

## **Institutional Autonomy of Vietnamese Public Universities: An Agency Theory Perspective**

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### **Abstract**

*In 2012, the Vietnamese government enacted the institutional autonomy policy to support the reform process of the higher education system. The autonomy policy signifies the transfer of decision-making authority from ministries to public universities to increase university performance and competitiveness in the globalized knowledge economy. This paper examines the nature of autonomy as a new form of governance in Vietnamese higher education through the lens of agency theory. I used thematic analysis to analyze policy documents released by the Vietnamese government between 1993 and 2021. The findings indicate autonomy means Vietnamese public universities have authority to make decisions on primary activities; yet they must be accountable for their decision-making and responsible for funding sources. The study contributes to the literature on comparative and international higher education by providing a better understanding of autonomy in a post-Soviet context and informing a transformative approach to policy practices for the higher education reform.*

Keywords: agency theory, institutional autonomy, post-Soviet context, university governance, Vietnamese public universities

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### **Introduction**

In 2012, the Vietnamese government enacted the institutional autonomy policy to support the reform process of higher education system towards internationalization agendas. The institutional autonomy policy signifies the transfer of decision-making authority from government ministries to public universities to increase university performance and competitiveness in the globalized knowledge economy and the neoliberal context; accordingly, university leaders will have power to decide on issues of teaching, research, finance, and personnel (Higher Education Law, 2012). Through the policy, the Vietnamese government aims to address the lack of effectiveness of the existing centralized governance model that they adopted from the Soviet era (Central Government, 2015). The centralized Soviet system through which the ministries controlled all institutional decision-making processes within public universities was criticized for hampering the flexibility, efficiency, and innovation of Vietnamese public universities (Dao & Hayden, 2010). The reform policy also originated in new expectations the government and society were developing concerning the role of universities in the globalized knowledge economy (Madden, 2014). The expectation was that granting autonomy would help to optimize university

performance which would in turn contribute to Vietnam's economic competitiveness. A particularly important aspect of the Vietnamese government's objective in implementing the reform policy is the reduction of financial burdens on the national budget, which had been overwhelmed by an increase in the number of universities and in student enrolments since the transition from elite to mass higher education (World Bank, 2019). Under the old, centralized governance model adopted from the Soviet Union, the Vietnamese government subsidized all financial aspects of public universities and was responsible for financial losses (Tran, 2014). The system had become too large, however, and required excessive expenditure from the national budget.

The reform of Vietnam's higher education system is shaped by the ideology of neoliberalism, New Public Management, and the globalized knowledge economy in which agency theory is located. Agency theory is a neoliberal theory which has provided the rationale for sweeping reforms in the governance of higher education. As a neoliberal theory, agency theory helps define and put parameters in the policy context that has led to the implementation of autonomy policy in Vietnam. In specific, agency theory signifies the delegation of decision-making authority from the government to the public university while at the same time applying accountability measures to monitor university performance (Enders et al., 2013). The underlying rationale for delegating decision-making authority is that handing over responsibility for performance and finance to public universities will provide incentives for universities to work better (Yokoyama, 2008). This argument is based on the assumptions of neoliberal theory that human well-being is best ensured by encouraging individual responsibility in a competitive market (Olssen & Peters, 2005). Accordingly, the primary role of the neoliberal state is to foster conditions that will make public institutions more effective and economically efficient—that is, public universities should become autonomous, self-responsible, and strategic actors to actively pursue new revenue streams in the competitive market. At the same time, they are subject to strong accountability measures in the form of audits, reporting requirements, and performance-based funding. Such neoliberal ideas have profoundly shaped higher education policymaking in governance worldwide and agency theory has been increasingly used as a theoretical framework for analyzing the implementation of neoliberal policies such as institutional autonomy (Kivistö, 2005, 2007, 2008; Enders et al., 2013). Given the Vietnamese government's goal of university reform in the global knowledge economy, agency theory is useful for revealing insights on institutional autonomy as a new governance model.

In this paper, I explore the nature of institutional autonomy as a new form of governance in Vietnam's higher education system. I used a theoretical framework drawing on agency theory and a qualitative methodology, with data collected from policy documents released by the Vietnamese government between 1993 and 2021 and documents internal to Vietnamese public universities that concern the implementation of autonomy policy. The findings will contribute to the literature on comparative and international higher education by providing a better understanding of institutional autonomy in a post-Soviet context when the centralized legacy is still strong and informing a more transformative approach to policy practices to achieve the goals of reforming higher education systems.

### **Literature Review and Theoretical Framework**

The theoretical framework grounded on agency theory was initially developed to measure the organizational autonomy of public sector organizations (Verhoest et al., 2004) and has been applied to the world of higher education in investigations of the autonomy of European public universities (de Boer et al., 2010; Enders et al., 2013; Kohtamäki & Balbachevsky, 2019). Typically, Enders et al. (2013) used the framework to investigate governance reform in the Netherlands in response to the changing global economy. Indeed, as Dutch universities have become autonomous, self-responsible, strategic actors in the competitive market, with capacity for managerial discretion, they have been strengthened. However, the government is still very present in defining the rules of the game through monitoring mechanisms. The working mechanism of autonomy drawing on agency theory centers on three concepts of decision-making authority, accountability, and responsibility. This governance mechanism is situated in a vast body of literature examining institutional autonomy as a new form of governance in neoliberal contexts that emphasizes a mutually dependent relationship between autonomy and accountability, with universities being situated as autonomous and self-responsible subjects within the market-driven dynamic (Yokoyama, 2007, 2008, 2011; Maassen et al., 2017; Ørberg & Wright, 2019; Enders et al., 2013; Kickert, 1995).

#### **Decision-Making Authority**

Agency theory conceptualizes institutional autonomy as a form of governance in which a principal actor delegates decision-making authority to an agent to carry out tasks set by the principal actor (Kivistö, 2008; Jensen & Meckling, 1976). In a higher education setting, the principal is usually the government, and the agent is the higher education institution (Dougherty & Natow, 2019b). The decision-making authority handed over from the government is the institutional autonomy a university may acquire, in which a university can make its own decisions about admission processes,

enrollments, teaching programs, curriculum frameworks, research programs, financial matters, and human resources management (Enders et al., 2013). Agency theory is based on assumptions of bounded rationality and information asymmetry which justify the delegation of decision-making authority (Austin & Jones, 2016; Hanushek et al., 2013). Bounded rationality implies that the principal has limited information; therefore, the principal's response will not be a near perfect rational choice but will be limited in its capacity to deal with complex realities (March & Simon, 1958, as cited in Enders et al., 2013). Information asymmetry means that the agent knows more about the activities being undertaken than does the principal (Kivistö, 2008; Dougherty & Natow, 2019b). Therefore, in a principal-agent relationship, the principal needs an agent to perform tasks because the agent has more information and knowledge about the tasks than the principal and the outcome will likely be more successful.

### **Accountability**

Agency theory assumes that a university, given decision-making authority, might prioritize its own interests rather than the interests of others. Control mechanisms, therefore, should be implemented to limit a university's opportunistic behavior and ensure it is working towards the government's expected goals (Enders et al., 2013; Verhoest et al., 2004). As Dougherty and Natow (2019a) suggest:

Because neoliberal theory conceptualizes government agencies as fundamentally self-interested, with their interests often running counter to those of the elected official principals they serve, it argues that monetary incentives, accountability, and monitoring are needed to get the interests of agencies aligned with those of principals and to address the information asymmetry in which agents usually know more about their activities than the principals (p. 3).

Dougherty and Natow (2019a) indicate that a government may develop concern about a university's self-interested behavior after transferring decision-making authority. Because the principal and the agent diverge in their interests, the agent either wishes to pursue goals different from the principal's or puts in less effort than the principal desires. A state's budget, for example, is intended to improve teaching and learning activities but may be diverted by the university to research and build the institution's reputation (Austin & Jones, 2016). A typical control mechanism might be an audit implemented by the state to evaluate how the funding has been spent.

Accountability measures might take the form of a compliance-based or performance-based system. Under a compliance-based accountability system, the university is granted substantive autonomy to determine its own goals and programs, yet the government continues to employ monitoring mechanisms to observe the university's behavior (Berdahl, 1990; Austin & Jones, 2016). One example of this type of accountability occurs when the government sets regulations with which a university must comply in implementing its activities (Verhoet et al., 2004). Under a performance-based accountability system, the university has strong procedural autonomy (Berdahl, 1990) and the authority to decide the techniques and means it will use to accomplish goals set by the government (Austin & Jones, 2016; Capano, 2011). One typical performance-based accountability measure that has been adopted in higher education policies is performance-based funding. In this public funding mechanism, the state allocates funding to public universities based on their performance which is measured by key performance indicators (KPI) or outcome indicators such as student enrollments, graduation rates, graduate employment rates, or the number of publications (Privot et al., 2015; de Boer et al., 2015; Jongbloed, 2010). The purpose of this funding approach is to improve institutional performance as well as the social relevance of public universities (Jongbloed, 2020). For example, the performance-based funding mechanism was widely applied in most funding allocations for higher education in Korea from 2003 to 2017 and in Taiwan from 2004 to 2015 (Shin et al., 2023). Control measures, either compliance-based or performance-based, are believed to limit the gaming practices a university might attempt given the decision-making authority it is delegated.

### **Responsibility**

In essence, agency theory stems from an economic view of risk transfer in which the principal hands over certain responsibilities to an agent (Bendickson et al., 2016; Eisenhardt, 1989). Agency theory highlights the benefits of delegating decision-making power, but such benefits accrue only if enough incentives for the agent to perform well are present. One incentive is risk-transfer, that is, the transfer of responsibility for financial loss to the agent (Verhoest et al., 2004). In the governance model of institutional autonomy, a government hands over responsibility and risk management to a university to put it under pressure to work better (Yokoyama, 2008). Ultimately, the university, as a neoliberal agent, is maximally responsible for its own future.

In summary, the theoretical framework systematically highlights the nature of institutional autonomy in a neoliberal context which includes decision-making authority, accountability, and responsibility. Through a principal-agent relationship, agency theory reflects a changing governance dynamic in which the government steps back from its traditional role in centralized control to make public universities autonomous and self-responsible in performing their tasks. This governance model takes advantage of the university's strengths, makes use of control mechanisms, and hands over responsibility to push the university to work better in the market-driven mechanism.

### **Methodology**

In this study, I used a qualitative methodology and thematic analysis with the support of Nvivo to analyze data which include the Vietnamese government's policy documents and Vietnamese public universities' internal documents on the autonomy policy.

#### **Qualitative Methodology**

To explore the nature of institutional autonomy as a new form of governance in Vietnam's higher education system, I employed a qualitative design. According to Braun and Clarke (2013), qualitative research uses words as data collected and analyzed in all sorts of ways. Data for this study include words collected from two sources of documents: policy documents on institutional autonomy and accountability released by the Vietnamese government between 1993 and 2021 and documents internal to Vietnamese public universities that concern the implementation of autonomy policy.

The initial source of data comprises official documents concerning the autonomy policy. My first step was to conduct a systematic search for documents relevant to this topic of inquiry (Merriam & Tisdell, 2016), documents that might be important in constructing the object of my analysis and the focus of my study, the institutional autonomy of Vietnamese public universities. I employed a purposeful method of text selection to capture the most important documents containing information relevant to the research question. My inclusion criteria were designed to select official policy documents on autonomy and accountability released by the Vietnamese government. I assessed the authenticity of the documents by verifying the author, place, and date of release (Merriam & Tisdell, 2016). After my preliminary review of documents, I created a more selected list of policy texts for closer analysis. This refining process helped me to select policies closely connected to the focus of my study and which contains local knowledge.

One group of documents analyzed in the study includes official policy documents on institutional autonomy and accountability of Vietnamese higher education institutions. These documents were released by government agencies between 1993, when the Vietnamese government first began to delegate autonomy to public universities, and 2021. These documents provide primary data and comprise most of the documents I collected for this study. They were produced by government agencies such as the Central Government, the National Assembly, the Prime Minister, the Ministry of Finance, the MOET, and the Central Committee of Vietnam's Communist Party, and are available on the Vietnamese government's official website. The three most important policies in this group of government documents are the Higher Education Reform Agenda (Central Government, 2005), the Revised Higher Education Law (2018), and Resolution 77 (Prime Minister, 2014b). In reporting my findings, I analyze and cite extensively the content of these crucial documents. This group of government documents also includes secondary sources of data such as the MOET's Evaluation Report on the implementation of autonomy policy in Vietnam (MOET, 2017) and the World Bank's Report on governance reform in Vietnam's higher education sector (World Bank, 2015). Some media coverage of the autonomy policy is included but, to ensure it is reliable, only that which is available on the government's website or in national newspapers is covered.

A second group of documents analyzed in the study comprises documents internal to Vietnamese public universities that concern the implementation of autonomy policy. These are institutional documents, issued either by government agencies or from within the university itself. This group of documents includes documents that were exchanged between Vietnamese public universities and the ministries during the policy negotiation and implementation process. I also include secondary sources of data such as Technical Reports of Universities and media coverage of Vietnamese public universities from the university's website and prestigious national newspapers. To protect the confidentiality of Vietnamese public universities, I do not provide a list of their internal documents.

#### **Thematic Analysis**

I used thematic analysis to identify the meaning of institutional autonomy. I followed the process of thematic coding recommended by Merriam and Tisdell (2016). This process includes open coding—assigning codes to pieces of data—and axial coding—grouping open codes into categories or themes, a process I repeated until I had derived a set of findings. I applied six steps for creating the codes: (1) familiarizing myself with the data, (2) generating initial codes, (3) searching for themes, (4) reviewing themes, (5) defining and naming themes, and (6) producing a report as suggested by Braun and Clarke

(2006). I used NVivo, a qualitative data analysis software program, to facilitate my data management and data analysis because, as Creswell & Poth (2018) indicate, qualitative data analysis is a complex and time-consuming process. Three main themes emerged about the meaning of autonomy: (1) institutional autonomy is the right of a public university to make its own decisions; (2) institutional autonomy means a university is accountable for its decision-making; (3) institutional autonomy means a university is responsible for its decisions and finances.

## Results

Three themes emerged concerning the nature of autonomy: (a) autonomy is the right of public universities to make decisions on teaching, research, personnel, and finance; (b) autonomy means the university is accountable for its decision-making; and (c) autonomy means the university is responsible for financial resources and consequences of its decisions. Three concepts—decision-making authority, accountability, and self-responsibility—are interconnected to define the meaning of autonomy. Findings confirm the literature on autonomy as a new model for university governance in neoliberal contexts that emphasizes a mutually dependent relationship between autonomy and accountability, with universities being situated as autonomous and self-responsible subjects within the market-driven dynamic (Yokoyama, 2007, 2008, 2011; Maassen et al., 2017).

### Autonomy as the University’s Right to Make Decisions

As stated in the laws, autonomy is, first and foremost, the right of a Vietnamese public university to make its own decisions. The autonomous right of Vietnamese public universities was written into law for the first time in the Education Law (2005) and amended in the Higher Education Law (2012) and the Revised Higher Education Law (2018). Autonomy is officially defined in Article 4 of the Revised Higher Education Law (2018) as follows:

Institutional autonomy is the right of a higher education institution to determine its own objectives and to select the way to implement its objectives, *to make its own decisions on* [emphasis added] and to be held accountable for its teaching, research, organization, personnel, finance, assets, and other activities on the basis of the law and its capacity (p. 2).

In this definition, the word *right* is used to emphasize autonomy as the power or authority of a public university to make its own decisions. The concepts of *authority* and *power* are repeatedly used in the laws and other policy documents concerning university autonomy. For example, Article 13 of Decree 99 (Central Government, 2019) states that “public universities have the *authority* [emphasis added] to design and implement internal regulations on admission, teaching, science, technology, and collaboration within the legal framework” (p. 17). This means that Vietnamese public universities do not need to seek approval from state governing bodies for any of these activities. Furthermore, strong words such as *have the right to implement*, *be proactive to regulate*, and *be autonomous in* are frequently used in policy texts to describe, emphasize, and clarify the rights of a public university. And this right is the authority of the university to *make its own decisions*—to decide what to do on its own and at its own discretion. Article 1 of Resolution 77 (Prime Minister, 2014a), for example, states that “public universities *make their own decisions* [emphasis added] on teaching activities such as training programs, teaching methods, examination and assessment of learning outcomes, textbooks, learning materials, and managing degrees” (p. 2). This means Vietnamese public universities, not the MOET, make decisions about teaching activities. Throughout the documents, the words *making decisions* are repeatedly used—ten times in Resolution 77, for example, and four times in the Higher Education Law (2012)—to signal the public university’s decision-making authority.

Policy documents also provide details on the decision-making authority that a Vietnamese public university has in the areas of finance, teaching, research, organization, and personnel. Amongst these areas, Vietnamese public universities have gained their strongest decision-making authority on financial issues, especially concerning the determination of tuition levels. The university has also been delegated considerable autonomy on teaching activities and research. The findings also indicate that Vietnamese public universities, with the establishment of a University Council and the right to appoint the Rector, have acquired significant authority over their organizational structure and personnel.

In brief, autonomy is about the right of a public university to make decisions; words such as *right*, *power*, and *authority*, accompanied by strong action verbs help to articulate the primary meaning of autonomy as *decision-making* authority. This meaning is significant because it marks a change in the state-university relationship—a new relationship in which the Vietnamese public university is empowered as an autonomous entity to decide matters on its own, actively and independently, instead of being subject to state approval as in the former governance system. A University Council replaces government ministries for the performance of such functions as approving expenditures or appointing a Rector. The Vietnamese public university has gained more authority to act on its own in its relationship with the ministries.

As the literature suggests, formal decision-making authority is of utmost importance in a governance structure, because it defines the role and function of a university in its relationship with the state (Donina & Paleari, 2019). In addition, the term *right* defines autonomy as a legal status enhanced to a high level which, once granted, is not easy to take back. Legally autonomous status also implies that the state's direct control in setting traditional a priori regulations and forcing universities to comply with them must be changed so as not to violate the university's new autonomy. Basically, the meaning of autonomy as decision-making authority is consistent with the literature—autonomy is first about the university's authority to make its own decisions (Verhoest et al., 2004).

### **Autonomy as the University's Accountability for its Activities**

Institutional autonomy means not only that decision-making authority has been granted to the Vietnamese public university, but it also means the university is accountable for its activities and decisions, as provided by the Revised Higher Education Law (2018):

Institutional autonomy is the right of a higher education institution to determine its own objectives and to select the way to implement its objectives, to make decisions on and *to be held accountable for* [emphasis added] its teaching, research, organization, personnel, finance, assets, and other activities based on the law and its capacity (p. 2).

The Revised Higher Education Law (2018) also provides an official definition: “Accountability is the responsibility of a higher education institution to report and make transparent information to students, society, authorized management agencies, owners, and other stakeholders about its compliance with regulations, laws, and commitments” (p. 2). This definition specifies that accountability is the obligation of an institution to provide information on and justification for its activities to stakeholders. It also emphasizes transparency concerning compliance with laws, indicating the existence of a compliance-oriented accountability system in Vietnam's public sector. Obviously, a Vietnamese public university is accountable for all the activities for which it has been delegated decision-making authority— including finance, teaching, research, organization, and personnel. As indicated in policy texts, however, every authority the Vietnamese public university has been granted is accompanied by control measures set by the state. Indeed, authority is always accompanied by regulations, conditions, or restrictions which precede in policy texts in any statement of authority. For example, authority on tuition fees is stated in the Revised Higher Education Law (2018) as follows: “Higher education institutions *meeting conditions regulated at Article 32, Clause 2 of this law and self-financing for all operating expenses* [emphasis added] are autonomous in determining tuition fees” (p. 27). Conditions are stated first, for emphasis.

Accountability as a concept is closely related to steering and control, and accountability measures are used to monitor and evaluate a university's activities. My document analysis shows that Vietnamese public universities are subject to many accountability measures implemented by the state, including regulations, reporting requirements, and ministerial approvals as well as quality assurances, state audits, and performance indicators. Every decision-making authority that has been granted to a Vietnamese public university is subject to regulations and reporting requirements set by the ministries—to ensure the university follows the legal framework in its operation. Indeed, despite the autonomy they have been granted, Vietnamese public universities continue in some ways to operate under the MOET's direct control, with most of their decisions still subject to ministerial approval.

The MOET implements quality assurance to monitor Vietnamese public universities education quality and determine accreditation status. According to Article 17 of the Education Law (2005), quality assurance is the key mechanism for assessing education quality provided by Vietnam's higher education institutions. Quality assurance emphasizes the university's compliance with regulations articulated in the laws governing accreditation procedures (Revised Higher Education Law, 2018). Quality assurance is implemented periodically, and its results are publicized. The results are used to determine accreditation and the level of autonomy to be granted to an institution, as stated in the Higher Education Law (2012): “Higher education institutions have higher levels of autonomy appropriate with their capacity, ranking results, and accreditation results” (p. 16). Together with the university's capacity on infrastructure, human, and financial resources, accreditation results serve as a condition for the granting of autonomy.

In terms of financial matters, Vietnamese public universities are subject to state audit of their financial statements, annual reports, tax, investments, and procurement of assets. This control measure ensures that the university is complying with laws and regulations that govern accounting and financial practices. The state also uses performance-based accountability measures to monitor performance in terms of indicators such as number of lecturers, enrollment in majors, and admissions and graduations, all of which must be annually disclosed on the university's website (MOET, 2016).

Overall, autonomy means Vietnamese public universities are held accountable for their decisions. Different areas of university performance are subject to various kinds of control measures, which mainly emphasize compliance with

regulations. Amongst the aforementioned accountability measures, quality assurance and performance indicators have been recently added to existing regulations, reporting requirements, and state audit, reflecting changes in steering technologies under an autonomy regime. The change means there are more control instruments over public universities in the new governance mechanism than in the old model. Regulations and ministerial approvals in particular show up as the most common control measures that were well-established in the former system. Furthermore, a mixture of old (regulations, reporting requirements, and state audit) and new steering instruments (quality assurance and performance indicators) raises questions about how they are articulated to steer a public university so as not to violate university autonomy.

### **Autonomy as the University's Responsibility for its Decisions and Finance**

To be autonomous a Vietnamese public university must be self-responsible for its decisions and expenses. Article 3 of Decree 43 states that “The public university's autonomy must be accompanied by self-responsibility for its own decisions to the state management agencies and the law” (Central Government, 2006, p. 1). This means the university rather than the government is responsible for any consequence of its decisions—for inefficient performance or financial loss, for example. In this sense, self-responsibility emphasizes who is responsible for consequences of decisions made by the university. Article 16 of Decree 16 provides a clear example for the concept of self-responsibility. Given the university's autonomy in making decisions to borrow capital for investment, the university must itself be responsible for payment of loans and interest. If the university cannot pay a loan it has acquired, it must itself bear legal responsibility. In addition, the university is responsible for efficiency in its borrowing decisions, such as the performance of investing activities, and for handling any risk or consequence (Central Government, 2015). Ultimately, autonomy incorporates risk management into the decision-making process on the university's side, which creates pressure for and requires precautions from decision-makers as they exert their autonomy.

Importantly, autonomy means the university is responsible for covering its own expenses, as Resolution 77 clearly states: “Public universities committing to self-finance all operating and investing expenses are comprehensively autonomous” (Prime Minister, 2014b, p. 1). In this sense, the university is financially independent from the government. Given that one of the overarching goals of the Vietnamese government in implementing autonomy policy is to reduce the financial burden on the state's budget (Prime Minister, 2014a), the inclusion of financial obligations in the meaning of autonomy is not surprising. Autonomy imposes financial responsibility on the university and gradually reduces the financial burden on the national budget.

### **The Evolution of three Aspects of Institutional Autonomy: Decision-Making Authority, Accountability, and Self-Responsibility from 1993 to 2021**

Since 1993, the Vietnamese government has released many policy documents focused on giving autonomy to public universities. The specific concept of “institutional autonomy” of Vietnamese public universities was used for the first time in Resolution 04-NQ/HNTW dated January 14th, 1993. This was an important legal document ratified by the Communist Party of Vietnam that mentioned the need to “increase institutional autonomy of higher education institutions” (Central Committee of Vietnam's Communist Party, 1993, p. 5). However, no further detail was provided about the meaning of autonomy or the kind or degree of autonomy that a public university was to be given. Also, in 1993, the Prime Minister released Decree 90 to clearly signal that Vietnam's higher education system would significantly depart from the centralized model (Le et al., 2019).

The most significant effort to decentralize the whole higher education system and delegate decision-making power to public universities was made in 2005 with the promulgation by the Central Government of the Education Law and the Higher Education Reform Agenda. Article 14 of Education Law (2005) provided that “the state will decentralize the educational management system, [and] strengthen autonomy and self-responsibility of educational institutions” (p. 5). With this statement, the state indicated its strong support for the autonomy of public universities. However, the statement was ambiguous and conflicting with another statement in the Education Law (2005) which said that “the state centrally manages the national education system in terms of objectives, programs, curriculums, education plans, teachers' standards, examination regulations, degrees, certificates, and the educational quality” (p. 5). The Higher Education Reform Agenda (HERA) (Central Government, 2005) was adopted as a fundamental and comprehensive renovation of Vietnam's higher education system during the 2006–2020 period. The provisions provided in HERA, if fully implemented, would have resulted in a significant transfer of authority from the state to public universities. In particular, the government declared that one of its most important tasks was “abolishing the mechanism of line-ministry control over public universities” (Central Government, 2005, p. 6). The elimination such control was a bold idea, one which meant public universities would no longer be under the control of ministries, yet no specific timeline was given for the process. Most importantly, for the first time, HERA proposed the development of a higher education law to legalize the autonomous status of higher education

institutions. With these provisions, HERA was evaluated as the most innovative legal document for Vietnam's higher education reform (Dao & Hayden, 2019; Le et al., 2019) with its emphasis on transferring decision-making authority from the ministries to universities.

The next critical juncture in the autonomy policy occurred on June 18th, 2012, when the Higher Education Law was officially passed by the National Assembly after six years of drafting and revising (Dang, 2013). This Law became the most imperative legal document to recognize the autonomy of higher education institutions, clearly stated in Article 32 as follows: "Higher education institutions are institutionally autonomous in their primary activities in areas of organization and human resource management, finance and assets, training, research, and technology, international cooperation, and quality assurance" (Higher Education Law, 2012, p. 16). For the first time, the concept of "institutional autonomy" was emphasized in the law as the right of public universities and was used 16 times (Le, 2019). Chapters and articles of the Law provided details on decision-making authority of higher education institutions. Notably, the term "institutional autonomy" was usually juxtaposed with the term "self-responsibility," which was used eight times in the Higher Education Law (2012) (Le, 2019). The Higher Education Law consolidated in one single document a vast number of regulations on the autonomy of public universities that had been incrementally approved since 1993 (Le et al., 2019; Dao & Hayden, 2019). The Law was criticized, however, for its lack of an official definition for autonomy and its lack of details on how to achieve stipulated goals (Marklein, 2019).

In 2014, the Central Government released Resolution 77 to advance the progress of autonomy policy by providing greater detail about decision-making authority of public universities on teaching and research activities, organization and human resource management, finance, and investment and procurement (Prime Minister, 2014b). The years 2018 and 2019 marked other milestones in the evolution of autonomy policy in Vietnam with the release of the Revised Higher Education Law, Resolution 99, and Decree 99. All three of these crucial documents were revised and updated based on the results of the implementation of Resolution 77. For the first time, a definition of autonomy was provided in Article 4, Clause 11 (Revised Higher Education Law, 2018). Importantly, the concept of accountability was officially used in the Revised Higher Education Law (2018), with an official definition for accountability. Also, Decree 60/2021/NĐ-CP was released in 2021 to provide specific regulations on financial autonomy of public universities.

In summary, between 1993 and 2021, there was an incremental change in the contents of autonomy policy of Vietnamese public universities, as indicated in the government's legislative and regulatory frameworks. Three aspects of institutional autonomy: decision-making authority, accountability, and self-responsibility have evolved over time, which officially authorize the institutional autonomy of public universities in Vietnam.

## Discussion

As the findings indicate, three aspects of autonomy—decision-making authority, accountability, and self-responsibility—are bound together to form the meaning of autonomy. Vietnamese public universities have authority to make decisions but, at the same time, they must be held accountable for their decisions and must be responsible for financial resources and any consequences of their decisions. This meaning is discursively constructed against the background in which autonomy policy is implemented in Vietnam—the lack of effectiveness of the existing centralized governance model and budget constraints. These conditions put the state under pressure to decentralize the administrative system. As a result, a contingent relationship between autonomy and financial responsibility has been constructed in which Vietnamese public universities must bear financial responsibility to be granted autonomy. The transfer of autonomy can both enhance the university's performance and reduce financial burdens for the government. However, the state must take precautions in handing over power because doing so is in stark contrast to the legacy of Vietnam's centralized governance system that the government adopted from old Soviet countries. Given this concern, accountability becomes the state's primary focus in implementing autonomy policy in the post-Soviet context—a focus which creates tensions with the policy itself and significantly limits the autonomy level of Vietnamese public universities. In this sense, the findings of my study are consistent with the results reported by Shin et al. (2022) that Vietnam, together with Bangladesh and Sri Lanka, has the lowest degree of university autonomy in comparison with other Asian countries such as China, Thailand, Malaysia, Korea, Taiwan, India, and Nepal. As Tran (2014) indicated, one of the biggest challenges in implementing the autonomy policy in Vietnam was the presence of centralized governance legacies. During the reform process of higher education systems, most countries in post-Soviet contexts abolished the line-ministry control over public universities that was a typical feature of the Soviet centralized model. Hungary abolished it in 1993, and China made the same choice in 1998. Line-ministry control is criticized for being redundant and obstructing the efficiency of the decision-making process in higher education institutions (Hayden & Lam, 2007). Yet, line-ministry control still exists in Vietnam, controlling public universities and creating much tension in the implementation of the autonomy policy.



The theoretical framework grounded on agency theory grasps contradictory movements in the Vietnamese higher education context—the institutional self-governance of public universities, the legacy of state centralism, and the growing market force. With a strong emphasis on control mechanisms, agency theory helps to explain the existence of accountability in the new form of governance, given the legacies of a heavily centralized governance system. As Olssen et al. (2004) point out, “Neoliberal governments have built stronger state structures and introduced more robust modes of centralized control and regulation” (p. 172). Control and regulation cover a wide range of reporting requirements, evaluation, and audit processes which will inevitably be inherited in a newly decentralized Vietnamese system. As suggested by agency theory, the Vietnamese government can choose either a compliance-based or performance-based accountability system to govern public universities more effectively. The challenge for the government is to determine which accountability system is optimal—which will achieve the best outcomes at the lowest governing costs. The findings of my study indicated that in addition to compliance-based accountability measures (regulations, reporting requirements, and state audit), performance-based accountability measures (quality assurance and key performance indicators) have been used by the Vietnamese government since 2018. In this aspect, my study in Vietnam’s context reflects the application of performance-based funding in higher education policies to improve university performance which has been widely reported in other countries such as Korea, Taiwan, Finland, the UK, and the United States (Shin et al., 2023; Pruvot et al., 2015; de Boer et al., 2015; Jongbloed, 2020; Sorlin, 2007).

The Vietnamese government’s rationale for institutional autonomy is revealed through what exactly the government has handed over to public universities. Responsibility for performance and finance happened because of the financial burden the subsidization of 419 public universities and colleges placed on the national budget. Handing over financial responsibility to public universities has, therefore, been strongly emphasized in most of the policy documents on institutional autonomy. Under the pressure of financial responsibilities, public universities, as autonomous and self-responsible actors in the competitive market, are expected to work with efficiency and effectiveness (Kivistö, 2008). Agency theory emphasizes the benefits of autonomy in producing self-managing universities that are innovative, efficient, and effective, consistent with the goals envisioned in the Vietnamese government’s institutional autonomy policy. Agency theory, therefore, is not only a tool to strengthen the government’s governing capacities; it also reinforces the university’s role and position in the market—if it can take advantage of its autonomy and meet accountability requirements. In other words, to boost their performance, Vietnamese universities should take into their own hands the autonomy granted to them while also demonstrating their accountability to stakeholders. The key challenge seems to be how to balance autonomy with accountability.

Given assumptions of bounded rationality and information asymmetry, agency theory emphasizes that the university should have autonomy because it produces knowledge which, in the knowledge-based economy, is capital. Enders et al. (2013) argue that the modern conception of the university embraces the idea of the university as a distinctive social institution, and that it deserves a special status in terms of institutional autonomy and academic freedom. In addition, the university creates knowledge, which forms the capital and competitive advantage of the nation’s economic development in the contemporary global economy (Olssen & Peter, 2005; Rizvi & Lingard, 2010). The creation of knowledge requires innovation, creativity, and flexibility; therefore, a university needs autonomy to function optimally (Enders et al., 2013). In its relationship with the state, the university brings superior knowledge and expertise on teaching, learning, and academic work to the performance of tasks on behalf of the government (Kivistö & Zalyevska, 2015). Superior is a particular term that assigns value to knowledge and expertise, which emphasizes that the public university should have autonomy to fulfill its mission in the knowledge-based economy. Without its superior knowledge, the public university might not have autonomy. Agency theory contributes to promoting the role of universities as knowledge producers and key drivers in the knowledge economy; they should have autonomy. The paper, therefore, contributes to the field of comparative and international higher education and previous published articles by reinforcing the need for institutional autonomy of public universities to compete globally (Wilson, 2021; Altbach, 2016). The study also joins with Aboye (2021) about the influence of the state’s political ideology on autonomy of public universities, in which the centralized legacy still exists through the monitoring mechanism of ministerial approvals. However, the study advances the conversation by theorizing the institutional changes in higher education (Jafarova, 2022; Le, 2022) through the perspective of agency theory.

### **Conclusion and Implications**

In conclusion, through the lens of agency theory, institutional autonomy of Vietnamese public universities is conceptualized as a new form of governance in which the government (the principal) delegates decision-making authority and responsibility to the university (the agent) and applies control mechanisms to ensure the university is working towards the government’s expected goals. Institutional autonomy of a Vietnamese public university, therefore, includes not only the university’s right to make its own decisions but also accountability for its decisions and self-responsibility for financial

resources. By providing a better understanding of autonomy as a new form of governance in Vietnam's context, the study has contributed to the literature on university governance and higher education policy. Especially, by providing insights into the complexities of autonomy in Vietnam's higher education system and shedding light on tensions between autonomy and control that emerge together in the policy, the study helps to inform a more transformative approach to policy practices to achieve the goals of reforming higher education systems. Policymakers might have to take into consideration the government-university relationship as a principal-agent relationship, with the government needing a university to perform tasks because the latter has more information and knowledge about the tasks than the government and the outcome will likely be more successful. In this case, a combination of top-down and bottom-up approaches during the policy implementation process is necessary to include the voices and roles of all policy-relevant actors. As a result, policy-relevant actors may acquire a more informed understanding of the policy and develop a response that better aligns with the state's aims in enacting the policy.

However, examining the nature of institutional autonomy through the perspective of agency theory is not without limitations. The consequence of thinking of the state and the university as principal and agent is that a business relationship is emphasized in which the state and the university are engaged in a contract (Austin & Jones, 2016). The use of business language in higher education settings identifies a degree as a commodity and the university as a corporation with students as customers (Shore, 2010; Thornton, 2004). These business terms are contested because they highlight the commercialization and marketization of higher education. Particularly in a contractual relationship with the state, the university is assumed to be fundamentally self-interested and inclined to opportunistic behavior. This assumption has led to agency theory being criticized as trivial and dehumanizing (Kivistö, 2008; Eisenhardt, 1989) because it presents a short-sighted perspective on human motivation with an unnecessary negative and skeptical evaluation of people's ethics. If a university is viewed only as a collective of self-interested shirkers, a broader range of human motives such as humanity, trust, and respect are ignored. However, the assumption of opportunistic behavior is aligned with recent arguments on the rise of the audit culture, which indicates mistrust in management (Blackmore, 2010; Welch, 2016), even though mistrust is not named explicitly. Control mechanisms are always implemented because governments do not trust universities. Also, the assumption of opportunistic behavior reflects the pessimistic perspective of scholars such as Yang et al. (2007) and Lane and Kivistö (2008) on the use of accountability measures to limit gaming practices rather than to support the university's performance. The application of agency theory in higher education policy, therefore, expects to be further explored in future studies to examine how the governance mechanism plays out in different contexts.

Another limitation of the paper is reliance solely on government documents as a data source for the analysis, which might lead to an incomplete understanding of the reality. The future study should consider the perspectives of universities and professors on the practical implications of the institutional autonomy policy. Also, future studies should question whether the discourse in government documents truly represents the government's actual views and practices by including the perspectives of policymakers on the rationales, ideas, and theories behind the design of the institutional autonomy policy.

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