (in Singapore), based on the lawyer's justification or his ability and evidence (provided by the prosecution or the police), who deserves to win will win. The nature of cases is sometimes not following its own nature, but depends on who can produce more evidences. However, judges' or prosecutors' salaries are very high. It is their own career that's why it is not easy for them to risk their career. They have good knowledge. Their mandate is to follow the laws. They don't violate laws or bias the trial. I believe in judiciary here. The probability of unfair trial is 3% (elite class), while 97% must be true to all ordinary citizens, only following rule of law'. This presents a complete picture and the interlinking and interweaving of many aspects such as good salary, competence, rule of law, mandate, rule-abiding, risks of job loss, and fairness of courts. They create a virtue circle of AC in Singapore's judiciary.

Among more than 20 answers, there were only two minor doubts on independent courts. First, to quote a businessman, 'they are clean also. But I am not sure if they are independent or not. I am really not insightful'. Second, an engineer pointed out, 'I think it is good in general, but the courts are not really independent because they are under People Action Party. The PAP control and they are very powerful in Singapore. They get money from all over the world'. Nonetheless, the rule of law is still a blueprint (as widely quoted above) that helps Singapore to check corruption.

In sum, the judiciary has gained people's trust in Singapore. There is nearly perfect confidence in its impartiality and non-bias. There is even stricter punishment for the private sector in Singapore than other nations when it comes to commissions or kick-backs, which are classified as corruption. Nearly all corruption cases involve two sides in collusion, like a



tango, the (briber) giver and the taker. Singapore follows international standards in defining corruption in the private sector, which proves useful in reality.

### **6.3.9. Strict law enforcement**

As mentioned in the previous categories, ‘strict law enforcement’ (in parallel with ‘rule of law’, and ‘strong CPIB’) are three key categories that guarantee ‘do not dare’, and to some extent ‘cannot be’ corrupt in Singapore. In a larger context, it generally checks crimes of all types. In the research, almost all the interviewees highlighted the strategic importance of strict punishment and seriousness or professionalism of law enforcers like police, judges and prosecutors in Singapore when dealing with AC. I can show dozens of examples or real stories from my field research. All of them are impressive in different ways and there are no negative comments on Singaporean law enforcement. In short, as pointed out by a resident (SG R 04), ‘All people voluntarily respect and follow the laws. Nobody risks himself by violation’. The rule of law is the behavioural norm for all citizens.

Here are some other typical quotes, endorsing strict law enforcement. First, one businessman (SG B 03) stated that law enforcement in Singapore was “very strict” and “I have never seen one (a corrupt policeman). You do not come across them here’. Second, an expert (SG E 01) similarly stated, ‘Very strict (law enforcement). I read reports. (It is) very strict punishment’. The third quote is from a professor (SG E 03): ‘When they are identified, they are severely punished. The guys (recently) went to jail for 13 years’. These quotes are clear enough and require no further explanation on strict law enforcement in Singapore. Similarly, the fourth one is by one researcher (SG E 04): ‘Check and balance are tightened so people are reluctant to commit corruption due to high risks that may destroy their career. Naturally, there are a few corrupt ones’. This means that the structural condition is more fundamental for anti-corruption than the morality of individuals. Fifth, a professor (SG E 03) asserted, ‘the point is that, what and how they deal with identified cases. In Singapore, corruption is severely punished’. This point is important to maximize the costs of corruption. Sixth, the public officer (SG PO 02) made the point that ‘the government likes it. They give very hard punishment’. This scenario may be different in many countries, like Vietnam. Corruption cases, especially those pertaining to petty bribery, are ignored in Vietnam. This practice is not good as it nurtures corruption and its tolerance. The above quotes imply strict punishment and good rule of law. This practice is good as it sends a strong AC message. It is a rule that corruption will be strictly and severely punished, without any exception.

Historically, strict law enforcement has a bold legacy in Singapore. It was not born naturally, but Lee Kuan Yew’s (LKY) strong leadership constructed it socially. For example, there is a well-known fact recounted by one Vietnamese resident (SG VN 05)—In the 1960s, crime rate, throwing rubbish and defecating on the streets were very high in Singapore. When Lee Kwan Yew took over power, he practiced very strict law enforcement to curb them. Anyone who

violated the law was beaten three times with a big wooden stick. Even if the process was delayed due to the culprit fainting or hospital treatment, the verdict of being beaten thrice was still carried out. As a result, law enforcement and social order were established, and have been maintained since then. The story is a good legacy for Vietnam and the world.

In general, on the one hand, strict punishment is the key for respect of law and fear of corruption. On the other hand, ‘good and honest performance and behaviour are recognized and appreciated promptly’ (SG R 1–5). Strict punishment is also about establishing good behaviour and igniting humane instincts. Ultimately, both promote a clean society. In fact, Singapore is proud of this success, which is admired and envied by foreigners. An Indonesian-origin engineer admitted: ‘I need to consider the context and the circumstances to decide what to do. I don’t violate the laws to get rich’. This admission is an illustration of adapting to a new context—a person from a corrupt country (Indonesia) has transformed his mind-set to be accepted in a society with more integrity.

On the other side of the spectrum, countries like Indonesia or Vietnam cannot firmly uphold the standard of integrity. Corruption is deeply inherent, both in the police force and at the core of other law enforcers. That’s why people don’t respect or follow laws. As one Vietnamese (SG R 01) pointed out: ‘Vietnamese laws are not strict enough. In some areas, law enforcement officers are not strict or correct, boosting legal violations. Furthermore, when violations occur, the defendants are not strictly disciplined or prosecuted. It may lead to “no-fear effect”, and they may violate laws repeatedly’. In terms of informal rules, a Vietnamese suggested that ‘Vietnamese culture is about abuse of power; when one has power, he or she sets the rules on others, not enforce or work properly but to behave like “to help, to give or to offer, or to beg for support”. It has made corruption rampant’ (SG R 01).

### **6.3.10. Good AC denunciation treatment, people’s engagement and the role of civil society**

AC denunciation is only possible with active engagement of citizens, whistle-blowers, mass media, and civil organizations. However, it requires efficient denunciation treatment, protection of whistle-blowers and uncensored media. Chapter 4 provided statistics and other official reports in this context. Complementarily, this section offers real experiences and perceptions of residents in Singapore that steadily confirm the key role of good treatment of AC denunciation. We can see a huge gap between Singapore and Vietnam in this category, and it’s illustrated through the views of Vietnamese who have lived in both countries.

#### *6.3.10.1 Good AC denunciation treatment*

First, one Vietnamese (SG R 04) stated, ‘the mechanism of whistle-blower protection plays a key role in promoting and encouraging citizens to denunciate corruption cases. Hence, people are responsible to raise their voice and the government to act promptly’. ‘Act promptly’

sounds great as it could gain public trust and restore justice in AC fight. It is important for any AC investigation. Governments can only fight against corruption with the support of denunciators and with its own good processes. During my field research, I heard praises for CPIB and Singapore's PA from its residents, including people from different countries, races, and job profiles.

In an instance of appreciation for CPIB's good work regarding whistle-blowers, one Singaporean officer (SG PO 02) said, 'They (CPIB) will process it (the leak) quickly' and the culprit does not know 'who the reporter is so as to take revenge because it (the whistle-blower's identity) is confidential'. The two good points mentioned above are 'quickly' and 'confidential'. It is quality and core principle that safeguard whistle-blowers and reporters, and force corrupt actors to face justice. If not, one will see the opposite, a mess and injustice like in Vietnam where the majority of people perceive that 'denunciation' will not change anything or it won't be processed properly (see Chapters 4 and 5). Similarly, another Singaporean (SG E 03) shared his view on 'no fear of retaliation' due to a good protection mechanism, although he thought that Singapore does not have 'whistle-blower laws'.

A Vietnamese resident (SG R 02) confirmed the opinion, cited above. She felt that 'the system of denunciation processing is complicated, but it works effectively'. The key word here is 'effectively'. It is a 'warranty' for trust and denunciation if corruption suspects are identified. Even public officers in Singapore (SG PO 02) agreed with this. Good 'protection' is the shield and a motivation for denunciation. She asserted, 'I will report to CPIB. I am not scared of retaliation because police will protect me. In Singapore, I can refer to anyone. It is safe to do that in Singapore. That's why crime rate is low here. It is safe' (SG PO 02).

This protection mechanism in Singapore is good advancement, even in the eyes of a Dutch professor (SG E 02) residing in the island-state. In his homeland, whistle-blowers can face very bad consequences. He stated, "In the Netherlands, several laws have been passed, and yet many whistle-blowers still get murdered. Shocked? ... If you look at Wikipedia, top 100 cases... whistle-blowers either end up dead or in prison... Internal procedures... are preferred before they go to the media'. Thus, protection of whistle-blowers can be the best explanation for Singapore becoming a world-class clean country.

In short, good AC denunciation treatment is an important foundation for civil involvement in AC combat (detailed part below). It ensures change and punishment for corrupt actors. Also, denunciators won't face unresponsiveness or slow action by receivers of corruption reports.

### *6.3.10.2 People's engagement*

People's strength is powerful and potential, not only in war (like Vietnam War), but on all fronts, including AC. It not only consists of 'say no to corruption' himself, but also 'speak-up' to fight corruption elsewhere. It is similar to Martin Luther King's words 'appalling silence and indifference of the good people who sit around and say, "Wait on time"'. Fortunately,

Singapore has successfully garnered its citizens' contribution to AC from both sides. First, they don't collude with corrupt officers, but also denounce whoever they may know to be corrupt. Second, when they suspect corruption, the most frequent response is 'I will report to the CPIB'. There are several explanations for the motive to do so. It can be 'effective' treatment, change or progress, 'citizens' demand' for efficiency, or 'political competition'. Here are some such instances.

The first case is a story told by a Singaporean professor (SG E 03): 'In earlier days, Singapore was like Vietnam and China. Bribe-giving was rampant. My father did business during the 1960s and he had to bribe traffic police because he travelled at 4 am. The CPIB came and said to him: "We know you paid traffic police every month in the past, but from now on, if you pay again, we will put you in jail". So, when police came again, my father said he did not want to pay bribes anymore, as he didn't want to go to jail. That is how my father stopped giving money to the police. So, the change happened very fast. The point is that you must punish the briber, and not only the person who takes bribes. Most people do not want to go to jail.' Though the Singaporean 'miracle' seemed to be impossible, but it happened. Singaporeans made history by cleaning up their nation within a decade after 1970. It is because Singaporeans could change the corrupt mind-set and their determination. It is also one part of the bigger national AC strategy and complete program. Singaporeans don't collude with corrupt officers, and also denounce corrupt actors.

The second narrative is that of a Vietnamese (SG R 02): 'there are multiple parties in Singapore. Hence, there is political competition between them, and people watch over them closely. The number of corruption cases is rare, while citizens are demanding, leading to an efficient system. People may denounce cases of corruption right away. The system of denunciation processing is complicated, but it works effectively'. This implies that political competition has spurred civil scrutiny of politicians, forcing them to be more accountable and honest. In reality, however, the ruling party (PAP) is supreme in Singapore.

The third narrative pertains to quick redress of public grievances. A Vietnamese respondent (SG R 05) said: 'People will denounce right away. When they are not satisfied with public services, they will do it promptly. For example, Orchard road was flooded just for a day, but they protested publicly and even wrote a petition to the PM. They do not know that Hanoi and Ho Chi Minh City can remain flooded for even one month, and still nothing will be changed or done'. This example reflects two opposite systems of redress—one bad (Vietnam) and one good (Singapore). As a result, civil engagement is extremely high in Singapore.

Surprisingly, even after mentioning the bad consequences of denunciation in his homeland, the Netherlands, the Dutch professor has no compunction of doing so in Singapore. He (SG E 02) said, "I will go to the media. Or go to internal higher position'. He must have explicit trust in Singapore's justice system to do so.

Thus, it can be concluded that that the Singaporeans' engagement in the AC combat—no tolerance and whistle-blowing—plays a much bigger role in minimizing corruption. It may

originate from good denunciation treatment in Singapore as well as the citizens giving high value to integrity. Above all, civil voices are heard, leading to changes or improvements. This is the key factor of civil engagement.

### *6.3.10.3 The role of civil society, mass media and NGOs*

This aspect may be the big different between Vietnam and Singapore, though the civil society in both countries are closely controlled by their respective governments. On the one hand, Vietnamese media is ranked as the ‘top contributor’ to AC combat; meanwhile, it is less important than the CPIB in Singapore, although it still publicly condemns corruption and withdraws people’s joint-efforts. Moreover, some NGOs in Vietnam, such as Toward Transparency (a focal point of Transparency International in Vietnam) and mass organizations can play a key role. On the other hand, one AC blueprint of Singapore is ‘religious organizations can’t be corrupt any more’, while there is risk of corruption within Vietnamese ‘religious organizations’. The discussion below can reveal its hidden corners.

An expert (SG E 03) told the researcher: ‘You (i.e. the Vietnamese nation) have a corrupt government. But it is not so in Singapore. We do not have NGOs that are fighting for AC’. This assertion highlights the fact that Singapore does not have many NGOs working on AC. He explained that it was unnecessary, because when the government (CPIB) was fighting corruption effectively, no more NGOs or similar institutions were required to do so likewise. It is vice versa in Vietnam, where mass media play the bigger role than AC agency.

And referring to religious organizations, one businessman (SG B 03) argued that ‘Singaporeans do not bother much about these organizations. But I know that some churches or temples could raise a lot of donation money, and they are corrupt. But in the past 10 years, town administrations and the government have investigated such cases and controlled this issue. They manage money and these religious organizations cannot be corrupt anymore’. The above quote clearly shows that religious donations are closely controlled in Singapore in order to prevent corruption. Alternatively, Vietnam is still struggling with the issue.

## **6.4. Transferability to Vietnam**

Regarding the question of transferability of the Singaporean AC model to other countries like Vietnam, there are three groups of ideas—‘cannot learn anything’, ‘can learn some lessons’, or ‘do not want to learn’. First, some participants said it was very difficult because Vietnam was lagging behind Singapore in several aspects. Some key criteria include different socio-economic and cultural contexts, different sizes of the two countries, different political and governance systems, different levels of development, and difference in financial resources. However, on one hand, nothing is impossible if there is a strong political will. On the other hand, it is impossible to copy AC Singapore and apply it for Vietnam without any modification.

Second, some scholars believe that Vietnam can learn some concepts and philosophies like meritocracy, rule of law, strict law enforcement, increasing transparency, integrity and accountability in the public sector, increasing salaries for public officials, widening access to information for citizens, subsidized public housing, public land management, etc. One other lesson is how to build trust among people and involve their support through community information, education, and communication.

Finally, there is still doubt on the will of Vietnam's political class to combat corruption, although this group is minor. Unfortunately, the lack of this crucial condition can obstruct the other required institutional reforms. These issues will be analysed in detail in chapter 7.

## 7. Transferability of Singaporean lessons to Vietnam

*'We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow'*

–Henry J. Temple (British PM, 1848)

### 7.1 Looking to the global models or best practices

#### **Introduction**

The approach of this PhD research can contribute an answer to the question: What is the target or ultimate value of a socialist market economy? In answering this question, one must also analyse the root of corruption. I pose this question on my target area of research, Vietnam. Is there an answer to shed a light on the overall goal of Vietnam's transition? How can Vietnam choose between capitalist or socialist values (the supremacy of its economy or politics, freedom or equality; development or un-development? Is there a recommended solution that specifically addresses, 'how Vietnam should reform to reach modernity, and at what costs?' In short, the struggle of anti-corruption, the fight or contestation between conflicting values, visions and means, is never easily resolved. In order to find possible solutions, I have reviewed several countries with the hope of revealing historical lessons and models applicable to Vietnam. In the latter portion of my findings, I will introduce specific lessons from the transition in Singapore.

Considering different approaches and case studies, I come to the final chapter: 'Discussing the [im]possibility of finding an ultimate remedy' (Graaf et al., 2010, p.167). However I realize that, finding one clear solution remains illusion' as, 'every approach sees different problems

with corruption and has different solutions’ (Graaf et al., 2010, p.174). I also agree with Graaf when he reiterates what Collier wrote, (2002:2) ‘additionally, my analysis demonstrates that the corruption phenomenon is so complex that it can only be addressed through grassroots changes in a state’s political, economic and cultural institutions- changes that are not only technical but also social in nature’ (Graaf et al., 2010, p.172). The political, economic and cultural ‘grassroots changes’ are institutionally fundamental and foundational for a systemic and complete anti-corruption solution.

In addition, I also consider the institutional approach, such as ‘Integrity Systems’ of Transparency International (TI). Gilman and Huberts (2000) agree that TI’s ‘Integrity Systems’ are successful in preventing corruption, although some others disagree, such as Anechiarco/Jacobs (1996), Brown (1999), and Cooper (1998) (Graaf, 2010, p.173). Nevertheless, I strongly suggest an institutional and cultural solution to solving corruption in Vietnam, with supporting evidences and analyses in this chapter and in previous chapters. Before focusing on Singapore, I have identified the best practices and lessons of other nations that Vietnam may adopt or consider.

### **7.1.1. China**

The Chinese model is often studied because Vietnam has learned many key designs from the socialist market state of China. In addition, they share inherently similar institutional challenges. In her news article “China fights both ‘tigers and flies’” on RFI Vietnamese, Thu Hang reiterated the speech of Zhao Ziyang, ex-Secretary General of the Chinese Communist Party (CCP), who was expelled after Tiananmen Square Protests in 1989. Zeyang proclaimed that,

‘Corruption is a systemic product. Because of common or collective property, ownership faces no limits or constraints. Due to the extremely centric power regime, the authority has no limits. And due to the lack of public oversight, therefore, corruption sticks to the system. The leaders join, each of them, to gain privately’ (Thu Hang, 2015, p. 1).

Ziyang’s inner view underlined Chinese core systemic issues, such as collective property, lack of appropriate public oversight, centric power, authoritarian regime, and a bad role model of corrupt leaders.

More recently, Minxin Pei also stated that China is ‘not competitive liberal capitalism, but oligarchical cronyism’ (Pei, 2016, p. 260). Particularly, he continued ‘Chinese ruling elites have maintained political control and enjoyed boundless opportunities to convert the riches of the state into their personal wealth’ (Pei, 2016, p. 257). Hence, China’s collusion among elites ‘produces a self-destructive dynamic inside the Leninist regime that will almost certainly accelerate its demise through various mechanisms’ (Pei, 2016, p. 261). Pei identified three possible mechanisms of ‘dynamics of regime decay’: First, collusive networks ‘subvert its political authority’; second, competition of corrupt networks ‘weakens the CCP’s internal unity and endangers the personal security of its top elites’; third, collusive corruption

‘undermines the effectiveness and loyalty of the pillar institutions’ (like the security apparatus) upon which the party-state’s survival rests (Pei, 2016, p. 263).

Besides, however, there remain serious challenges for China to combat corruption because of ‘an irrational system of administrative reform and balancing the relationship between the Central Committee of Discipline and Inspection (CCDI) of the Chinese Communist Party and the judiciary departments to enhance the professionalism and efficiency of the anti-corruption agencies, which continue to constrain China’s current anti-corruption efforts’ (Guo and Li, 2015, p.23). Their quotes imply the overlap between CCDI (the Party) and the judiciary, as well as irrational administrative sector that hinder corruption measures.

Realizing its survival issue, during the past decades, the government of the People’s Republic of China (PRC) has adopted different anti-corruption measures. Guo and Li wrote that ‘first, increasing the ability to handle cases for deterring corrupt officials; second, improving the work style of officials and prohibiting them from enjoying special privileges and promoting moral behaviour among them; third, reforming the economic and political system to reduce corruption opportunities; and fourth, reforming the Central Commission for Discipline Inspection (CCDI) to more effectively handle corruption cases’ (Guo and Li, 2015, p.23). They suggested that the Chinese government should take a ‘top-down approach’, and ‘strengthen the institutional structures’ in order to fight corruption more effectively (Guo and Li, 2015, p.23). These solutions may also be a tipping point to the Vietnamese context as Vietnam faces similar issues.

Studying China from Singapore, Quah (2013) however argued that due to the short-term political will and too many key loopholes, China’s anti-corruption fight might only be a *dream* regardless of the immense campaigns. He wrote that ‘in reality, many corrupt political leaders have frequently employed corruption as a weapon against their political rivals’ (Quah, 2013, p.78). Quah mentioned many international studies on lay justification for his claim relating to senior Chinese leaders, such as life imprisonment of Chen Xitong – Beijing’s CCP Chef (1996), Chen Liangyu- Shanghai’s CCP Chef (2006), Bo Xilai- Chongking’s CCP Chef (2012-2013) (Quah, 2013, pp.79-81). Quah also criticized harshly that ‘by protecting corrupt party members from investigation and prosecution by the procurators, the CCP is encouraging its members to be corrupt rather than remain honest’ (Quah, 2013, p.82). To reiterate, ‘Pei Minxin found that only 6.6 per cent of the 28,901 cadres disciplined by the CCP from 1993 to 1998 were sentenced by the courts’ (Quah, 2013, p.82). This contrasts with Singapore, where anyone found guilty of corruption, regardless of his position, status, or political affiliation, and is punished according to the law’ (Quah, 2013, p.83).

To make China’s AC dream possible, however, Quah suggested key resolutions, including to strengthen political wills, to increase ‘the probability of detecting and punishing corrupt offenders’, to reduce politically selective prosecution against political foes. In addition, Quah suggested to ‘encourage and reward jilted mistresses for blowing the whistle on corrupt officials’; ‘to minimize the wide gap between salaries in the public and private sectors and to reduce their temptation to be corrupt’. Quah also advocated to ‘reduce red tape’, ‘enforcing the rules forbidding the acceptance of gifts by government officials’ (to minimize the



pernicious influences of *guanxi* (network, relationship in Chinese) and gift giving), as well as decentralization to empower local governments in order to increase their accountability, and to merge all AC related agencies into ‘a single independent ACA’ (Quah, 2013, pp.82-85).

On the one hand, these solutions applied to China (suggested by Quah, Guo and Li) can also be applied to Vietnam because they can eradicate partly fatal corruption bottlenecks, with respect to Vietnamese institutional conditions. On the other hand, however, the Chinese AC model is not sufficient for Vietnam to combat corruption completely because China itself cannot recover from its own persistent pandemic. Hence, Vietnam should look for alternative ways of reform.

### **7.1.2. Hong Kong S.A.R. (China)**

Looking at the China’s brightest blueprints in Hong Kong, there are some technical hints to be found for Vietnam. Specifically, the investigative power of the Independent Commission Against Corruption (ICAC) is structured to ensure that there will be no abuse. ICAC<sup>100</sup> is modelled on CPIB Singapore’s success on anti-corruption. A robust system of *checks and balances* has been put in place that includes: (1) a Chief Executive/Executive Council; (2) a Legislative Council; (3) a Separate Power of Prosecution; (4) an Independent Judiciary and (5) Media (The ICAC is subject to close public scrutiny through the mass media); (6) Advisory Committees; (7) an ICAC Complaints Committee; (8) an ICAC Complaints Committee; and (9) an Internal Monitoring. Vietnam should apply the ICAC model in order to reduce overlap and to fix poor coordination between different AC agencies that may be under the control of the CPV, the government and the NA.

### **7.1.3. Anticorruption policies and models of corruption by Donatella Della Porta and Alberto Vannucci**

Moving to the West, in their book “The Hidden Order of Corruption”, Della Porta and Vannucci suggested key policies to different models of corruption as shown below. As Vietnam has all characteristics and conditions of corruption mentioned above (petty, individual, structural and systemic), Vietnam’s AC solutions should apply key measures as suggested by Della Porta and Vanucci. These measures cover ‘increasing citizens’ empowerment and oversight over public sector’; ‘strengthening AC civil initiatives and movements by more efficient whistle-blower protection and incentives’.

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<sup>100</sup> [http://www.icac.org.hk/en/checks\\_and\\_balances/bf/index.html](http://www.icac.org.hk/en/checks_and_balances/bf/index.html), accessed on 09 November 2016

**Table 15. Anti-corruption policies and models of corruption: Some objectives and examples**

	<b>General objectives of anticorruption policy</b>	<b>Examples of specific anticorruption measures</b>
<b>Petty corruption</b>	<i>To guarantee certainty of rights and quality of public performance to citizens in their interactions with public officials</i>	<p>Citizens' empowerment and oversight over public decision-making</p> <p>Simplification of procedures, recognized standards for public performance, silent-consent to guarantee certainty of time in procedural steps, competition among offices</p> <p>In-depth random controls of the patrimonial condition of public officials</p> <p>Strengthening nongovernmental initiatives and movements in the fight against corruption, for instance, through phone helplines and websites for anonymous denunciations (e.g. <a href="http://ipaidabribe.com/">http://ipaidabribe.com/</a>)</p>
<b>Individual corruption</b>	<i>To hamper communication channels and infringe the direct trust linkage between briber and bribee</i>	<p>Strong asymmetry in penalties toward those who started the deal</p> <p>Heavier sanctions against brokerage activities and influence-trafficking</p>
<b>Structural corruption</b>	<i>To dismantle reputational circuits in corruption networks, encouraging defection and shortening the time horizon in interactions between bribe receivers and bribe givers</i>	<p>Rotation in office for functionaries in more "vulnerable" sectors</p> <p>Protection of whistle-blowers</p> <p>Incentives for whistle-blowing, for instance, a percentage of resources seized or court award</p> <p>Impunity for those who denounce corrupt deals in which they were involved</p>
<b>Systemic corruption</b>	<i>To reduce the resources available to protectors to enforce corrupt deals, injecting distrust into corruption networks</i>	<p>Agent provocateurs and infiltrators in more "vulnerable" sectors</p> <p>Stronger controls and heavier sanctions against illegal political financing</p> <p>Stronger controls and heavier sanctions against companies' accounting frauds</p>

(Source: Della Porta and Vanucci, 2012, p. 264)

In addition Vietnam should promote a 'public administration reform' (establishing simplified, recognized procedures, standards, competition among offices, random controls, public civil servant rotation and others.); and implement 'heavier and symmetric sanctions and penalties to corruption starters, brokers and illegal political financing or companies' accounting frauds'.

#### **7.1.4. Other western approaches**

##### *7.1.4.1 Rose-Ackerman and Dirk Tänzler*

Globally, Rose-Ackerman suggested the rule for all nations of ‘reducing incentives and increasing costs’ (Ackerman, 1999, p.39). Singapore is one typical country that has followed her findings successfully. Similarly, Sweden is advised to establish an appropriate system for identifying corruption opportunities. However, there are corruption surprises in developed countries.

In their book “The Social Construction of Corruption in Europe” (2012) Tänzler, Maras and Giannakopoulos presented much new knowledge on corruption construction in European disenchanting modernity, catch-up and semi-modernity. For example, in Germany, it is strange to know that ‘process-oriented German Jurists are often unwilling to prosecute cases that cannot be objectified according to conventional rules’ (Tänzler et al., 2012, p.4). Even in Britain, the reform of ethics machinery since 1994 ‘has not gained public trust in integrity of its elites’ (Tänzler et al. 2012, p.4). Apparently, there are strong myths of a corruption-free country in the top modern societies like Germany and Britain. Similarly, in France, it is said that, ‘corruption consolidates collusions between big business, top politicians and high-ranking public officials and journalist’ and ‘the political dependency of the judiciary and the fact that the economic and political elites have succeeded in protecting themselves from the judges’ (Tänzler et al., 2012, p.5). The quote implies that the principle obstacle in combating corruption in France is also true in Vietnam and elsewhere.

In a similar way, Rose-Ackerman emphasized not to solely rely on democracy and modernity to prevent corruption but to realise it as an effect of modernization both in developing countries and democratic market economies (Rose-Ackerman, 1999). This suggests a careful consideration of diverse and complex combinations of resolutions to a specific context or country. For AC efforts of Vietnam, her idea is recommended.

##### *7.1.4.2 A multiplicity of modernity, by Shmuel Noah Eisenstadt*

Sharing some points of Rose-Ackerman, in the article ‘Modernity and Modernization’ (Sociopedia. ISA, 2010), Eisenstadt argued that ‘the best way to understand the contemporary world is for modernity to be seen as a story of continual formation, constitution, reconstitution and development of multiple changing and often contested and conflicting modernities’ (Eisenstadt, 2010, p.1). He identified ‘two opposing evaluations’ or ‘contradictions of modernity’, the ‘convergence of industrial societies’ of the 1950s and the 1960s (progressive, better, inclusive, emancipating world), and the other within European societies and non-Western European societies (highly ambivalent, egoistic and hedonistic attitudes, a morally destructive force)’ (Eisenstadt, 2010, p.2).

To a smaller extent, the comparison between Vietnam and Singapore, contributes to consolidate the assumption of the multiplicity of modernity (Eisenstadt, 2010). Singapore can be grouped in the first modernity while Vietnam can be the latter. The Singapore case proves that one party rule can still curb corruption effectively even better than many Western countries that entered post-modernity at the time Singapore was still struggling to enter

modernity since its independence in 1965. The preconditions for successful AC of Singapore, however, are the rule of law; an independent, efficient AC agency (CPIB); meritocracy and integrity as national development vision and principles, among others. As a result, Vietnam can catch up other post-modernity nations by employing similar strategies without fear of losing the sole current ruling of the CPV, or the socialist supremacy of politics over other realms.

#### *7.1.4.3 'Invisible foot'-Theory by Johann. Lambsdorff*

In his book 'Institutional Economics of Corruption and Reform' (2007), Lambsdorff argued that 'rather than deterred by penalties, corrupt actors are more influenced by other factors such as opportunities of their criminal counterparts and the danger of acquiring a reputation of unreliability' (Lambsdorff, 2007, p4). He named his theory 'the invisible foot' and further explained that 'the unreliability of corrupt counterparts induces honesty and good governance even in the absence of good intentions'. In his theory, 'unreliability' of corrupt counterparts means 'betrayal' or 'the invisible foot' or 'Achilles' heel' because the nature of corrupt acts involve reciprocity meanwhile the betrayal may not make it possible. He suggested that anti-corruption efforts should put emphasis on increasing 'transaction costs' of corruption (its breeding ground) of which unreliability is a part. By this way, corruption can be stopped.

His theory is fruitful to some extent, especially his emphasis of the role of increasing costs of corruption. However, the context and social construction of corruption in Vietnam is more complicated and since "the invisible foot" is also not specific enough to employ instead, the Klitgaard formula may be an alternative which will be explained in part five (below).

### **7.1.5. Specific lessons for Vietnam**

#### *7.1.5.1 Common AC solution*

On the basis of a literature review and an interview analysis, the common lessons learnt for least corrupt countries (include Singapore) can be drawn on. Corruption can only be reduced when some or all the following conditions are met. These conditions include: (1) AC agency gained trust and support of people; (2) AC agency must be efficient and prestigious with its independent operation (and power); (3) the common culture of fighting against corruption must be strong; (4) to reach AC agency has to be very convenient and easy; (5) external organizations shout support strongly the work of the AC agency; (6) establishing a quick and careful treatment, processing of corrupt complaints and denouncements; (7) "high" or "appropriate" salary for public officers should be launched; and (8) the educational level and the belief in meritocracy has to be fostered in the elite and among citizens.

### 7.1.5.2 *The suggestion of the World Bank and Asian Development Bank to anti-corruption*

The WB suggests that an effective AC strategy builds on five key elements:

- (i) increasing political accountability;
- (ii) strengthening civil society participation;
- (iii) creating a competitive private sector;
- (iv) institutional restraints on power; and,
- (v) improving public sector management.

(Source: WB web, n.d.)

The WB in Vietnam actively advocates and develops AC projects and programmes that aims to increase transparency, accountability, as well as to reduce monopoly to and discretion through specific public administrative reforms. The approach is confirmed by current WB's governance programmes and by the WB's specialist interview. In addition, the WB's detailed recommendations on reforms of land management, public administration, etc. to the Vietnamese government were mentioned in other parts of this thesis.

Besides, Asian Development Bank has recommended governments to focus on three key aspects:

- (1) To prevent corruption in public administrations, political sphere and business sectors (integrity of building public officials, public management system and transparent regulatory management; management of funding for political parties and campaigns; regulating business sector and ethical business),
- (2) To sanction and prosecute corruption and related offences,
- (3) To involve the public in the fight against corruption (ADB/OECD, 2006).

### 7.1.5.3 *Reformulated Klitgaard's Formula*

The Klitgaard's formula:  $C = M + D - A$

(C= Corruption; M = Monopoly; D = Discretion; A = Accountability)

The Klitgaard's formula or model is good at some extent, such as highlighting three key factors of monopoly (both in economy and politics), discretion (especially important in providing 'wetland' or opportunities of petty/ administrative corruption) and accountability (the crucial factor of all governments and modern institutions). However, the formula is not sufficient. It does not consider important factors such as impunity (no prosecution of corrupt actors due to lack of rule of law or independent judiciary), transparency (or limited access to information), and weak civil efforts on anti-corruption. These lacking factors are analyzed deeply in this PhD thesis. Hence, I suggest reformulating his formula as follows:

The newly reformulated formula:  $C = I + M + D - A - T - CE$ .

I strongly advocate that variables of I, T and CE be newly added (I= Impunity, T= Transparency; CE = Civil Engagement (citizens, corporates, media, civil society), M =

Monopoly; D = Discretion; A = Accountability). In other words, corruption (in Vietnam) can only be combatted by reducing variables I, M and D and increasing variables A, T, and CE of the above formula in a systematic and complete institutional package of reform. Sole variable reform can also bring partial transformation but at a smaller scale and may not be sustainable.

#### *7.1.5.4. Singaporean AC Lessons by Jon Quah*

Singapore selects three key values (or strategies, principles) of national development (meritocracy or merit-based management, pragmatism or efficiency-orientation, honesty/integrity) that contributes greatly not also to anti-corruption but its national modernity endeavour (extracted from the interview with expert SG E 01).

More specifically, Jon Quah suggested the key following AC lessons from Singapore:

Lesson 1: Political will is required for success

Lesson 2: The AC agency must be independent from the police and from the political control

Lesson 3: The AC agency must be incorruptible

Lesson 4: Curb corruption by increasing salaries, cutting red tape, and punishing corrupt offenders

*(Quah, 2010)*

Combining two above expert views, hence, Vietnam should do the similar way. In other words, Vietnam should choose at least two out of three values (meritocracy and integrity) and should employ all four lessons.

#### **7.1.6. Conclusion: key AC lessons that Vietnam should consider**

Basing on all above recommendations, findings of Chapters 4, 5, and 6, I summarize and suggest Vietnam to consider the following lessons for its AC measures.

Lesson 1: AC Political will is required (political accountability, institutional restraints on power, etc.)

Lesson 2: Independent AC agency (from the police and from the political control), and gained trust and support of people (quick and careful treatment, processing of corrupt complaints and denouncements, etc.)

Lesson 3: Incorruptible AC agency

Lesson 4: Meritocracy, at least in public sector,

Lesson 5: Increasing salaries, cutting red tape, and punishing corrupt offenders,

Lesson 6: Culture of anti-corruption: convenient and easy to reach AC agency; civil society participation; trust, etc.

All of these suggestions will be analysed later in order to provide further insights on how Vietnam can deploy them possibly.

## 7.2 Transferability of Singaporean lessons to Vietnam

‘The Vietnamese regime is both rotten and one-ruling party meanwhile Singapore has the British regime and a strong, clean leadership’ – the expert VN E 01-

### Introduction

In this part, I will generate and use academic articles, press articles and findings from interviews (Chapters 4, 5, 6) as justification for further analysis and draw forecasts on transferability of Singaporean experiences into the Vietnamese context. It helps to answer questions like how feasible, when and to what extent does Vietnam has a favourable context for institutional reform? The answer is controversial: full transferability; partial transferability; or non- transferability. There are two main arguments on that topic: top-down and bottom-up approaches. For this thesis, the institutional approach (top-down) of reform seems to be more appropriate because it links to five out of six Singaporean lessons discussed previously (from 1 to 5) while the bottom-up approach of reform link only to the sixth lesson (culture of anti-corruption or civil engagement).

Firstly, the top-down reform is faster and more systematic but needs a strong political will. It is like the statement of expert SN E 05 that “first, Vietnam cannot fight corruption right away (shock therapy) but slowly or gradually. Secondly, the AC fight must be started from its core (internal forces) but not by external drives”. The statement implies internal barriers or hindrances that only insiders can solve meanwhile outsiders may also contribute a little. Similarly, ‘sub-optimal equilibrium’ theory (or the tipping point) by Mungiu Pipidi suggested the top-down reform and its appropriateness to Vietnam. In the research, in 2011, she and her associates drew on the model of control of corruption as a balance between resources and constraints to review in more detail the contributing factors. She explained that, ‘first, authoritarian regimes, with the strong willingness to reduce opportunities and strengthen (nondemocratic) restraints, and, second, democratic regimes with a strong and independent anti-corruption legislation, which is backed up by an independent judiciary, have been able to successfully fight corruption’ (Mungiu-Pippidi, et al., 2011). Recently, she discovered new key findings in a new research ‘The Contextual choices in fighting corruption, lessons learnt’. She highlighted that ‘a collective action problem, since societies reach a sub-optimal equilibrium of poor governance with an insufficient domestic agency pushing for change’. Then, she pointed out ... ‘what makes particularism evolve into universalism’. Mungiu-Pipidi defines particularism as violation of universal norms or corruption while universalism means the universal respect of laws and regulations (no corruption). As Vietnam is under particularism), her findings imply (Vietnam) to break the ‘Sub-optimal equilibrium’ or to do a top-down approach, similar to the Shock Therapy, to stop particularism to evolve into universalism (to convert particularism into universalism). It may follow the LKY’s approach in Singapore in 1960s and 1970s.

Secondly, the bottom-up strategy, however, has a weak momentum, especially in a country under the close control of the ruling party and its regime like Vietnam. The voice of people is not sufficient (in the relationship to the authority) although it has been accelerated recently after a strong civil movement which was ignited by the Formosa Steel Factory's environmental disaster in central Vietnam (2016) and nationalist sentiment on disputed seawater tension (in South China Sea) between China and Vietnam in 2014.

There are many key topics of anti-corruption which are still controversial and subject for further research, such as political reform and freedom, public administration reform, AC legislative bills, AC organisational reform and economic reform more. In this research, I would like to discuss some key aspects of these in order to answer partly the question on transferability of Singaporean lessons to Vietnam. The question of transferability of Singaporean anti-corruption model into other countries like Vietnam will be discussed on the basis of interviews conducted in Singapore. There are three groups of ideas, inclusive of 'cannot learn anything', 'can learn some lessons' and 'do not want to learn'.

Firstly, some participants said it is very difficult because Vietnam is lagging behind Singapore in many aspects. Some key criteria include different socio-historical context, different country sizes, different political and governance systems, levels of development and financial resources. Secondly, some scholars believe that Vietnam can learn from some concepts and philosophies like meritocracy, rule of law, strict law enforcement, increasing transparency, integrity and accountability of public sector, increasing salary for POs, widening access to information for citizens, or public housing subsidy, public land management and others. One other lesson is how to build trust among people and involve their support through community information, education, and communication. Finally, there is still doubt on political will of Vietnam to combat corruption although that group is minor. Regrettably, the lacking crucial condition can obstruct other required institutional reforms.

### **7.2.1. 'Political will is required for success' is it available in Vietnam?**

#### *7.2.1.1 Key criteria or indicators*

Political will refers to 'the demonstrated credible intent of political actors (elected or appointed leaders, civil society watchdogs, stakeholder groups, etc.) to attack perceived causes or effects of corruption at a systemic level' (Kpudeh, 1998, p. 91). According to Quah, the political will consist of four criteria: (i) leaders have exemplary conduct, modest life-style and avoiding being corrupt themselves; (ii) impartial enforcement of the AC laws, regardless of one's position or status; (iii) comprehensive AC legislation to prevent loopholes and periodic review of such legislation to introduce amendments whenever necessary; and (iv) provision of legal powers, personnel and budget to enable the AC agency to perform their function effectively. In other words, political accountability and institutional restraints on power are



required. In addition, enforcement of the AC laws must be impartial, regardless of corrupt actors' position or status. It means to strengthen rule of law and separation of powers; and to promote independence of AC agency. To invest more on human resource finance for AC. All of these criteria relate to the macro-level that may not and cannot be analysed in details in this thesis. However, some key aspects will be discussed in details to draw the gridline of political will or outlook or vision of reform.

#### *7.2.1.2 Bottlenecks (may block reform) and key questions*

Lesson one (political will) is the foundation for other reforms (that is lesson 2-6). Political will for anti-corruption, especially regarding institutional reform may confront key bottlenecks such as 'the principle of the leadership of the CPV', separation of powers and institutional restraints on power (checks and balances); independent judiciary (rule of law) and political accountability. In order to transform the current system, a revolution is required to change ideology (socialism) or at least market institutions. It is compulsory to restructure public governance system. Each of these questions can be further analysed due to its depth and width. Technically, political will is a prerequisite for promoting key AC measures, such as promoting independence of AC agency; strengthening the AC Law (ACL); more investment on human, finance and other resources for anti-corruption. Inevitably for Vietnam, the resource availability is prerequisite, in parallel to political will.

Vietnam's integration into the world is a precondition of development and AC because 'globalization is a powerful weapon against corruption only for middle and high income countries' (Lalountas, Manolas and Vavouras, 2011, p. 636). Vietnam is a middle-income country since 2010 (WB, 2010). Like other Asian countries, Vietnam may face the East Asian paradox—"the combination of high corruption and high growth—in terms of stable and mutually beneficial exchanges of government promotional privileges for bribes and kickbacks" (Rock and Bonnett, 2004, p. 999). This Asian paradox, however, may lag the AC political will of Vietnam behind because the senior Vietnamese government officials may argue that AC is not necessary in reality as long as corruption go along with high growth although the government still needs to disguise its true vision or proparanda on its AC efforts.

To know how strong Vietnam's political will for AC is, one has to analyse if there is an interest in reforms or in 'keeping the status quo'. The ratio reflects the power balance between factions in the ruling party. In other words, it raises the question of 'whether Vietnam follows the way of "Gorbachev" or "Putin"'. Similarly, I should be able to answer if "Vietnam is moving to the West" or "still consistent to socialism".

#### *7.2.1.3 The CPV's resolutions*

Vietnam's economic and social transition is 'gradual' (Fforde, 2010, p. 141), hence the shock therapy as it has been enacted in Russia and other East-European countries, provoking a deep social and economic crises, was not adopted. In particular, the XII National Congress of the

Vietnamese Communist Party, held in early 2016, consolidated the Chinese-modelled socialist ideology, but not the more American-modelled market economy as expected by the people. It might be a bold but unwise decision to move a further distance away from the Singapore model of anti-corruption. As a whole, Vietnam may have to wait some decades for a complete reform, except a sudden but rare magic.

Moreover, the Resolution Number Four of the Communist Party of Vietnam, issued at the fourth Plenum of XII Congress (October 2016), clearly stated that ‘our Party (CPV) has always insisted on Marxism-Leninism and Ho Chi Minh’s thoughts, i.e. the goal of national independence and socialism’<sup>101</sup>. The statement is a clear message of a socialist orientation in Vietnam, at least for five years since 2016, regardless of the citizens’ expectation for a capitalist reform (see Chapter 3). More particularly, Mr. Nguyen, Tan Dung, a new “reformer”, stepped down from the Prime Minister position at the Congress XII (Jan. 2016). In addition, the new Politburo of the Term XII consists of 19 members, including four (ex-) police high-profile officials and two (ex-) military high-profile officials. The reelected CPV’s Secretary-General is 72 years old and considered to be ‘conservative’ to communism and socialism. There is also a lack of new faces of reformers. Among 200 new CPV Central Committee Commissioners, twenty of them are military- the biggest faction, and five policemen. The young commissioners (fewer than 45 Y.O) are 19, less than 10 per cent<sup>102</sup>.

In reality, the 4<sup>th</sup> Central Resolution of Vietnamese Communist Party (2012) that directs the strategy of Anti-corruption is not on the right track or in an efficient way. It is because it only mentions the uncritical reforms amongst communists, especially in short-term, such as ‘ideological and political education’, ‘ethical and moral improvement’, ‘learning the role model of Ho Chi Minh’, ‘(communists) criticize and self-criticize’, ‘monitoring and evaluation’, regardless of its enforcement in practice. These groups of solutions do not follow the global lessons on anti-corruption, or urgent precondition for anti-corruption as analysed above although it might be a good intention. However, it requires more urgent steps and fundamental efforts than a superficial, unattainable promises-liked dogma.

#### *7.2.1.4 Experts views (interviews and academic discussion)*

*7.2.1.4.1 Interview analysis* Political will is perceived among top ten concerns on the AC fight. Regrettably, it is the lacking aspect of Vietnam, but not the blue print like in Singapore. There is ambivalence between national motto to consider corruption as ‘internal enemy’ (by the CPV) and its fear of losing political control over the nation when necessary fundamental institutional reforms can be started, especially in politics, judiciary and legislative, etc. Hence, the elite is reluctant to risk their power and their CPV’s ruling status to reform the status-quo when they recall the dissolution of Soviet Union and the Eastern European Block. Alternatively, Vietnam’s choice of more compromised strategies and solutions are not

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<sup>101</sup><http://vov.vn/chinh-tri/dang/toan-van-nghi-quyet-trung-uong-4-khoa-xii-ve-tang-cuong-chinh-don-dang-565179.vov>, accessed at 12:25, 13.01.2017)

<sup>102</sup> [http://vnexpress.net/tin-tuc/thoi-su/bo-quoc-phong-co-nhieu-uy-vien-trung-uong-nhat-3349239.html?utm\\_source=detail&utm\\_medium=box\\_topic&utm\\_campaign=boxtracking](http://vnexpress.net/tin-tuc/thoi-su/bo-quoc-phong-co-nhieu-uy-vien-trung-uong-nhat-3349239.html?utm_source=detail&utm_medium=box_topic&utm_campaign=boxtracking)

fundamental or efficient. Furthermore, anti-corruption also implies a factional ‘power game’ and a blur leadership as analysed in Chapter 5. At the individual level, elites want to maintain their corrupt benefits. For the outlook, there are both optimistic and pessimistic attitudes on Vietnam’s anti-corruption reform or will. The ‘rule of law’ is a required condition for anti-corruption that can only be achieved with a strong national political will, in order to minimize the impunity or immunization (no prosecution) of high-profile officers and politicians (the Politburo).

However, expert VN E 01 discussed that ‘Singapore’s model proves that one party-rule can still fight against corruption... Today, however, Singapore will have to accept multi-party regime so that they can combat corruption successfully in order to integrate into globalisation’. The argument is rational and visible to Vietnam. Political will for reform is a wise choice to build up legitimacy of the ruling CPV party and national strengths for anti-corruption. Similarly, the expert SN E 05 suggested:

‘The Communist Party of Vietnam should share power. Democracy may also have ‘dirt’, it can have many defects, but there is nothing better than democracy. In the Congress XII (of CPV), if there is a big change, they can fight corruption. If not, (they do not change the way of combating corruption), it may take or waste five more years. At that time, corruption will become too endemic and it will be impossible to fight against it’.

The suggestion is more radical and it directly mentions democracy, a sensitive term in Vietnam. In fact, his foreseen warning (2014) came into reality in 2016 when there was no big change of politburo after the XII National Congress of the Vietnamese Communist Party.

#### *7.2.1.4.2 Literature analysis*

Anti-corruption is one part of a more macro governmental structure and public governance. Hence, the political will can be the key for all anti-corruption efforts but it can be the lock as well. Globally, Evrenk argued that when the level of political corruption is high, no politician (corrupt or clean) does the reform in a Nash Equilibrium. ‘Intuitively, political corruption changes the zero-sum nature of political competition: the reform eliminates the illegal rents of the corrupt candidate and the competitive advantage of the clean candidate’ (Evrenk, 2011, p. 498). It means that “the incentives of both the corrupt and clean politicians not to adopt a fully effective reform targeting political corruption” is crucial.

In fact, there is always ambivalence in Vietnam politics, and AC is not an exception. Inevitably, political transformation needs to be analysed in order to pinpoint momentum of AC will and reform.

In his article, Bui discussed that

‘There are signs of reconfiguration and restructuring of the party-states in such a highly complicated and fluid context to adapt them to a more sustainable

governmentality. This results in an amorphous and ambivalent situation of a double movement of accommodating and resisting neoliberalism. That, in turn, reveals significant implications for a transformative potential for political change' (Bui, 2015, p.80).

Bui implies that political transformation is potential but unclear, 'amorphous and ambivalent', with two trends or movements of 'accommodating and resisting' neoliberalism. In other words, political will for reform, as a result of the move to neoliberalism or economic liberalization is not bold. In a similar way, the movement of political change (and institutional anti-corruption implications) is blur regardless of fluid 'signs of reconfiguration and restructuring of the party-states' to 'a more sustainable governmentality'.

In a later quote, he argued more clearly that 'indeed, it offers little room for making political change possible with an emancipatory dimension. In the case of Vietnam, the concept is still useful in clearing some haziness in the mode of governance in place but, at the same time, presents new uncertainties about the democratic political change' (Bui, 2015, p. 100). This implies that the movement of emancipatory, pluralism and democracy, foundation of institutional anti-corruption implications, is uncertain.

More optimistic than the above opinion, London discussed that

'Vietnam's formal representative institutions, though continuing to operate within the narrow confines of a single-party polity, maintain a unique position in Vietnam's polity. Within the past decade, the National Assembly (NA) has gained stature as a forum for publicly addressing (if not always resolving) the stresses and strains of Vietnamese politics' (London, 2014, p.193).

The NA is more and more powerful and independent from the CPV, the state and the executive government as its supervisory and representative mission since its foundation. That is necessary for separation of powers and political accountability although the NA is still under the leadership of the CPV. He added, 'perhaps the most salient development in Vietnam's politics has been in realm of associational life' (London J. D., 2014, p.193). The associational life is critical for building civil involvement or a culture of anti-corruption (lesson 6) and may contribute to promote political will of change from grassroots level. Broadly speaking, London summarized that

'Political institutions are involving at a more rapid clip than in the past ..., in part, because the political scene is more open and uncertain than in the past'. In addition, he stated "the rise of political activism, the shifting character of Vietnam's political links to the world system, the politics of class, gender, and ethnicity, and the politics of welfare, inequality, and citizenship' (London, 2014, p.194).

Although these signals are positive but they are not fundamental and critical to criteria of AC institutional change (mentioned above). In fact, these movements are more social than political, institutional, or structural.

In reality, the 4<sup>th</sup> Central Resolution of Vietnamese Communist Party (2012) that directs the strategy of Anti-corruption is not on the right track or in an efficient way. It is because it only mentions the uncritical reforms amongst communists, especially in short-term, such as ‘ideological and political education’, ‘learning the role model of Ho Chi Minh’, ‘(communists) criticize and self-criticize’, ‘ethical and moral improvement’, ‘monitoring and evaluation’, regardless its enforcement in practice. These groups of solution do not follow the global good lessons on anti-corruption, or urgent precondition for anti-corruption as analysed above although it may be a good intention. However, it requires more urgent steps and fundamental efforts than a superficial, unattainable promises-liked dogma.

I summarize by quoting that ‘for the present author, it is newly conceivable that very significant changes in political institutions could occur within five years’ time’ (London, 2014, p.194). It is also my hope for the future of Vietnam, and its AC struggle although recent political signals present the drawbacks that Vietnam ties closer to China but not the United States of America or Singapore, a better model of public governance and anti-corruption.

#### *7.2.1.5 Summary*

These above important signals confirm limited political reform, at least for short term. Although the CPV’s Secretary-General has prioritized anti-corruption since 2011 but his campaign is unsuccessful due to many reasons, constraints, especially strong internal confrontation of CPV factions. Both sources of analysis (interview and literature) suggest that political will is still a question more than an answer. The consolidation of Chinese-modelled socialism, but not the more Singapore clean market economy (with excellent anti-corruption achievement) as expected by the people, surprised the nation. It can be a bold but unwise vision. Politicians speak proactively but do fight against corruption reluctantly. Fundamental and crucial institutional reforms are not discussed or ignited. Therefore, there is no critical change of anti-corruption vision, strategies and methods, at least in short outlook. When political will is limited, it can block all other necessary reform on AC (lessons 2 to 6 below) due to the supremacy of politics in Vietnam’s context. As a whole, a complete reform is required for Vietnam, however, it may have to wait some decades, except a sudden but rare magic.

#### **7.2.2. Can Vietnam’s AC agency be “independent from the police and from the political control”?**

In reality, Vietnam’s AC system consists of three agencies, one under the CPV, one under MPS and Governmental Inspectorate and one under the NA (see Chapter 4). The current mechanism is the result of recent change (2011) after strong debates and grand corrupt scandals since 2007. The international community in Vietnam and academics encourage the further reform of the system, however, the political factions and their calculation hinder a more radical transformation.

### *7.2.2.1 Criteria or indicators of the lesson*

Quah suggested two indicators: Firstly, AC agency must be independent from the police: especially when the police are corrupt. Secondly, AC agency must be independent from the political control: political leaders do not interfere in the daily operation of the AC agency; the AC agency should be able to investigate political leaders and senior civil servants without fear or favour if they are accused of corruption. For example, CPIB's director can investigate the PM for corruption if he obtains the consent of the elected president. No one is immune from being investigated by the CPIB if a complaint is made. CPIB is not a weapon against members of the opposition.

### *7.2.2.2 AC agency must be independent from the police*

Singapore has taken 15 years (1937-52), and Hong Kong 26 years (1948-1974) to learn this lesson. Below is Quah's analysis on how to clean Asian police corruption:

'Asian countries will be able to combat police corruption effectively if these three pre-conditions exist: *first*, both the political and police leadership in the countries must be committed to corruption control; *second*, adoption of a comprehensive anti-corruption strategy in the police force by recruiting qualified candidates on the basis of merit instead of patronage, providing those recruited with training in skills required for police work and values education, providing adequate salaries and favourable working conditions for police officers, punishing corrupt offenders and recognizing those honest police officers who rejected bribes for performing their duties, and implementing several administrative measures to reduce the opportunities for corruption; and *third*, reliance on an independent ACA like the CPIB or ICAC to curb police corruption instead of the police force to avoid a conflict of interest' (Quah, 2014, p.222)

How long will Vietnam establish "AC agency be independent from the police and from the political control"? There are still unclear answers. However, it is observable that the first preconditions (both the political and police leadership in the countries must be committed to corruption control) are not available in Vietnam (see Section 7.2.1). In fact, the Vietnamese government has discussed the alternative reform of AC agency (see Chapter 4). As a result, the International Affairs Committee (IAC) of the CPV was re-established. However, the direct AC forces are still under the Ministry of Public Security (C46), under leadership of police.

### *7.2.2.3 AC agency must be independent from the political control:*

#### *7.2.2.3.1 Political leaders do not interfere in the daily operation of the AC agency*

As discussed previously, political interferences in the operations of AC agencies are reported and this has made fighting corruption in Vietnam more of a political power game than law enforcement. These interferences are the shields used to protect corrupt actors. Inevitably, the current mechanism will be maintained intentionally, purposefully and wilfully as long as possible. In other words, no one dares to cut his own corrupt hands or kill his own guards. In

short, politicians will still interfere in the daily operation of the AC agency when there is no separation of powers (see Chapter 4). Evidence is a conversation between two senior authorities:

Mr. Hung, the NA's Chairman: *"We must ensure the judicial independence"*

Mr. Binh, the SPP General-Director, responded: *"Regarding the judicial independence, it is constitution-enshrined principle. The Constitution 2013 was stipulated clearly and in the draft Bill also. However there still exists the principle "the leadership of the CPV in the principle of trials, we will follow that principle"<sup>103</sup>"*

The discussion implies that the leadership of the CPV surpasses the principle of judicial independence. This serious violation of independent courts may lead to impunity or obstruction to justice in general. Problems like this should be prevented in order promote the operations of the AC agency and courts. However, it is ambiguous to foresee.

#### *7.2.2.3.2 The AC agency should be able to investigate political leaders and senior civil servants without fear or favour if they are accused of corruption:*

It is similar to the point made in section 7.2.2.3.1 above that when there is no separation of powers, there are fatal risks for AC law enforcers. A leading actor of the Anti-corruption Department (Governmental Inspectorate), who admitted that, proves this assessment: "anti-corruption is equivalent to fight against position-holders or power-holders, or similar to fight against the "asking-giving" mechanism. Hence, fighting against corruption means that we may "die (be killed) before corrupt actors"<sup>104</sup> - Director of AC Department- VN Gov. Inspectorate. His quote indicates dangers and risks of the fight against anti-corruption in the sense that corrupt actors may be more powerful than the law enforcers may.

Evidently, the deaths of two anti-corruption leaders (amidst grand corruption scandals in Vietnam that involve high-profile leaders) have scared millions of anti-corruption fighters and law enforcers although they are officially announced to be dead by cancer by state media. The first case is of Mr. Ba Thanh Nguyen, the Chairman of the CPV's Internal Affairs Committee, the anti-corruption agency of the CPV, the powerful figure of the top 20 highest national leaders who died in February 2015. In February 2014, Mr. Quy Ngo Pham, Deputy-Minister of the Ministry of Public Security who was in charge of national investigation police also died. The situation is so risky that it defeats the political will for the fight of anti-corruption. It implies that the nature of AC is power, and the AC is politically selective. Consequently, impunity is present, hence undermines people's trust, reduces costs = (corruption with reduced or loose punishment, such as no prosecution) and increase rewards of corruption, which is harmful to the AC's fight in general.

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<sup>103</sup><http://www.tienphong.vn/xa-hoi/quyet-dinh-cua-chanh-an-ha-noi-la-vi-pham-nang-762803.tpo>, accessed 17.44, 01.02.2016

<sup>104</sup><http://giaoduc.net.vn/Xa-hoi/Tuong-Cong-an-gap-kho-Cuc-truong-Cuc-chong-tham-nhung-lo-tham-nhung-post166362.gd>, accessed on 17:00, 25.03.2016

The Deputy-Director of the Police Force of Ho Chi Minh City (Mr. Anh Minh Phan - Brigadier) stated that “the HCM city police must also follow the CPV Directive number 15 (2007) which states that it is not allowed to organize preliminary proceedings on communist party members (when the CPV’s division of suspects are not reported in advance). It is a challenge to corruption investigation since the majority of corrupt actors are CPV members. Furthermore, he added that amongst all investigative cases (which required extended investigation, cancelation, amendment, or change,) corruption cases are the highest. Some cases even required the third and fourth extended investigations. The ratio of ‘return of investigation profiles’ is 1: 2.5 with all corruption cases. The ratio of cancelation of corruption profiles is high as well. He added that for many cases of investigation (that were cancelled by the Ho Chi Minh City), he ‘needed to follow because I did not believe the cancelations were correct, or may be partially correct but should not have led to cancelation of the investigation’. Clearly, his quote implies an intervention against the suspension, delay or cancellation of investigation and the difficulty of investigating corruption cases. Many suspended or cancelled investigation are not correct or partly incorrect. Mr Phan’s witness reflects deep and wide external intervention into AC investigation, which spoils AC efforts and justice.

In reality, the principle of “the leadership of the CPV” still shelters the supreme power in Vietnam. In fact, no member of the Politburo (highest political leaders) has been investigated or prosecuted by the AC agency during Vietnam’s history although corrupt senior civil servants (deputy-ministers and below) have been prosecuted in the last two decades. Further restructuring of the AC system (to fix above challenges) seems to be impossible when the political will to condemn and fight corruption is not strong.

In recent years, there are many articles on the Internet relating to ‘accused corrupt<sup>105</sup>’ leaders of Vietnam, especially Vice-Prime- Minister (Xuan Phuc Nguyen, 2011- 4/2016,), Minister of Defence (Quang Thanh Phung, 4/2006-4/2016,), Chairman of People’s Supreme Procurary, their family and other politicians. (Hoa Binh Nguyen, 7/2011- 4/2016). Official institutions have not verified the accuracy of the above information and articles since the activation of the website (15/12/2014) although the articles provided “sealed and signed” documents, details of villas, real estates and other details. It may be political and a power game because targeted personalities obviously are candidates for national leader positions. The website is still active and accessible now, although new articles have not been uploaded for nearly one year. The Vietnamese state might also labelled the website as reactionary. However, these articles initiated an active social discourse on and a lot of rumours of a power game and a political rivalry during the year’s 2014 and 2015 before the XII CPV’s National Congress (Jan. 2016). For example, the month-long absence of General Quang Thanh Thanh sparked rumours of an assassination attempt; he was reported dead on July 19 2015 by a German newspaper. (The Vietnamese government denied the reports. General Quang Thanh Phung was later announced to have visited France for medical care on June 2015, due to complications from a wartime lung injury). He returned to Hanoi on July 25 2015 and is still alive. Dishearteningly, such social discourses create uncertainties, unnecessary tension, and poses questionable doubts on the integrity of these leaders when no one is found culpable for prosecution after these articles

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<sup>105</sup> <http://chandungquyenluc.blogspot.de/search?updated-max=2015-01-15T17:07:00%2B07:00&max-results=15>



have been posted. In short, it is impossible to investigate political leaders and senior civil servants without fear or favour if they are accused of corruption.

In a related development, however, Mr. Xuan Phuc Nguyen was promoted to be the Prime Minister and Mr. Hoa Binh Nguyen was posted the Chief Judge of the People's Supreme Court of Vietnam in April 2016 while Mr. Phung, Quang Thanh stepped down as the Minister of Defence in April 2016.

#### *7.2.2.4 Summary*

AC agencies are still dependent both on politics and not separated from police interferences. It is impossible for AC enforcers to *investigate political leaders* and senior civil servants without fear or favour unless the process is clearly backed-up by the strongest politician. However, it is also highly risky to guess or point out the strongest politician in elastic politics of Vietnam (before law enforcers can start the investigation). Moreover, these constraints obstruct AC efforts, especially producing impunity for high-profile corrupt actors. There can be potential change only when the political will is strong and revolutionary.

### **7.2.3. How is an “incorruptible AC agency” achievable in Vietnam?**

#### *7.2.3.1 Criteria or indicators*

Quah pointed out the legitimacy, credibility, and public image of an AC agency in order to gain public trust, confidence and participation of the people to fight corruption. The incorruptible AC agency can perform their duties impartially and effectively. In other words, corrupt actors cannot “buy” them to escape corruption offences. The AC agency should select its staffs by honest and competent personnel. Any guilty staff must be punished and dismissed, widely publicized in the mass media to serve as a deterrent to others.

#### *7.2.3.2 Vietnam deployment*

##### *7.2.3.2.1 Police*

In reality, Vietnamese police is still perceived as the most corrupt sector (WB, 2012; TI, 2011) while there is no radical change or at least reform plan. How to gain trust and support of the people (quick and careful treatment, processing of corrupt complaints and denouncements, etc.) in future is still difficult to answer. In addition, further analysis on these topics is highly risky and dangerous in Vietnamese context.

##### *7.2.3.2.2 Inspectorate*

This part was analysed in Chapter 4 and there are no signals of improvement. Making further enquiries proves fatal because nobody is willing to talk because of fear of losing their lives.

#### 7.2.3.2.3 The CPV's Internal Affairs Committee

There is no available information on reform. It is risky trying to delve deeper into such areas in Vietnam.

#### 7.2.3.3 Summary

AC enforcement may still be corruptible as it is linked to systemic corrupt police, inspectors, etc. There are no signals of improvement or reform hence a severe shortcoming of the thesis due to lack of insights on possible reform, which is because igniting discussions of such topics is highly risky and dangerous in Vietnam.

### **7.2.4. Can Vietnam implement meritocracy, at least in the public sector?**

#### 7.2.4.1 Criteria or Indicators

Meritocracy requires merit-based recruitment and promotion and reduced nepotism (immoral network of relatives and/or friends, corrupt exchange amongst intimates, 'office for sale', etc.). Particularly, the principle requires at least four criteria, among others: (i) specific, measurable, achievable, realistic and time-bound (SMART) selection criteria; (ii) transparent and public selection procedures on recruitment and promotion (such as contest-based recruitment, achievement-based promotion, etc.); (iii) dismissal unqualified or corrupt staff; (iv) civil and media scrutinization.

#### 7.2.4.2 Possible deployment in Vietnam

The Law on Public Officials and Civil Servants (2008) and the Law on Public Officials and Law on Professional Service Providers (2010) (of Vietnam), 'stipulate the introduction of merit-based recruitment and pay, civil service professionalization, and performance management. Contracting arrangements (encourage competitions) are believed to lead to better performance from professional service providers' (Vasavakul, 2015, p. 46). However, that strategy is badly implemented in practice. In addition, Vietnam's Public Administration Reform Program (No. 30c/ND-CP), 2011-2020, has one sub-program (number 4) "Public personnel reform". However, it has not achieved its targets after the implementation. The standing Deputy Prime Minister, Xuan Phuc Nguyen, spoke (at the first Plenary of the Central Steering Board for Promoting Reform of Public Services and Public Officials Mechanism in January, 2013) that "there still exists the situation of 'office for sale' (buying or giving bribes for public posts) due to problematic public recruitment examinations or mechanisms. In our public human resource system, there are 30% 'unnecessary' staffs because they 'go to office and come back home daily without doing any effective work". Mr. Phuc Nguyen added, "We have 2.8 million public officials, but do they work with their hearts? Our current

compensation mechanism on public servants and officers still rely on the total number but not specific works of every public posts”<sup>106</sup>.

The number ‘2.8 million public officials’ does not include all staffs such as public officers, public servants, communal workers or armed forces, and public-paid retirees. Due to a lack of accessibility to official statistics (so-called national secrecy), it is unknown how big the public sector is. Some other sources, like Quy Thọ Phạm- Academy of Policy and Development, estimates- ‘11 million people who are paid by public funds’<sup>107</sup>, ‘contrary to the rapid increase in the number, the capacity and low working efficiency are stagnated’. Unfortunately, he did not cite specific source of his data, and did not provide a complete set of component data meanwhile the Vietnamese government does not publish official statistics on the topic. The author, basing on his data, compiled table 16 below. Although his data may not be perfect, however, the big number of public employees and its issues are obstacles for meritocracy deployment of Vietnam, especially on public resource.

Carl Thayer estimated that 6.7 million Vietnamese belong to the security agencies (1.2 million police under Ministry of Public Security, plus five urban million self-defense force personnel and rural militia, etc.) (Thayer, 2014). The rest (500,000) was not specified. In the Vietnamese context, ‘self-defense force personnel and rural militia’ are part-time and very poorly-paid (no salary but monthly subsidy of some Euros, plus minor occasional income). These forces have been recruited among the unemployed and unskilled people. Hence, these forces are more easily directed and managed for the authority’s purposes, including suppression and social order maintainance.

**Table 16: Number of public employees<sup>108</sup> in Vietnam, 2014**

	Communal employees	Public officers	Public officials (district level and higher)	Police	Army
	1,200,000	2,312,690	396,371	NA	NA
Sub- total	3,909,061				
Grand-total					NA

(Source: BBC, 2016)<sup>109</sup>

<sup>106</sup> <http://baodatviet.vn/chinh-tri-xa-hoi/201301/Nha-nuoc-dang-nuoi-bao-co-30-so-cong-chuc-2214531>, accessed at 13:22 on 27.01.2016).

Note: Mr. Phuc was confirmed as the new PM of Vietnam by the VNA, for the term 2016-2021 in May, 2016.

<sup>107</sup> [http://www.bbc.com/vietnamese/forum/2016/06/160619\\_phamquytho\\_on\\_vn\\_state\\_sector](http://www.bbc.com/vietnamese/forum/2016/06/160619_phamquytho_on_vn_state_sector), accessed at 24/12/2016, 17:46, GMT +7

<sup>108</sup> Note: Public officers = Viên chức, Public officials = cán bộ, công chức, other concepts are not clearly defined.

<sup>109</sup> [http://www.bbc.com/vietnamese/forum/2016/06/160619\\_phamquytho\\_on\\_vn\\_state\\_sector](http://www.bbc.com/vietnamese/forum/2016/06/160619_phamquytho_on_vn_state_sector), accessed at 24/12/2016, 17:46, GMT +7

**Table 17: Number of public employees in Vietnam (2015)**

	Public officials (district level and higher) and commune-level employees	Public officers	Police	???	???
	1,530,788	2,413,927	NA	NA	NA
Sub-total		3,944,705* <sup>110</sup>	NA	NA	NA
Grand total					11,000,000**

(Source: BBC, 2016)<sup>111</sup>

Exacerbating this issue, some ministry representatives additionally criticised that ‘some new graduates can work more productively, some multipliers, than major officials but compensation to them is very low’. In addition, Mr. Tran Trong Duc- the Chairman of Hanoi CPV’s Inspectorate and Discipline Committee publicly disclosed that ‘bribery or the price of a public post is not less than VND 100,000,000’ (equivalent to US\$4,600).<sup>112</sup>

These critics mirrored inappropriate human resource management (HRM) that discourages motivation of talents. We can see specific examples of nepotism in chapter 4). Brain drain in public sector rose since 2000s especially in public finance, banking sector and among young people<sup>113</sup>

It is paradox of two trends: a faction of talented people does not want to work for the public sector, and another faction of unqualified people are eager to bribe in order to get a public job or to be promoted. Both trends are contradictory to meritocracy and harmful to efficiency, effectiveness, accountability and anti-corruption in public sector. Recognizing the threat, Vietnam issued some resolutions but there are doubts on strong political will of reform. The analysis below gives more details:

The Announcement no. 202-TB/TW (26.05.2015) introduced the Decision of the Vietnamese Politburo on “the pilot proposal on reforming ways of selecting leadership and managerial positions at ministerial departments, provincial departments, and district or division levels. Its key points are: (i) to firmly hold the principle of “the leadership of the CPV”; (ii) candidates are among “planned staff”, if not, they are at least “accepted by the local CPV committees”; (iii) certificate or training on political thoughts (only issued by the Ho Chi Minh National Academy of Administration and Politics)<sup>114</sup>. The announcement is not radical by any means

<sup>110</sup> \*: including 1,620,827, active in the communist party, socio-political organizations, state management and national defence. \*\*: provided by Dr Pham (lack of component data)

<sup>111</sup> [http://www.bbc.com/vietnamese/forum/2016/06/160619\\_phamquytho\\_on\\_vn\\_state\\_sector](http://www.bbc.com/vietnamese/forum/2016/06/160619_phamquytho_on_vn_state_sector), accessed at 24/12/2016, 17:46, GMT +7

<sup>112</sup> <http://baodatviet.vn/chinh-tri-xa-hoi/201301/Nha-nuoc-dang-nuoi-bao-co-30-so-cong-chuc-2214531>, accessed at 13:22 on 27.01.2016

<sup>113</sup> Different local newspapers

<sup>114</sup> *Vietnamnet*, accessed 18.01.2016, 14:01

although promotion by contest is a ground-breaking form in communist Vietnam. However, the criteria consist of dimensions like CPV membership, communist ideology or loyalty but not on merits or qualifications. Moreover, its implementation is even more problematic.

Here is one case, following the above announcement: Dr. Duc Vinh Le, the Director of the Viet law firm, was “postponed” to be promoted as the Rector of the Hanoi Law University although he passed the contest and was officially announced at the press conference on 01.09.2015. Promotion by contest is quite new and a radical form of human resource management (HRM) in Vietnam, especially in the public sectors. That case poses concerns over the extent and the political will to radical reforms of human resource management (HRM) in public sector although the HRM pilot was initially ignited for the period 2015-2018 in one third central national agencies and provinces or cities of Vietnam. The pilot brings hope and trust in public sector although the performance process is doubtful to citizens. In recent years, there were some cases where people were promoted by contest in Quang Ninh province, in Northern Vietnam and at the Ministry of Transportation however, the number of promotions by contests is very small. This means that the criteria of meritocracy are unmet.

In addition, expert VN E 05 pointed out that ‘we cannot decide who will be fired amongst public officials...how we can eliminate seven out of ten officials? It is political but not only economical hence we cannot emulate from Singapore’. This means that the discipline of ‘bad apples’ or corrupt public staff is also problematic (see 7.2.5.3). That trend expands the scale of incompetent and corrupt public officers or at least impossible to reduce the scale of the public sector.

In short, new HRM still screen potential candidates via their communist membership status or in a politically biased assessment as “approved”. Concisely, the lack of meritocracy is still a crucial issue that constitutes current traditional politically based HRM. Lack of meritocracy is still a big challenge in Vietnam.

Challenges of Vietnam reflect dilemmata of ideas and reality because these ideas may differ among the mind-set of the associated actors. These actors affiliate with the complex policy process, which involve authorities, public and private organizations, interest groups, firms or think tanks, etc. Hence, policy adjustments are not only functionalistic questions determined only by the materiality of the resource it governs, etc. but they are also ‘constructed and politically negotiated’ (Manna and Absher, 2014, p. 73).

#### 7.2.4.3 Summary

Meritocracy is appreciated highly by citizens but seems to be impossible to execute in practice due to many key challenges in Vietnam. All criteria of meritocracy are unmet. Particularly, the lack of political will is present as meritocracy may potentially affect benefits of corrupt actors. This leads to contest-based recruitment. Achievement-based promotion is still small-scale, but not a national standard. Criteria and procedures of recruitment and promotion are not merit-based. In addition, there is lack of financial resources to pay appropriately for talented and

qualified staff (see Section 7.2.5). Finally, it is impossible to reduce the scale of the public sector (dismissal of unqualified staff, etc.) due to complicated networks, current social norms, and exchanges among corrupt actors. Inevitably, Vietnam only deploys partly the principle with a modest result.

### **7.2.5. Can Vietnam “curb corruption by increasing salaries, cutting red tape, and punishing corrupt offenders”?**

The lesson was based on three causes (suggested by Leslie Palmier’s research in Hong Kong, India, Indonesia): low salaries, red tape or many opportunities, and punishment for corrupt offenders/ low probability of detection and punishment for corrupt behaviours. Besides, the lesson italicized the importance of observing the logic of corruption in order to curb the causes but not the symptoms of corruption. Particularly, AC measures should include: (i) Salary increase (only effective to reduce petty corruption but not grand corruption); (ii) Red tape cutting (ease of doing business; identify “wet” agencies that are prone to corruption in order to reduce corruption opportunities); and (iii) Punishment for corrupt behaviours: corruption as “low risk, high reward” activity in British colony period in Singapore. In reality, Singaporean public perception of corruption is a “high risk, low reward” activity (Quah, 2010).

#### *7.2.5.1. Increasing salaries*

Kotera, Okada and Samreth confirmed that ‘an increase in government size can lead to a decrease in corruption if the democracy level is sufficiently high and, in contrast, can lead to an increase in corruption if it is too low’ (Kotera, Okada and Samreth, 2012, p. 2340). As Vietnam’s democracy is ‘too low’ (see Chapter 2), Vietnam should decrease government size in order to reduce corruption. If not, the overdimensioned government may increase corruption while democracy remains low.

In reality, ‘2.8 million public officials’ are accounted for around 3% of the Vietnamese population (while ‘estimated 11 million public-fund-paid people’ are accounted for 11.5%). This is an obstacle for increasing salary also, but not only for meritocratic employment of Vietnam. Vietnam can only employ salary increase and meritocracy parallel to cutting a majority of publicly funded paid people. Moreover, the mission is impossible because of many reasons.

In addition, expert VN E 05 pointed out that ‘the state does not have much budget to increase their salary. We can only do that if we eliminate 7 out of ten officials to cover increased salary for the rest (3 people). How can we eliminate seven people out of ten? It is a political but not only economical question. We cannot learn from Singapore in this point’. Moreover, increasing salary must be parallel to reduce volume of public sector and increasing its productivity.

In general, salary increase is only effective to reduce petty corruption but not grand corruption. Expert E 05 argued that ‘we cannot increase salary as much as we want because the richest people are the most corrupt, not the lowest salary-holders. Lowest salary- holders

(guards, teachers...) are more into petty corruption. The most dangerous corrupt people are at least from vice-ministers up'. He is right in regard to grand corruption. However, decent salary is necessary for the majority of publicly funded employees to get cleaner.

The new questions (of salary increase) are how to increase, for whom, how much, when and for how long? These questions relate to macro- and long-term national economic policies but not only to anti-corruption policies. Alternatively, bonus for good performances can supply to the impossibility of the salary increase for the big public sector and the lack of meritocracy. This solution is recommended by Cracaua and Franz. They stated: "Optimised bonus payments are always beneficial to the government, making them a more effective anti-corruption measure than simple wage increases" (Cracaua and Franz, 2013, p.1).

### *Social Insurance Fund*

'Social Insurance Fund is exhausted if the retirement age will not be increased'<sup>115</sup> was the title of an article on Express, a local online newspaper. This statement was done by Mr. Dinh Lieu Tran, Deputy- Director-General of Vietnamese Social Insurance Fund. This issue warns severely on depleting resources of the fund, as well as difficult national budget for further salary reform. Its reasons may come from the huge number of employees in the public sector. The retirement age is 55 years for women and 60 years for men, and even lower for workers in hardship conditions, armed forces and hazardous working places. Moreover, recent salary reforms (during the last two decades) have been made gradual and minor (see Chapter 5). More crucially, it is due to high inflation rate of the Vietnamese Dong to foreign currencies, but not the real purchasing power parity.

#### *7.2.5.2. Cutting red tape*

"One measure of economic openness appears to be the most important driver of reductions in Vietnamese corruption: the wave of domestic legislation, which accompanied the country's bilateral trade liberalization agreement with the United States (US-BTA), significantly reduced bribery during business registration" (Gueorguiev and Malesky, 2012, p.111). The finding signifies that openness of economy reduces corruption. This suggests that 'cutting red tape' or economic openness is a must for AC reform.

Cutting red tape means the ease of doing business by identifying "wet" agencies or regulations that are prone to corruption in order to reduce corruption opportunities. As mentioned above, Vietnam's Public Administration Reform Program (No. 30c/ND-CP), 2011-2020, introduced three sub-programs focusing on 'cutting red tape', especially (i) institutional socialist market reform; (ii) administrative procedures and regulations reform. There are also two other relating sub-programs: (iv) administrative organizational structure reform; and (vi) public administrative service modernization.

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<sup>115</sup> <http://vnexpress.net/tin-tuc/thoi-su/quy-bao-hiem-xa-hoi-can-kiet-neu-khong-tang-tuoi-huu-3483864.html>

At sector level, Fisman and Gatti confirmed that “fiscal decentralization in government expenditure is strongly and significantly associated with lower corruption; these results persist when decentralization is instrumented for by the origin of a country’s legal system” (Fisman and Gatti, 2002, p. 325). This is a good lesson for Vietnam to cut bureaucracy.

In general, cutting red tape may be the most promising area for reform but Vietnam is implementing slowly. The United Nations Development Fund (UNDP) in Vietnam has conducted ‘The Vietnam Provincial Governance and Public Administration Performance Index’ (PAPI) annually since 2009 to measure citizens’ experiences on six Vietnamese policy dimensions including: (1). Participation at Local Levels; (2) Transparency in Local Decision-Making; (3) Vertical Accountability; (4) Control of Corruption in the Public Sector; (5) Public Administrative Procedures; (6) Public Service Delivery. The findings of the PAPI 2015 report show that:

‘There was a substantial drop in scores in the transparency and control of corruption dimensions, and a significant decline in local level participation and vertical accountability. There was also a slight decrease in the performance of public administrative procedures in comparison to previous years’ (UNDP, 2015, p. XV)

The PAPI report continued:

‘Most noticeably, the transparency dimension declined sharply, falling more than 7% in 2015 compared to previous years ... The updated PAPI findings continue to show the endemic nature of corruption in Vietnam. Overall, the control of corruption dimension fell by 3% in 2015. This is because in a number of indicators, such as bribes in primary education and bribes for land use rights certificates, scores are worse than before. Citizens across the country consider nepotism and bribery in the public sector to be prevalent, and they sense a lack of willingness to fight corruption on the part of the local government and citizens themselves. Results from a new question on the issues of greatest concern to citizens show that corruption was the third most concerning issue’ (UNDP, 2015, p. XV)

The above findings imply that “cutting red tape” in public sector in Vietnam is required although there are some bright stars such as central Da Nang city, Dong Nai and Binh Duong provinces in southern Vietnam. One good pilot project is the “Transparent Town project in Ninh Thuan province, Vietnam”. It has been implemented through collaboration between Towards Transparency (TT) and Provincial People’s Committee (PPC) of Ninh Thuan since 2014, aims to promote transparency and anti-corruption practice at the local level. The project is based on the initiative in Martin, Slovakia<sup>116</sup>. The above project is a good model, and Vietnam should employ and replicate it nation-wide. However, the replication of the project is impossible at national level in short-term due to the current political regime.

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<sup>116</sup> <https://towardstransparency.vn/transparent-town-project-in-vietnam>



### *7.2.5.3 Punishing corrupt offenders*

How can Vietnam transform corruption from a “low risk, high reward” to a “high costs, low reward” activity (strictly punishing corrupt offenders, rule of law enforcement)? Currently, punishing corrupt offenders is un-strict although current grand corruption cases are being trialled as warning message. At the same time, UNDP and the Vietnamese Government (MOJ, 2014) have promoted to strengthen aspects of the “rule of law” and the local court system because these aspects are serious concerns. Suggestions consist of four groups. Firstly, Vietnam should promote “one-stop shop” model; transparency, publicity and accountability (UNDP and MOJ, 2014, p. 93, 98). Secondly, ‘Judges should be selected on the basis of qualifications, quality and independence’ (UNDP and MOJ, 2014, p. 94). Thirdly Vietnam identifies clearly the role of each supervision mechanism and each apparatus of the Party and the State related to the operation of the court, in order to introduce measures that prevent negative impacts on the independence of the courts” (UNDP and MOJ, 2014, p. 98). In addition, such problems like “case instruction” and “case report” must be completely eliminated”; and “limit and entirely eliminate the status quo of “instruction to the case” and “reporting about the case” in order to ensure the principles of “independence in adjudication”, “collective adjudication” or “people’s representation” and the “two-level trial” (p. 97). Fourthly, the report suggested to “separate and make independent distinctions between judicial administrative work (petition acceptance, case assignment) and adjudication work” (UNDP and MOJ, 2014 p. 96). These suggestions cannot be solved over-night. Besides, punishing corrupt offenders is still a question.

### *7.2.5.4 Summary*

Public salary cannot be increased sufficiently in the shortest possible time due to its large number that cannot be cut down too quickly (lack of resources), as well as complicated networks, relationships of corrupt actors in public sectors. These networks will protect each other and slow down the scale and speed of public administrative reform. Similarly, Vietnam is cutting red tape slowly while punishing corrupt offenders un-strictly. Vietnam cannot find a good solution to impunity. Costs of corruption are still low and it can be rewards for successful corrupt transactions.

## **7.2.6. Establishing a culture of anti-corruption**

### *7.2.6.1 Criteria or Indicators*

A culture of anti-corruption requires decades to establish. It also requires many conditions and consists of many dimensions. Some key conditions are: (i) no compromise or tolerance on corruption (corruption is not a solution); (ii) convenient and easy access to AC agencies (to report corruption); (iii) whistle-blowers protection; (iv) good treatment of citizens’ denunciation and, or corruption reports; (v) people’s trust on public officers and institutions; (vi) media empowered for anti-corruption; and (vii) civil society participation.

### 7.2.6.2 Feasibility of above lessons in Vietnam

At macro level, each of these six criteria requires huge efforts (top-down) and takes decades to change or construct (bottom-up). When it is established or imbedded into social transactions like a social fact, it requires more time; even decades to change if no shock therapy or top-down solution are in-hand (like Singapore did). In other words, a formation of a culture of anti-corruption requires decades to get rooted in society due to strong hidden-norms, tolerance and people's mistrust on public sector actually. Although it might seem as if some of these indicators (no tolerance, civil participation) should be easily to realise for every citizen, the rest of the indicators (corruption report; whistle-blowers protection; good treatment of citizens' denunciation or reports; people's trust; empowered media), however, are more dependent on official institutional reform but not citizen's efforts. In other words, a top-down approach to reform is prerequisite before Vietnam can change any civil awareness, attitude or actions. Regrettably, both analysis in Chapters 5 and 6 (interview analysis) show us a pessimistic outlook.

In reality, the national AC strategy or vision of Vietnam does not focus much on these criteria. Although the 'Law on Access to Information' was passed in 2016, there are strong constraints, and the Vietnamese state still considers a high volume of 'national secrecy' in order to limit transparency and citizens' access to information by media, especially on public procurement, public spending or investment, military spending, budgets for public staff or officers, etc. Unfortunately, all criteria are considered as bottlenecks for the public sector in Vietnam (see Chapter 4).

More concerning, the CPV's Secretary-General delivered a speech that may send a wrong or misunderstood message to citizens that civil involvement to AC is dangerous and risky for them. He declared that "we are not afraid to speak out shortcomings and negative issues, however, we also do not allow anyone to take advantage (to overcome negative conditions) for defamatory, offensive, and anti-Party (the CPV) struggle"<sup>117</sup>.

The CPV's Secretary-General showed a fragile boundary line between anti-corruption and anti-CPV, or likely terms, such as 'reactionary', which are stipulated in the Penal Code that may be abused if used as lawsuits against civil and political AC activists. One such case is when the People's Supreme Procuracy decided to suspend the investigation against Mr Kim Quoc Hoa, the former Editor-In-Chief of Nguoi Cao Tuoi (the Elderly) Newspaper, after seventeen month under the investigation of the Ministry of Public Security (MPS). Earlier in May 2015, the security agencies (MPS) were investigating Mr. Kim on the charges of "abusing democratic freedoms to infringe upon the interests of the State, rights and legitimate interests of organizations and citizens" under Article 258 of the Penal Code. Kim was also dismissed as Editor-In-Chief and his journalist card was confiscated. Previously, the Ministry of Information and Communication (MIC) concluded that eleven articles should be transferred to the security investigation agency, including six articles (specific signs of abusing democratic freedoms infringed upon the interests of the State, infringement of rights and

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<sup>117</sup><http://vietnamnet.vn/vn/thoi-su/chinh-tri/khong-cho-phep-ai-loi-dung-dau-tranh-chong-tieu-cuc-de-chong-pha-dang-345457.html>, accessed at 24/12/2016, 17:30, GMT+7

legitimate interests of organizations and citizens), and five articles with content and signs of revealing state secrets. The investigation against Mr. Kim was suspended. The official statement was that ‘Mr. Kim has been clearly aware of his wrong-doings, and has been awarded many medals, certificates of merit and many other honours by the government during his working life’. Anyway, Mr. Kim received strict administrative sanctions and, finally, it was declared that ‘the seriousness of his errors is no longer a danger to society’.<sup>118</sup> However, the true reasons why Kim was pushed to prison might be his articles on AC, as mentioned below:

‘The domain name of the Elderly Newspaper was also retaken ... because the newspaper had published many articles investigating alleged corruption amongst public officials or raised various issues relating to the police and the military in Vietnam. Among them were articles like ‘Fighting corruption when given a ‘weapon’ for ‘metamorphic’ forces; ‘Discourse on stars and bars market’ (implying the police and the military); ‘Van Giang district decides unlawful coercion on land withdrawal and compensation’, and many others’<sup>119</sup>.

In addition, the Elderly Newspaper also posted one article to disclose the ‘mansion, villas, houses and land which were part of the fortune of Mr. Tran, Van Truyen’ (the Ex-General-Inspector of Governmental Inspectorate, 2007-2011) in February 2014. The article disclosed that the mansion is 30,000 m<sup>2</sup>, located in Ben Tre province while other villas or houses are located in Ho Chi Minh City and other cities.

After forty-two hours of posting that ‘suspended investigation’ news on the online newspaper (Tuoitre.vn), there were nearly one thousand ‘likes’ and supporting comments on Mr. Hoa (since 22/12/2016, 23:23 to 24/12/2016, 18:23, GMT+7). This statistics shows supporting social discourse on AC media and its hidden risks. More concerning is the fact that other activists such as social media bloggers and citizens, are not protected like Mr. Kim (although lately), especially when they do not have a high social status and an honourable history of serving the state like him. Consequently, Vietnam cannot construct a culture of fighting against corruption in the short term due to a lack of required conditions and commitment.

### 7.3 Conclusion

Several scholars have suggested that the key AC strategies of national development and anti-corruption in Singapore are specific values or normative principles: meritocracy (merits-based ruling and management), pragmatism (efficiency and competitiveness), and honesty (integrity). These cultural values or normative principles are the ultimate goals that shape all detailed efforts and steer all social interactions, political relations and economic transactions.

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<sup>118</sup> <http://tuoitre.vn/tin/phap-luat/20161222/dinh-chi-dieu-tra-vu-an-voi-ong-kim-quoc-hoa/1240753.html>, accessed at 24/12/2016, 18:23, GMT+7

<sup>119</sup> <http://www.bbc.com/vietnamese/vietnam-38403146>

Regarding the question of transferability of the Singaporean anti-corruption model to other countries like Vietnam, there are three groups of ideas—‘cannot learn anything’, ‘can learn some lessons’, and ‘do not want to learn’. Some participants said it would be very difficult because Vietnam was lagging behind Singapore in many aspects, including different contexts, different sizes of the two countries, and differences in political and governance systems, levels of development, and financial resources. However, nothing is impossible if there is strong political will. Other scholars believe that Vietnam can adopt some concepts and philosophies like meritocracy, rule of law, strict law enforcement, increasing transparency, integrity and accountability of the public sector, increasing salary for public officials, widening access to information for citizens, subsidized public housing, public land management, etc. Another crucial lesson is how to build trust among people and involve their support through community information, education, and communication. Finally, there is still doubt on Vietnam’s political will to combat corruption, although that group is minor. Unfortunately, the lack of this crucial condition can obstruct the other required institutional reforms.

In fact, there is still a shortage of vision, insights, innovative methods and political will for a change in Vietnam. AC is not impossible or too challenging; the resolution is ready, but the biggest challenge is the political will for a radical regime reform or institutional transformation. It is similar to the situation in which a patient dares to use the prescribed medicines, and to accept pain in order to be cured. Vietnam’s struggle against corruption may be stuck for some considerable time, regardless of its recognition of the trillion-dollar global pandemic as an ‘internal enemy to national development’.

Simply copying the Singapore AC-model is an unrealistic approach for Vietnam. Particularly, almost all the six lessons from the Singapore AC-policy will not be applied successfully in Vietnam, at least for the short term. First at all because the political will is still questionable: speaking proactively, but doing reluctantly. The second reason is that the AC agency is still dependent on politics and it is yet to be separated from the police forces. Thirdly, the AC enforcement bodies are themselves corruptible because they are linked to corrupt policemen, inspectors, etc. Fourthly, though meritocracy is appreciated highly, nevertheless it seems impossible to follow the principle in practice due to the lock-in into social networks, informal and illegal exchange-relations, and common norms that are incompatible with AC policies. Fifthly, public salary cannot be increased sufficiently within a short time due to the huge number of staff that cannot be cut down quickly without provoking a social crisis. Cutting red tape is being implemented slowly, while punishing corrupt actors is not implemented strictly. Sixthly, an AC culture requires decades to form and set roots in society because of strong hidden-norms, tolerance to corruption and people’s lack of trust in the public sector.

And above all, corruption in Vietnam is perceived as a new rational choice, an effective solution to social problems, and to conflicts of values and interests, although it is an immoral exchange in network society. Therefore, the change of social perceptions and the insight in the illegitimate or the immoral nature of corruption in various fields and by all realms (politics, business and society) can be a steady foundation for curbing corruption. Besides, the reform of formal institutions is even more crucial.

In reality, however, the 4<sup>th</sup> Central Resolution of Vietnamese Communist Party (2012) that directs the AC strategy is not on the right track or being implemented inefficiently. This is because it only mentions the noncritical reforms among communists, especially in the short-term, such as ‘ideological and political education’, ‘learning from the role model of Ho Chi Minh’, ‘(communists) criticize and self-criticize’, ‘ethical and moral improvement in general’, ‘monitoring and evaluation’, etc., regardless of its enforcement in practice. These slogans do not coincide with the global idea of ‘good practice’ on AC, or the urgent precondition for AC as analysed below, although the intention may be good. However, it requires more urgent steps and fundamental efforts than a superficial and unattainable promises-like dogma.

## 8. Conclusion

### 8.1. Executive Summary

Vietnam’s struggle against corruption has been stuck for a long period, regardless of the Vietnamese government recognising the trillion-dollar global pandemic as an ‘internal enemy to national development’. There is a shortage of vision, insights, innovative methods and political will for change. Exacerbating this problem, corruption research in Vietnam so far has been mainly quantitative, diagnostic, project-based, or sector-focused, while qualitative and academic insights into cultural conditions and social construction of corruption are underrepresented. Considering this problem, this PhD study carried out a comparative analysis of the cultural and institutional conditions between Vietnam and Singapore, in order to search for the best applicable AC practices. Singapore is the best choice to reflect on how the different visions of development, capitalism and socialism, as well as similar national contexts of Confucianism, colonial heritage and pre-modernity conditions, can lead to opposite measures and AC achievements. In other words, however, the Singapore anti-corruption-model will be analyzed as the basis or reference case for a cultural comparison between the two countries to identify the potential chances and risks for a change in Vietnam. It should not be read as a real blueprint for anti-corruption-policy in Vietnam.

Research findings have confirmed that Vietnam’s cultural and formal institutions interplay in spreading corrupt practices. The transition from a “give-me-a-favour“ to a “give-me-a-bribe-society“ as a way of modernisation in Vietnam and the conflicting co-existence of such traditional and modern mechanisms are key characteristics of contemporary Vietnam. In other words, the PhD study confirmed the ‘master code’ of this whole dissertation: *Socialist market economy is not the best regime for anti-corruption, as well as national development.* Particularly, the PhD study identified five main findings listed below as the foundation of the

‘master code’. These hypothesis or propositions are not deductively set up from the beginning of the research, but are—in terms of the Grounded Theory—‘selective codes’ generated during the research process. In other words, institutions of socialist market economy (both formal and informal) are not appropriate to minimize opportunities for and maximize costs of corruption. The vicious circle of corruption in Vietnam has been drawn clearly amongst interrelated (groups of) factors of problematic perception, values, incentives, ineffective anti-corruption measures, impunity and injustice, high opportunities and low risks, and, finally, low civil engagement (see diagram below).

First, corruption is perceived and chosen as a solution to social, cultural, economic and political problems, such as wrong perception, spoiled values and morals, mistrust of official institutions, asymmetric information, cumbersome administration, injustice, starving public salary, unemployment, hunger for power or status attainment, and illegitimacy of the authority, etc. Corruption is a ‘powerful mode of functioning’ in Vietnam’s socio-political system. Corruption can be considered as a catalyst, ‘lubricant’, a norm or ‘must-do’ thing to solve other bottlenecks in business, politics or daily life. Hence, it is more dangerous when corruption is not only the symptoms because corrupt solution produces more and more corruption. Consequently, endemic corruption is the seed for an endless chain of corruption— a vicious circle.

Second, corruption is the consequence of wrong perception, spoiled values, ethics and morals. In other words, justice, integrity, and morality are surpassed by the supremacy of money, materialism and the people’s convenience. It is the dangerous and risky choice between orientation and philosophy of citizens, market and politics. The value system is reversed. Corruption can ‘neutralize its moral barriers’, tolerated, and accepted. In other words, integrity is compromised, while wealth is put on the top of society, regardless of its corrupt origin or illegitimacy. In society, righteousness, knowledge, honour, etc. can be ranked as the second or third class, while prosperity is ranked first due to the shift from socialism to market economy. In other words, there is ‘normlessness’, a crisis of values and value choice of the Vietnamese elites and the ordinary citizens between socialism and half-hatched market economy.

Third, corruption can occur rampantly in Vietnam because of its association with ‘low costs and high rewards’, the impotence of official institutions due to their own corrupt staff, bad ethos and orientation, incompetence and organizational mechanism of AC operation and the public sector, such as exchange, patronage or clientelistic relations. Its symptoms can be seen in the high prevalence of corruption in all forms, and even among venerated institutions, such as corrupt police, high impunity, nepotism, and citizens’ desperate attitude.

Fourth, social injustice incubates and produces corrupt mind-set as a subjectively useful alternative. Injustice may include inappropriate land-taking and compensation, impunity (immunization of corrupt actors, no prosecution), nepotism (unqualified recruitment and promotion in the public sector on the basis of networks, relatives, and exchange, but not based on merits), and other serious forms. Inappropriate land-taking and compensation strongly affects millions of farmers and other urban settlers who lost their lands, houses, etc. due to public infrastructure or business projects, triggering social outcry and unrest. In addition, the engendering cause of social nepotism and injustice mainly arise from the lack of merits and

competition as the principle for the continual evolution and efficiency. Hence, the idea of socialist equity and equality (a bold legacy) is problematic, especially when there is an absence of mechanism for fair competition, selection, reward-punishment, especially at public offices and state-owned-enterprises. It is more process-based, but not efficiency-oriented or results-based management. Moreover, anti-corruption is highly risky and ignored, while the ‘appalling silence’ of the good people is common. The corrupt actors may work inside the venerated anti-corruption agencies (police, etc.). In addition, the law dictates that corruption denunciation must be sent to the agency head (the boss) of the denunciator along with his clear name and identity. In general, the corrupt are much more powerful than the people with integrity, while corruption’s nature in Vietnam is systemic, structural, organizational, collective, network-based, back-up, covert, and ‘delicate’ in forms. It leads AC to an ‘impossible’ and labyrinthine mission.

Fifth, Vietnamese people, market and politics are either reluctant or unable to fight against chronic corruption in order to gain benefits and interests by all or any means. It is the lock of all anti-corruption efforts, but not the key. Consequently, all possible solutions may be potentially blocked. The institutional and cultural conditions are intertwined and interwoven to construct persistent corruption.

There is a certain convergence of the literature review and the interview analysis on the key institutional conditions in Vietnam. In many cases, conditions for corruption can play a double role of symptoms and causes in a vicious cycle, such as corrupt transport police produce petty bribery, or nepotism continuously undermines merits and integrity of new public officials, and so on. It is similar to state-capture and corrupt politicians that nurture new corrupt mind-set and practices among their subordinates.

On the whole, there are conflicts of values, interests and choices between the key agents such as politicians, entrepreneurs, and citizens, and corruption may be their rational option to solve these conflicts. For politicians (and may be public officials as well) perceive themselves as the most noble status-holders during thousands of years of Vietnamese culture, but their salary on the contrary seem to be ‘starving’ or much lower than businessmen. Inevitably, state-capture or grand corruption emerges to counter this and make the situation more balanced when entrepreneurs need politicians’ approval to pass favourable business policies, in return for ‘huge income’ for the politicians, and meanwhile businessmen can still enrich themselves by taking these unfair advantages. This phenomenon is observable in recent scandals and prosecutions involving huge state-owned-enterprises (Vinalines, Vinashin, and PMU18) and in the banking sector (Agribank, Vietinbank, ACB Bank, Oceanbank). Similarly, land-taking and compensation favours the property developers more than the farmers, an important class of socialism. As a result of these activities, equality, the ideology of socialism, and social justice are severely compromised because corrupt and illegal enrichment widen income and status equality gaps, and blur or erase the line between injustice and justice, the bad and the good.

Apparently, there are conflicts between equality and freedom, and even justice. Market economy promotes and requires freedom, while socialism is aimed at equality, and then justice is compromised inevitably. Consequently, in order to gain legitimacy and restore

people's trust and support to the political regime, politicians pretend to demonstrate their will to fight corruption. But finally, the AC combat is used to ease 'unmotivated' law enforcement under the desperation of citizens in reality.

In brief, all key informal and formal institutions of Vietnam are ineffective to curb corruption. All of the five above aspects interplay to create the accumulative effects and the snow-ball effects, a vicious cycle in which corruption (and its diverse forms) can be seen as the problems, symptoms, consequences and causes of new corruption or scourge. It is impossible to completely separate these five aspects into perfectly independent ones. By the same logic, I have argued against the hypothesis of Acemoglu and Robinson that 'corruption is just a symptom, not the disease' (Acemoglu and Robinson, 2015). Alternatively, the study point out that corruption is the solution to diverse issues in Vietnam. It signifies corruption is the most dangerous disease. In addition, I have suggested that corruption should be analysed through the global, hybrid, interacted, and inter-disciplined view or approach, but not only separately as social, cultural, economic or political aspects.

Contrary to Vietnam, the literature review shows Singapore as a developed country of 'the first world' with a globalized and competitive market economy as well as a strong, clean and efficient government. The rule of law in Singapore is comparable to the most advanced countries in the world, and marked with low crime rate, strict law enforcement, and people's law-biding spirit. At the same time, the Singaporean society is still lacking in free press and civil rights and individual liberties are limited. Since the Singaporean government has prioritized economic efficiency, businesses have a conducive environment for development. All these dimensions lay the foundation for a good public system to fight against corruption. In short, Singapore is now developed, while Vietnam is still developing. Cultural and institutional conditions for anti-corruption in Singapore are opposite to those in Vietnam.

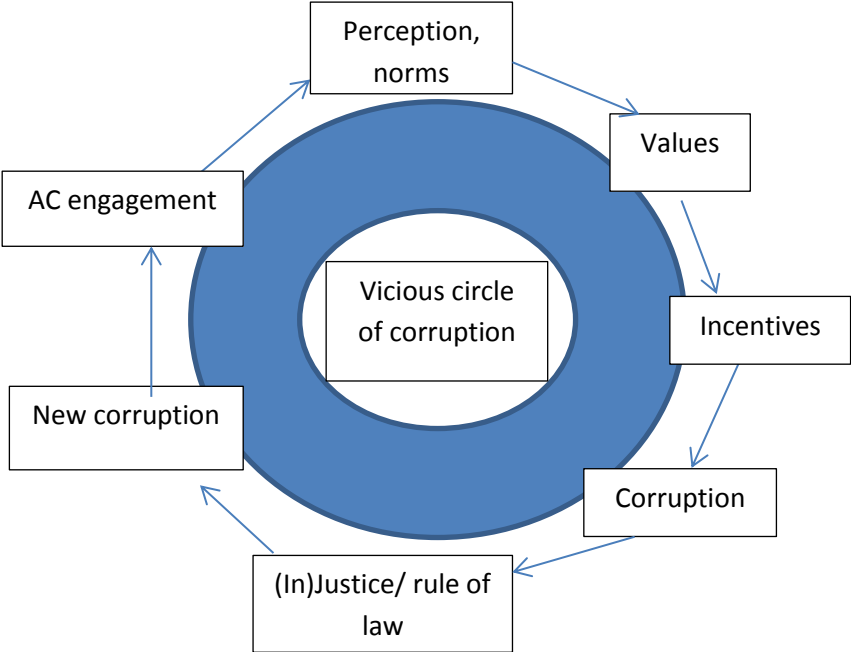
Moreover, it is the above-expectation contribution of my research, its unintended but imaginable and recommendable targets, that the AC struggle in Vietnam is only one part of the bigger picture—the choice of national development strategy, and the vision for modernity. Vietnam must choose the direction between socialism (supremacy of politics, equality, etc.) and capitalism (supremacy of economy, freedom, efficiency, etc.); between traditional Confucian philosophies of virtue-based ruling, severe legalist philosophy of Han Fei or the modern Western rule of law and other principles of power separations, civil rights and liberty. For all the above-mentioned alternatives, political will and leadership of Vietnam is the lock and the key as well.

The vicious circle of corruption and anti-corruption in Vietnam has been exposed as the cornerstone of the PhD study due to its political, economical, social and cultural background. The intervoven factors accumulate and keep the momentum of anti-corruption weak or ineffective in the long run. In fact, the vicious circle of corruption can be seen as a wool roll with knots that represent the key factors of the phenomenon. Each of these factors can be the core of a smaller vicious circle itself driven by other factors mentioned in chapters 5, 6, 7 of



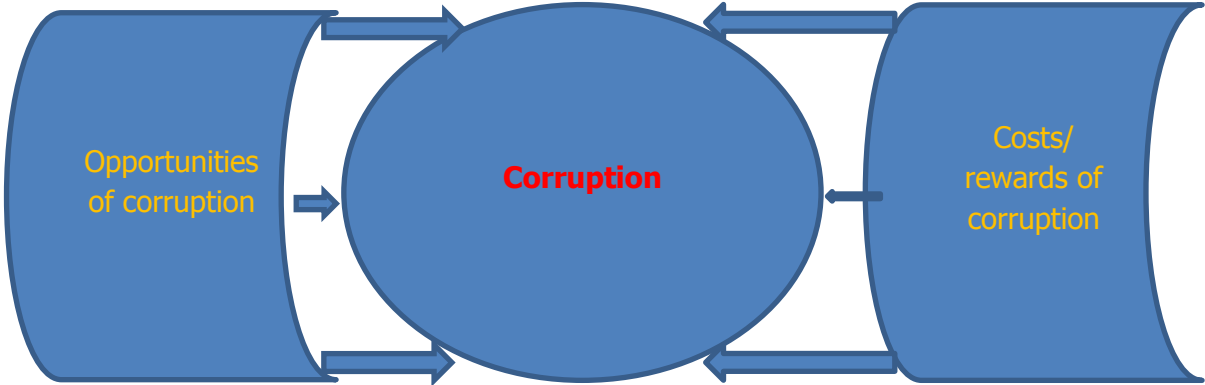
this thesis. In other words, the vicious circle of corruption resembles a complex moving multi-layer maze.

Diagram 2. Vicious circle of corruption in Vietnam



8.2. Diagram of corruption in Vietnam and Singapore

Diagram 3. Mechanism of corruption



Opportunities mean pre-corruption conditions for corruption to emerge. When corruption treatment is strict, it poses high costs for corrupt actors. When corruption treatment is loose, it brings high rewards to corrupt actors, and then reproduces new corruption.

Table 18. Specific opportunities and costs/rewards of corruption

Opportunities for corruption	Costs/rewards of corruption
Weak political will and leadership	Impunity or no prosecution
Lack of transparency and accountability	Dependent judiciary
Legal loopholes	Bad rule of law
Discretion of public bureaucrats	Loose punishment
Incompetent and corrupt AC bodies	Incompetent and corrupt AC bodies
Nepotism	Limited protection of whistle-blowers
Ethos, integrity of public bureaucrats	Inefficient and ineffective treatment of corruption report and denunciation
Monitoring and evaluation	Citizens, corporates and media do not report corruption
Reward and motivation system for public bureaucrats: 'starvation' salary, etc.	
Weak control of conflict of interests	
Tolerance of corruption	
Hidden corrupt norms and perceptions	
Weak civil society	
Censored media	

Note: Some specific opportunities can also play the role of costs/rewards of corruption, such as 'incompetent and corrupt AC bodies' or 'citizens, corporates, media do not report corruption'.

### 8.3. Comparison on anti- corruption conditions in Vietnam and Singapore

Cultural and institutional conditions for anti-corruption in Singapore stand on the opposite pole to those in Vietnam on the corruption scale, except for some minor dimensions. The Singaporean government has developed a supporting environment for economic development and AC while Vietnam's regime still remains in a state of being unprotected to the pandemic of corruption. The table 19 below reflects clearly the critical difference between Singapore and Vietnam, especially the transition of Vietnam from a "give-me-a-favour" to a "give-me-a-bribe-society". Clearly, the table shows the conflicting co-existence of the traditional and modern mechanism in the actual historic situation in Vietnam. That transitional mode of modernisation creates key characteristics of Vietnam's contemporary society as shown below.

Table.19. Corruption in Vietnam and Singapore in brief

Items	Vietnam	Singapore
Political-economic System	<i>market socialism</i>	<i>private sector capitalism</i>
Type of Corruption	<i>petty corruption total / systemic</i>	<i>grand corruption, sectoral</i>
Perception	<i>solution a norm or 'must-do' thing</i>	<i>serious problem a crime a shame</i>
Structure	<i>endless chain of corruption vicious circle</i>	<i>deviance</i>
Value (orientation)	<i>supremacy of money as claim and want, egocentric, - 'normlessness'</i>	<i>money as earning meritocracy and efficiency, integrity,</i>
Incentives	<i>- low costs - high rewards,</i>	<i>- high costs, - low rewards,</i>
Social relations/Justice	<i>exclusive personalized / particularistic unjust</i>	<i>inclusive generalized just, equitable</i>
Engagement ( <i>people, market and politics</i> )	<i>reluctance Inability (the impotency of official institutions)</i>	<i>commitment and competence professionalized</i>

Here is a specific comparison between the institutional and cultural conditions in Singapore and those in Vietnam. Political will and leadership are the lock (in Vietnam), but also the key (in Singapore). Vietnam still has the opportunity, but seems to be reluctant to transform the lock into the key.

Table 20. Key institutional and cultural conditions in the two countries

Categories	Vietnam	Singapore
The national development strategy (ideology)	<i>Socialist Market Economy (control, equality, subjective arrangement), ...</i>	<i>Capitalist market (freedom, efficiency, competition, etc.)</i>
Key values or targets	<i>- monopoly / state-owned-enterprises - process-based, input-oriented,  - loyalty: - equality,</i>	<i>- competition / private ownership - efficiency, output-oriented - meritocracy - integrity,</i>
Risk of Corruption	<i>High, ignorance ("appalling silence") impunity endemic</i>	<i>Low awareness punishment deviant</i>
Political will and leadership	<i>Insufficient, dependent and corruptible AC forces</i>	<i>Strong, exemplary/ role model, national vision</i>
AC institutions and agencies	<i>Dependent, in-effective and fragmented corruptible (police, inspectorates and judges, etc.)</i>	<i>Independent, effective, coordinated, clean (CPIB)</i>
Law enforcement,	<i>Weakened seriously, turmoil</i>	<i>Strong</i>
Legal framework	<i>Abundant loopholes (lucrative, gainful, advantageous to officials, not citizens)</i>	<i>Minimized constantly</i>
Rule of law	<i>Weakened, nullified key AC efforts. (weak AC sanctioning and enforcement measures)</i>	<i>Strengthened constantly</i>

Judiciary	<i>Dependent: “the leadership of the CPV in trials”</i>	<i>Independent</i>
Public administrative service	<i>Risky and problematic, burdensome ‘asking-giving’ mechanism</i>	<i>Excellent</i>
‘Hidden norms’, corrupt habits, petty bribery	<i>Wide-spread Petty corruption</i>	<i>No</i>
Ethos and integrity (in public sector)	<i>Low</i>	<i>High</i>
Trust (in public sector)	<i>Low</i>	<i>High</i>
Transparency, accountability and M&E	<i>Weak (corrupt ‘e-government program’)</i>	<i>Strong (e-government)</i>
Public personnel	<i>Nepotism ‘Network first, money second, blood third, merit last-stand’</i>	<i>Merits</i>
Public sector salary	<i>Starving (big public sector)</i>	<i>Good (small public sector)</i>
Media and CSOs	<i>Constrained (internal limitations, external deterrents)</i>	<i>controlled, better than VN</i>
Civil tolerance to petty bribery	<i>High</i>	<i>Low</i>
Engagement of citizens, and corporates in the AC fight	<i>Low (reluctance to denunciate)</i>	<i>High</i>
Whistle-blower protection	<i>Poor</i>	<i>Excellent</i>
Corruption denunciation treatment	<i>Ineffective</i>	<i>Excellent</i>
SUMMARY:	<i>The political will and leadership are the lock but the key as well.</i>	<i>LKY broke the corruption vicious circle</i>

#### 8.4. Other contribution of the PhD thesis: Klitgaard formula reformulated

As a result of the analysis, I suggest to adjust the Klitgaard formula by adding Impunity (I), minus both Civil Engagement (CE) and Transparency (T), on the basis of institutional conditions of Vietnam and Singapore. Civil engagement comprises anti-corruption engagements of mass media, civil society organizations (CSOs), citizens and corporates.

The new formula:  $C = I + M + D - A - T - CE$ .

(C = Corruption; M = Monopoly; D = Discretion; A = Accountability)

Original Klitgaard Formula:  $C = M + D - A$

(WB and UNDP-modified formula:  $C = M + D - A - I - T$ )

#### 8.5. Transferability of Singaporean experiences to Vietnam

There is still a shortage of vision, insights, innovative methods and political will for change in Vietnam. Consequently, nearly all the six lessons from the Singaporean AC-policy will not be applied successfully in Vietnam, at least within a short time (see Chapter 7). However, broadly speaking, the findings of this PhD research (the ‘theory’, or the ‘master code’ of the thesis, based on the Grounded Theory) can answer the question on ‘what is the target or ultimate value of socialist market economy?’ through the analysis on the corruption struggle. It shed a light on the overall goal of the Vietnam’s transition, supremacy of economy or

politics, freedom or equality, modernity or non-development? In other words, the recommended solution (to corruption) can suggest ‘how Vietnam should reform to reach modernity and at what costs?’ In short, the struggle of anti-corruption, the fight or contest between conflicting values, visions and means, is never easy.

The comparison between Vietnam and Singapore contributes to consolidate the assumption of a multiplicity of modernity (Eisenstadt, 2010, p. 1). The Singapore’s case proves that a one-ruling-party regime can still curb corruption effectively, even better than many Western countries, because it still maintains many other crucial conditions, such as rule of law, efficient and clean AC bodies, etc. Supporting this point, Charron stated that ‘multipartism in single-member district countries is associated with higher levels of corruption, while the party system’s relationship with corruption plays no role in proportional representation countries’ (Charron, 2011, p. 595). This finding is compatible to Treisman’s research that ‘while the current degree of democracy was not significant, long exposure to democracy predicted lower corruption’ (Treisman, 2000, p. 399). In other words, some key components of democracy are sufficient to fight corruption, such as rule of law, the system of checks and balance, high costs of corruption, among others. The argument (one-ruling-party regime can still curb corruption effectively) is of great relevance for an AC-policy in Vietnam. Vietnam must not have multi-parties to fight corruption effectively (like Singapore) as long as other key institutional and cultural conditions are available. Owing to Singapore’s lessons, Klitgaard and others, the key to effectively combating to corruption (for Vietnam) is modernization and transformation, increasing rule of law, accountability, transparency, civil engagement (media, citizens, CSOs), and corporates in the struggle, while reducing discretion and impunity (immunization of corrupt actors) and monopoly (both in economics and in politics).

However, the above solution to corruption is only the specific technical aspects. The most important thing is that the ultimate and supreme idea of competitiveness, efficiency (values of capitalism), freedom, justice and fairness should be targeted to surpass equity or equality (value of socialism). It is because equality, in many cases, is in conflict with competitiveness, efficiency, freedom, justice and fairness, especially when it is achieved by subjective, unwise, unfair arrangement but not in a competitive and transparent manner. In other words, efficiency and integrity should be the ultimate goals of national development, including anti-corruption. In order to achieve it, merits, and competition based on fair reward-punishment system should be the sole mode. In this way, equality (target of socialism) should be replaced by efficiency and effectiveness (of economy, target of capitalism), and competition or evolution (the means or process).

To look at the above argument in another way, Singapore selects three key values (or strategies, principles) of national development (meritocracy or merit-based management, pragmatism or efficiency-orientation, and honesty/integrity) that contributes greatly not only to anti-corruption, but its national modernity endeavour as well. Hence, Vietnam should proceed in a similar way or it should choose two out of the three values at least (meritocracy and integrity).

In other words, the long-term anti-corruption strategy for Vietnam is to restore and construct the system of values, ethics, and morals as a foundation, which is the ultimate and supreme

goal. The middle-range strategy is to construct meritocracy, integrity, and efficiency in education, health, law enforcement, public resource management (land, natural resources, state-own-enterprises, etc.) and administrative reforms in the public sector (recruitment and promotion, performance monitoring and evaluation, motivation, reward-punishment mechanism, salary increase, bidding, etc.). Last, the urgent or short-term actions are to fix nepotism (dismissal of unqualified public personnel, etc.), construct ethos and integrity of law enforcement (prosecution of corrupt police, public officials, etc.), prosecution of bribery givers, and establish an independent CPIB-model anti-corruption agency like Singapore. Rule of law, accountability, transparency, civil involvement are both the targets as well as the means to achieve all the related goals, such as reducing impunity and discretion. Monopoly can only be reduced in the long term.

Above all, however, the challenge for Vietnam to curb corruption is political will, the choice of ideology, values and visions, but not the above technical aspects because the lessons are immense, although majority of them are contextual but realistic. The CPV's Secretary-General shows a fragile boundary line between anti-corruption and anti-CPV, or likely terms, such as 'reactionary' that are stipulated in the Penal Code that may be abused to start lawsuits against AC and social, political activists.

Moreover, the XII National Congress of the Vietnamese Communist Party was held in early 2016 with the consolidation of Chinese-modelled socialist ideology, but not the more American-modelled market economy as expected by the people, surprising the nation. It can be a bold but unwise vision to go further away from the Singaporean AC model. Overall, Vietnam may have to wait for some considerable time for a complete reform, except in the case of a sudden but rare magic.

## **8.6. Further discussion on potential research**

Grand corruption in Vietnam and Singapore is still 'the dark side of the moon' that provides meaningful and space for further research on corruption and institutions. In other words, the specific relationship between politics and economy (politicians' backyard) in authoritative regimes is still national secret or unknown because the press could not play a role in scrutinizing it like in democracies. However, political will for AC reforms can be a test for further political transformation and vice versa. In addition, environment management, land taking, and property rights, such as land right, are contested sectors in Vietnam. Moreover, the emerging civil society in Vietnam and Singapore can create macro political and social transformation in both the countries. Hence, research on these related themes (grand corruption, political transformation, and civil society) should be the core of social and political research in the two countries due to their macro effects.

## Annexes

### Annex 1. Guideline and list of sub-topics, questions for interviews in Vietnam

#### Unstructured and semi-structure Interview (for expert)

No: ..... Date and time:.....  
Place: Village:....., Commune:.....,  
District:....., Province/ city: .....

I am conducting interviews in order to write my PhD thesis on anti-corruption topic. This research will not follow an investigative procedure like police's tasks. I am not interested in the specific facts, the stories, i.e. the content of what you tell us, but rather in the form of your narrative and argumentation. Facts, stories, personal or professional secrets, insider-information etc., are used only as illustrations and examples to manifest the perception of and reasoning on corruption. You should not fear consequences of sharing secret information about concrete cases and persons (if any).

Please kindly help me to answer all below questions relating to corruption in Viet Nam. Your answers will be kept anonymous, confidential and only used for my PhD research purpose.

The interview will not be provided to the press or any public social network. Interviewees will not be paid with money as it is a social justice and my academic work (except an alcohol-free drink if the interview takes place in one cafeteria). It is recorded, typed and translated into English for my PhD analysis.

If you have any questions, concerns, please let me know. This interview is only conducted after I provided all related information and you consent. You have the right to stop it when you want or cannot continue.

Let your voices to be heard and contribute to restore justice and develop a less corrupted society. So please speak as detailed as possible so I can understand you better.

It normally takes 40-60 minutes with more than 20 open questions.

Thank you so much for your valuable help.

1. a. According to you, what are corruption evolution/trends in Vietnam in 5 recent years?
1. b which sector(s) is/ are the most corrupt area(s) in Vietnam?
2. According to you, what is corruption?
3. Could you please classify biggest causes of corruption in Vietnam now?
4. Please let me know what do you know about anti-corruption agencies/ system in Vietnam ? (Independence, integrity and efficiency)
5. To what extent do you think that anti-corruption efforts/result in Vietnam is effective or ineffective? Why?

6. To which boundaries do you think that anti- corruption result in Vietnam depend on the legislation system, governance, state management and civil servants management?
7. To which boundaries do you think that anti- corruption in Vietnam depend on people habits/ normal practice, traditional Vietnamese culture, traditions, norms, values and/or education?
- 7b. What do you think about has the fighting against corruption of Vietnamese?
8. Do you think the biggest cause of corruption in Vietnam is dependent on...?
  - a)- more the legislation system, governance, state management and civil servants management? or
  - b)- more traditions, norms, values and/or education?
  - c)- both above reasons are equally important
- 9.a. Have you ever seen or heard about bribery in any public offices in Vietnam?
- 9.b. If yes, is it because the civil servant or a mediator asked for extra-money (or suggested that he has to pay) or did he decide to pay (without being asked)?
10. In your opinion, what are major bottleneck problems/ issues that hinder anti-corruption in Vietnam?
11. Are there any differences on behaviours of public officials in working with groups of Vietnamese and foreigners or Viet Kieu?
12. Do you (or citizens, private sector) complain, denounce or report on identified corruption? How the public sector/officers process/ dealt with corruption complaints, denunciations or reports?
13. What do you think about whistle-blowers protection mechanism and policies in Vietnam? What is the key character of public officials- citizens relationship? (Asking - giving, exchange, service-provider-citizen, selling-buying or what else)?
14. What is the current level of professionalism, ethos of public officials?
15. In your point of view, to what extent Vietnamese people trust/ believe in integrity's public sector/ officials? (16.b. its effectiveness and efficiency?)
16. In your point of view, how is legislation and law enforcement in Vietnam, especially relating to anti-corruption?
17. Can you please assess on “self-critique”, “Phe binh- tu phe binh” movement of the Communist Party of Vietnam?
18. What do you think about the role of mass media and/ or mass organizations, or private sector, social media on anti-corruption in Vietnam?
19. What do you think about political will of Vietnamese government in terms of anti-corruption? (Strong/ weak, independent/ dependent, effective/ineffective...)
20. According to you, what should Vietnam prioritize/do in order to win the fight against corruption? Please give at least two choices?
21. Do you have/know any initiatives on anti-corruption in Vietnam? If yes, what are they?
22. According to you, which country or anti-corruption model in the world that Vietnam should learn from? Please describe/ explain why!



23. Are there anything culture similarities/ difference btw VN and China on (anti) corruption? What are they?
24. Do you want to share/ say anything more relating to (anti) corruption in Vietnam?
25. Can you suggest/ recommend me one another interviewee?
0. Can you tell us a little bit about yourself (job, education level, age, life)? (You need not mention your name)

Thank you once more time for your time and support!

*Note:* some above topics or questions may be excluded during interviews due to time constraints and dependable on level of knowledge of informants (citizens, business men, public officers, etc.).

Some questions are common for civil and business interviews:

1. Have you ever seen or heard about bribery on streets, in public offices, schools, or hospitals in Singapore?
2. What do you do to get your public service done? Or when you violate traffic law?
3. What do you if you know corruption? (Do you report or ignore it?) Why?

## **Annex 2. List of sub-topics, questions for interviews in Singapore**

*Note:* I applied all questions for Vietnam to Singapore. However, I asked below questions more than other ones due to constraints of time. Some below topics or questions may be excluded during interviews due to time constraints and dependable on level of knowledge of informants (citizens, businesspeople, public officers, etc.).

1. According to you, what are corruption evolution/trends in Singapore in five recent years?
1. b which sector(s) is the most corrupt area in Singapore?
2. According to you, what is corruption?
3. Could you please explain biggest causes of (least) corruption in Singapore now?
4. Have you ever seen or hear about bribery on streets, in public offices, schools, or hospitals in Singapore? (How common is it?)
5. What do you do to get your service done?
6. What do you if you know corruption? (Do you report or ignore it?) Why?
7. Please let me know what you know about anti-corruption agencies/ system in Singapore (Independence, integrity and efficiency)
8. What do you think about the fighting against corruption of Singaporean?

9. How the public sector/officers process/ dealt with corruption complaints, denouncements or reports?
10. What do you think about whistle-blowers protection mechanism and policies in Vietnam?
11. What is the key character of public officials- citizens relationship? (Asking - giving, exchange, service-provider- citizen, selling-buying or what else)?
12. What is the current level of professionalism, ethos of public officials?
13. In your point of view, to what extent Singaporean people trust/ believe in integrity's public sector/ officials? (13.b. what are its effectiveness and efficiency)?
14. In your point of view, how is law enforcement in Singapore, especially relating to anti-corruption?
15. What do you think about the role of mass media and/ or mass organizations, or private sector, social media on anti-corruption in Singapore?
16. What do you think about political will of Singaporean government in terms of anti-corruption? (strong / weak, independent/ dependent, effective/ineffective...)
17. How is about merits and nepotism in Singapore?
18. According to you, the Singaporean anti-corruption model can be applied in other countries in the world? Please describe/ explain why!
19. What are the key difference of Singaporean and other (South East) Asian people in Singapore, in term of corruption and anti-corruption?
20. Can you suggest/ recommend me one another interviewee?
0. Can you tell us a little bit about yourself (job, education level, age, life)? (you need not mention your name)

Thank you once more time for your time and support!

## Reference List

### Books and/or book chapters

Abuza, Z., 2001. *Renovating Politics in Contemporary Vietnam*. Lynne Rienner Publisher, Boulder London.

Acemoglu, D. and Robinson, J., 2006. *Economic origins of dictatorship and democracy*. Cambridge University Press.

ADB/OECD, 2006. *Anti-corruption policies in Asia and the Pacific: Progress in legal and institutional reform in 25 countries*. ADB

Acuna-Alfaro, J. (eds.). 2009. *Reforming public administration in Vietnam: current situation and recommendations*. UNDP Vietnam, Hanoi.

Aldine. Morse, J. M., Stern, P. N., Corbin, J., Bowers, B., Charmaz, K. and Clarke, A. E., 2009. *The discovery of grounded theory: Strategies for qualitative research*. Chicago, IL:

Andre, M., 2015. *Vietnamese people are scared of (the authority) for centuries*

Asia intelligence, 2015. *Perceptions on corruption in Asia, the USA and Australia*. <http://www.asiarisk.com/library7.pdf>

Baran, P., 1962. 2<sup>nd</sup> edn. *The Political Economy of Growth*. Penguin Books (Available at: [file:///C:/Users/HP%20USER/Downloads/\[Paul Baran\] The Political Economy of Growth](file:///C:/Users/HP%20USER/Downloads/[Paul%20Baran]_The_Political_Economy_of_Growth) Bevir, M. (editor), 2010. *Encyclopedia of Political Theory*, Volume 2. University of California, Berkely, Sage

Berger, P. L., 1988. *An East Asian Development Model* (co-edited with Hsin-Huang Michael Hsiao, in the book "In Search of An East Asian Development Model, Transactions Books). [http://instruct.uwo.ca/economics/317b-570/In\\_SearchOf\\_PeterBerger.pdf](http://instruct.uwo.ca/economics/317b-570/In_SearchOf_PeterBerger.pdf)

Berger, P. L. and Luckmann, T., 1966. *The Social Construction of Reality*, A Treatise in The Sociology of Knowledge, Penguin Books. .

Borgotti, S., 2011. *Grounded theory: A practical guide*. Thousand Oaks, CA: Sage

Carlsen, A. M. S., 2014. *Time to tackle corruption*, [http://www.undp.org/content/seoul\\_policy\\_center/en/home/presscenter/articles/2014/12/09/time-to-tackle-corruption.html](http://www.undp.org/content/seoul_policy_center/en/home/presscenter/articles/2014/12/09/time-to-tackle-corruption.html), accessed on 24 December 2014

Carlyle A. Thayer, "The Apparatus of Authoritarian Rule in Viet Nam," in Jonathan London, ed., *Politics in Contemporary Vietnam: Party, State, and Authority Relations*. Critical Studies of the Asia-Pacific Series. London: Palgrave Macmillan, 2014. P. 135--161.

Cho, W. and Peltier, J., 2009. *What are the origins of corruption in Africa? Culture or institution*.

Corbin, J. & Strauss, A., 2008. *Constructing grounded theory: A practical guide through qualitative analysis*. Thousand Oaks, CA: Sage.

- Corfield, J., 2008. *The history of Vietnam*. Greenwood Publisher.
- Dick, B., 1990. *Basics of Qualitative Research: Grounded Theory Procedures and Techniques*. Thousand Oaks: Sage.
- Dalton, R. J., Pham, M. H., Pham, T. N., Ong, N. N. T., 2001. *Social Relations and Social Capital in Vietnam: The 2001 World Values Survey*
- D'Andrade R., 2008. *A Study of Personal and Cultural Values, Japanese, American, Vietnamese*.
- Della Porta, D., and Vannucci, A., 2012. *The Hidden Order of Corruption: An institutional approach*. Ashgate.
- Fisman, R., Gatti, R., 2006. 'Bargaining for bribes: the role of institutions'. In: Rose-Ackerman, S. (Ed.), *International Handbook on the Economics of Corruption*. Edward Elgar Publishing Limited, Cheltenham, pp. 127–139.
- Gainsborough, M., Dang, N. D., Tran, T. P., 2009. *Corruption, public administration reform and development; challenges and opportunities as Vietnam moves towards middle-income*. UNDP Vietnam. Hanoi
- Graaf, G. D., Maravic, P. V., and Wagenaar P. (ads.), 2010. *The good cause, theoretical perspectives on corruption*. Barbara Budrich Publishers.
- Granovetter, M., 2004. *The Social Construction of Corruption*, Stanford: Department of Sociology, Stanford University.
- Gainsborough, M., Dang, N. D., Tran, T. P., 2009. 'Corruption, Public Administration Reform and Development: Challenges and Opportunities as Viet Nam moves towards Middle-Income Status'. In Acuna-Alfaro, J. (eds.). 2009. *Reforming public administration in Vietnam: current situation and recommendations*. UNDP Vietnam, Hanoi.
- Heidenheimer A. & Johnston M., 2007. *Political Corruption, concepts and contexts*, 3<sup>rd</sup> Edn. Transaction Publisher.
- Jonathan D. London (edited), 2014. *Politics in contemporary Vietnam, state, party and authority relations*, Palgrave Macmillan.  
<https://books.google.com.au/books?hl=en&lr=&id=GJqxAAQBAJ&oi=fnd&pg=PA135&dq=rule+of+law+Vietnam&ots=bhJ24xgC5P&sig=b8UHRQgw7UjwvQMRB94EKPGTPck#v=onepage&q=rule%20of%20law%20Vietnam&f=false>
- Jothie Rajah, 2012. *Authoritarian Rule of law, legislation, discourse and legitimacy in Singapore*, Cambridge University Press.  
<https://books.google.com.au/books?hl=en&lr=&id=YjQgAAQBAJ&oi=fnd&pg=PR9&dq=rule+of+law+Vietnam&ots=vR9cWbt4R9&sig=cFzFWYFWeFQTAIMHot0-rXwYUVE#v=onepage&q=rule%20of%20law%20Vietnam&f=false>
- Kaufmann D., 2009. *Governance, Development, and the Global Crisis: An International Empirical Perspective*, Hanoi, Vietnam: The Brookings Institution.
- Kaufmann D., and Dininio P., 2006. 'Corruption: A Key Challenge for Development' in Stapenhurst R, Johnston N, Pelizzo R. (eds.) *The role of parliament in curbing corruption*, Washington, DC: the

World Bank, pp.13-24.

Klitgaard, R., 1988. *Controlling Corruption*. The University of California Press, Berkeley

Kpundeh, S. J., 1998. 'Political Will in Fighting Corruption'. In S. J. Kpundeh & I. Hors (Eds.), *Corruption and Integrity Improvement Initiatives in Developing Countries* (pp. 91-110.). New York: United Nations Development Programme. (available at <http://www.pogar.org/publications/other/undp/fc/corruption97e.pdf>)

Lambsdorff, J. G., 1998. PCI. Framework Document, TI

Lambsdorff J. G., 2007. *The Institutional Economics of Corruption and Reform Theory, Evidence, and Policy*. Cambridge: Cambridge University Press

Lee, K. Y., 1998. *The Singapore story: memoirs of Lee Kuan Yew*. Prentice-Hall

Le, T. and Nguyen, H.Q., 2014. *Resolving Land Disputes in East Asia: Exploring the Limits of Law* (Chapter: An historical overview of Vietnamese land law and dispute resolution), Cambridge: Cambridge University Press.

London, J. D. (eds.), 2014. *Politics in contemporary Vietnam, Party, State, and Authority Relations*. Palgrave Macmillan.

London, J. D., 2014. 'Politics in contemporary Vietnam'. In London, J. (eds.), 2014. *Politics in contemporary Vietnam, Party, State, and Authority Relations*. Palgrave Macmillan, pp. 1-20

London, J. D., 2014. 'Towards a new politics'. In London, J. (eds.), 2014. *Politics in contemporary Vietnam, Party, State, and Authority Relations*. Palgrave Macmillan, pp. 184-195

Morgan, D. G., 2011. *The Singaporean Constitution, a brief introduction*. Singaporean Management University

Malesky, E., 2015. *The Vietnam Provincial Competitiveness Index: Measuring Economic Governance for Private Sector Development*. Hanoi, Vietnam: Vietnam Chamber of Commerce and Industry, United States Agency for International Development, and CECODES. Retrieved from [http://pcivietnam.org/tailieu/2014\\_PCI\\_Report\\_final.pdf](http://pcivietnam.org/tailieu/2014_PCI_Report_final.pdf)

Mcleod, M. W. and Nguyen, T. D., 2001. *Culture and customs Vietnam*. Greenwood Press.

Martini M., 2012. *Overview of corruption and anti-corruption in Vietnam*.

Miller W. L., Grødeland Å. B. and Koshechkina T. Y., 2000. *A Culture of Corruption? Coping with Government in Post-communist Europe*. University of Glasgow

Mungiu-Pippidi, A. (editor), 2015. *The favouritism in Europe*, The Anticorruption Report 3. Barbara Budrich Publishers

Mungiu-Pippidi, A., 2014. 'Why corruption works when it does'. In Mungiu-Pippidi, A. (editor), 2014. *The Anticorruption Frontline*, The Anticorruption Report 2. Barbara Budrich Publishers

Mungiu-Pippidi, A. (editor), 201. *Controlling corruption in Europe*, The Anticorruption Report 1. Barbara Budrich Publishers

- Nguyen, D. C., 2007. *Corruption in General Education in Vietnam*. Hanoi, Vietnam:
- Nguyen, N., 2015. “*Unjust sentence and preventive measures (Ăn oan và giải pháp phòng ngừa)*”
- Nicholson, P., 2002. ‘The Vietnamese Courts and corruption’. In T. Lindsey & H. W. Dick (Eds.), *Corruption in Asia: Rethinking of the Governance Paradigm*. Sydney: The Federation Press.
- Noonan, J. T., 1984. *Bribes*. Berkeley and Los Angeles, California: University of California Press (available at: [https://books.google.de/books?id=6zgp1\\_zeJbEC&pg=PR3&source=gbs\\_selected\\_pages&cad=2#v=onepage&q&f=false](https://books.google.de/books?id=6zgp1_zeJbEC&pg=PR3&source=gbs_selected_pages&cad=2#v=onepage&q&f=false))
- North, D.C., 1990. *Institutions, Institutional Change and Economic Performance*, Cambridge University Press.
- Olson, M. J., 1975. *The Logic of Collective Action: Public Goods and the Theory of Groups*, 5<sup>th</sup>. edn. Cambridge, Massachusetts: Harvard University Press.
- Painter, M., Ha, H. H., Chu, Q. K., 2009. ‘Institutional Reform for Public Administration in Contemporary Viet Nam’. In Acuna-Alfaro, J. (eds.). 2009. *Reforming public administration in Vietnam: current situation and recommendations*. UNDP Vietnam, Hanoi.
- Paldam M., 2000. *The cross-country pattern of Corruption: economics, culture and seesaw dynamics*, Department of Economics, Aarhus University, Denmark.
- Pei, M., 2016. *China’s crony capitalism, the Dynamics of Regime Decay*. Harvard University Press.
- Phan, X. S. and Phạm, T. L., 2008. *Nhận diện tham nhũng và các giải pháp phòng, chống tham nhũng ở Việt nam hiện nay (Facets of corruption and preventive solutions)*, Nhà Xuất bản Chính trị quốc gia.
- Phan, T. L. H., 2014. *The Role of Vietnamese Government in Legislation – in Comparison with Japan*, PhD Thesis
- Quah, J. S. T., 2010. *Public Administration Singapore-Style*, Emerald Publishing House
- Razafindrakoto M. and Roubaud F., 2006. *Are international databases on corruption reliable? A comparison of expert opinion surveys and household surveys in sub-Saharan Africa*
- Razafindrakoto, M. and Roubaud F., 2007. *Corruption, institutional discredit and exclusion of the poor: a poverty trap*, IRD, DIAL.
- Rainey, L., 2010. *Confucius & Confucianism, the essentials*
- Rose-Ackerman S., 2004. *The challenge of poor governance and corruption*, Copenhagen Consensus.
- Rabl, T., 2008. *Private corruption and its actors, insights into the subjective decision making process*, Pabst Science Publishers.
- Rockeach, M., 1973. *The Nature of Human Values*. New York, the Free Press.

- Rose-Ackerman S., 2006. *International Handbook on the Economics of Corruption*. Yale University, Edward Elgar
- Rose- Ackerman S., 2002. 'Which Bureaucracies are less corruptible?' in the book edited by Heidenheimer A. & Johnston M. (2007) *Political Corruption, concepts and contexts*, 3<sup>rd</sup> Eds., Transaction Publisher
- Rose-Ackerman S., 1999. *Corruption and government, causes, consequences, and reform*. Cambridge University Press.
- Schedler, A., 1999. 'Conceptualizing Accountability' in Andreas Schedler; Larry Diamond; Marc F. Plattner. *The Self-Restraining State: Power and Accountability in New Democracies*. London: Lynne Rienner Publishers. pp. 13–28.
- Schramm M. and Taube M., 2004. *The Institutional Economics of legal institutions, Guanxi, and Corruption in the PR China*, [www.icgg.org/downloads/contribution10\\_schramm.pdf](http://www.icgg.org/downloads/contribution10_schramm.pdf), accessed 28.02.15
- Tänzler D., Maras, K. and Giannakopoulos, A., 2012. *The social construction of corruption in Europe*. Ashgate Publisher
- Teets, J. C., 2004. 'The origins of corruption in developing and transitional countries: institutional decentralization and social norms'.
- Thayer, C. A., 2014. 'The Apparatus of Authoritarian Rule in Vietnam'. In London, J. (eds.), 2014. *Politics in contemporary Vietnam, Party, State, and Authority Relations*. Palgrave Macmillan, pp. 135-161
- Thayer, C. A., 2014. 'The Apparatus of Authoritarian Rule in Vietnam'. In London, J. (eds.), 2014. *Politics in contemporary Vietnam, Party, State, and Authority Relations*. Palgrave Macmillan, pp. 135-161
- Truong, H. Q., 2015. *Improving the legal framework on the rights of complaints and denunciations of Vietnamese citizens (in Vietnamese: Hoàn thiện pháp luật về quyền khiếu nại, tố cáo của công dân Việt Nam.)*
- Thoenig, J.-C., 2011. 'Institutional Theories and Public Institutions: New Agendas and Appropriateness'. In Peters B.G. and J.Pierre. *The Handbook of Public Administration*, Sage, pp.185-201.
- Tonoyan, V., 2009. *Corruption, entrepreneurship and institutional environment: a cross-national comparison between emerging and mature market economies (PhD Thesis)*, Manheim.
- UNDP, 2014. *Global Anti-Corruption Initiative (GAIN)*
- Vasakul, T., 2014. 'Authoritarianism Reconfigured: Evolving Accountability Relations within Vietnam's One-Party Rule'. In London, J. D. (eds.), 2014. *Politics in contemporary Vietnam, Party, State, and Authority Relations*. Palgrave Macmillan, pp.42-63
- Vasavakul, T., Le, V. T. and Le, T. P. V., 2009. 'Public Administration and Economic Development in

Viet Nam: Reforming the Public Administration for the 21st Century'. In Acuna-Alfaro, J. (eds.). 2009. *Reforming public administration in Vietnam: current situation and recommendations*. UNDP Vietnam, Hanoi.

Viện Khoa học Thanh tra (the Institute of Inspectorate Science), 2004. *Việt Nam với Công ước Liên Hợp Quốc về chống tham nhũng (Vietnam and the UN Convention against AC)*, Nhà Xuất bản Tư pháp.

VCP E-Paper, 2013. 'Needs to set up a specialized independent agency to treat crimes relating to corruptions and positions'.

Westcott, C., xxxx. *Combating corruption in Southeast Asia*, book chapter, (the name of the book is unknown), pp. 237-269. WB.

Williams, R., 2006. *Leadership accountability in a globalizing world*. London: Palgrave Macmillan.

World Bank and Government Inspectorate, 2016. *Managing conflict of interest in the public sector: law and practice in Vietnam*

World Bank, 2012. *Corruption from the Perspective of Citizens, Firms, and Public Officials: Results of Sociological Surveys*. Hanoi: National Political Publishing House.

World Bank, 2010. *Modern Institutions*. Vietnam: Joint Donor Report to the Vietnam Consultative Group meeting.

World Bank, 2004. *The costs of corruption*, the WB Institute news and broadcast

World Bank, 2003. *Combating Corruption in Indonesia- Enhancing Accountability for Development*.

World Bank, 2000. *Anticorruption in transition, a contribution to the policy debate*.

Wescott, C. G., Nguyen, H. H., Vu, Q. H., 2009. 'Public Financial Management: How to deliver better value for money in Viet Nam's Public Administration System?'. In Acuna-Alfaro, J. (eds.). 2009. *Reforming public administration in Vietnam: current situation and recommendations*. UNDP Vietnam, Hanoi.

Whyte, D., 2015. *How corrupt is Britain?* Pluto Press. London

Wilks-Heeg, S., 2015. "Revolving-Door Politics and Corruption". In Whyte D. (Ed.), *How Corrupt is Britain?* (pp. 135-144). Pluto Books. Retrieved from <http://www.jstor.org/stable/j.ctt183p7g4.15>

Yang M. M., 1994. *Gifts, Favors and Banquets: Art of Social Relationships in China*, Cornell University Press. [http://www.goodreads.com/book/show/1826185.Gifts\\_Favors\\_and\\_Banquets](http://www.goodreads.com/book/show/1826185.Gifts_Favors_and_Banquets)

Yu, G., 2012. *Towards more reasonable and effective punishment strategies for bribery* (PhD Thesis). Dr. Kovac Publisher.

## Journal articles



- Abbink, K., 2004. 'Staff rotation as an anti-corruption policy: an experimental study'. *European Journal of Political Economy* Vol. 20, pp. 887–906
- Amundsen, J., 1999. 'Political Corruption: An Introduction to the Issues'. Chr. Michelsen Institute: *Development Studies and Human Rights*, WP 1999: 7, pp. 1-39
- Andersen, T. B., 2009. 'E-Government as an anti-corruption strategy'. *Information Economics and Policy* 21, pp. 201–210
- Antweiler, C., 2015. 'Local Knowing as a Universal Social Product. A Model and a Case from Southeast Asia'. In: Peter Meusburger & Laura Suarsana (eds.): *Ethnic and Cultural Dimensions of Knowledge. Berlin: Springer (Knowledge and Space, Vol. 8)*, pp. xxx
- Barr, A. and Serra, D., 2010. 'Corruption and culture: An experimental analysis'. *Journal of Public Economics* 94, pp. 862–869.
- Blackburna, K., Forgues-Puccio. G. F., 2009. 'Why is corruption less harmful in some countries than in others?'. *Journal of Economic Behavior & Organization* 72, pp. 797–810
- Bitsch, V., 2005. 'Qualitative research: A grounded theory example and evaluation criteria'. *Journal of Agribusiness*; 23 (Spring, 1): pp. 75-91.
- Birney, M., 2014. 'Decentralization and Veiled Corruption under China's "Rule of Mandates"'. *World Development* Vol. 53, pp. 55–67, (Available at: <http://dx.doi.org/10.1016/j.worlddev.2013.01.006>)
- Bui, H. T., 2015. 'In search of a post-socialist mode of governmentality, the double movement of accommodating and resisting Neo-liberalism in Vietnam', *Asian Journal of Social Science* 43 (2015) pp. 80-102.
- Thayer, C. A., 2009. 'Political Legitimacy of Vietnam's One-Party-State: Challenges and Responses'. *Journal of Current Southeast Asian Affairs*, 28(4), 47-70.
- Charron, N., 2011. 'Party systems, electoral systems and constraints on corruption'. *Electoral Studies* 30, pp. 595–606
- Curry, J. L., Göedl, D., 2012. 'Why 'Together We Are Strong' does not work'. *Communist and Post-Communist Studies* 45, pp. 65–76
- Cracaua, D., Franz, B., 2013. 'Bonus payments as an anti-corruption instrument: A theoretical approach'. *Economics Letters* 120, pp. 1–4
- Dykstra, C.A., 1939. 'The Quest for Responsibility'. *American Political Science Review*, 33(1), pp. 1–25. doi: 10.2307/1949761
- Evers, H.-D. and Solvay Gerke, S., 2009. 'Strategic Group Analysis'. *ZEF working paper series*, 34
- Evrenk, H., 2011. 'Why a clean politician supports dirty politics: A game-theoretical explanation for the persistence of political corruption'. *Journal of Economic Behavior & Organization* 80, pp. 498–510

Elbahnasawy, N., 2014. 'E-Government, Internet Adoption, and Corruption: An Empirical Investigation' *World Development* Vol. 57, pp. 114–126

Fisman, R. and Gatti, R., 2002. 'Decentralization and corruption: evidence across countries'. *Journal of Public Economics* 83, pp. 325–345

Fforde, A., 2010. 'Rethinking the Political Economy of Conservative Transition: The Case of Vietnam'. *Journal of Communist Studies and Transition Politics*, 26(1), 126-146.  
10.1080/13523270903511855 (<http://www.tandfonline.com/doi/abs/10.1080/13523270903511855>)

Graaf G. D., 2007. *Causes of corruption: towards a contextual theory of corruption*. Vrije Universiteit Amsterdam, <http://unpan1.un.org/intradoc/groups/public/documents/un-dpadm/unpan049603.pdf>

Getz, K. A. & Volkema, R. J., 2001. 'Culture, perceived corruption, and economics. A model of predictors and outcomes'. *Business and society*, 40 (1), pp. 7-30

Glaser, B.G., & Strauss, A.L., 1967. *Convergent interviewing, version 3*. Brisbane: Interchange. An interviewing method which uses structured process, unstructured content, and a procedure for increasing the rigor of qualitative information. Retrieved from <http://www.scu.edu.au/schools/gcm/ar/arp/grounded.html>

Gregory, R., 2016. 'Combating corruption in Vietnam: A commentary'. *Asian Education and Development Studies*, 5(2). Retrieved from <https://www.deepdyve.com/lp/emerald-publishing/combating-corruption-in-vietnam-a-commentary-JV5a7grIW7>

Gong, T., 2002. 'Dangerous collusion: corruption as a collective venture in contemporary China'. *Communist and Post-Communist Studies* 35, pp. 85–103

Gueorguiev, D., Malesky, E., 2012. 'Foreign investment and bribery: A firm-level analysis of corruption in Vietnam'. *Journal of Asian Economics* 23, pp. 111–129

Guo, Y. and Li, S., 2015. "Anti-corruption measures in China: suggestions for reforms", in *Asian Education and Development Studies*, Vol. 4 Iss: 1, pp.7 - 23

Guseva, A., 2007. 'Friends and foes: informal networks in the Soviet Union', *East European Quarterly*, 41, pp. 2-9.

Hauk, E. & Saez-Marti, M., 2002. 'On the cultural transmission of corruption'. *Journal of economic theory* 107 (2), pp. 1-21. Doi: (<http://anti-corr.ru/archive/On%20the%20Cultural%20Transmission%20of%20Corruption.pdf>)

Karstedt, S., 2007. 'The strength of institutions: corruption, cultural values and institutional regimes'. *Paper presented at the annual meeting of the AMERICAN SOCIETY OF CRIMINOLOGY, Atlanta Marriott Marquis, Atlanta, Georgia* <Not Available>. 2013-12-15 from [http://citation.allacademic.com/meta/p201274\\_index.html](http://citation.allacademic.com/meta/p201274_index.html)

Kaufmann D., Kraay, A., and Mastruzzi, M., 2005. 'Governance Matters IV: New Data, New Challenges', *The World Bank*. (Available at <http://web.worldbank.org/archive/website00818/WEB/PDF/SYNTHESI.PDF>)

- Keller, R., 2011. 'The Sociology of Knowledge Approach to Discourse'. *Hum Stud* (2011) 34: pp. 43-65
- Koessler, F. and Lambert-Mogiliansky, M., 2010. 'Committing to transparency to resist corruption'. *Journal of Development Economics* 100, pp. 117–126
- Kolstad, I. and Wiig, A., 2009. 'Is Transparency the Key to Reducing Corruption in Resource-Rich Countries?'. *World Development* Vol. 37, No. 3, pp. 521–532
- Ko, K., Samajdar, A., 2010. 'Evaluation of international corruption indexes: Should we believe them or not?'. *The Social Science Journal* 47, pp. 508–540
- Kotera, G., Okada, K., Samreth, S., 2012. 'Government size, democracy, and corruption: An empirical investigation'. *Economic Modelling* 29, pp. 2340–2348
- Kolstad, I., Søreide, T., 2009. 'Corruption in natural resource management: Implications for policy makers'. *Resources Policy* 34, pp. 214–226
- Lalountas, D. A., Manolas, G. A., Vavouras, J. S., 2011. 'Corruption, globalization and development: How are these three phenomena related?'. *Journal of Policy Modeling* 33, pp. 636–648
- Lee S. & Oh K., 2007. 'Corruption in Asia: Pervasiveness and arbitrariness'. *Asia Pacific Journal of Management*, March 2007, Volume 24, Issue 1, pp 97–114.  
Doi:<https://ideas.repec.org/a/kap/asiapa/v24y2007i1p97-114.html>, 27.02.15
- Lin H. I. and Huang, C. H., 2011. 'Exploring agency problems in corporate governance from the perspective of economic ethics of the capitalist market'. *African Journal of Business Management* Vol. 5(28), pp. 11442-11449, 16 November, 2011. (Available online at <http://www.academicjournals.org/AJBM> )
- Malesky, E., Abrami, R. M., & Zheng, Y., 2011. 'Institutions and Inequality in Single-Party Regimes: A Comparative Analysis of Vietnam and China'. *Comparative Politics*, 43(4), 401-420.
- Malesky, E., Gueorguiev, D. D., & Jensen, N. M., 2015. 'Monopoly Money: Foreign Investment and Bribery in Vietnam, a Survey Experiment'. *American Journal of Political Science*, 59(2), 419-439. 10.1111/ajps.12126
- Manna, C., Absher, J.D., 2014. 'Adjusting policy to institutional, cultural and biophysical context conditions: The case of conservation banking in California'. *Land Use Policy* 36, pp. 73–82
- Martini, M., 2012. *Overview of the status of corruption and anti-corruption in Vietnam*. Anti-corruption Resource Center. Retrieved from [www.u4.no](http://www.u4.no)
- Mauro, P., 1995. 'Corruption and Growth'. *The Quarterly Journal of Economics* 110(3), 681-712.
- Mishra, A., 2006. 'Persistence of Corruption: Some Theoretical Perspectives'. *World Development* Vol. 34, No. 2, pp. 349–358
- Mungiu-Pippidi, A., 2015. 'Corruption: Good governance powers innovation'. *Nature* (18 February 2015), Accessed at: <http://www.nature.com/news/corruption-good-governance-powers-innovation->

1.16927

Nguyen, Quang Phuc, 2015. *Urban land grab or fair urbanization?: Compulsory land acquisition and sustainable livelihoods in Hue, Vietnam*, PhD Thesis, Utrecht University, Netherland. (Source: <http://www.landgovernance.org/events/urban-land-grab-or-fair-urbanization/>)

Nguyen, N.A., Doan, Q.H., Nguyen, N. M. et al., 2016. 'The impact of petty corruption on firm innovation in Vietnam'. *Crime Law Soc Change* (2016) 65 (4): pp. 377-394. Available at doi:10.1007/s10611-016-9610-1

Nguyen, T. T., Dijk, M. A. V., 2012. 'Corruption, growth, and governance: Private vs. state-owned firms in Vietnam'. *Journal of Banking & Finance* 36, pp. 2935–2948

Nguyen, T. T., and Dijk, M. V., 2012. 'Corruption, Growth, and Governance: Private Vs. State-owned Firms in Vietnam'. *Journal of Banking & Finance* 36 pp. 2935–2948. Doi: <http://repub.eur.nl/pub/37160>

Nguyen, K.T.; Do, Q.A.; and Tran, A., 2012. 'One Mandarin Benefits the Whole Clan: Hometown Infrastructure and Nepotism in an Autocracy'. *Research Collection School of Economics*. Available at: [http://ink.library.smu.edu.sg/soe\\_research/1328](http://ink.library.smu.edu.sg/soe_research/1328)

Nguyễn, Đ. M., 2009. *Tham nhũng nhìn từ mặt trái của giáo dục (Corruption and the negative side of the education sector)*. Tạp chí Thanh tra (Available at: <http://caicachanhchinh.gov.vn/Uploads/News/2473/attachs/vi.bai%2017.doc>,

Nicholson, P., & Nguyen, H. Q., 2005. 'The Vietnamese judiciary: The politics of appointment and promotion'. *Pacific Law and Policy Journal Association*

Osbourne, D. 1997. 'Corruption as counter-culture: attitudes to bribery in local and global society'. In B. A. K. Rider (Ed.), *Corruption: The Enemy Within* (pp. 9-34). London: Kluwer Law International.

Painter, M., 2014. *Myths of Political Independence, or How Not to Solve the Corruption Problem: Lessons for Vietnam* (Available at <http://onlinelibrary.wiley.com/doi/10.1002/app5.22/full>)

Peng Y., 2004. 'Kinship networks and entrepreneurs in china's transitional economy'. *American Journal of Sociology*, 109 (5), pp. 1045-74. <http://www.jstor.org/discover/10.1086/382347?uid=3737864&uid=2&uid=4&sid=21105482122021>, accessed on 28.0215

Quah, J. S. T., 2015a. 'Evaluating the effectiveness of anti-corruption agencies in five Asian countries: A comparative analysis, *Asian Education and Development Studies*, Vol. 4 Iss: 1, pp.143 – 159. Doi: (<http://dx.doi.org/10.1108/AEDS-10-2014-0050>)

Quah, J. S. T., 2015b. 'The critical importance of political will in combating corruption in Asian countries'. *Public Administration and Policy: An Asia-Pacific Journal*, 18(2), 12-23.

Quah, J. S. T., 2014a. 'Curbing police corruption in Singapore: lessons for other Asian countries', *Asian Education and Development Studies*, Vol. 3 Iss: 3, pp.186 – 222. Doi: (<http://www.emeraldinsight.com/doi/full/10.1108/AEDS-07-2014-0029>)

Quah, J. S. T., 2014b. *Minimizing corruption in China: Is it an impossible dream?*

Quah, J. S. T., 1987. 'Anti-corruption in Asia with special reference to Singapore: patterns and consequences', *Asian Journal of Public Administration*, pp. 80-98. <http://www.tandfonline.com/doi/abs/10.1080/02598272.1988.10800199>

Rock, M. T. and Bonnett, H., 2004. 'The Comparative Politics of Corruption: Accounting for the East Asian Paradox in Empirical Studies of Corruption, Growth and Investment'. *World Development* Vol. 32, No. 6, pp. 999–1017. Doi:10.1016/j.worlddev.2003.12.002

Sargiacomo, M., Lanni, L., D'Andreamatteo, A., Servalli, S., 2015. 'Accounting and the fight against corruption in Italian government procurement: A longitudinal critical analysis (1992–2014)'. *Critical Perspectives on Accounting* 28, pp. 89–96

Sandholtz, W., Taagepera, R., 2005. 'Corruption, Culture, and Communism'. *International Review of Sociology* Vol. 15, No. 1, March 2005, pp. 109/131. <http://www.socsci.uci.edu/~wsandhol/Sandholtz-Taagepera-IRS-3-05.pdf>, 27.02.15

Segon, M., Booth, C., 2010. 'Managerial Perspectives of Bribery and Corruption in Vietnam'. *International Review of Business Research Papers* Vol.6, No.1 February 2010, Pp.574-589. <https://www.bizresearchpapers.com/41.Segon.pdf>, accessed on 25 February 2017

Treisman, D., 2000. 'The causes of corruption: a cross-national study'. *Journal of Public Economics* 76, pp. 399–457

Torsello, D. et al., 2015. 'The anthropological study of corruption practices and ideas', in the EU-funded ANTICORRP project delivery WP4, The University of Bergamo, Italy.

Tromme, M., 2016. 'Corruption and corruption research in Vietnam - an overview', *Crime Law Soc Change*. DOI 10.1007/s10611-016-9605-y

Vuving, A. L., 2013. 'Vietnam in 2012 A Rent-Seeking State on the Verge of a Crisis'. *Southeast Asian Affairs 2013*

Wescott, C. G., 2003. 'Hierarchies, networks and local government in Vietnam'. *International Public Management Review*, 4(2), 20-40. (Available at: file:///C:/Users/HP%20USER/Downloads/214-427-1-SM.pdf)

Williamson, O.E., 2000. 'The New Institutional Economics: Taking Stock, Looking Ahead'. *Journal of Economic Literature*, Vol. XXXVIII, pp 595-613.

Xin K. R. and Pearce J. L., 1996. 'Guanxi: Connections As Substitutes for Formal Institutional Support'. *The Academy of Management Journal*, 39(6), pp.1641-1658. <http://www.jstor.org/discover/10.2307/257072?sid=21105482889411&uid=4&uid=3737864&uid=2129&uid=2&uid=70>, accessed 28.02.15

## Reports

Acemoglu, D. and Robinson, J. 2008. *The Role of Institutions in Growth and Development*. The Commission on Growth and Development: The International Bank for Reconstruction and Development / The World Bank, the working paper no. 10.

Andersson, A., 2012. 'Judicial independence and the Vietnamese courts'. Lund university, MA thesis <http://lup.lub.lu.se/luur/download?func=downloadFile&recordId=2760334&fileId=3129618>

Committee for Internal Affairs of the Communist Party of Vietnam, 2005. *Report of the survey on corruption in Vietnam*.

Daividsen S, Nguyen, K. H., Vasavakul T., Salomom M., Nguyen, Q. N., 2016. *Implementation Assessment of the Anti-Corruption Law: How far has Vietnam come?- Final report*.

Doig, A., Dao, L. T., & Hoang, X. C., 2013. *Criminalising Corruption: A Study of International Practices and Application for Viet Nam*. Hanoi, Viet Nam: A Joint Policy Discussion Paper on Anti-corruption commissioned by the Department for International Development (DFID) of the United Kingdom and the United Nations Development Programme (UNDP).

Finland Embassy in Vietnam, 2005. *Annual Report 2005 of Fund for Local Cooperation*, 2005, (<http://www.finland.org.vn/public/download.aspx?ID=15143&GUID={842E1687-1793-4056-A4D2-48A225993DEB}>)

Gillespie, J., Hualing, F. and Phạm, D. N., 2014. *Land-Taking Disputes in East Asia: A Comparative Analysis and Implications for Vietnam*. United Nations Development Programme (UNDP) in Vietnam. Hanoi

Gainsborough, M., 2006. *Country Study Report- Vietnam 2006*, Transparency International.

Khan, M., 2009. 'Pro-Growth Anti-corruption and Governance Reforms for Viet Nam: Lessons from East Asia'. In J. Acuña-Alfaro (Series Ed.), *A Series of Policy Discussion Papers on Public Administration Reform and Anti-Corruption*, Hanoi, Vietnam: United Nations Development Programme (UNDP).

Mckinley C., 2009. *Media and corruption- How has Vietnam's print media covered corruption and how can coverage be strengthened?* UNDP Vietnam.

Nawaz, F., 2008. *Corruption in fast-growing markets: lessons from Russia and Vietnam*. Anti-corruption Resource Center

Norad, 2011. *Joint Evaluation of Support to Anti-Corruption Efforts, Viet Nam Country Report*.

Norad, 2009. *Joint evaluation of donor support to AC efforts*. Vietnam, Hanoi.

Nguyen, D. S., Tran, D. H., 2006. *Causes of corruption*.

Painter, M., Dao, L. T., Ha, M.C., Nguyen, Q. N., 2012. *International Comparative Analysis of Anti-corruption Legislation: Lessons on Sanctioning and Enforcement Mechanisms for Viet Nam*. A Joint Policy Discussion Paper on Anti-corruption commissioned by the Department for International Development (DFID) of the United Kingdom and the United Nations Development Programme (UNDP). Ha Noi, Viet Nam.

Rothstein B., 2004. *Social Trust and Honesty in Government: A Causal Mechanisms Approach*, Department of Political Science, Göteborg University, <http://www.kus.uu.se/pdf/activities/20040329-30/Rothstein.pdf>, accessed 28.02.14

Stapenhurst, R. and Kpundeh S.J., 2002. *Kiểm chế tham nhũng- Hướng tới một mô hình xây dựng sự trong sạch quốc gia (Control of corruption- Toward building a model of national integrity)*.

The Vietnamese Government, 2009. *National anti-corruption strategy towards 2020* (draft), UNDP Vietnam.

The Vietnamese Government, 2008. *Report on preventing and combating corruption (No 135/BC-CP dated 19 Sept 08)*.

Transparency International, 2016. How do you define corruption? Retrieved from <http://www.transparency.org/what-is-corruption/>

Transparency International and Toward Transparency, 2015. *Vietnam Youth Integrity Survey 2014 Report*, (<http://towardstransparency.vn/wp-content/uploads/2015/08/YIS-2014-FULL-REPORT-EN-FINAL1.pdf>, accessed on 12:00, 04.03.2016)

Transparency International, 2015. Corruption Perception Index 2015. Retrieved from

Transparency International, 2014. Corruption Perception Index 2014. <http://cpi.transparency.org/cpi2014/results/>

Transparency International. 2013a. *Global Corruption Barometer—Vietnam 2013*. Retrieved 2013, from <http://www.transparency.org/country/#VNM>

Transparency International. 2013b. *Vietnam: Citizens against Corruption*. Retrieved from [http://www.transparency.org/news/feature/vietnam\\_citizens\\_against\\_corruption](http://www.transparency.org/news/feature/vietnam_citizens_against_corruption)

Transparency International, Toward Transparency, UNDP, & UKaid., 2011. *The media's coverage of corruption in Vietnam 2006-2011*. Retrieved from [http://towardstransparency.vn/wp-content/uploads/2014/07/Media-Review-Summary\\_EN.pdf](http://towardstransparency.vn/wp-content/uploads/2014/07/Media-Review-Summary_EN.pdf)

Transparency International. 2012. *Drafting a national anti-corruption strategy for Vietnam*. Berlin:

Transparency International. Retrieved from <http://www.u4.no/publications/drafting-a-national-anti-corruption-strategy-for-vietnam/>

Transparency International, 2011a. *Forms and effects of corruption on education sector in Vietnam*. Hanoi-Vietnam.

Towards Transparency, 2011b. *Towards a transparent and quality healthcare system, a qualitative study on the causes, perceptions, and impact of informal payment in health services in Vietnam*.

Toward Transparency, 2011. *Youth Integrity in Vietnam*. Vietnam: Hanoi.

UNCAC Signature and Ratification Status. Retrieved from [http://www.unodc.org/documents/treaties/UNCAC/StatusMap/UNCAC\\_Status\\_Map\\_Current.pdf](http://www.unodc.org/documents/treaties/UNCAC/StatusMap/UNCAC_Status_Map_Current.pdf)

UNODC. (n.d.). Organized Crime. Retrieved from <https://www.unodc.org/unodc/en/organized-crime/index.html>

UNDP Vietnam, CECODES-CRT, VFF, 2015. *The Vietnam Provincial Governance and Public Administration Performance Index (PAPI)*

UNDP Vietnam, CECODES-CRT, VFF, 2014. *The Vietnam Provincial Governance and Public Administration Performance Index (PAPI)*

UNDP Vietnam, CECODES-CRT, VFF, 2012. *The Vietnam Provincial Governance and Public Administration Performance Index (PAPI)*

UN, 2004. *United Nations handbook on practical AC measures for prosecutors and investigators*, Vienna.

UNICEF-MPI, 2011. *Making Social Audit work for Viet Nam: Key Findings and Lessons Learned from a Pilot of Four Social Audit Tools*.

UNDP-MOJ, 2014. *The report of a survey on “The reality of local court governance in Vietnam”*

UNDP. 2011. *Fighting Corruption in the Water Sector: Methods, Tools and Good Practices*. <http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/anti-corruption/fightingcorruptioninthewatersector.html>.

UNDP, 2005. *Vietnam Development Report 2005 Governance-Part II.9 Fighting Corruption*.

USAID, 1999. *A handbook on fighting corruption*. Washington, D.C.: The Government of United States of America.

VCCI, DEPOCEN, & T&C Consulting. (2014). *The costs of corruption in Vietnam*. Retrieved from <http://www.coffey.com/assets/Uploads/The-costs-of-corruption-in-Vietnam-2014.pdf>

Vietnamese Government Inspector, 2013. *Annual AC Report*

Vietnamese Government Inspector, 2012. *Annual AC Report*

Vietnamese Government Inspector, 2011. *Annual AC Report*

Vietnamese Government Inspector, 2010. *Annual AC Report*

Vietnamese Government Inspector, 2009. *Annual AC Report*

Vietnamese Government Inspector, 2008. *Annual AC Report*

Vietnamese Government Inspector, 2007. *Annual AC Report*

Vietnamese Government, 2012. *5-year AC Progress Report 2007-2012*.

Vietnamese Government, 2012. *Vietnamese Government’s reports on implementation of UNAC*. Hanoi-Vietnam



## Newspapers

Acemoglu, D. and Robinson J. A., 2015. 'Corruption Is Just a Symptom, Not the Disease'. *Wall Street Journal*. (<https://www.wsj.com/articles/corruption-is-just-a-symptom-not-the-disease-1449174010>, accessed on 05.12.2015)

AmCham, 2012. 'The unlearned lesson: Vinashin, VinaLines, and other SOEs' inefficiencies', <http://www.amchamvietnam.com/the-unlearned-lesson-vinashin-vinalines-and-other-soes-inefficiencies/>, accessed 10 May 2013

BBC, 2015. 'Singapore, a chronology of key events'. BBC Vietnamese (<http://www.bbc.com/news/world-asia-15971013>), accessed on 12 February 2015)

Bùi, H. T., 2015. 'Personnel planning and election within the CPV' (Quy hoạch cán bộ và bầu cử trong Đảng tại VN), BBC Vietnamese. ([http://www.bbc.co.uk/vietnamese/forum/2015/02/150228\\_vietnam\\_quy\\_hoach\\_can\\_bo](http://www.bbc.co.uk/vietnamese/forum/2015/02/150228_vietnam_quy_hoach_can_bo), accessed on 28 February 2015)

BBC UK, 2015. 'Singapore vandalism punishment'. [http://www.bbc.co.uk/vietnamese/business/2015/03/150305\\_singapore\\_vandalism\\_punishment](http://www.bbc.co.uk/vietnamese/business/2015/03/150305_singapore_vandalism_punishment).

BBC Vietnamese, 2016. 'Mdm. Nguyen, thi Binh questioned on 'the majority' of CPV members'. <http://www.bbc.com/vietnamese/vietnam-38510091>, accessed at 10:00, 05.01.2017

BBC Vietnamese, 2015, 'Good leaders produce good citizens'. [http://www.bbc.com/vietnamese/vietnam/2016/03/160331\\_xa\\_hoi\\_tu\\_te\\_xuat\\_phat\\_tu\\_lanh\\_dao](http://www.bbc.com/vietnamese/vietnam/2016/03/160331_xa_hoi_tu_te_xuat_phat_tu_lanh_dao), accessed on 1 April 2016

BBC Vietnamese, 2015. 'Fighting in Tet holiday in Vietnam'. [http://www.bbc.com/vietnamese/vietnam/2015/02/150225\\_danh\\_nhau\\_ngay\\_tet](http://www.bbc.com/vietnamese/vietnam/2015/02/150225_danh_nhau_ngay_tet), accessed on 30 February 2015

BBC Vietnamese, 2015. 'Doan, van Vuon will act like previously'. [http://www.bbc.com/vietnamese/vietnam/2015/09/150902\\_doan\\_van\\_vuon\\_se\\_hanh\\_dong\\_nhu\\_truoc](http://www.bbc.com/vietnamese/vietnam/2015/09/150902_doan_van_vuon_se_hanh_dong_nhu_truoc)

Binh Thuan Province Website, 2014. 'Lý Quang Diệu nói về kinh nghiệm chống tham nhũng' (LKY talked on AC lessons), (<http://www.pctn.binhthuan.gov.vn/pages/home.asp?p=xem&g=1&m=3&n=1&j=83>).

Head, J. 2015. 'Tam voc va tranh cai ve Ly Quang Dieu' (The figure and controversy of Lee Kuan Yew, a sound record in Vietnamese), BBC Vietnamese. (Available at: [http://www.bbc.com/vietnamese/multimedia/2015/03/150323\\_lee\\_kuan\\_yew\\_obit\\_video](http://www.bbc.com/vietnamese/multimedia/2015/03/150323_lee_kuan_yew_obit_video), accessed on 25.0.2015)

Inspectorate, 2017. 'Not worked but promoted to the Vice-Director'. [http://thanhtra.com.vn/phap-luat/dieu-tra-qua-don-thu/khong-lam-viec-van-duoc-bo-nhiem-vu-pho\\_t114c39n112947](http://thanhtra.com.vn/phap-luat/dieu-tra-qua-don-thu/khong-lam-viec-van-duoc-bo-nhiem-vu-pho_t114c39n112947), accessed at 17:00, 04.01.2017

Lee, K. Y., 2004. 'Recalling how former Chinese leader Deng Xiaoping dealt with the 1989 Tiananmen Square protests'. Straits Times, Aug 17 2004. (<http://www.straitstimes.com/search?searchkey=Recalling%20how%20former%20Chinese%20leader%20Deng%20Xiaoping%20dealt%20with%20the%201989%20Tiananmen%20Square%20protests>, accessed 03 July 2014)

Lee, K. Y., 1971. 'Address To The General Assembly Of The International Press Institute At Helsinki Wednesday', 9th June, 1971 (Available at: [journalism.sg/lee-kuan-yews-1971-speech-on-the-press](http://journalism.sg/lee-kuan-yews-1971-speech-on-the-press))

Lee, K. Y., 1992. 'Democracy, Human Rights and the Realities', in a speech in Tokyo, Nov 10,

Nguyen, C., 2015. 'Tướng Phan Anh Minh "bật mí" về cái khó của phòng chống tham nhũng ở TP.HCM' (The Police Commander 'disclosed' on challenges of anti-corruption in Ho Chi Minh City). <http://infonet.vn/tuong-phan-anh-minh-bat-mi-ve-cai-kho-cua-phong-chong-tham-nhung-o-tphcm-post192923.info>, accessed at 17:00 on 15.03.2016

Nguyen, G, 2015. 'Lee Kwan Yew and standards from the Victorian Great Britain'. BBC Vietnamese. ([http://www.bbc.com/vietnamese/forum/2015/03/150323\\_ly\\_quang\\_dieu\\_gia\\_tri\\_victoria](http://www.bbc.com/vietnamese/forum/2015/03/150323_ly_quang_dieu_gia_tri_victoria), accessed on 23.03.2015) Straits Times, 1987, *Prime Minister Lee Kuan Yew*, 20 April 1987 (Available at: [en.wikiquote.org/wiki/lee-kuan-yew](http://en.wikiquote.org/wiki/lee-kuan-yew))

Nguyen, D. H., Le, V. Y., 2012. 'Chống "giặc nội xâm" (Against 'internal enemies'), retrieved from [http://hanoimoi.com.vn/Tin-tuc/To\\_chuc-Can\\_bo/536993/bai-3-chong-giac-noi-xam](http://hanoimoi.com.vn/Tin-tuc/To_chuc-Can_bo/536993/bai-3-chong-giac-noi-xam), on 20 May 2013

Nguyen, H., 2016. Cơ quan chống tham nhũng: "Độc lập sẽ rất khó!" (Independent AC agency is very challenging) [http://duthaonline.quochoi.vn/DuThao/Lists/TT\\_TINLAPPHAP/View\\_Detail.aspx?ItemID=896](http://duthaonline.quochoi.vn/DuThao/Lists/TT_TINLAPPHAP/View_Detail.aspx?ItemID=896)

Phunutoday, 2012. 'The Chief (Linh Huong To) resigned as Chairwoman at Vinaconex after two months'. <http://www.phunutoday.vn/sep-to-linh-huong-thoi-chuc-chu-tich-sau-2-thang-d15345.html#VuobZgVJGVlep3Vf.97>, accessed at 29 June 2012

Quoc Toan, 2015. *Tướng Công an gặp khó, Cục trưởng Cục chống tham nhũng lo... tham nhũng*. <http://giaoduc.net.vn/Xa-hoi/Tuong-Cong-an-gap-kho-Cuc-truong-Cuc-chong-tham-nhung-lo-tham-nhung-post166362.gd>, accessed at 17:00, 25.03.2016

Thu Ha, 2014. 'Mất vốn văn hóa, đất nước loay hoay phát triển' (Loss of culture capital, the nation struggled to develop, an interview with a famous Vietnamese culture journalist and one retired Dramatist and manager). Vietnamnet. (Available at: <http://vietnamnet.vn/vn/tuanvietnam/mat-von-van-hoa-dat-nuoc-loay-hoay-phat-trien-213847.html>)

Thu Hang, 2015. "*China, tigers fell down as flies*". Radio French International-Vietnamese. (Available at: <http://vi.rfi.fr/chau-a/20150403-trung-quoc-ho-cung-roi-nhu-ruoi>)

VnExpress, 2014. 'Death penalty for Duong, Chi Dung'. <http://vnexpress.net/tin-tuc/phap-luat/duong-chi-dung-bi-y-an-tu-hinh-boi-thuong-110-ty-dong-2987389.html>, accessed on 08 May 2014.

Vietnam News Agency, 2009, 'Chống tham nhũng ở địa phương gặp khó vì thể chế' (AC has been stuck due to institutional challenges). (Available at: <http://vietnamnet.vn/chinhtri/2009/02/828077>)

VnExpress, 2015. ‘‘Due’ promotion in Quang Nam province’. <http://vnexpress.net/tin-tuc/thoi-su/bo-noi-vu-quang-nam-bo-nhiem-giam-doc-so-30-tuoi-dung-quy-trinh-3290813.html>, accessed at 14 October 2015

VnExpress, 2015. ‘Nguyen, Thanh Nghi is the youngest Provincial CPV’s Secretary’. <http://vnexpress.net/tin-tuc/thoi-su/ong-nguyen-thanh-nghi-la-bi-thu-tinh-uy-tre-nhat-nuoc-3297236.html>, accessed at 17 October 2015

VnExpress, 2015. ‘Nguyen, MinhTriet must consolidate to deserve his family’s tradition’. <http://vnexpress.net/tin-tuc/thoi-su/ong-nguyen-minh-triet-phai-ren-luyen-de-xung-dang-truyen-thong-gia-dinh-3299680.html>, accessed at 22 October 2015

VietnamNet, 2016. Le, Truong H. H. joins CPV’s Provincial Leadership Committee. <http://vietnamnet.vn/vn/thoi-su/chinh-tri/ong-le-truong-hai-hieu-tham-gia-ban-chap-hanh-dang-bo-tp-hcm-306792.html>, accessed at 27 June 2016

VnEpress, 2012. ‘Nong, Q. T. stops his CPV Provincial Leadership at Bac Giang province’. <http://vnexpress.net/tin-tuc/thoi-su/ong-nong-quoc-tuan-thoi-chuc-bi-thu-bac-giang-2234229.html>, accessed at 26 June 2013

VietnamNet, 2016. ‘The son of Vu, Huy Hoang resigned as Sabeco’. <http://vietnamnet.vn/vn/kinh-doanh/doanh-nhan/vu-quang-hai-con-trai-ong-vu-huy-hoang-rut-khoi-hdqt-sabeco-348382.html>, accessed at 26 December 2016

Vietnamnet, 2016. ‘Discipline considerations on Trinh, Xuan Thanh’. <http://vietnamnet.vn/vn/thoi-su/chinh-tri/xem-xet-xu-ly-ky-luat-ong-trinh-xuan-thanh-315118.html>, accessed on 14.07.2016

Vu, J.B, 2006. ‘Only democracy can put an end to corruption in Vietnam’. (Available at: <http://www.asianews.it/news-en/Only-democracy-can-put-an-end-to-corruption-in-Vietnam-6954.html>, accessed at 29.10.2009)

The Voice of Vietnam, 2016. ‘The CPV Resolution at the 4<sup>th</sup> Central Plenum’. <http://vov.vn/chinh-tri/dang/toan-van-nghi-quiet-trung-uong-4-khoa-xii-ve-tang-cuong-chinh-don-dang-565179.vov>, accessed at 12:25, 13.01.2017)

Vietnam bbreaking news, 2014. ‘Hospital staff in blood-test-scam get jail time’. <http://www.vietnambreakingnews.com/2014/03/hospital-staff-in-blood-test-scam-get-jail-time/>, accessed at 10:00, Sept. 2015

*The Youth Newspaper*, 2015. ‘Brothers of Doan, van vuon will continue the lawsuits’. <http://www.thanhvien.com.vn/chinh-tri-xa-hoi/anh-em-ong-doan-van-vuon-se-tiep-tuc-kien-603408.html>

---

VnEpress, 2016, Ministry of Defence has a biggest number of members of the Central Communist Committee’. [http://vnexpress.net/tin-tuc/thoi-su/bo-quoc-phong-co-nhieu-uy-vien-trung-uong-nhat-3349239.html?utm\\_source=detail&utm\\_medium=box\\_topic&utm\\_campaign=boxtracking](http://vnexpress.net/tin-tuc/thoi-su/bo-quoc-phong-co-nhieu-uy-vien-trung-uong-nhat-3349239.html?utm_source=detail&utm_medium=box_topic&utm_campaign=boxtracking)

Tien Phong, 2016. The decision of Hanoi's Chief Judge violated seriously the laws'. The Pioneer Newspaper, Vietnam. <http://www.tienphong.vn/xa-hoi/quyet-dinh-cua-chanh-an-ha-noi-la-vi-pham-nang-762803.tpo>, accessed 17.44, 01.02.2016

The portrait of the powerful figures. <http://chandungquyenluc.blogspot.de/search?updated-max=2015-01-15T17:07:00%2B07:00&max-results=15>

The Vietland newspaper. 2016. 'The state nutures (30%) unproductive public officials'. <http://baodatviet.vn/chinh-tri-xa-hoi/201301/Nha-nuoc-dang-nuoi-bao-co-30-so-cong-chuc-2214531>, accessed at 13:22 on 27.01.2016).

Pham, Q. T., 2016, 'Vietnam's public officers. [http://www.bbc.com/vietnamese/forum/2016/06/160619\\_phamquytho\\_on\\_vn\\_state\\_sector](http://www.bbc.com/vietnamese/forum/2016/06/160619_phamquytho_on_vn_state_sector), accessed at 24/12/2016, 17:46, GMT +7

The VnExpress Newspaper, 2016. 'The Vietnamese Social Insurance Fund is delpleting'. <http://vnexpress.net/tin-tuc/thoi-su/quy-bao-hiem-xa-hoi-can-kiet-neu-khong-tang-tuoi-huu-3483864.html>

TT, 2015. The transparency town project in Vietnam. <https://towardstransparency.vn/transparent-town-project-in-vietnam>

Vietnamnet, 2016. 'Vietnam does not allow the abuse of AC in order to do 'reactionary' activities'. <http://vietnamnet.vn/vn/thoi-su/chinh-tri/khong-cho-phep-ai-loi-dung-dau-tranh-chong-tieu-cuc-de-chong-pha-dang-345457.html>, accessed at 24/12/2016, 17:30, GMT+7

The Youth Newspaper, 2016. 'Suspend of investigation of Kim, Quoc Hoa'. <http://tuoitre.vn/tin/phap-luat/20161222/dinh-chi-dieu-tra-vu-an-voi-ong-kim-quoc-hoa/1240753.html>, accessed at 24/12/2016, 18:23, GMT+7

<http://www.bbc.com/vietnamese/vietnam-38403146>

Giaoduc Newspaper, 2016. The Police Commander disclosed on AC challenges'. <http://giaoduc.net.vn/Xa-hoi/Tuong-Cong-an-gap-kho-Cuc-truong-Cuc-chong-tham-nhung-lo-tham-nhung-post166362.gd>, accessed at 17:00, 25.03.2016

The legal newspaper, 2017. 'Why Anti-corruption hero was prosecuted'. <http://baophapluat.vn/ho-so-vu-an/vi-sao-nguoi-hung-chong-tham-nhung-bi-truy-to-toi-dua-hoi-lo-298576.html>

<http://www.straitstimes.com/singapore/ex-cpib-assistant-director-edwin-yeo-jailed-10-years-for-criminal-breach-of-trust>

<http://www.straitstimes.com/singapore/sex-for-grades-case-takes-a-surprising-turn>

<https://www.cpib.gov.sg/cases-interest/private-sector-cases/cases-involving-public-listed-companies>, accessed Oct. 2015

## Websites

- ADB, 2011. *Overview of civil society in Vietnam*. Retrieved from <https://www.adb.org/sites/default/files/publication/28969/csb-vie.pdf>, accessed on 25 February 2017
- Birks, M. and Mills, J., 2011. *Grounded Theory*, (Available at: <http://www.slideshare.net/larryweas/grounded-theory-presentation-10065410>, accessed on 15 August 2013)
- BTI, 2016. *Vietnam country report*. Retrieved from <https://www.bti-project.org/de/berichte/laenderberichte/detail/itc/vnm/itr/aso/>
- BTI, 2016. *Singapore country report*. Retrieved from <https://www.bti-project.org/de/berichte/laenderberichte/detail/itc/vnm/itr/aso/>
- GAN business anti-corruption portal, <http://www.business-anti-corruption.com/corruption-dictionary>
- Carlson, A. M. S., 2014. 'Time to tackle corruption', Retrieved from [http://www.undp.org/content/seoul\\_policy\\_center/en/home/presscenter/articles/2014/12/09/time-to-tackle-corruption.html](http://www.undp.org/content/seoul_policy_center/en/home/presscenter/articles/2014/12/09/time-to-tackle-corruption.html), on 10 December 2014
- CIA, 2015. Vietnam (<https://www.cia.gov/library/publications/the-world-factbook/geos/vm.html>)
- <http://www.cpiib.gov.sg> (the website of Corruption Practice Investigation Board of Singaporean Government)
- Committee to Protect Journalists, 2016. *2016 prison census: 259 journalists jailed worldwide*. <https://cpj.org/imprisoned/2016.php>, accessed at 16:00, 02.01.2016
- Marshall, D., 2013. *Crime and Deviance: A Sociological Perspective*, a video presentation (Available at: <http://www.youtube.com/watch?v=Bsk62mC1VXI>)
- Farzana Nawaz- TI, 2008. *Corruption in fast growing markets: lessons from Russia and Vietnam*, (Available at: <http://www.u4.no/helpdesk/helpdesk/query.cfm?id=166>)
- Freedom House, 2016. Retrieved from <https://freedomhouse.org/report/freedom-press/freedom-press-2016>
- Freedom House, 2015. Retrieved from [https://freedomhouse.org/sites/default/files/FreedomofthePress\\_2015\\_FINAL.pdf](https://freedomhouse.org/sites/default/files/FreedomofthePress_2015_FINAL.pdf)
- Freedom House, 2014. Retrieved from <https://freedomhouse.org/report/freedom-press/freedom-press-2014>
- Freedom House, 2013. Retrieved from <https://freedomhouse.org/sites/default/files/FOTP%202013%20Full%20Report.pdf>
- International Chamber of Commerce, Transparency International, United Nations Global Compact, World Economic Forum Partnering Against Corruption Initiative, 2008. *Clean Business is Good Business*. (Available at: [http://www.unglobalcompact.org/docs/issues\\_doc/Anti-Corruption/clean\\_business\\_is\\_good\\_business.pdf](http://www.unglobalcompact.org/docs/issues_doc/Anti-Corruption/clean_business_is_good_business.pdf).)

Ian Bannon, 1999. *The Fight Against Corruption, A World Bank Perspective* ([http://www.iadb.org/regions/re2/consultative\\_group/groups/transparency\\_workshop6.htm](http://www.iadb.org/regions/re2/consultative_group/groups/transparency_workshop6.htm), accessed on 11.02.2015)

Kenneth J. Arrow, 1972. *Gifts and exchanges*. (Available at: [http://acawiki.org/Gifts\\_and\\_exchanges](http://acawiki.org/Gifts_and_exchanges), accessed 27.02.15)

MOJ, 2014. *National conference on AC work*. Web-site of MOJ dated 6 May 2014

Nguyen, Quang Phuc, 2015. *Urban land grab or fair urbanization? Compulsory land acquisition and sustainable livelihoods in Hue, Vietnam*, Utrecht University. (<http://www.landgovernance.org/events/urban-land-grab-or-fair-urbanization/>, accessed at 13:30, 05.02.2016)

Nguyễn, N. C., 2006. *Đặc điểm tham nhũng ở Việt Nam*, <http://www.chungta.com/Desktop.aspx/ChungTa-SuyNgam/Luat-Phap/Dac-diem-Tham-nhung-o-Viet-Nam>.

Radaev, V., 2002. 'How Trust Is Established in Economic Relationships When Institutions and Individuals Are Not Trustworthy', [www.colbud.hu/honesty-trust/radaev/pub02.doc](http://www.colbud.hu/honesty-trust/radaev/pub02.doc), Accessed 28.02.15

Xxx, xxx. *Economic causes of corruption*. [http://www2.law.columbia.edu/course\\_00S\\_L9436\\_001/2004/o\\_UN-07b\\_Chp1.pdf](http://www2.law.columbia.edu/course_00S_L9436_001/2004/o_UN-07b_Chp1.pdf), *Economic causes of corruption*, P237-269.

Painter, M. 2014. 'Myths of Political Independence, or How Not to Solve the Corruption Problem: Lessons for Vietnam'. <http://onlinelibrary.wiley.com/doi/10.1002/app5.22/abstract>

PEW Research Center, 2014, *Emerging and Developing Economies Much More Optimistic than Rich Countries about the Future* (<http://www.pewglobal.org/2014/10/09/emerging-and-developing-economies-much-more-optimistic-than-rich-countries-about-the-future/> (accessed at , 10.10.2014)

The WB, 2009. *Youth for good governance- distance learning programme, Module IV- Causes of corruption*.

U4, 2014. *The revolving-door indicator, estimating the distortionary power of the revolving door*, (<http://www.u4.no/publications/the-revolving-door-indicator-estimating-the-distortionary-power-of-the-revolving-door/>, accessed at 11:00, 20.11.2016)

Vietnamese Assembly, 2012. *Anti-corruption Law 2012*, <http://dspace.africaportal.org/jspui/bitstream/123456789/12935/1/Viet%20Nams%20Law%20on%20Anti%20Corruption.pdf?1>

[WB, 2004. The Costs of Corruption.](http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,print:Y~isCURL:Y~contentMDK%3A20190187~menuPK%3A34457~pagePK%3A34370~piPK%3A34424~theSitePK%3A4607,00.html)  
<http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,print:Y~isCURL:Y~contentMDK%3A20190187~menuPK%3A34457~pagePK%3A34370~piPK%3A34424~theSitePK%3A4607,00.html>

[http://www.transparency.org/news/feature/vietnam\\_citizens\\_against\\_corruption](http://www.transparency.org/news/feature/vietnam_citizens_against_corruption), accessed Sept. 2013

[http://www.bbc.com/vietnamese/vietnam/2013/03/130330\\_doanvanvuon\\_views.shtml](http://www.bbc.com/vietnamese/vietnam/2013/03/130330_doanvanvuon_views.shtml)

<http://www.bbc.com/vietnamese/vietnam-38494134>, accessed at 10:00, 05.01.2017

<http://www.bbc.com/vietnamese/vietnam-38494134>, accessed at 10:00, 05.01.2017

WVS, 2016. World Value Survey. <http://www.worldvaluessurvey.org/WVSContents.jsp>

[http://worldjusticeproject.org/sites/default/files/files/wjp\\_rule\\_of\\_law\\_index\\_2014\\_report.pdf](http://worldjusticeproject.org/sites/default/files/files/wjp_rule_of_law_index_2014_report.pdf)

<http://www.worldaudit.org/democracy.htm>

<https://freedomhouse.org/report/freedom-world/freedom-world-2015?gclid=CIPxk4Oo38MCFcHKtAodrAQAJg#.VN4iai60eQd>

<http://www.doingbusiness.org/rankings>

<http://reports.weforum.org/global-competitiveness-report-2014-2015/rankings/>

<https://en.oxforddictionaries.com/definition/corruption>, accessed on 24 February 2017

<http://www.britannica.com/topic/governance#toc307733>, accessed on 18 September 2015

<https://hal.archives-ouvertes.fr/halshs-00638348/document>, accessed 24 February 2017

[www.oxforddictionaries.com/definition/american-English/model](http://www.oxforddictionaries.com/definition/american-English/model), accessed on 10 March 2013

<http://www.mcc.gov/pages/selection/indicator/control-of-corruption-indicator>, accessed on 10 March 2013

[https://asp.mercatus.org/?\\_ga=1.58261546.1263020376.1487882590](https://asp.mercatus.org/?_ga=1.58261546.1263020376.1487882590)

The website on international studies, Vietnam. <http://nghiencuuquocte.org/2014/05/24/viet-nam-bao-nhieu-doi-tac-chien-luoc-la-du/>, accessed on 26 May 2014

The National Assembly of Vietnam, <http://quochoi.vn/Pages/default.aspx>

<http://www.bbc.com/news/world-asia-15971013>

<http://www.singapore-elections.com/political-parties.html>, 2016

<http://data.un.org/CountryProfile.aspx?crName=SINGAPORE>

CIA, 2015

The Communist party of Vietnam.

[http://dangcongsan.vn/cpv/Modules/Preview/PrintPreview.aspx?co\\_id=30503&cn\\_id=606588](http://dangcongsan.vn/cpv/Modules/Preview/PrintPreview.aspx?co_id=30503&cn_id=606588)

I paid a bribe. [Www.Toidihoilo.com](http://www.Toidihoilo.com)

<http://www.bbc.com/vietnamese/vietnam-38510091>, accessed at 10:00, 05.01.2017

<http://www.transparency.org/whatwedo/nis/>

[https://vi.wikipedia.org/wiki/%C4%90%E1%BB%97\\_Vi%E1%BB%87t\\_Khoa](https://vi.wikipedia.org/wiki/%C4%90%E1%BB%97_Vi%E1%BB%87t_Khoa), accessed on 20 February 2017

<http://ketoanthienung.org/tin-tuc/danh-muc-dia-ban-ap-dung-muc-luong-toi-thieu-vung.htm>

<https://www.cpiib.gov.sg/education/what-corruption>, accessed on 10 Feb, 2017.

[www.hdb.gov.sg/fi10/fi10221p.nsf/0/.../\\$file/Key%20Statistics.pdf](http://www.hdb.gov.sg/fi10/fi10221p.nsf/0/.../$file/Key%20Statistics.pdf)

<http://countrystudies.us/singapore/31.html>

<http://www.singstat.gov.sg/statistics/visualising-data/charts/home-ownership-rate-of-resident-households>

<http://www.sla.gov.sg/htm/ser/ser02.html>

<http://foreignpolicy.com/2015/02/10/in-egypt-police-are-the-real-hooligans-deaths-cairo-soccer-stadium/>

<http://worldjusticeproject.org/what-rule-law>, accessed on 04.02, 2017

[http://www.icac.org.hk/en/checks\\_and\\_balances/bf/index.html](http://www.icac.org.hk/en/checks_and_balances/bf/index.html), accessed on 09 November 2016

## Online lectures

Charmaz, K. 2006, *Introduction to Grounded Theory*. (Retrieved 25 October, 2011 from <http://www.analytictech.com/mb870/introtoGT.html>)

D. Marshall, 2014, Online lectures on Crime and Deviance. <https://www.youtube.com/watch?v=Bsk62mC1VXI>

The Communist Party of Vietnam, 2012. 'The General-Secretary of Vietnam Communist Party cried for failed anti-corruption'.

Marshall, D., 2014. Online lectures on Sociological theories. <https://www.youtube.com/channel/UCIIDxvqNN0FRq86iBE8GG7A/videos>

Weas, L., 2016. Slides on the Grounded Theory. <https://www.slideshare.net/larryweas/grounded-theory-presentation-10065410>

## Videos

Can, T. T., 2014. 'Forceful and violence land taking in Duong Noi, Hanoi city on 25 April 2014'. <https://www.youtube.com/watch?v=53wqy1g6h3E>, accessed on 01 May 2014

Nguyen, B., 2016. Demonstrations (of people against land 'robbing') in Hanoi city'. <https://www.youtube.com/watch?v=mB0NJdDbEA4>, accessed on 14 June 2016



RFI Vietnamese, 2014. ‘Demonstrations against land taking in Duong Noi, Hanoi city’. <https://www.youtube.com/watch?v=20CJ0BbGC3E>, accessed on 01 May 2014

Quang Huy, 2014. ‘Collective ‘questioning’ and quarrel on land taking in Duong Noi, Hanoi city’. <https://www.youtube.com/watch?v=zR6b6LO1ma8>, accessed on 21 May 2014.

‘The Vietnamese patriot’, 2012. ‘Demonstration of farmers against land taking in Van Giang, Hung yen Province, on 24 April 2012’. <https://www.youtube.com/watch?v=prcfYdHJuGk>, accessed on 23 April 2012

‘The Vietnamese patriot’, 2012. ‘Farmers against land taking in Van Giang, Hung yen Province, on 24 April 2012’ <https://www.youtube.com/watch?v=IdTY44pmQXg>, accessed on 09 May 2012.

Unknown ‘overseas discussants’, 2012. Videos on forced and violence land taking in Duong Noi, Hanoi city’. <https://www.youtube.com/watch?v=TeWsJoTMhto>, accessed on 23 April 2012.

### **Law documents**

Vietnamese National Assembly, 2013. *The New Constitution of Vietnam 2013*

Vietnamese National Assembly, 2012. *The new Anti-Corruption Law (ACL) of Vietnam, 2012.*

VN Government, 2011. *The anti-corruption strategy in Vietnam.*

Vietnamese National Assembly, 2011. *The Law of Complaints and the Law on Denunciations of Vietnam.*

Vietnamese National Assembly, 2007. *The amended Law on Anti-Corruption of Vietnam*

Vietnamese National Assembly, 2005. *Law on Practicing Thrift and Fighting Waste of Vietnam,*

Vietnamese National Assembly, 2005. *Law on Anti-Corruption of Vietnam.*

Vietnamese National Assembly, 2004. *Law on Inspection of Vietnam;*

Vietnamese National Assembly, 2004. *Law on Complaints and Denunciations (revised 2004);*

Vietnamese National Assembly, 2003. *The Revised Ordinance on Public Employees, 2003.*

Vietnamese National Assembly, 2000. *Ordinance on Anti-Corruption (revised 2000);*

Vietnamese National Assembly, 1999. *The Criminal Code, Chapter 20, Part A – Corruption Crimes;*

Vietnamese National Assembly, 1998. *Ordinance on Practicing Thrift and Fighting Waste of Vietnam.*

### *International documents*

UN, 2004. *The ADB/OECD Anti-Corruption Initiative for Asia and the Pacific,*

UN, 2003. *The United Nations Convention Against Corruption,*

## **Abstrakt**

Trotz der globalen Konnotation als "innerer Feind der nationalen Entwicklung" steckt der Kampf Vietnams gegen die Korruption seit langer Zeit fest. Es fehlt an Vision, Einsichten, innovativen Methoden und politischem Willen zum Wandel. Dieses Problem wird zudem dadurch verschlimmert, dass die Korruptionsforschung in Vietnam vor allem quantitativ, politikorientiert, projektbasiert oder sektororientiert war, während qualitative sozialwissenschaftliche Einsichten zu den kulturellen Bedingungen und über die soziale Morphologie der Korruption unterschätzt wurden. In Anbetracht dieser Probleme, analysiert und vergleicht das Promotionsprojekt die kulturellen und institutionellen Bedingungen vergleichend in Vietnam und Singapur – auf der Suche nach den bestmöglichen Anti-Korruptionsmaßnahmen. Singapur ist die beste Wahl, um am deutlichsten zu zeigen, wie unterschiedliche Entwicklungsansätze, Kapitalismus und Sozialismus, mit ähnlichen nationalen Kontexten wie dem Konfuzianismus, dem kolonialen Erbe und vormodernen Verhältnissen zu entgegengesetzten Maßnahmen und Erfolgen in der Korruptionsbekämpfung führen können. Die Forschung bestätigt, dass in Vietnam kulturelle und formale Institutionen bei der Verbreitung korrupter Praktiken zusammenspielen. Die wichtigsten institutionellen Einflussfaktoren sind das autoritative politische System, die ineffiziente Regierungsweise, die schwache Strafverfolgung und Rechtsstaatlichkeit, die unterentwickelte Zivilgesellschaft sowie eine strikte Pressezensur, welche Transparenz und Verantwortlichkeit beeinträchtigen, um Chancen hervorzubringen, Prämien zu lockern und um die Kosten der Korruption zu senken. Andererseits werden korrupte Praktiken durch eine allgemeine Toleranz der Korruption, als Lösung sozialer Transaktionen und als vorübergehende "soziale Wertestörung", genährt. Eine konditionierte radikale Systemänderung durch Wissenstransfer ist erforderlich, will sich Vietnam, wie Singapur, entwickeln. Genauer gesagt brachten die Reformen in Vietnam Gewinner und Verlierer hervor, durch die Ausweitung der Lücken von Ungleichheit und Ungerechtigkeit durch die Entstehung einer kleinen illegitimen Gruppe von „Neureichen“, das Ersuchen politischer Renten durch Beamte auf Kosten der Mehrheit der Armen, gefährdeter Gruppen wie beispielsweise stimmlose, ihr Land verlierende Bauern. Eine starke Anforderung sind für die Rechtsstaatlichkeit, gute Regierungsführung, Transparenz, Rechenschaftspflicht und eine allgemeine Integrität im öffentlichen Sektor.