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Challenges to institutionalizing strategic environmental assessment: The case of Vietnam

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ABSTRACT

Building on new institutional theory, this paper develops an analytical framework for analyzing constraints to the institutionalization of strategic environmental assessment (SEA) at four different institutional levels. The framework is tested in an empirical analysis of the environmental assessment system in Vietnam, which is a frontrunner among developing countries regarding the introduction and use of SEA. Building on interviews with Vietnamese and international experts, as well as an extensive literature review, we identify institutional constraints which challenge the effective use of SEA in Vietnam. We conclude that commonly identified constraints, such as inadequate training, technical guidelines, baseline data and financial resources, are strongly linked to constraints at higher institutional levels, such as incentives to not share information between ministries and severe restrictions on access to information and public participation. Without a thorough understanding of these institutional constraints, there is a risk that attempts to improve the use of SEA are misdirected. Thus, a careful institutional analysis should guide efforts to introduce and improve the use of SEA in Vietnam and other developing countries. The analytical framework for analyzing constraints to institutionalization of SEA presented in this paper represents a systematic effort in this direction.

Introduction

Assisted by development aid, a growing number of developing countries have recently introduced legislation on strategic environmental assessments (SEAs). The aim is to improve the integration of environmental concerns in strategic decision-making by subjecting plans and programs to additional environmental analysis and stakeholder involvement.

Originating in North America and Western Europe, legislation on SEA is a formal institution containing primarily procedural rules about when and how environmental assessments should be conducted during the development of plans, programs and sometimes policies. However, in many developing countries, formal and informal institutions differ greatly from those in North America and Western Europe, affecting the interpretation and application of the new procedural rules in practice.

The purpose of this paper is twofold: to develop and test an analytical framework for analyzing constraints on the institutionalization of SEA in developing countries. The paper adds to the growing body of research suggesting that contextual factors play a fundamental role in how environmental assessment systems work in practice (Ahmed and Sánchez-Triana, 2008; Annandale, 2001; Bina, 2008; Boyle, 1998; Hilding-Rydevik and Bjarnadottir, 2007; Kolhoff et al., 2009; Runhaar and Driessen, 2007; Slunge et al., 2011). The earlier technically-oriented approaches to environmental assessments, built on a belief that improved information would lead to better decisions by rational decision-makers, has been increasingly challenged. Instead, more recent analyses stress the role of institutions and governance conditions, the non-linearity of public decision-making, and the potential role that participation, deliberation and learning can have on environmental assessment systems (Ahmed and Sánchez-Triana, 2008; Bina, 2008; Kørnøv and Thissen, 2000; Nilsson and Nykvist, 2009). In the words of Bina (2008, p. 718), "Two decades of practice have shown that good information alone – though essential – will not necessarily lead to better planning or better choices…. It is the context within which planning and assessment occur, and especially all the qualities that are commonly recognised under the framework concept of 'good governance' that makes the difference".

This literature forms part of a broader recognition within social science and development policy on the fundamental role of institutions and governance for economic and social development (see e.g. Acemoglu et al., 2004; Rodrik et al., 2004; World Bank, 2003), as well as environmental and natural resources management (e.g. Ostrom, 1990; Vatn, 2005).

Against this background, it is noteworthy that the use of institutional analysis is still fairly limited in development practice relating to SEA

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(OECD, 2012), as well as in many academic evaluations of environmental assessment systems (e.g., Briffett et al., 2003 and Clausen et al., 2011). There are a growing number of studies focusing on the role of institutional factors for the performance of environmental assessment systems (see, for example, Bina, 2008; Boyle, 1998; Slunge and Loayza, 2012; Turnpenny et al., 2008; World Bank et al., 2011). However, the analytical frameworks and methodologies used in these studies vary widely. For example, Boyle (1998) identifies certain cultural characteristics which shape the performance of environmental assessment systems in Thailand, Indonesia and Malaysia. Bina (2008) uses four dimensions – social, cultural, political and values – to analyze contextual factors limiting the effectiveness of the Chinese environmental assessment system. Turnpenny et al. (2008) study institutional capacities and constraints for integrated policy assessment at the micro, meso and macro levels in four different European countries.

While these and other studies have yielded important knowledge about the role of institutional factors for the performance of SEA systems, the different analytical frameworks used in the studies make comparisons across cases and countries difficult. We propose that the general framework for studying institutions at four different levels developed by Nobel laureate Oliver Williamson (2000) can be useful also for studying SEA institutionalization. We believe that the structure of this analytical framework can be particularly useful when studying SEA institutionalization in countries where both formal and informal institutions differ considerably from the institutions in the U.S. and Western Europe where environmental assessment procedures were first invented.

We test the analytical framework through an empirical analysis of the use of strategic environmental assessment in Vietnam. Vietnam is an interesting case because it is a frontrunner among developing countries in relation to SEA. Development agencies from Germany, Sweden, Denmark, Switzerland and Holland as well as international development banks have played an instrumental role in introducing SEA in Vietnam. They have financed a large number of "pilot SEAs" and numerous training programs for staff in governmental agencies, and have provided technical expertise for the development of a legal framework and technical guidance for SEA in Vietnam (Clausen et al., 2011; Dusik and Xie, 2009). As development aid to Vietnam decreases as the country reaches middle income status, it is uncertain how sustainable or institutionalized the SEA system is without external resources. Vietnam is also interesting as a case study because its formal and informal institutions are very different from the institutions in the countries where SEA was first invented. Importantly, public participation and free and open access to information – which are crucial aspects of environmental assessment systems – are severely restricted in Vietnam (The World Bank Group, 2013).

Besides developing and testing an analytical framework for studying constraints to institutionalization of SEA, the paper also offers lessons learned and associated policy implications for governments that are introducing SEA as well as development agencies supporting such efforts.

The paper proceeds as follows. In the next section, we develop the analytical framework as well as the methodology used for the empirical analysis. In section three, we present the results from the empirical analysis. In the concluding section, we discuss the implications from the empirical analysis from testing the analytical framework.

Analytical framework and methodology

Analytical framework

The study of institutions has a long tradition, but a new institutionalism emerged in the late 1980s as a reaction to the then-dominant actor-centered analyses in the social sciences (March and Olsen, 1989; Nilsson, 2005; North, 1990). For the purpose of this paper, we follow North's (1990) definition of institutions as "…the humanly designed constraints that structure human interaction…made up of formal constraints (e.g., rules, laws, constitutions), informal constraints (e.g., norms of behavior, conventions, self-imposed codes of conduct), and their enforcement characteristics". Institutionalization can be described as a process of internalizing a new set of formal norms into an existing system of formal and informal norms so that the new norms become rules that are actually used in practice, what Ostrom (2005, p. 20) defines as "rules in use".

The slowly changing nature of norms, as well as their importance in the enforcement of formal rules, is one important factor explaining the difficulties involved in changing institutions. While formal institutions, such as water or forest legislation, may change rapidly, informal institutions, such as norms guiding water or forest use, generally change more slowly (North, 1990; Williamson, 2000). When studying processes of institutionalization, it is thus crucial not only to analyze legal frameworks and other formal building blocks, but also to consider norms and other informal institutions.

Steinhauer and Nooteboom (2012) have made one of the few attempts to define what characterizes an SEA system that is institutionalized. According to these authors, an SEA system is institutionalized when there is sufficient expertise in a country to apply SEA; a sound legal and financial basis for SEA is in place; and there is a clear institutional structure with agreed roles and responsibilities (see Fig. 1, box 1). While this definition points to crucial parts of an SEA system, it is not complete. Most importantly, it does not include the performance or effectiveness of the SEA system. This is crucial because it is often during implementation, when there is interplay between formal and informal norms, that the greatest challenges to institutionalization are found (North, 1990). It is also during the implementation phase that policy reforms typically encounter difficulties, not least in developing countries (Batley, 2004; Thomas and Grindle, 1990). In our view, an SEA system that is institutionalized should also be effective in the sense that it leads to improved integration of environmental concerns in strategic decision-making, ultimately contributing to improved environmental outcomes (Fig. 1, boxes 3 and 4). The key mechanisms through which SEA is commonly understood to lead to integration of environmental concerns in decision-making are through (i) improving the information on which decisions are made; (ii) increasing stakeholder participation and access to information in decision-making; and (iii) providing a forum for deliberation, coordination and learning (Fig. 1, box 2) (Ahmed and Sánchez-Triana, 2008; OECD, 2006; Therivél, 2010).

However, there may be several formal and informal constraints limiting the effectiveness of an SEA system. Several authors have argued that these contextual constraints tend to make the link between SEA and environmental outcomes indirect rather than direct, stressing the effect SEA can have on for example the framing of problems and the strengthening of stakeholder groups (Ahmed and Sánchez-Triana, 2008; Nilsson, 2005). Terms such as incremental effectiveness (Bina, 2008), transformative effectiveness (Cashmore et al., 2004) and normative effectiveness (Chanchitpricha and Bond, 2013) have been used when studying these types of indirect effects.

In our analysis of formal and informal institutional constraints, we build on the framework for studying institutions at four different levels developed by Nobel laureate Oliver Williamson (2000). The first level is *Social Embeddedness*, which comprises informal institutions such as norms, religion and culture. The second level is the *Institutional Environment* or the formal rules of the game, including constitutions and the executive, legislative, judicial and bureaucratic functions of government. The third level is the *Institutions of Governance*, where much of the day-to-day policy making takes place. Institutions at this level include the different parts of government bureaucracy, as well as laws and regulations. The fourth level is *Resource Allocation and Employment*, where incentives created by institutions at the other levels affect the choices of the different actors in society. This fourth level of analysis corresponds to the "action arena" in the Institutions and Development

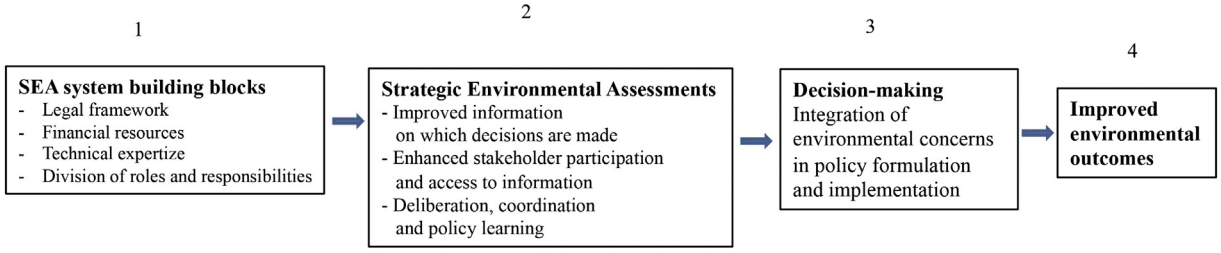

Fig. 1. Conceptual model of an institutionalized SEA system.

framework developed by Ostrom (2005).[1] We choose to use the term action arena for this level of analysis because the term does a good job of capturing the practice dimensions of the SEA system in which we are interested.

Feedback mechanisms between the different institutional levels constitute an important element of Williamson's framework. The institutions at higher levels constrain choices at lower levels, but changes at lower levels can also generate institutional change at the higher levels through different feedback mechanisms.

Fig. 2 displays how the SEA system is embedded in formal and informal institutions at the four levels identified by Williamson (2000).

Table 1 outlines the analytical framework used to structure the analysis of the empirical data.

Inspired by Ostrom's (2005: 27) distinction between frameworks, theories and models as "a nested set of theoretical concepts — which range from the most general to the most detailed" the guiding questions in our framework are deliberately of an open character. As Ostrom writes (2005: 28), "frameworks organize diagnostic and prescriptive inquiry. They provide the most general set of variables that should be used to analyze all types of settings relevant for the framework". Our purpose is primarily to identify institutional constraints, not to identify causal effects for which we would also need a more developed theory and model.

Nilsson and Nykvist (2009) and Turnpenny et al. (2008) have undertaken the institutional analyses of impact assessment systems that come closest to a Williamson-type layered institutional framework. While Nilsson and Nykvist (2009) analyzed the role of impact assessments in the Swedish committee system, Turnpenny et al. (2008) studied institutional capacities and constraints for integrated policy assessment at the micro, meso and macro levels in four European countries. On the micro level the analyses concerned the individuals involved in doing assessments in the bureaucracy and the availability of resources (time, money, staff) and human resources (skills, educational background etc.) for doing the assessments. On the meso level organizational issues such as management structures, organizational culture, coordination procedures and incentive systems were analyzed. Finally, on the macro level the analysis focused on wider issues such as the administrative and legal context as well as the role of stakeholders in the decision making process.

There are many similarities between these frameworks for layered institutional analysis. Indeed, our empirical study was initially inspired by the micro–meso–macro framework. However, during the analysis we found that the explicit emphasis in Williamson's framework on the institutions of governance, the institutional environment and social embeddedness provided a better way for structuring and interpreting the data about Vietnam. We believe that this has to do with the relatively stronger emphasis in Williamson's framework on institutional constraints that are more distant from the action arena in comparison to the studies conducted by Nilsson and Nykvist (2009) and Turnpenny et al. (2008) using the micro–meso–macro framework which put a relatively stronger focus on the micro (individual) and meso (organizational) levels.

Methodology

The analytical framework was tested in an empirical analysis of constraints to the institutionalization of SEA in Vietnam. The empirical analysis is based on a substantive literature review – including the extensive gray literature on SEA in Vietnam – as well as 15 semi-structured interviews conducted during the spring of 2011 in Vietnam.[2] To probe the findings in our study, two additional interviews were conducted with Vietnamese civil servants working with SEA in sector ministries in March 2013. Interviews were selected to represent a variety of experiences related to the Vietnamese SEA system. The interviewees (see Table 2) included Vietnamese civil servants involved in commissioning and reviewing SEAs for socio-economic development plans and sector strategies in Vietnam, SEA regulators at the Ministry of Environment and Natural Resources at the national and provincial level, Vietnamese SEA practitioners and experts at consultancy companies and research institutes, and international SEA experts with experience from programs that support SEA capacity development in Vietnam. International SEA experts with long experience from Vietnam assisted us in identifying potential interviewees within these different categories. A few additional interviewees were identified during the interview process in Vietnam. It could have been valuable to conduct additional interviews with for example officials at the provincial level or additional sector ministries, but due to resource constraints this was not feasible. While additional interviews could have yielded important nuances about the Vietnamese SEA system, we believe that they would not have significantly influenced the general findings about the constraints to SEA institutionalization presented in this study. We draw this conclusion based on the large consistency among the interviewees about constraints to SEA institutionalization in Vietnam.

The interviews were guided by a semi-structured questionnaire focusing on understanding how the SEA system works as well as the key obstacles to institutionalization at different institutional levels. Originally the empirical study was guided by the framework for institutional analysis of impact assessment systems described in Turnpenny et al. (2008), but, as explained above, the Williamson framework was used for structuring and analyzing the gathered data. The findings from the empirical study presented in Section 3 are based on a synthesis of the findings from the literature review and the interviews conducted.

Constraints to institutionalizing SEA in Vietnam

The action arena

Formal rules about the use of SEA were introduced in Vietnam through the revision of the Law on Environment Protection in 2005. The law mandates that SEA be conducted for many different kinds of strategies and plans at the national, provincial and sector levels. For example, SEAs are mandated when developing national and provincial 5-

[1] The Institutions and Development framework (IAD) is an analogous layered framework for institutional analysis. The levels of analysis in the IAD framework are the constitutional arena, the collective choice arena and the action arena.

[2] See Trang, 2011 for a description of the questionnaires used.

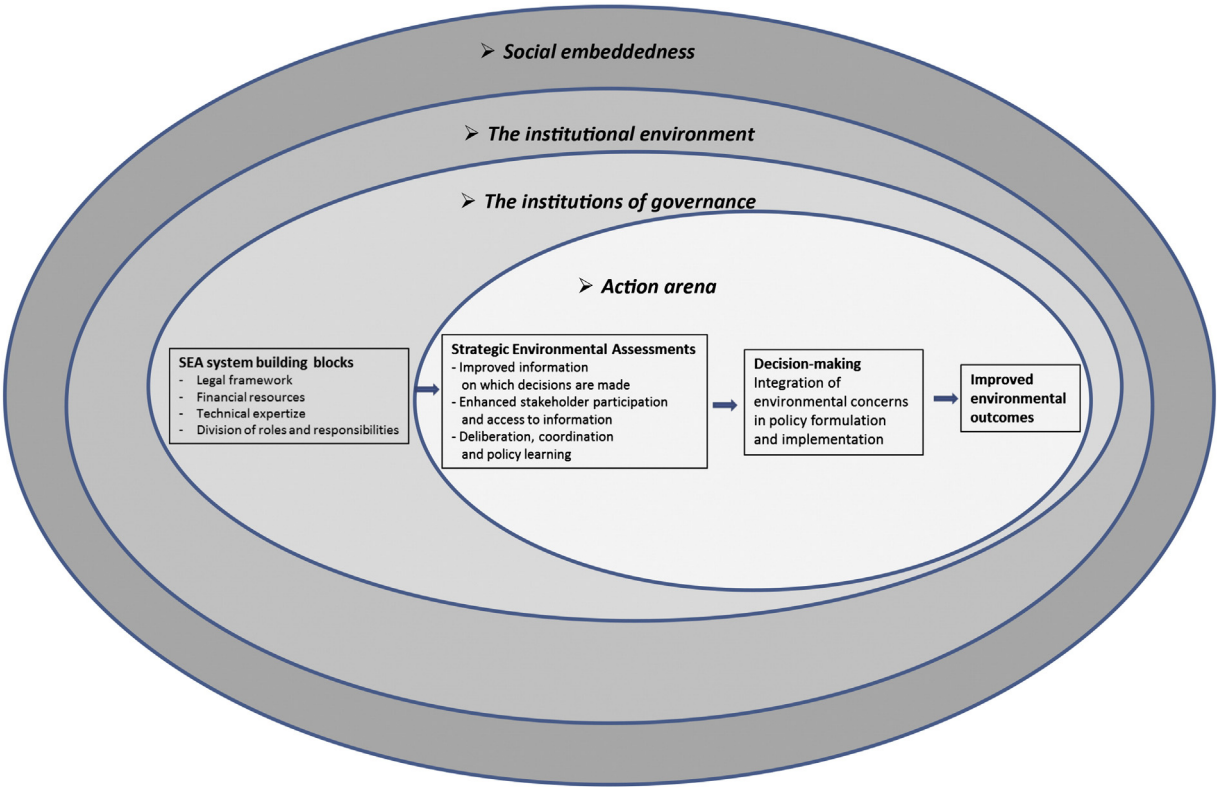

Fig. 2. A layered framework for institutional analysis of SEA systems.
Source: Author

year plans for socio-economic development. The law and the more detailed guidance that have been issued subsequently also specify who is responsible for conducting SEA – typically the same agency responsible for the strategy or plan – what the SEA report should contain, and who should review the SEA (Dusik and Xie, 2009).

Approximately 200 to 300 SEAs were conducted in Vietnam in the period 2002–2012. Many of these were undertaken with strong financial and technical support from development agencies. An increasing number of SEAs have been undertaken as a consequence of the legal requirement introduced in 2005. Before 2009, around 50 SEAs had been undertaken by different ministries and provincial authorities, mainly in relation to regional and provincial socio-economic development plans. However, in more recent years, the numbers of SEAs conducted have increased drastically.

However, several studies indicate that, while many of the donor initiated "pilot SEAs" are of good technical quality, most other SEAs are of low quality (Bass et al., 2009; Chu, 2008; Dalal-Clayton, 2009; Dusik and Xie, 2009; Le, 2008; Le and Le, 2008; Le, 2012; Luu and Dunn, 2008). The common problems identified by these studies include limited access to data as well as weak analysis of baseline data and the impacts of different development alternatives.

These problems were confirmed by the interviews conducted in this study. Many interviewees identified limited access to and poor quality of data as a key constraint to SEA effectiveness. While some interviewees referred to technical problems, such as lack of systematic documentation of environmental data at government agencies, others pointed to problems with corruption, as noted by one international SEA expert: "government departments do not want to share information because they can sell the information or use the information for their own benefit".

Interviewees consistently emphasized that, despite the considerable effort devoted by international donors to SEA training, understanding and capacity on how to conduct and review SEAs remain low. Many SEA practitioners have a strong background in environmental assessment at the project level, and often get stuck in a too-detailed level of analysis that is not appropriate for strategic planning. As one of the international SEA experts commented: "local experts want to focus on detail, hard data, and miss the big picture. They should start asking more strategic questions." A related problem, stressed by many interviewees, is that many senior bureaucrats responsible for planning lack an understanding of what SEA is and how it can contribute to improve planning. One national SEA expert said that "leaders either do not understand the

Table 1
Institutional levels and guiding questions.

Institutional level	Assessment
Social embeddedness	Which norms, religious and cultural characteristics influence how the SEA system works?
The institutional environment	How do constitutional rules and government structure influence how the SEA system works?
The institutions of governance	How do the legal framework and planning practices influence how the SEA system works?
Action arena	How is the SEA system working in practice?
	Does it contribute to improved analysis and information about environmental concerns related to strategic decision-making; improved participation and coordination; and ultimately to improved integration of environmental concerns in decision-making?
	Which incentives do government officials and other actors face in relation to SEA?

Table 2
Interviewees.

Interviewee category	Number of interviewees
Vietnamese civil servants in sector ministries involved in commissioning and reviewing SEAs for socio-economic development plans and sector strategies	5
SEA regulators at Ministry of Environment and Natural Resources at the national and provincial level	3
Vietnamese SEA experts at consultancy companies and research institutes	4
International SEA Experts with long experience from working in Vietnam	5

benefit of SEA or have too high expectation of SEA…that it will provide specific solutions of where to have a rice padding field". A civil servant commissioning SEAs in one of the sector ministries expressed that "many provincial and ministerial leaders do not see the need for SEA or see it as just another obstacle to the planning process". This is related to another common observation, that SEAs are often not being conducted simultaneously with strategic planning, as is required by law, but rather very late in the process, after key decisions have been made.

Another obstacle to effective use of SEA identified by several interviewees is the limited use of stakeholder and public participation. Although stakeholder consultation is mandated by SEA law, interviewees stressed that it is often poorly conducted and superficial. Stakeholder consultations in the form of seminars or written comments are often "organized too late, after the SEA has already been almost completed". Hence, comments are usually not fully taken into account. The stakeholder consultations mainly involve discussions among interested state agencies and state-sanctioned organizations. One Vietnamese SEA expert observed that 'district and civil society almost do not participate because they are not invited. The SEA and planning team do not like to invite them because they often talk a lot and request for their rights and benefits'. Also the limited capacity of the SEA experts for leading stakeholder consultations was highlighted as a problem. One international SEA expert even claimed that "local SEA experts have no facilitation or negotiation skills and cannot get people with different background to agree on anything".

Finally, the budget assigned for conducting SEA was by many interviewees observed to often be very low, thus reducing the incentive to produce good quality SEAs. The lack of sanctions against ministries and authorities who do not undertake SEAs as required or undertake SEAs of poor quality was highlighted as an important problem by interviewed SEA regulators at the Ministry of Environment and Natural Resources.

Social embeddedness

In a study of EIA systems in Thailand, Malaysia and Indonesia, Boyle (1998) identified the reliance on paternalistic authority, hierarchy, and status as principles of social organization; the dependence on patron–client relationships for ensuring loyalty and advancement; and the desire to avoid conflict and maintain face in personal relations as cultural characteristics that severely constrained the effectiveness of the systems of environmental assessments in these countries. Also Victor and Agamuthu (2014), in a recent overview of policy trends of SEA in Asia, claim that cultural dimensions may explain limitations in public participation found in Vietnam and other Asian countries.[3]

Confucianism asserts perhaps one of the most important cultural influences on norms and behavior in Vietnam. Shin (2012) argues that, although Confucianism's sociocultural roots in Vietnam were never as deep as those in China and Korea, Confucian norms do persist and have regained momentum since the reunification. Such norms include deference to authority and respect for hierarchy, as well as a system of "familism", including a strong drive to protect "the family" against outside aggression (Bell, 2008; Jamieson, 1995; Shin, 2012).

[3] Using Hofstede's cultural dimensions of power distance index, where distance to power is defined as the extent to which the less powerful members of institutions and organizations within a country expect and accept that power is distributed unequally.

A common observation among the interviewees is the lack of collaboration and open sharing of information between Vietnamese ministries and provinces. Indeed, several interviewees identify this as a key constraint to effective use of SEA in Vietnam. However, interviewees had different explanations about this constraint. One international SEA expert with long experience from working in Vietnam characterized Vietnamese ministries as "extended families", where the overriding intention is to "promote the integrity, strength, and prosperity of the ministry or unit at all costs". He stressed that this results in "intensely private organizations that do not easily give up information, or allow 'outsiders' to gain access to decision-making power". In contrast, Vietnamese SEA experts pointed mainly to a lack of incentives for government officials to engage in coordination and information sharing. SEA practitioners find it difficult to obtain baseline information when ministries or provinces maintain their information as a "private asset". Several interviewees noted that one needs to have 'personal contacts' or 'pay' to get access to information.

The strong "silo culture" within ministries also makes cross-sectoral collaboration difficult. The limited collaboration between ministries such as the Ministry of Environment and Natural Resources and the Ministry of Planning and Investment has also resulted in parallel, and somewhat contradictory, technical guidelines on how to undertake SEA.

Another observation, stemming from international SEA experts interviewed, is that Vietnamese bureaucrats are intensely aware of the need to defer to authority, however irrational or inefficient the outcome. Junior officers spend a considerable amount of time ensuring that they do not inadvertently antagonize superiors by stepping too far away from the confines of the "party line". This bureaucratic culture encourages conservatism and excessive attention to detail; neither characteristic readily supports the experimental and entrepreneurial aspects of SEA. This culture of not wanting to "rock the boat" also results in low personal motivation for junior and mid-ranking bureaucrats to be proactive in suggesting an increased or better use of SEA.

While it is too simplistic to ascribe individual behavior in a particular situation to Confucian or other cultural norms, it is plausible that these norms do play a role in explaining the constraints to effective use of SEA in Vietnam.

The institutional environment

Constitutional rules and government structure influence how the SEA system works in practice in several ways. The central role played by the Communist Party of Vietnam is essential for understanding how strategic decision-making and planning are undertaken. The Communist Party shapes the ideology and development direction of the country through its power, which is embedded in key political institutions such as the National Assembly, the State Presidency and the Government (Dang and Beresford, 1998; Nguyen and Teicher, 2010). The Party's Central Committee, made up of 160 members who are high-ranking government leaders, is the main forum for strategic decision-making in Vietnam. These members are selected through a comprehensive and semi-competitive election process once every five years (Malesky et al., 2011).

While the Constitution provides for legislative, executive and judicial branches of government, in practice the judiciary is kept in a subservient role to the other branches. The dominance of the Communist Party in the legislative and executive branches means that judicial independence is

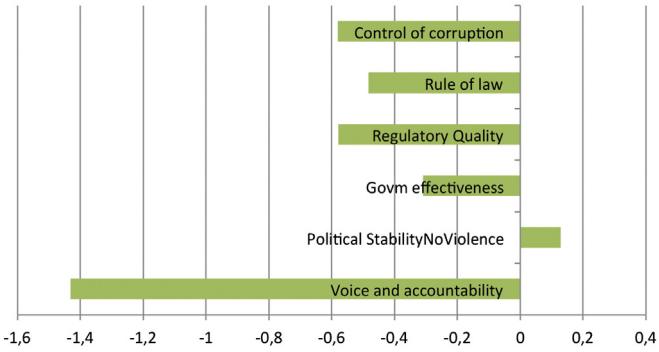

Fig. 3. Worldwide Governance Indicators 2012 — Vietnam. Each governance indicator ranges from −2.5 (weak) to +2.5 (strong) governance performance. The six aggregate indicators are based on a large number of underlying data sources reporting the perceptions of governance of a large number of survey respondents and expert assessments. Details on the underlying data sources for Vietnam, the aggregation method, and the interpretation of the indicators, can be found at www.govindicators.org.
Source: The World Bank Group (2013). Worldwide Governance Indicators 2013

not necessarily respected, judicial reviews of laws are not undertaken and, consequently, the rule of law is weak (The World Bank Group, 2013).

This formal institutional structure significantly affects the prospects for applying SEA in the Vietnamese decision-making context and partly explains some of the obstacles identified to SEA effectiveness. First, the strong top-down characteristics of the Vietnamese political system make the priorities of the Communist Party, and particularly its Central Committee, tremendously important for decision-making at all levels in society. The Communist Party's deep involvement in the Government forces public officials to comply with the Party's principles, as communicated in official statements and speeches, as their first priority, and with formal rules and instructions as only a secondary priority. National as well as international SEA experts interviewed noted that the importance of these informal channels of decision-making in Vietnam limits the effectiveness of formal and procedural tools, such as SEA, that are intended to support the decision-making process.

Accordingly, the political priorities signaled by the Communist Party become very important for government bureaucrats. Beginning with the Doi Moi policy in 1986, the Communist Party has put a very strong focus on economic liberalization, growth and social development, while environmental concerns have been a much less prominent policy priority. Against this background, the lack of leadership and commitment to SEA, as observed by many interviewees, can be an important constraint to SEA effectiveness. There is a risk that formal SEA requirements will become just a bureaucratic hurdle imposed by the Ministry of Environment if public officials perceive that environmental concerns are not important political priorities.

The institutions of governance

The institutions of governance in Vietnam display several characteristics which can help us understand some of the constraints to SEA effectiveness identified in the previous section. According to the Worldwide Governance Indicators, Vietnam scores particularly badly on the indicator voice and accountability (Fig. 3).[4] This indicator concerns the extent to which citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and free media. The state's control over media and the very strong limitations on the freedom of association and expression make public participation, which is a key component of SEA, a challenge in Vietnam.

[4] −1.4 on a scale from −2.5 to +2.5.

Also of interest is the low score on the indicator on Government effectiveness,[5] which concerns the quality of the government's policies and services and the degree of its independence from political pressures. Rather than a Weberian state bureaucracy, independently implementing what politicians have decided, Vietnamese ministries are intrinsically linked with the Communist Party (Nguyen and Teicher, 2010). A significant majority of managerial staff are members of the Communist Party and, in order to be influential in the Party, it is important to increase or maintain decision-making power within a ministry. Some of the national and international SEA experts interviewed underlined that there can be strong incentives for ministries to draft legislative proposals without consulting other ministries, because such consultation may be perceived as decreasing the decision-making power of the agency initiating the request for consultation. In addition, provincial leaders are typically members of the Party, and often directly influence high-level decisions without much coordination with neighboring provinces or concerned ministries.

Ministries or provinces developing a plan or program often find it unnecessary and time consuming to open up "their" planning process to the scrutiny of outsiders. For the same reason, public consultation with civil society organizations such as the women's union, farmer's union or scientists' association can often be perfunctory. The weak incentives for government ministries or provinces to share information or engage in inter-departmental or regional coordination and stakeholder consultations clearly make it difficult for SEA to function as intended.

The parallel involvement in planning of the Communist Party of Vietnam and the formal ministerial bureaucracy has resulted in highly informal and opaque strategic planning practices. Lack of coordination has led to the existence of a plethora of low quality and contradictory laws and policies. For example, while a Socio-Economic Development Plan aims at promoting tourism and protecting world cultural heritage sites, the industrial sector strategy can simultaneously contain plans for extensive industrial infrastructure development in the same location. One of the international SEA experts interviewed pointed to a specific case in the Halong Bay area where this has happened.

Vietnam's low score on the World Governance Indicator *Control of Corruption*[6] is also of interest. While thorough documentation of corrupt practices is scant, there is anecdotal evidence that information, positions and even decisions can have a price within the Vietnamese bureaucracy. The use of public office for private gain can be one important explanation of the difficulties observed in accessing information when conducting SEA. Information is seen as an asset by government officials in public agencies and is accessible only through personal connections or bribes. In a society where corruption is widespread, it is likely that there will be resistance to the adoption of procedures such as SEA that aim to open up decision-making processes to additional analysis and consultation.

Discussion and conclusion

Substantial efforts have been made to introduce and institutionalize a systematic use of strategic environmental assessments in Vietnam. In no other developing country have development agencies invested so much in support of training, technical advice and different "pilot SEA studies". A legal framework mandating the use of SEA has been in place since 2005, different ministries have issued substantive technical

[5] The score is −0.3 on a scale from −2.5 to +2.5. The indicator "Government effectiveness" reflects perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies.

[6] Vietnam's score on the indicator "Control of corruption" is −0.6 on a scale from −2.5 to +2.5. The indicator reflects perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as "capture" of the state by elites and private interests.

Table 3
Summary of constraints to the institutionalization of strategic environmental assessment in Vietnam.

Institutional level	Identified constraint	Implication for the use of SEA
Social embeddedness	Deference to authority/strongly hierarchical bureaucracy	Excessive attention to detail in order to not commit errors when undertaking required tasks. Not conducive for strategic thinking and experimentation with new methods and tools required for good SEA.
	Silo culture/"familism" within ministries	Hinders sharing of information and collaboration across ministries and sectors.
	Personal networks are extremely important for career advancement and "to get things done" in the bureaucracy.	Formal SEA procedures can easily be undermined if key decision-makers don't clearly signal their importance.
Institutional environment	The Vietnamese Communist Party plays an instrumental role in strategic planning, often in parallel with the formal bureaucracy.	Civil servants consider signals from leaders in the Communist Party more important than formal rules for SEA.
	The judiciary branch of government is weak in relation to the executive and legislative branches, resulting in weak rule of law.	Can undermine the implementation of the recommendations from SEA since breaching environmental laws may not be penalized.
Institutions of governance	Strong limitations on access to information, freedom of association and expression	Public participation is weak. The only participation is by concerned parts of the bureaucracy at national and provincial levels and organizations allowed to exist by the state.
	A state bureaucracy that is not politically independent, but intrinsically linked to the Communist Party.	Consultation often avoided in order not to lose decision-making power to other ministries or lose influence within the Communist Party. Civil servants consider signals from leaders in the communist party more important than formal rules.
	Informal and uncoordinated planning practices	SEA often carried out very late in the planning process, after key decisions have been taken.
	Widespread corruption within the state bureaucracy	Resistance to the adoption of SEA if it implies opening up decision-making processes to additional analysis and consultation. In an open process, it would be more difficult to use public power for private gain.
Action arena	Limited awareness among senior bureaucrats as to why SEA is important	Low priority, including human and financial resources, given to SEA.
	Inadequate knowledge about how to apply SEA among practitioners	Analyses are often too detailed and project oriented. Information provided is not useful for strategic planning and for making choices between strategic options.
	Inadequate financial resources for conducting SEA.	SEAs done in a rapid way without much consultation with stakeholders.
	Low sharing of information between ministries	Difficult to obtain necessary data for analysis. Decreased usefulness of SEA report.
	Stakeholder consultations often avoided or of poor quality.	Important viewpoints are not represented in the SEA. Less scope for learning and coordination as part of SEA.

guidance on how SEA should be carried out, and a large number of SEAs have been undertaken in relation to socio-economic development plans at the provincial and sector levels. Important formal building blocks of an SEA system are thus in place in Vietnam. Different reports and evaluations also indicate that specific pilot SEAs – notably those financed by development agencies – have contributed to improved integration of environment in important decisions (e.g., Dusik and Xie, 2009; Le, 2012).

However, our analysis indicates that there is a large gap between how the SEA system is supposed to work, as stipulated in SEA legislation and guidelines, and actual practice. This gap between theory and practice emanates from several important constraints to the effective use of SEA at different institutional levels. Table 3 summarizes the identified institutional constraints and their implications for the use of SEA.

Most of the constraints to effective use of SEA identified within the action arena may at a first glance seem easy to address. Additional training programs can fill knowledge and awareness gaps; formal legal procedures or guidelines can be revised and improved; additional budgetary resources for conducting SEA may be made available by development agencies or by developing a clear "cost norm" for SEA, and so forth. These kinds of activities have been the focus of much development assistance related to SEA.

However, our layered institutional analysis indicates that the constraints within the action arena are strongly linked to formal and informal constraints at other institutional levels, and this makes them considerably harder to address. Improving SEA guidelines on stakeholder consultation can lead to only marginal improvements when the key constraint is the government's restrictions on access to information and freedom of association and expression. Similarly, guidelines and trainings on how to compile environmental baseline information as part of an SEA will have limited effect when strong informal rules prevent free and open sharing of information between ministries and agencies. Further, raising the awareness of senior civil servants about the benefits of SEA can be difficult if there are no strong signals from the Communist Party about the need to consider environmental priorities in planning. Also, the informal rules emanating from Vietnamese cultural and religious traditions, as well as the one-party system, play an important role for how SEA works in practice. It is through an analysis of constraints within the institutional environment and governance levels that important differences between the Vietnamese one-party system and the Western democracies, where SEA has its roots, become visible.

Without a thorough understanding of these institutional constraints, it is easy to have unrealistically high expectations about what formal SEA procedures can deliver, and there is a risk of investing scarce resources in a suboptimal way. Instead of adapting SEA procedures to the institutional context in a "good enough" approach, there is a risk of introducing a too-ambitious approach based on international best practices developed in other contexts (Grindle, 2004, 2007).

An important implication for international development agencies and other advocates for environmental assessment systems is that a careful institutional analysis should be undertaken prior to attempts to introduce SEA in developing countries. The analytical framework for analyzing constraints to institutionalization of SEA presented in this paper represents a systematic effort in this direction.

SEA procedures can be adapted to a specific institutional context based on prior institutional analysis. For this to be doable, the institutional analysis must not result in an overwhelmingly long list of institutional constraints for integrating environment into decision-making. Rather, the analysis should identify the most important or "binding" constraints to the use of SEA and integration of environmental concerns into decision-making (Grindle, 2004; Rodrik, 2006).

Our analysis indicates that the lack of open access and sharing of information, as well as the weak coordination across sectors and levels of government, constitute the most important constraints to the performance of the SEA system in Vietnam. Consequently, issuing yet another technical SEA guideline – which reportedly is popular among Vietnamese authorities – is not likely to address the key shortcomings of the Vietnamese SEA system. Reforms for improved sharing of information, consultation and coordination would arguably have a larger impact on environmental integration in decision-making. However,

changing institutions of governance is not easy and these types of (democratic) reforms would probably be heavily resisted by the political elite in Vietnam.

A more modest and realistic way to improve the integration of environmental concerns in Vietnamese decision-making could involve small steps toward improved sharing of information, coordination and consultation. An SEA system may contribute in this direction if it for example provides unrestricted access to completed SEA reports, increases the space for stakeholder dialog and creates arenas for information exchange and coordination between ministries and agencies. This could be a way to slowly empower broader groups in the Vietnamese society and, in the long run, possibly contribute to broader institutional reform.

Our study adds to the growing empirical literature about constraints to the effectiveness of environmental assessment systems. Notably, several of the findings in our study resonate with findings in studies from other Asian countries. Wirutskulshai et al. (2011) underline the importance of the planning context and governance structure – in particular limited provisions for public participation – for constraining the effectiveness of SEA in Thailand. Strong deference to authority was one among several cultural characteristics that Boyle (1998) identified as constraints to EIA effectiveness in Thailand, Malaysia and Indonesia. A bureaucratic culture working against collaboration across government departments and a general lack of transparency were major constraints to the effectiveness of the Chinese system of plan EIA identified by Bina (2008).

Through applying our conceptual framework to the empirical analysis the study also deepens the understanding of how layered institutional analysis can be used to study constraints to SEA institutionalization. The study demonstrates how constraints at one institutional level can be linked to constraints at other institutional levels. This resonates with for example Turnpenny et al (2008, p. 771) who in their study of constraints to impact assessment systems in four European countries concluded that "micro-level constraints such as availability of time and resources often have their roots in meso and macro-level institutions". Understanding these constraints at different institutional levels is an important step toward improving the use of SEA in Vietnam and other developing countries.

Finally, our study has provided some issues for further research. Institutional theory has been criticized for being better at explaining stability than change (Hill, 2005). This may be particularly troubling for studies concerning countries like China and Vietnam which despite lacking essential "good governance institutions" have experienced an extremely rapid economic development during the last decades (Grindle, 2007). In retrospect we can see that leading institutional analysts like Gunnar Myrdal grossly underestimated the potential for economic development in Asia (Myrdal, 1968). Could it be that we, through focusing on institutional constraints, also underestimate the potential for these countries to rapidly improve environmental assessment systems and environmental conditions? A more detailed analysis of the constraints to SEA institutionalization identified in this study could shed further light on the strength of these constraints and how they are linked. A more detailed analysis of particular SEA cases in Vietnam could also provide insights about the factors supporting the implementation of the many SEAs in Vietnam (Zhang et al., 2013). Regarding the analytical framework used in this study, the criteria for what aspects to assess within the different institutional levels as well as the methodology for identifying binding institutional constraints could be developed further.

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