### DECENTRALIZATION ADMINISTRATION IN THE SYSTEM OF STATE AGENCIES AND ORGANIZATIONS, BARRIERS IN THE ORGANIZATION AND IMPLEMENTATION PROCESS

Tong Duy Tinh<sup>a</sup>; Dau The Tung<sup>b</sup> Nguyen Phuong Hiep<sup>c</sup>; Nguyen Ngoc Minh<sup>d</sup>

<sup>a</sup> Hanoi University of Business and Technology; Email: tdtinh@moet.edu.vn

<sup>b</sup> Vietnam Academy for Ethnic Minorities; Email: *tungdt@hvdt.edu.vn* 

°Hanoi Open University; Email: hiepnp@hou.edu.vn

<sup>d</sup> Military Petrochemical Joint Stock Company; Email: *minhnn.84@gmail.com* 

Received: 15/02/2023; Reviewed: 22/02/2023; Revised: 12/3/2023; Accepted: 14/3/2023; Released: 20/3/2023 DOI: https://doi.org/10.54163/ncdt/7

In the context that Vietnam is promoting administrative reform, decentralization in state management (administrative management decentralization) in order to increase the autonomy and self-responsibility of agencies and organizations is an inevitable trend. are always interested by the Party and State have issued many guiding documents. However, in practice, what effect did decentralization bring? What other barriers? How does the implementation of state management decentralization in the system of agencies and organizations increase the autonomy and self-responsibility of each agency and organization in the state management system to ensure the right management? Unification of the State? These are theoretical and practical issues that need to be studied urgently.

*Keywords: Hierarchy; Management decentralization; State management; Effect of state management; Administrative reform.* 

#### 1. Introduction

The ongoing reform of the country, the development of the market economy, the orientation of the socialist rule of law, and the trend of openness and integration into the international community have created opportunities and demands for reform; in which, the strengthening of the government's management between the Central and local levels to maximize the active, creative, and independent autonomy of the local governments in performing their tasks of economic and social development is emphasized. To further promote administrative reform and meet the current requirements of economic and social development of the country, the further decentralization of government management between the Central and local levels should be promoted, focusing on the allocation of tasks, powers, and responsibilities between the Government and the provincial/municipal governments directly under the Central Government (hereinafter referred to as provincial level) on the main fields such as planning, budgeting, land, resources, public enterprises, public services and activities, and organization of machinery, personnel, and civil servants. On this basis, the further decentralization of government management between the local governments of all levels (provincial, district, commune) should be further promoted.

The ongoing reform of the country, the development of the market economy, the emphasis on socialist rule of law, and the trend of openness and integration into the international community have created opportunities and demands for reform. It is important to strengthen the government's management at both the Central and local levels to maximize the active, creative, and independent autonomy of local governments in performing their tasks of economic and social development.

To further promote administrative reform and meet the current requirements of economic and social development in the country, there should be a focus on decentralizing government management between the Central and local levels. This includes the allocation of tasks, powers, and responsibilities between the government and the provincial/ municipal governments directly under the Central Government (referred to as provincial level) in key areas such as planning, budgeting, land, resources, public enterprises, public services and activities, and organization of machinery, personnel, and civil servants. Based on this, there should be further decentralization of government management between local governments at all levels (provincial, district, commune

#### 2. Research Overview

The management hierarchy in the management agency system has also had a number of research scientists, including: (1) theoretical and ideological perspectives of management hierarchy including authors and articles such as: Truong Dac Linh (2002), Central and Local Management Hierarchy - Some Theoretical and Practical Issues, Law Research Magazine; Vo Kim Son (2004), Hierarchy in Public Administration - Theory and Practice, National Political Publishing House; Hoang Thi Ngan (2022), Some Theoretical and Practical Issues on Hierarchy, Delegation and Authorization in Public Administration in Vietnam, Journal of Socialism; To Xuan Dan (2022), Some Theoretical Issues on Hierarchy in Public Administration, Proceedings of the Conference on the Scientific Basis of Management Hierarchy in the System of Agencies, Organizations, Business and Technology University of Hanoi. These studies have generally outlined the necessity and emergence of hierarchy, associated with it is the authority; forms of hierarchy; basic conditions for hierarchy... (2) The basis for management hierarchy has authors and articles such as: Vu Thuy Hien (2018), Laws on Hierarchy of Civil Servants in the System of State Agencies of Vietnam, Doctoral Thesis in Law, Social Science Institute, Vietnam Academy of Social Sciences; Vũ Văn Thái (2022), Basis for Hierarchy in Public Administration; Tran Thi Cuc (2022), Basis for Constructing Effective Regime in Public Administration Hierarchy, Proceedings of the Conference on the Scientific Basis of Management Hierarchy in the System of Agencies, Organizations, Business and Technology University of Hanoi. The authors have mentioned the bases: scientific basis; legal basis; demand basis; basis of power and interests relationship; basis of the capacity of state agencies to implement hierarchy ... for hierarchy. (3) The status of hierarchy has authors and articles such as: Vo Thi Thuy Kieu, Le Thong Tien, Nguyen Thi Nhu Y (2020), Evaluation of Central and Local Hierarchy and Authority in Vietnam, Science Magazine, Open University of Ho Chi Minh City; Nguyen Van Phuc (2021), Public Administration Hierarchy and Issues in Vietnam, Financial Journal; Dau The Tung (2022), Management Hierarchy in the System of Agencies, Organizations and Barriers, Proceedings of the Conference on the Scientific Basis of Management Hierarchy in the System of Agencies, Organizations, Hanoi University of Business and Technology. These articles have directly referred to the status of management hierarchy in the system of public administration, local government, various levels, especially the unresolved issue requiring solutions.

### 3. Research Methods

Based on the goal of continuing to strengthen the government's management between the Government and provincial authorities, and between local authorities to maximize the dynamism, creativity, autonomy and self-responsibility of local authorities on the basis of clearly defined tasks, powers, and responsibilities of each level in the government apparatus, to ensure the centralized, unified and consistent management of the Government, to strengthen discipline and administrative regulations to improve the efficacy and effectiveness of government's management to better serve the needs and interests of the people, to promote economic and social development at each locality in the context of transitioning to a market-oriented socialist-oriented economy, this paper applied practical research methods to achieve its research objectives. Data collection methods were used to receive, process and compile data on the effectiveness indicators of administrative decentralization. Description and comparison analysis methods were used to research evaluation indicators and procedures and activities of government agencies, describe the way actors participate in the system, describe the methods and test scenarios, and compare the test results with other results to compare and evaluate the quality and effectiveness of the proposed model. The regression analysis method was used to research the relationship between PAPI1 and PCI2 evaluation indicators and local investment sources for innovation and creativity of enterprises.

### 4. Research Results

## 4.1. The concept of management decentralization in the system of state agencies and organizations

Now there are two main perspectives on hierarchy: (1) Hierarchy is to divide into levels to manage, transfer tasks, and authority between upper and lower levels; (2) Hierarchy is the determination of state management authority between the main levels of government.

The concept of hierarchy as a transfer of tasks and authority between the main levels of government reflects the current hierarchy in Vietnam. In the Party's documents, hierarchy is carried out in the direction of: clearer hierarchy for the local area, combined with strict sector and territorial management, and on the basis of the principle of central government management, concentrating on some fields according to practical requirements. For some other fields, the Central Government directly manages a part, while the other part is delegated to the local government. However, if we understand hierarchy simply as a transfer of tasks and authority between the main levels of government, when there is no longer a transfer of tasks and authority, there will no longer be hierarchy.



Government management hierarchy effectively delegates to each administrative level, the power to make and manage certain specific tasks in different fields of social life. Administrative levels are granted authority and resources to fulfill the assigned duties and powers.

However, there is an opinion that it is necessary to distinguish "management hierarchy" from some related concepts such as assignment, distribution, and delegation, as "assignment and distribution both refer to the definition of authority and responsibility, both horizontally and vertically. Generally, the term assignment is used to refer to the horizontal relationship with the intention of distinguishing it from the hierarchy. If delegation is understood as the delegation of authority to any administrative or governmental level, then the use of the terms assignment and hierarchy is both complete and accurate".

# 4.2. Legal regulations on decentralization of state management between the Government and local authorities in Vietnam

The issue of state hierarchy and management in Vietnam has been raised since the early days of the establishment of the Democratic Republic of Vietnam, which is reflected in the first government documents: Decree No. 63/SL, dated 22<sup>nd</sup> November 1945 on organizing People's Councils and Executive Committees in communes, districts, provinces, and Decree No. 77/SL, dated 21<sup>st</sup> December 1945 on organizing People's Administration in towns and cities.

However, the process of decentralization and delegation of power was only really pushed forward in the early 2000s. In particular, Resolution No. 9 of the 9th National Congress (2004) required: "It is urgent to complete the decentralization and delegation of authority between the central and local governments in each sector and field in a synchronous and unified manner, ensure the unified management and uniform implementation of the central government over local governments, and encourage creativity and self-responsibility of local governments".

The division of powers and assignments are recorded in a series of important legal documents such as the 2013 Constitution, the 2015 Government Organization Law, the 2015 Local Government Organization Law, the Government Resolution No. 21/NO-CP dated 21<sup>st</sup> March 2016 on the division of government management between the Government and the provincial and municipal People's Councils, and the amendment and supplementation of some articles of the Government Organization Law and the Local Government Organization Law in 2019. Although widely used, the understanding of the division of powers is still not fully unified. Therefore, we can understand the division of government management in the following terms: The division of government management is to divide the levels of management, defining the authority, and responsibilities between the levels of government on the basis of ensuring the compatibility between the functions, tasks and actual capabilities and conditions of each level in order to enhance the quality, effectiveness and efficiency of government activities. The concept of division of government management includes two contents: (1) Determining the authority of each level of government in legal documents; (2) Transferring the authority of the higher level to the lower level by specific decisions in order to increase the effectiveness and efficiency of government activities.

Management classification is never for selfinterest purpose, but usually serve to fulfill certain predetermined objectives. Government management classification is intended to ensure, strengthen and improve the effectiveness of government management; to ensure that the decisions made are timely, accurate and reasonably take into account the interests of all relevant parties; to ensure that the decisions made can be implemented quickly and effectively; to enable the relevant parties to actively, enthusiastically and creatively participate in the decision-making and implementation process; to ensure that the spirit of civic ownership is widely promoted in the political and social life.

In reality, Vietnam has not yet fully met the basic requirements, nor the requirements set by the Party and the State. Because, the division of management in the system, agencies and organizations is still not scientific, and not in line with the reality of each agency, and organization, which has caused many challenges and difficulties. The lack of uniformity of the state power system has caused in some places, sometimes a lack of appropriate state control mechanisms, creating conditions for some agencies, organizations, and localities to abuse power, exceed authority, and cause negative phenomena in management activities and lead to abuse of power. Many agencies and organizations have taken advantage of the division to take advantage

of their duties and powers to benefit the locality, agency and organization. Also due to excessive division, it has caused the localities, agencies and organizations to be overloaded with too many functions, and duties when human and material resources cannot meet, especially when simplifying the regime. The division also reduces the quality of public service delivery to the people and society, when public services are divided without financial resources; public service provision is not strictly inspected have difficulty in exercising autonomy and assuming responsibility when delegated and delegated. In addition, with the simplicity of state organization and the principle of democracy in the state organization, the operation of Vietnam's government machinery has placed agencies and organizations in the relationship of "both dependent and autonomous". Meanwhile, many issues of resolving the relationship between the Central and localities, agencies and organizations have not been clarified, creating difficulties for the division of state management in the state management system.

# 4.3. The current situation of decentralization between the Government and the provincial government

Despite that, in reality, Vietnam has not yet fully met the basic requirements, not to mention the requirements set by the Party and the State. Because, the hierarchies in the management of the state system, agencies, and organizations are still not scientific, and not in line with the reality of each agency, organization, it has caused challenges and difficulties. The lack of uniformity of the state power system has caused local, occasional localism, sometimes lack of appropriate state control mechanism, creating conditions for some agencies, organizations, overstepping authority, causing negative phenomena in management activities and leading to abuse of power. Many agencies, and organizations have taken advantage of the hierarchies to gain benefits for their localities, agency and es, organizations. In addition, the excessive hierarchies have caused overload for localities, agencies, and organizations when they have to perform too many functions, tasks when human resources, material resources cannot meet the requirements, especially when simplifying regulations. The hierarchies have also reduced the quality of public service delivery to the people and society because public services are not accompanied by financial resources; public services are not subject to strict control and supervision, making service quality not meet the requirements of beneficiaries. The hierarchy, decentralization but without assurance conditions, not increasing the organization of machinery, human resources, financial resources and other necessary conditions to carry out the assigned tasks. Therefore, for

agencies, and organizations, it is difficult to exercise self-management and self-responsibility when assigned, or delegated. In addition, with the single nature of the state organization and the principle of democracy in the organization, the operation of the Vietnamese state machinery has placed agencies, organizations in the relationship of "both dependent and autonomous". Meanwhile, many issues of resolving the relationship between the Central and local, agencies, organizations have not been clarified, creating difficulties for the hierarchical management of the state system. Over the years, the Government has had many positive and specific solutions to reform and enhance the hierarchical management between the Central and local levels. The People's Councils, People's Committees at all levels have been given more authority and responsibility in deciding on the economic and social development plans of localities; deciding on domestic investment and foreign investment projects; allocating and managing local budgets; managing land use, resources, enterprises; managing professional activities and making some decisions on the organization of machinery, civil servants. From the piloting of more hierarchies for the Hanoi Capital and Ho Chi Minh City in some fields, valuable lessons have been drawn to continue to promote the hierarchical management between the Government and provincial authorities.

The results achieved in decentralization in recent years have highlighted the initiative and creativity of local governments; exploiting resources to improve the efficacy and efficiency of decentralization, driving local economic and social development, and better serving the interests of organizations and people.

However, the overall process of decentralization between the Government and local governments in recent years has failed to meet the urgent demands of the practical situation, with many limitations and irregularities:

- Decentralization has not ensured unified management, and has shown dispersion and localism; regulations and decrees of administration have not been strictly observed; there has been scant attention paid to supervision and inspection of the matters delegated to local governments.

- Not yet clearly defined, specific tasks, authority, responsibility of each level of government in the implementation of state management functions, organization of public services, representation of state ownership to state-owned economic organizations and state assets. The responsibility of each level, of the collective and individuals for the assigned tasks has not yet been determined.

- Delegating tasks to lower levels, but not ensuring the corresponding necessary conditions

for implementation, lack of coordination and synchronization between related sectors, and not creating conditions for localities to actively balance their own specific resources and needs.

- Some content of decentralization has been regulated by law but has been slow to implement or not completely implemented. On the other hand, current decentralization regulations are not in line with the actual conditions of each region, territory, and have not clearly distinguished the differences between urban and rural areas and supervised, which has made the quality of public service not meets the requirements of beneficiaries. Division, decentralization but not accompanied by guarantee conditions, not reinforced with organizational machinery, human resources, finance and other necessary conditions to carry out the assigned task. Therefore, agencies and organizations

## 4.4. Barriers in the process of implementing decentralization of state management in Vietnam

Currently, the issues of decentralization and distribution of powers are stipulated in the 2013 Constitution, the 2015 Government Organization Law and the 2015 Local Government Organization Law (amended and supplemented in 2019) and relevant legal documents. Accordingly, decentralization and distribution of powers between the central and local levels are legal provisions specifying tasks and powers for each level to ensure that management is clearly, neatly and effectively arranged, ensuring appropriate assignment of tasks and powers in accordance with functions, competence and conditions at each level.

However, the limitations and deficiencies have been mentioned due to many different reasons, but mainly due to the following reasons: awareness, views on principles, solutions for the state management of decentralization between the government and provincial authorities are not clear, neat, least equal, worrying that the strong decentralization will lead to the status of fragmentation, scattering. In the guidance organization, there is still a lack of determination, strong determination from building, issuing regulations, policies to organizing implementation; not paying attention to summarizing, evaluating, and drawing experiences. The legal system is not synchronized, not meeting the requirements of the country's socioeconomic development in the new situation. The decentralization of state management between the government, ministries, inter-ministerial agencies and provincial authorities has been gradually improved, contributing to improving the efficiency and effectiveness of state management in sectors and fields, creating conditions for provincial authorities to be more proactive in implementing socio-economic development tasks at the local level. Nevertheless, besides the achieved results, the decentralization of state management between the

government, ministries, inter-ministerial agencies and provincial authorities in recent years still has restrictions and deficiencies:

- The legal framework for grading is not synchronized, complete and unified; it has not been fully specified in terms of object, scope, standards and conditions for grading.

- Classification but not ensured unified management, still showing dispersion, local, leading to many localities still confused in performing delegated tasks; regulations, administrative regulations not rigorous; not emphasizing the inspection, supervision of what has been delegated to local authorities.

- The responsibility of collective and individuals for the assigned tasks has not been determined yet. The penalty for violations has not been specifically specified, therefore the punishment for violations in the implementation of the assignment is not really fair.

-The tasks, authority and responsibility of the provincial government in the implementation of state management functions and in the organization of public service provision, as well as its representation of the state owner in relation to state-owned economic organizations and state assets have yet to be clearly defined.

- Some delegated content has been regulated by law, but has been slow to implement or has not been implemented completely. The control mechanism of the superior still remains through forms of opinion, approval, permission...; regulations on standards, criteria, and quotas have not been modified or supplemented to suit local conditions, leading to difficulties in the implementation of decentralization power in provinces and cities.

- Hierarchical implementation of uniform policies for all provinces, cities, regardless of natural conditions, economic and social differences between localities, has not been very effective.

- There is not yet a close coordination between ministries and inter-ministerial agencies in the process of devolution to the provincial government. In reality, when a ministry or inter-ministerial agency devolves tasks to the provincial government, if the conditions for organizing personnel, finance, budget, infrastructure ... accompanied by the authority of many other ministries, the devolution will not be synchronized and effective.

The existing barriers are due to some basic causes: awareness, views on principles, unclear hierarchical solutions, lack of coordination, concerns about hierarchical fragmentation leading to local fragmentation, scattering; lack of synchronous legal system, not meeting the development requirements of the country's economy – a society in the new situation; lack of determination in organizational guidance, not emphasizing summary, evaluation, and drawing experience.

### 4.5. Proposing principles and orientations in management decentralization

To firmly grasp and implement solutions in hierarchical management, the authors propose basic principles:

Adhere to the unified government's power point of view, ensure unified government management of regulations, policies, strategies, planning, supervision and inspection; at the same time, give full play to the autonomy and self-responsibility of provincial authorities in carrying out their tasks of government administration in the region according to legal regulations.

Strictly adhere to the principle of combining sectoral management with territorial management, clearly define the tasks of government administration of the Ministry and department in relation to economic and social activities in the territorial jurisdiction of the provincial authority.

Ensure the effectiveness of the principles, whatever, whichever level is more realistic, timely resolution and better serve the requirements of the organization and the people, entrust that level to perform; Clear division of tasks, clear address, clear responsibility, attached to the function and mission of each level.

Must be in line with the economic and social development level of each stage, the characteristics of the sector, the field, the conditions and the development potential of each region, area, with each type of urban, rural, with the trend of regional and international integration.

Must ensure the corresponding relationship between tasks, powers, responsibilities and financial resources, organizations, personnel and other necessary conditions; Must be synchronized, coordinated between related sectors.

Ensure the rights and fulfill the responsibilities of the People's Council, People's Committee and the Chairman of the People's Committee of the province in deciding, carrying out the tasks assigned; strictly abide by the laws and regulations; at the same time, fully promote people's democracy in order for the people to participate in the state management.

The assignment must demonstrate the synchronization and unification of the system, the law-abiding legal documents associated with the reform of the mechanism and ensure the autonomy and responsibility of the basic units.

For the issues that are assigned, the provincial government is responsible for organizing the implementation; the ministries and branches are responsible for monitoring, guiding and inspecting; if violations of the law or contrary to the planning and development of the sector are found, they shall be handled according to the authority or reported to the Prime Minister for review.

Main directions in public management hierarchy: (1) Hierarchy for planning, planning and investment development; (2) Hierarchy for public budget management; (3) Hierarchy for land, resources and public assets management; (4) Hierarchy for public enterprise management; (5) Hierarchy for public service activities; (6) Hierarchy for organization and civil servants management.

#### 5. Discussion

- Resolution No. 21/NQ-CP dated March 21st, 2016 regarding the allocation of state management between the Government and the Provincial People's Committee, clearly defines the objective: "Improving the effectiveness and efficiency of state management in the fields based on the implementation of reasonable allocation, clearly defining the responsibilities, authority and obligations between the Government, the Prime Minister, the Ministries, the inter-ministerial agencies and the Provincial People's Committees, the unified management of the ensuring Government, promoting the proactive and creative spirit of the local authorities".

- The government has implemented solutions to improve the decentralization of decision-making between the central government and local authorities. Local authorities have been given more authority and responsibility in decision-making for local economic and social development plans, investment projects within and outside the country, allocation and management of local budgets, land and resource management, business management, and some organizational and personnel issues. Lessons learned from pilot decentralization in Hanoi and Ho Chi Minh City have been used to further decentralize decision-making between the central government and local authorities. This has enhanced the initiative and creativity of local authorities, utilized resources to improve the efficiency and effectiveness of decision-making, promoted local economic and social development, and better served the needs of organizations and the people.

- In the current stage, to boost the government management hierarchy between the government and the provincial authorities to ensure the centralized management, unity of the government, and to enhance the autonomy and self-responsibility of the local authorities and maximize the potential, advantages and resources of the localities in economic and social development, it is necessary to: (1) Improve the legal framework for the government management hierarchy between the government and the provincial authorities to ensure consistency, unity, completeness, and specificity. Enact or amend, supplement regulations on objects, scope, conditions, standards for hierarchy and specific handling measures when violating the hierarchy field. The government, ministries, and interministerial agencies need to review and issue specific guidance documents for the provincial authorities in carrying out their hierarchical tasks. (2) Strictly implement the principles of hierarchical division: Respect the unified management, ensure guidance, unified operation and transparency of the central authority. Task division must be accompanied by the conditions for implementation; Ensure mechanisms and policies are clear; Authority division is linked responsibility, especially paying attention to to financial responsibility; Division should be appropriate to the ability and conditions of officials and civil servants at each local area; Division must be accompanied by a mechanism to ensure monitoring and decision-making rights of the people and the National Assembly. (3) Clearly define task groups: task groups that are completely under the authority of the government and departments (especially those related to legislation, policy formulation, and macro management); task groups that are under the authority of local governments at the provincial level; task groups that require cooperation between the central government and local governments at the provincial level. (4) Strengthen supervision, inspection, and monitoring of the implementation of delegation, and strictly handle violations in this field. In particular, it is necessary to increase the control of the central government over the activities of local governments, avoiding the situation where local governments take advantage of delegation to make policies and decisions for their own benefit. At the same time, it is necessary to increase the supervision of society over the implementation of delegation tasks. (5) Regular evaluations of the decentralized management content between the government and the provincial authority are conducted to timely adjust any illogical and ineffective content; to promote the delegation of responsibilities to the provincial authority, ensuring the delegation criteria (physical conditions required to perform tasks, the management capability of the delegated entity, etc.). (6) Decentralization must be synchronized with decision-making authority and clearly define the responsibilities of the delegated agency to eliminate unnecessary intervention from the central authority, enhance local government's initiative and creativity in carrying out delegated tasks; review to eliminate regulations requiring central government approval or consultation for issues that have already been specified by criteria, standards, conditions, processes, and delegated for local government management.

### 6. Conclusion

In practical terms over the years, the limitations

of state management in the system of agencies, organizations, and local authorities have been highlighted, leading to dependence on lower levels on the leadership and guidance of higher levels, making the establishment of leadership and centralized management too much, limiting autonomy and creativity of lower-level agencies and organizations. In Vietnam today, the regulations on state management in the system of agencies and organizations have only stopped at documents such as the Government Organization Law No. 76/2015/ OH13 and the Law on Local Authority Organization No. 77/2015/QH13 (amended and supplemented in 2019), some resolutions and decrees of the Government on classification. Meanwhile, the 2013 Constitution has provisions on the organization of agencies, organizations, and the Party's principles on classification, requiring the formalization of state management classification in a systematic, clear, correct, and authoritative manner to maximize the autonomy and creativity of lower-level authorities. Due to deficiencies and inadequacies in the policy and legal system, it is necessary to improve and enhance the legal status of government management. Government management in the system of agencies and organizations has a special role and significance. It will drive and ensure the effectiveness of the management activities of the agencies and organizations, as well as the local authorities. Through their activities, agencies and organizations contribute to the transfer of central policies to the people and the implementation of tailored management policies for various sectors and fields. They propose flexible and diverse organizational solutions to carry out unified guidelines and directions of the Party and government to bring out the strengths of each agency and organization. The delegation of authority and responsibility is necessary to improve the quality and efficiency of public services, reduce bureaucratic difficulties and complexities, increase the sense of responsibility of officials and employees in meeting the demands and needs of citizens, and also reduce the financial burden for the government. With these opportunities, the delegation of government management within the agency and organization system is considered a crucial task for the government to ensure political stability, encourage creativity and activity in all sectors, maximize resources for economic and social development, and continuously improve the living standards of citizens and the effectiveness of government management. Therefore, building a scientific basis for delegation in the agency and organization system is extremely necessary. Effective implementation of delegation within the agency and organization system is a positive contribution to promoting administrative reform in Vietnam.

### References

- Communist Party of Vietnam. (2011). Document of the 11th National Congress of Deputies. Publishing House National Politics Truth.
- Communist Party of Vietnam. (2016). Document of the 12th National Congress of Deputies. Publishing House National Politics Truth.
- Hien, V. T. (2018). Law on decentralization of management of civil servants in the system of State administrative agencies in Vietnam.
  Doctoral Thesis in Law, Academy of Social Sciences, Vietnam Academy of Social Sciences Male.
- Implementation of the 6th National Congress of the Communist Party of Vietnam. (1986). *Resolution of the Congress of Delegates.*
- Implementation of the 8th National Congress of the Communist Party of Vietnam. (1997). *Resolution No. 03-NQ-HNTW dated June* 18, 1997, of the Third Meeting of the Central Committee of the Party.
- Khang, B. D. (2006). Decentralization of management in the state administrative system of local governments. Hanoi: Publishing House Justice.
- Linh, T. D. (2002). Decentralization of central and local management - Some theoretical and practical issues. *Journal of Legislative Research*, no.3/2002.

- National Assembly. (2013). The Constitution of the Socialist Republic of Vietnam, term XIII, 6th session was adopted on November 28.
- National Assembly. (2015a). Law on Government Organization 2015.
- National Assembly. (2015b). Law on Organization of Local Government 2015.
- National Assembly. (2019). Law amending and supplementing a number of articles of Law on Government Organization and Law on Organization of Local Government 2019.
- Son, V. K. (2004). State management decentralization Theory and practice. Hanoi: Publishing House National politics.
- Thai, P. H., Dung, N. D., & Chi, N. N. (2011). *State management decentralization* (P. H. Thai, Ed.). Hanoi: Publishing House People's Police.
- The Government. (2016). The allocation of state management between the Government and the People's Committee of the provinces and municipalities directly under the Central Government. Decision No. 21/NQ-CP dated March 21, 2016 of the Government.
- Vietnamese Communist Party. (2004). Document of the 9th Plenum of the Central Committee of the Party, Key IX. Hanoi: National Political Publishing House.

### PHÂN CẤP QUẢN LÝ TRONG HỆ THỐNG CƠ QUAN, TỔ CHỨC NHÀ NƯỚC, NHỮNG RÀO CẢN TRONG QUÁ TRÌNH TỔ CHỨC VÀ THỰC HIỆN

### Tống Duy Tìnhª; Đậu Thế Tụng<sup>ь</sup> Nguyễn Phương Hiệp°; Nguyễn Ngọc Minh<sup>d</sup>

Nhận bài: 15/02/2023; Phản biện: 22/02/2023; Tác giả sửa: 12/3/2023; Duyệt đăng: 14/3/2023; Phát hành: 20/3/2023 DOI: https://doi.org/10.54163/ncdt/7

Trong bối cảnh Việt Nam đang đẩy mạnh cải cách hành chính, phân cấp trong quản lý nhà nước (phân cấp quản lý hành chính) nhằm tăng quyền tự chủ, tự chịu trách nhiệm của các cơ quan, tổ chức là một xu thể tất yếu được Đảng, Nhà nước luôn quan tâm và đã ban hành nhiều văn bản chỉ đạo. Tuy nhiên, trên thực tế việc phân cấp đã mang lại hiệu quả gì? Còn những rào cản nào? Việc thực hiện phân cấp quản lý nhà nước trong hệ thống cơ quan, tổ chức như thế nào để tăng quyền tự chủ, tự chịu trách nhiệm của mỗi cơ quan, tổ chức trong hệ thống quản lý nhà nước để đảm bảo được sự quản lý thống nhất của Nhà nước? Đây là những vấn đề lý luận và thực tiến đang đặt ra cấp thiết cần phải được nghiên cứu.

**Từ khóa:** Phân cấp; Phân cấp quản lý; Quản lý nhà nước; Hiệu lực quản lý nhà nước; Cải cách nền hành chính.

<sup>&</sup>lt;sup>a</sup> Trường Đại học Kinh doanh và Công nghệ Hà Nội; Email: tdtinh@moet.edu.vn

<sup>&</sup>lt;sup>b</sup> Học viện Dân tộc; Email: tungdt@hvdt.edu.vn

<sup>°</sup> Trường Đại học Mở Hà Nội; Email: hiepnp@hou.edu.vn

d Công ty cổ phần Hóa dầu Quân đội; Email: minhnn.84@gmail.com