

Comparison of public servant recruitment between Vietnam and Japan

So sánh tuyển dụng công chức giữa Việt Nam và Nhật Bản

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Abstract: Recruiting civil servants who are capable of effectively performing their assigned tasks contributes to improving the efficiency of state administrative management. Therefore, it is essential to conduct research on the current situation to identify the causes and propose solutions to enhance the current civil servant recruitment process to meet the current and future needs of state management. Based on the general theory of civil servants in Vietnam and some other countries, this article mainly employs a comparative approach to analyze the recruitment of civil servants in Vietnam and Japan, both in terms of legal regulations and practices. The aim is to provide recommendations for improving legal regulations and the organization of civil servant recruitment for administrative agencies in Vietnam.

Keywords: *Competitive examination; Japanese Public Service; Public Servants; Recruitment; Vietnamese Public Service*

Tóm tắt: Tuyển dụng công chức có khả năng thực hiện tốt nhiệm vụ được giao là góp phần nâng cao được hiệu quả quản lý hành chính Nhà nước. Như vậy, không thể không nhắc đến việc nghiên cứu về thực trạng để tìm ra nguyên nhân và đề xuất giải pháp nâng cao công tác tuyển dụng công chức hiện nay nhằm đáp ứng nhu cầu quản lý Nhà nước hiện tại và tương lai. Trên cơ sở lý luận chung về công chức trong nước và một số nước, bài viết chủ yếu sử dụng phương pháp so sánh thực trạng giữa tuyển dụng công chức Việt Nam và tuyển dụng công chức Nhật Bản cả về quy định pháp luật và thực tiễn nhằm đưa ra một số kiến nghị nhằm hoàn thiện quy định pháp luật và công tác tổ chức tuyển dụng công chức cho cơ quan hành chính ở Việt Nam.

Từ khóa: *Công chức; công chức Nhật Bản; công chức Việt Nam; thi tuyển; tuyển dụng*

1. Introduction

In order for the state apparatus to effectively utilize legal instruments for societal management, it is necessary to enhance the recruitment of civil servants to attract individuals with talent, high expertise, and a commitment to work within the state machinery. Therefore, the current study aims to explore how to recruit civil servants capable of garnering the attention of the Party and the state. This responsibility lies in the realm of research and proposals put forth by scholars.

It is suggested that examining and evaluating the civil servant selection models in countries with strong and efficient civil servant systems worldwide should be considered to draw valuable lessons for Vietnam. Among the countries considered, the author has found that Japan, with its robust and effective administrative management system, proximity in geographical position, environment, customs, and human lifestyle, as well as some similarities in legal, ethical, and religious perspectives, is suitable for research and learning purposes.

2. Overview of Civil Servants

According to Japanese law, civil servants must be Japanese citizens, work and receive salaries from the national budget, and are managed uniformly by the National Personnel Authority. Civil servants in Japan also include all those working in state-run institutions such as public hospitals and public schools.

According to Vietnamese law, civil servants are also Vietnamese citizens recruited to work in state agencies, the Party, political and social organizations (except at the commune level). In addition, they may work in the military (excluding officers, professional soldiers, and defense workers) and the police (excluding officers, professional soldiers serving under professional regimes, and police employees). These civil servants receive salaries from the state budget and are managed by various ministries and sectors, with the Ministry of Home Affairs serving as the lead agency responsible for advising the government on state management related to civil servants.

The concept of civil servants today inherits legal provisions dating back to the 1950s, where civil servants are defined as "Vietnamese citizens recruited by the people's authorities, entrusted with a regular position in government agencies, whether inside or outside the country, all of which fall under the Civil Servant Regulations, except for specific cases determined by the Government" [1].

In this regard, the concept of civil servants in Vietnam and Japan exhibits similarities in terms of defining the scope of civil service, sources of income, the target population served, and management. Additionally, both countries prioritize the cultivation of civil servants with political competence, strong ethics, high professional qualifications,

and suitability for social management requirements. Specifically, civil servants are encouraged to continuously improve their professional knowledge and expertise, which is considered one of the criteria for evaluation, assessment, promotion, and appointment. Ethical standards in public service and political ethics are essential prerequisites. In summary, civil servants in both Japan and Vietnam are similarly understood as citizens who are recruited and appointed to positions in state agencies at various levels, and they receive salaries from the state budget [2].

3. Civil Servant Recruitment

Recruitment is a series of activities carried out by authorized individuals to select individuals with the necessary qualifications for a specific job within a specific organization [3]. On the other hand, civil servant recruitment is defined as "the work of the competent authority to assess individuals who wish to become civil servants according to the procedures, processes, and methods stipulated by law to select those who meet the qualifications, standards, and capabilities required for positions in organizations in need of personnel" [3].

Therefore, civil servant recruitment is a task and activity carried out by competent state authorities, based on specific task requirements, job positions, staffing limits, and budget constraints, to appoint an individual to work in a state agency through competitive examinations, selection processes, or a combination of both to become a civil servant. It adheres to fundamental principles in civil servant recruitment, such as:

- Compliance with the law;
- Transparency and fairness;
- Creating competition;

- Meeting the specific job position needs of state agencies;
- Special subjects to be considered as priorities: Individuals contributing to ethnic minorities [4].

Candidates must meet criteria related to nationality, age, ethics, physical fitness, clear background, possess appropriate diplomas and certificates, exhibit political integrity, and submit application documents. Individuals who are not eligible to apply include those currently subject to criminal prosecution, those deprived of civil rights, or those who have completed a prison sentence but have not had their records expunged. Furthermore, recruitment processes must meet certain requirements:

3.1. Equality in Recruitment

Vietnamese law recognizes recruitment equality by establishing recruitment policies emphasizing competitiveness, transparency, objectivity, and legality.

Japanese law also acknowledges equality in recruitment by allowing citizens to participate in public service and become civil servants [5], and the election of civil servants is an inherent right of citizens [6]. However, equality extends beyond the concept of "any citizen can become a civil servant" and requires a more multidimensional understanding, including equality before the law, gender, ethnicity, and religion.

Therefore, the principle of equality in recruitment is not only a common model for both Vietnam and Japan to promote values of fairness but also a belief that recruited civil servants possess quality. The shared principle between Vietnam and Japan regarding civil servant recruitment is based on the aspirations, capabilities, and task requirements for recruitment. However, when examining specific aspects of the legal frameworks

in Japan and Vietnam, clear differences in civil servant recruitment between the two countries are evident.

Firstly, regarding competitive examinations, Japan primarily relies on the achievements and the demonstration of candidates' capabilities through the results of competitive exams, completely eliminating emotional factors during the recruitment of civil servants. However, Vietnam's principle of civil servant recruitment prioritizes the selection of citizens and ethnic minorities, alongside individuals with talents and those who excel in their professions, particularly in certain sectors that give preference to candidates with parents who have contributed to the field they are applying for, such as the police, the judiciary. Thus, Vietnam and Japan have differences in selecting citizens to become civil servants. In Japan, the selection of civil servants is mainly based on the suitability of the job and professional competence, without considering other factors [7]. In contrast, Vietnam balances ethics, personal history, and moral integrity with professional qualifications and the ability to excel in their roles, creating a balance between competence and integrity. This can be understood due to Vietnam's traditional belief in "gratitude for the source," where the people and the state highly value revolutionary achievements.

Secondly, in terms of competitiveness in competitive examinations, the process of becoming a civil servant in Japan is highly competitive (one in fifty) [8]. The reason for this high level of competition is the broader pool of candidates eligible to participate in civil servant examinations in Japan, including final-year university students from various universities without the requirement of academic degrees [9]. In Vietnam, a university or college degree is mandatory to participate in civil servant

exams. Furthermore, Japan offers attractive salary structures, bonuses, and allowances alongside societal respect for the profession. Particularly, the pension system in Japan is relatively more generous than the private-sector employees' pension system. In Vietnam, while there are some highly competitive positions in civil servant exams, the overall competition rate remains lower. This can be attributed to a history of prolonged admission examinations, where "only officials' offspring become officials" created many negative phenomena during the job application process for new graduates" [10]. From 1945 until 1998, the system transitioned from assignments to competitive exams as it is today. There still exists a lack of confidence among job applicants in the "government sector" as a pathway for career advancement, and obstacles related to personal backgrounds, abilities, considerations, and the psychological perception of "only officials' offspring become officials" are still quite heavy. Additionally, there is a certain level of favoritism towards "contractual civil servants." Moreover, Vietnam's incentive and salary structure is not yet attractive enough to attract talented individuals. The current salary level for civil servants with bachelor's and master's degrees is calculated with a coefficient of 2.34 times the basic salary, which is currently 1,800,000 Vietnamese dong. This salary level remains relatively low compared to the salaries in the private sector [11].

Thirdly, concerning the organization of civil servant recruitment processes, both Vietnam and Japan aspire to establish fair, transparent recruitment methods that select the right individuals for effective and long-term job engagement. The Government has consistently set the objective that

universities and high schools should provide education that matches the labor force's recruitment requirements, including the needs of state agencies. For example, topics related to the responsibilities and powers of civil servants, appointment procedures, classification, and evaluation are integrated into civic education at the high school level, legal courses for university majors in law, or general law courses for non-law majors. Alongside commonalities, there are also differences in the independence of state organizations and units responsible for civil servant recruitment. In Vietnam, the central agency responsible for civil servant recruitment is the Ministry of Home Affairs, which is directly under the Government. At the local level, it includes the Department of Home Affairs and the Home Affairs Division under the People's Committee at various levels. The relationship between Vietnam's state management agency for recruitment and the administrative agencies in need of civil servants is highly interdependent in terms of organization, structure, management, working relationships, and activities. However, there has not been a clear, transparent distinction between the agencies using civil servants and recruiting civil servants. In contrast, in Japan, the National Personnel Authority is responsible for all matters related to civil servant examinations. While it is part of the Government, it operates with a high degree of independence in terms of organizational structure and activities. This fundamental difference between Japan's National Personnel Authority and Vietnam's civil servant recruitment organization is evident.

Fourthly, regarding the timing of civil servant recruitment examinations, similar to Japan, the administration of

examinations in each locality in Vietnam is conducted independently by the local authorities, and each locality develops its question bank for examinations instead of using a national question bank applicable to all localities. However, with respect to the timing of civil servant recruitment examinations, Japan centrally organizes these examinations simultaneously across different administrative units, usually in June each year. Such centralized scheduling allows for standardization of selection procedures, continuous improvement, cost savings, and ease of monitoring and supervision. In Vietnam, local administrative units [12], advised by the Department of Home Affairs, autonomously determine their recruitment examination schedules, independent of other provinces or cities and without fixed cycles. Examinations may occur once a year, but some localities hold more or fewer recruitment sessions. This lack of synchronization provides local flexibility but lacks standardization, creating challenges for central oversight and supervision.

3.2. Priority and Encouragement in Recruitment

Japanese law emphasizes finding talented and capable individuals without specifying any preferential treatment for candidates participating in civil servant selection. This is a Japanese tradition dating back over 150 years to the Meiji Restoration era when the civil servant recruitment system was established to select individuals based on talent and capability, without regard to wealth or social class, allowing anyone to participate in civil servant selection exams. Today, apart from age restrictions, almost all citizens in Japan who wish to do so can participate in civil servant selection exams. For example, to become a judge, candidates must pass the civil

servant selection exam for judicial positions [13], which tests the candidate's aptitude to become a judge. Those selected then undergo further training and acquire the necessary qualifications to become full-fledged judges.

In Vietnam, alongside the selection of talented and capable individuals, there is still a degree of preference for certain groups. For instance, individuals who commit to working for a period of five years or more in economically and socially extremely difficult regions are prioritized for recruitment through direct selection rather than through competitive exams. Additionally, due to the cherished tradition of "remembering the source," Vietnamese people always express gratitude to those who have contributed to the nation, especially during the period of defending the homeland. However, this preferential treatment is explicitly stipulated in Vietnamese law, which clearly states, "Priority shall be given to selecting talented individuals, those who have made contributions to the country, and ethnic minorities" [14]. According to Decree No. 138/2020/NĐ-CP dated November 27, 2020, the categories of individuals given priority include war invalids, class B war invalids, heroes of the armed forces, heroes of labor; children of martyrs, war invalids, diseased soldiers, and ethnic minorities.

Such preferences in recruitment, as outlined above, align with Vietnam's specific circumstances and represent a distinction between civil servant recruitment in Vietnam and Japan.

4. Some Recommendations for Improving Civil Servant Recruitment in Vietnam

Firstly, Vietnamese civil servants need a combination of ethics with competence and professional expertise, achieving a balance between these aspects. Therefore,

improving the assessment process for competence and professional skills is necessary, creating favorable conditions for each civil servant to self-improve and implementing timely personnel transfers. Consideration could be given to applying information technology, using multiple-choice and interview formats, and gradually reducing written exams on paper in recruitment exams. At the same time, there should be a firm stance on eliminating those civil servants who lack competence and professional skills and are not suitable, moving away from the mentality of favoritism and recruitment based on personal relationships.

Secondly, increase competitiveness in recruitment. Vietnam can consider the Japanese model by expanding the pool of candidates for civil servant recruitment. This can be achieved by removing the requirement that only those with excellent academic records are eligible to take the exams and eliminating the regulation that only those who graduate from specific universities can apply. For instance, the judiciary and the prosecutor's offices only recruit students from the Judicial Academy or the Hanoi University of Justice. Furthermore, there is a need to review all criteria and standards related to academic qualifications for candidates, focusing on reducing the degree and major requirements. For example, in the position of competition manager in the Office of Internal Affairs of Cai Lay Town, the specialist rank requires qualifications of "Bachelor's degree or higher in Business Administration" [15]. Therefore, requiring a Bachelor's degree or higher, specifically in Business Administration, may not be necessary for this job position.

Thirdly, address equality. The current mechanism and practice in Vietnam allow combined recruitment exams for

individuals working under contracts in state agencies with candidates who have never worked in any state agency. This does not guarantee equality and transparency in civil servant recruitment and should be organized as separate events. In the long term, a solution is ensuring that 100% of civil servants working in state agencies pass the civil servant recruitment exam rather than maintaining a contract-based system.

Fourthly, concerning the independence of the unit responsible for organizing the recruitment of civil servants. Vietnam needs to enhance the independence of the unit in charge of civil servant recruitment to ensure objectivity and fairness, especially when setting exam questions at the local level. It is necessary to reconsider the criteria and standards for becoming a member of the Exam Question Committee, as stipulated in Article 5, Clause 3 of the Regulation on organizing exams under Circular No. 06/2020/TT-BNV dated December 20, 2020, by the Ministry of Home Affairs. According to this regulation, the requirement to become a member of the Exam Question Committee is that "Individuals who are assigned to participate in the Exam Question Committee are civil servants or public employees of the competent agencies to organize the recruitment of civil servants or public employees, professional upgrading examinations for civil servants, and title promotions for public employees, or employees of other agencies or units as decided by the Chairman of the Council; they must have professional qualifications and work experience in the relevant industry, sector, and be suitable for the requirements of the position to be recruited or the requirements of the civil servant rank to be examined or the title of

public employee to be promoted." For example, for a recruitment position as a specialist in the Document Office of the Department of Justice, the person who sets the questions for the specialized knowledge examination is the Deputy Director of the Department of Justice in charge of the Document Office and is a member of the Exam Question Committee. Therefore, a contract-based civil servant working in the Document Office of the Department of Justice taking the civil servant recruitment exam to transition to a permanent position would be in the same profession as a member of the Exam Question Committee. This situation does not ensure the exam's objectivity, transparency, and fairness. Specific recommendations could involve selecting one of two options: First, separating the Exam Question Committee from the Examination Council, and the Exam Question Committee could be established by the central authority and select questions from a question bank. Second, provinces and cities can cross-set questions for each other.

Fifthly, regarding the timing of civil servant recruitment exams. Applying the model of conducting civil servant recruitment exams at a predetermined time during the year, as seen in Japan, can reduce costs, ensure openness, transparency, objectivity, and legality, enhance competition, and select the right candidates to meet job requirements and positions. Specifically, civil servant recruitment exams could be held simultaneously on the same date and month for all administrative units in different localities, as predetermined during the year.

Sixthly, the prioritization practice in Vietnam should be maintained, and the values of this positive tradition should be promoted. However, there should be a

clearer process specifying which job positions are eligible for prioritization and positions that do not apply prioritization to avoid the misuse of preferential policies. For example, the current situation shows an excess of elementary school teachers in urban areas and major cities but a shortage in border areas and islands. Therefore, prioritization should not be applied to urban areas and major cities, even if candidates meet the prioritization conditions specified in Government Decree No. 138/2020/NĐ-CP.

5. Conclusion

In conclusion, the requirements for national development necessitate the presence of an efficient administrative system that is adaptable to innovation and growth. Recruiting civil servants is a crucial step to establishing an effective administrative management apparatus. On another note, an efficient civil service workforce begins with the recruitment process and training and development efforts. Therefore, the comparison of civil servant recruitment in Vietnam with that in countries with developed administrative systems, aiming to identify limitations, existing issues, and recommendations for improvement, remains essential and deserves the research attention of scholars.

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