

Deviations from Ethical Norms of Some Vietnamese Civil Servants and Remedial Solutions

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SUMMARY: After proposing and analyzing a number of fundamental concepts: civil servant, public service, public service ethics, deviations from ethical norms, the article describes the current situation of the deviations in public integrity among some Vietnamese civil servants, thereby proposing some solutions to address these issues.

Key words: *Civil servants, public service ethics, deviations from ethical norms, Vietnam.*

I. CIVIL SERVICE, PUBLIC SERVICE ETHICS

The term *civil service* is used in many different fields of science, especially in political science. So far, there has not been a consensus on the meaning of this concept. In each historical period at different countries, the concept of civil service is often not the same. Moreover, as Friedrich Engels asserted: "From a scientific standpoint, every definition has only a small value"¹. Although "there is only a small value," but in everyday life as well as in scientific research, it is necessary to provide definition of surrounding entities.

On the basis of published scientific research and our research, based on Article 2 of the 2010 *Law on Cadres and Civil Servants*, we believe: *Civil service* is a form of power which is conducted by state officials and employees in accordance with the law, in order to serve the interests of the people, the society and the state.

Civil service is associated with public servants. Compared to some other countries, the concept of civil service in Vietnam is defined more widely. It is not only the activity of public servants but also the activities of political organizations; socio-political organizations and other organizations (agencies and units of the People's Army and the Public Security). This is prescribed in Article 4 of the *Law on Cadres and Civil Servants* (Law No.: 22/2008 / QH12). Therefore in Vietnam, *civil servants* are the ones who are recruited and appointed to hold certain ranks, positions and titles in the bodies of the Party, the State, socio-political organizations, agencies, military units, police. They receive salaries from the state budget.

Like all other social members, civil servants must abide by the principles, norms and ethical values of the society in which they live and operate. On the other hand, civil servants must abide by their professional principles, norms and values. Friedrich Engels once wrote: "In fact, every class and even every profession has its own morality"². Professional ethics of civil servants is public service ethics. In general terms, *public service ethics* is a system of values, principles and standards used to adjust and evaluate the conduct of civil servants, to express their conscience, responsibility and obligations in their implementation to serve the benefit of the people, the society and the state.

II. STANDARDS OF PUBLIC SERVICE ETHICS AND THE DEVIATIONS FROM THE ETHICAL NORMS

Standards of public service ethics (or another word the paradigm of public service ethics) are values, principles that are accurate, socially accepted and used in the assessment, adjustment of consciousness and

¹Karl Marx and Friedrich Engels, *Complete volume*, National Political Publishing House, H. 1994, ep. 20, p.121.

²Karl Marx and Friedrich Engels, *Complete volume*, National Political Publishing House 2004, ep 21, p.425

ethical behavior of civil servants. Public service ethics govern and direct the development of their morality in the course of their official duties.

Standards of public service ethics pertain to historical features, not something that is unique and immutable. Based on the national ethical tradition, on Ho Chi Minh's thought on morality; Based on a number of documents of the Party, and the State which are directly related to the morality of cadres, party members, civil servants and public employees (especially the Law on Cadres and Civil servants; Law on Public Officials); Based on the basic principles of the ethics, etc., it is possible to outline some standards of public service ethics for our officials and civil servants, including the following basic contents:

Firstly, be loyal to the Party and the nation.

This is a foremost important criterion amongst those of public service ethics, which is the basis for implementing other ethical standards. This moral standard requires cadres and civil servants to be loyal to the Party's guidelines on national independence and socialism. In the conduct and communication between officials and public servants, between civil servants and communities, it is necessary to show the trust in socialist ideals and the determination to follow these ideas. Specifically, in every word and deed when performing public service activities, officials and public employees need to comply with the Party's guidelines and policies. In the course of performing each civil service activity, the officials need to understand the value of the work brought to the Party, the State and the people. Failure to grasp this principle will lead to covetous ambition when performing public duties. Faithful to Party and the nation also means to be honest at work, to dare to take responsibility before the Party, the State and the people.

Secondly, the officials need to lead a healthy lifestyle, to be exemplary and diligent cadres and civil servants who have a high sense of responsibility in public service activities.

Lifestyle is built up from daily habits, expressed by their words and behaviors. Officials and civil servants are people working in the public authority, so the precondition of healthy and positive lifestyle must first be expressed in the form of they being strictly adherent to the law. Because if not consistently complying with the law will lead to acts of abusing their duties, powers, taking advantage of the law's loopholes for personal gain. Healthy and positive lifestyles of cadres and civil servants are also expressed through their professional working styles; their proper communication with citizens, their high sense of responsibility and finally through their successful completion of the assigned tasks.

A positive healthy lifestyle is associated with the basic moral qualities such as *cần* (assiduousness), *kiệm* (prudence), *liêm chính* (integrity), *chí công vô tư* (righteousness, and impartiality). According to President Ho Chi Minh, "*cần*" is the first word in the compound adjective "*cần cù*", in English it means being diligent, and assiduous to finish the assigned task. "*Kiem*" is the second word in the compound adjective "*tiết kiệm*", in English, it means being economical, and prudent. "*Liêm*" is the first word in the compound adjective "*liêm chính*" or "*liêm khiết*", in English, it means integrity. "*Chính*" means that being straightforward, being scrupulous, doing the right thing for the common benefit of many people. "*Chí công vô tư*" means that to put the interests of society, and communities ahead of the individual interests.

Thirdly, civil servants need to be highly cooperative and supportive in performing public duties.

In the performance of official duties, each cadre and civil servant must always put their feet in another's shoes and serve the interests of the community. Being highly cooperative, collaborative is the novel principle of morality in modern life, expressed in their attitudes to collaborate and take responsibility in their work, being willing to accomplish any tasks given to them. When one is highly collaborative, he or she can be seen as a person who has collective spirit. Collective spirit in turn, when one considers it as their philosophy of life, the spirit turns to be collectivism. Collectivism is opposite to individualism. Based on the novel principle of morality in modern life, it should become one of the standards of public service ethics. Each cadre and civil servant must always have a high collective spirit in the performance of official duties, thereby contributing to the cleaning of the complexity of the government, making the administrative apparatus effective and efficient in order to serve the interests and benefits of the people, the society and the State.

Fourth, civil servant must be altruistic. The main task of cadres and civil servants is to work in the bureaucracy to serve the Party, the State and the people. The purpose of being adherent to the orders from superiors or reaching a consensus at work is just to accomplish given tasks. The nature of our state is the state of the people, by the people, for the people. Therefore, civil service is an activity aimed at exercising the power of the people, serving the interests of the people, collecting opinions from the people and promoting the autonomy of the people. To do this, each cadre and civil servant must understand thoroughly Ho Chi Minh's view: cadres and civil servants must be truly "public servants" and "people's servants". All activities of cadres and civil servants (or civil service activities) are ultimately aimed at serving the people: "All benefits are *for the people* /

All power is *for the people*... Government from communal level to the central level is *elected by the people* ... In short, the power and resources *are from the people*.³What is good for our people must be done at our best; If anything is detrimental to the people, we must avoid it. Wholeheartedly serve the people.

Any violation (either expressed by means of behaviors or constricted in the mind), anything that does not follow the socially accepted ethical standards and goes against society's expectations is considered "*deviation from ethical norms*". Accordingly, the *deviations from public service ethics* is a violation, the departure from the professional ethical standards and is contrary to the expectations of society.

After more than 30 years of renovation, our country has achieved many great historical achievements on the path of building socialism and defending the Socialist Republic of Vietnam. Bringing our country out of the socio-economic crisis and underdevelopment status, becoming a middle-income country, creating an important foundation for our country to continue to innovate and thrive in the coming years. It is the result of continuous efforts of the Party, the Vietnamese citizen and the army for the goal of "a prosperous people and a strong, democratic, equitable and civilized country", and more importantly, the significant contribution of civil servants.

In addition to the some achievements that civil servants have made in recent years, the current "state of decline in political ideology, morality, lifestyle; some expressions of "self-evolution", "self-transformation" in a number of cadres, party members, civil servants; the complicated situation of corruptions, embezzlements, the degradation of social morality are desiccating the trust into the Party and the State from officials, party members and people"⁴. Many cadres and party members who are civil servants show signs of suspicion, skepticism about the Party's leadership roles, goals, ideals and the path to socialism in Vietnam. "A lack of discipline is seen in management of state affairs and performance of public service. Administrative reform is conducted slowly, haphazardly and does not meet the requirements; administrative procedures are still complicated and troublesome ... The prevention and fight against corruption and prodigality have not met the set requirements; corruption and embezzlements are still widespread"⁵. All of these factors are hindering the socio-economic development, causing public anger. They are seriously challenging the Party's leadership role and the effective management of the State, threatening the survival of the regime, besmirching the reputation and dignity of civil servants.

According to Prime Minister Nguyen Xuan Phuc, "We currently have 2.8 million civil servants, the question is whether they are really devoted or not? ... In the apparatus of our government, up to 30% civil servants are redundant, they are ineffective, and do not make any real contribution to the government"⁶. This is an alarming situation, it directly affects the effectiveness and efficiency of our State management.

In the *closing speech of the 11th Plenum of the Central Party Executive Committee of the 12th Party Committee* (October 12, 2019), after highlighting the great accomplishments which mark the maturity in all aspects that the Party and Vietnamese citizens have achieved after 35 years, General Secretary and President Nguyen Phu Trong said that there are still many big complicated issues, limitations and inadequacies that need to be further studied and addressed, in order to develop the country more sustainably in the future.

According to the General Secretary: since the beginning of the 12th term up to now, the Central Executive Committee, the Politburo, the Secretariat and the Central Inspection Committee have disciplined more than 70 senior high-ranking officials of the central level, including 1 member of the Politburo, and 4 members of the 12th Party Central Committee, 14 former members of the Central Committee, 1 former Deputy Prime Minister, 5 former Ministers, 2 secretaries of the Provincial Party Committee, 5 former Secretaries of the Provincial Party Committee and 17 comrades are military generals; Some officials have been criminally sentenced.⁷ The General Secretary said that this was a profound and expensive lesson for all of us. The General Secretary suggested that each cadre, party member and civil servant should regularly self-cultivate, self-study, self-reflect, self-correct, stay away from material temptations that consequently cause unpredictable losses. It can be said that these are the clear examples of deviations from public service ethics.

The degradation of political ideology, the deviations from ethical norms in a part of our cadres, party members, civil servants and officials stem from both objective and subjective causes. In which, the impact from the negative side of the market economy can be considered as a profound cause leading to the deviations of public service ethics. Friedrich Engel once wrote: "In the end, all the moral doctrines that have ever existed are

³Ho Chi Minh, *Complete volume*, National Political Publishing House, H. 2011, ep. 6, p.232

⁴Communist Party of Vietnam, *Document of the 12th National Party Congress*, National Political Publishing House, H. 2016, p.74

⁵Communist Party of Vietnam, *Document of the 12th National Party Congress*, National Political Publishing House, H. 2016, p.173-174

⁶<http://vietnamnet.vn/vn/chinh-tri/107061/-30--cong-chuc-sang-cap-o-di--toi-cap-ve-.html>

⁷<https://www.nhandan.com.vn/chinhtri/item/41875802-be-mac-hoi-nghi-lan-thu-11-ban-chap-hanh-trung-uong-dang-khoa-xii.html>

the products of the economic situation of society at that time"⁸ and whenever "With the changing economic base, all of the massive superstructure is also more or less reversed"⁹.

On the one hand, our market economy is guided and dominated by the nature of socialism, guaranteed by socialist orientation that is appropriate to each stage of development of the country, on the other hand it operate fully and comply synchronously with the rules of the market economy, so it is inevitable that there will be negative impacts from the adversarial side of the market economy. We do not entirely blame the market economy, but we cannot underestimate the negative effects of that economy. Along with stimulating the productivity, the market economy is also the hotbed of many kinds of social evils. In some perspectives, it can be said that "there are some aspects of market economy that are antithetical to the nature of socialism. It is the proclivity of excessive divergence between rich and poor, the cult of money. Because of money, one can trample on morality, dignity ..."¹⁰

The negative impact from the downside of market economy and of globalization is obvious. However, the most direct cause lies in the problems of cadres and civil servants. Many of them are irresponsible in conducting the duties, haphazard when doing their given task. In addition to that, the education of political ideologies remains superficial, therefore, lacks of evidence to persuade and motivate cadres and civil servants. In some places, people whose noble acts have not been complimented, and those who have made a lot of wrongdoings and mistakes have not been punished and criticized. Democratic principles, the practices of self-criticism and criticism in many places have both been neglected in implementation, and have not been specifically set as a basis for inspection and supervision¹¹, etc. In order to overcome the situation of deviations from ethical norms in a part of our officials and public employees, at first, it is necessary to well implement the following solutions:

III. A NUMBER OF FUNDAMENTAL SOLUTIONS TO ADDRESS THE SITUATION OF DEVIATIONS FROM ETHICAL NORMS IN A PART OF VIETNAM'S CIVIL SERVANTS TODAY

Firstly, improve the socialist-oriented market economy institutions - especially enhancing the system of laws, mechanisms and policies. This must be considered as one of the indispensable solutions contributed to address the problem of deviations from ethical norm in a part of Vietnam civil servants today.

Stemming from the rule: social existence determines social consciousness, infrastructure determines superstructure, the mode of production of material life determines the processes of social activities and the spirit in general, so economic institutions have a direct impact on all different areas of social life, including morality. This influence usually takes place in two directions: the positive and the negative. For example, before Doi Moi Reform, when we had not transformed the economic mechanism, 54.7% considered intuition and emotions were most important; 69.4% reported that they were limited in measuring financial profitability; 64.5% described that they were not active and resourceful enough in working; 61.2% said that they mainly focused on collective values, etc. After Doi Moi Reform, 83.2% required a high daily consumption level; 64% focused on personal interests is key; person-to-person relations were mainly based on economic relations of 60%¹² etc. The above statistics show that we cannot deny the negative effects of the market economy on the social morality in general and the morality of public servants in particular.

In the past time, although our Party and State have paid much attention to improving the socialist-oriented market economy institutions, especially the legal system, mechanisms and policies; the competitive strength of economic entities, and many types of business has been constantly increasing. However, compared with the country's development requirements, the "improvement of economic institutions is still slow-paced; The legislative system, mechanisms and policies are incomprehensive and incompatible, and to some extent do not meet the demand from economic growth model, requirements of restructuring the economy in order to implement three strategic breakthroughs..."¹³. All of these are having a profound effect on socio-economic development. Whenever the legal system, mechanism, policies are not complete and inconsistent with one another, in addition to weak inspection, superficial supervision, relaxed control, etc, then this is the time the

⁸Karl Marx and Friedrich Engels, *Complete volume*, National Political Publishing House, H.1994, ep.20, p. 137

⁹Karl Marx and Friedrich Engels, *Complete volume*, National Political Publishing House, H. 1995, ep. 13, p.15.

¹⁰Communist Party of Vietnam, *Document of the Communist Party Congress in the period of reform*(Congress VI, VII, VIII, IX), National Political Publishing House, H. 2005, p.459

¹¹Communist Party of Vietnam, *Document of the Fourth Conference of the Central Executive Committee, Course XI*, National Political Publishing House, H. 2012, p.24.

¹²National Science and Technology Program, Project KX-07-04 *Value-Oriented personality values and Education of values*. Hanoi 1995, p.101, 102

¹³Communist Party of Vietnam. *Document of the 12th National Party Congress*, National Political Publishing House, H. 2016, pp.98-99

lesson from Friedrich Engels is worth mentioning. He once warned that people are willing to violate professional ethics "whenever they feel they can violate without being punished"¹⁴. Many individuals and groups of people - among which many are officials and public servants - have taken advantage of the incompleteness and lack of uniform in the legal system, mechanisms and policies to embezzle in the way that seriously violates public service ethics, and dampens the hope and expectations of the society. Therefore, it is especially crucial to improve the market economy institution, enhance the legal system, mechanisms and policies to prevent the negative impact of the market economy on public service ethics.

Secondly, strengthening the work of propaganda and political education; nurturing desirable qualities and traits within the officials and public servants such as self-cultivating, self-discipline.

Ethical education aims to help cadres and civil servants understand their positions, roles, responsibilities and powers in the State administrative apparatus and socio-political organizations. From there, they can rectify the lifestyles, behaviors, attitudes, actions so as to be in accordance with the ethical standards. As a result, they will be more aware of being self-disciplined, assiduous, frugal, decent, and altruistic. In addition, it is significant to implement more educational programs and propaganda so that the civil servants will be more circumspect about offensive and iconoclastic claims and accusation among the dissidents who are spreading the seeds of dissatisfaction with the job position, with the income level, with the assigned job.

Revolutionary morality in general, public service ethics of cadres and civil servants in particular do not exist by chance or "out of thin air". That is the result of the cultivation process, "hard-training day-by-day to reinforce and strengthen the belief. Just as the gem shines brightly after being polished, the gold becomes purer after being refined"¹⁵. In order to train and improve the revolutionary morality in general and the public service ethics in particular, first of all, "Every cadre, every party member must practise self-criticizing, self-reflecting and self-correcting on a daily basis"¹⁶, so our Party will be more transparent; our cadres and officials will become public servants in deed.

Thirdly, strengthening inspection and evaluation of the performance of tasks and cross-checking the powers of officials and public employees, regularly rewarding and disciplining public service activities.

In the task of management of officials and public employees, checking and evaluating the capacity and attitudes of cadres and civil servants are the key step which serves as a basis for other tasks such as promotion, appointment, rotation, commendation and discipline...In particular, checking and evaluating the performance of tasks and powers of civil servants are a necessary task to prevent and address the problems of deviations from ethical norms. If there were not checks and balances, one would not know exactly what the cadres and civil servants are doing and with whom they are working. On the basis of the examination and evaluation of the performance of tasks and powers of officials and public employees, there must exist some forms commendation or discipline which should be done on a timely manner to secure an ambience of fairness. The reason behind this would be that to address the problems of deviations from ethical norms, discipline is the most deterrent and highly effective measure to disabuse officials and public servants.

Commendation is a form of setting someone as an exemplary model for others to take after and encouraging cadres and civil servants to well perform their roles and duties to make more contributions to the Party, the state and the people. People when they were born - as C. Marx said - "neither do they bring a mirror nor are they a philosopher to say that "I am me", so people sometimes have to look at others first, just like looking in a mirror to realize who they are"¹⁷. President Ho Chi Minh in *his opinions on the publication of the book "Good people and good deeds"* (June 1968) said: "Following the example of good people and good deeds to educate each other is one of the best way to build the Party, build revolutionary organizations, build new people and new lives." Therefore, rewarding and setting an example must be an indispensable solution to address the problems of deviations from ethical norms in public service.

IV. CONCLUSION:

Most of our officials and civil servants have a firm ideological stance, uphold the revolutionary ethics, always consciously improve their professional ethics, greatly contribute to build up a prosperous democratic country of Vietnam whose people are wealthy and justice is secured.

Besides, there is still a large number of cadres and civil servants whose lifestyle, ethics have shown a different degree of degradation, and deviated from ethical norms in their civil service. To address the problem of ethical deviations, in the immediate future, it is necessary to improve the socialist-oriented market economy

¹⁴Karl Marx and Friedrich Engels, *Complete volume*, National Political Publishing House, H.1995, ep.21, p 425

¹⁵Ho Chi Minh, *Complete volume*, National Political Publishing House, Hanoi, 2011, ep.11 p. 612

¹⁶Ho Chi Minh, *Complete volume*, National Political Publishing House, Hanoi, 2011, ep.5 p. 279

¹⁷Karl Marx and Friedrich Engels, *Complete volume*, National Political Publishing House, H. 2004, ep. 23, p.87

institution - especially the legal system; to strengthen propaganda and political education; to promote a positive lifestyle in which each cradle and civil servant need to proactively practise self-discipline, self-improvement; to strengthen inspection and evaluation of the performance of tasks and powers of civil servants; to use of a combination of reward and punishment in public service activities.

We believe that, under the leadership of the Party and the regulation of the State, in the coming time we will build a contingent of capable cadres and civil servants whose ethical qualities meet well requirements and revolutionary tasks set out.

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