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THE LEGAL FRAMEWORK FOR UNIVERSITY AUTONOMY AND SUSTAINABLE DEVELOPMENT: IMPLICATIONS FOR HIGHER EDUCATION GOVERNANCE REFORM IN VIETNAM

O MARCO LEGAL DA AUTONOMIA UNIVERSITÁRIA E O DESENVOLVIMENTO SUSTENTÁVEL: IMPLICAÇÕES PARA A REFORMA DA GOVERNANÇA DO ENSINO SUPERIOR NO VIETNÃ

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Abstract
This study examines the evolution of Vietnam's legal framework for university autonomy, tracing developments from the 2012 Law on Higher Education to strategic policy directives with horizons to 2030 and 2045. Anchored in the discourse of sustainable development, the paper contends that university autonomy extends beyond the delegation of authority from the state to higher education institutions; it operates as an ecological governance mechanism that integrates financial sustainability, social equity, and technological resilience. Using regulatory document analysis and a systematic literature review, the study identifies persistent institutional bottlenecks embedded in Decree 60/2021/NĐ-CP and evaluates the governance implications of the policy adjustments introduced under Decree 111/2025/NĐ-CP. The findings suggest that achieving sustainable development in Vietnamese higher education requires a transition from a control-oriented governance model to an enabling and supervisory state approach one capable of leveraging digital governance systems and promoting equitable access through robust student-loan mechanisms. The study contributes to ongoing debates on governance reform in emerging education systems by clarifying the alignment between autonomy policies and sustainability objectives.

Resumo
Este estudo examina a evolução do marco legal da autonomia universitária no Vietnã, acompanhando as transformações desde a Lei de Educação Superior de 2012 até as diretrizes estratégicas com horizontes para 2030 e 2045. Ancorado no debate sobre desenvolvimento sustentável, o artigo argumenta que a autonomia universitária vai além da simples delegação de autoridade do Estado para as instituições de ensino superior; ela opera como um mecanismo ecológico de governança que integra sustentabilidade financeira, equidade social e resiliência tecnológica. A partir da análise de documentos regulatórios e de uma revisão sistemática da literatura, o estudo identifica entraves institucionais persistentes presentes no Decreto 60/2021/NĐ-CP e avalia as implicações de governança decorrentes dos ajustes introduzidos pelo Decreto 111/2025/NĐ-CP. Os resultados sugerem que alcançar o desenvolvimento sustentável no ensino superior vietnamita exige uma transição de um modelo de governança orientado ao controle para uma abordagem estatal de supervisão capacitadora capaz de aproveitar sistemas de governança digital e promover equidade no acesso por meio de mecanismos robustos de crédito estudantil. O estudo contribui para os debates atuais sobre reforma da governança em sistemas educacionais emergentes ao esclarecer a articulação entre políticas de autonomia e objetivos de sustentabilidade.

Keywords: University Autonomy. Higher Education Governance. Sustainable Development. Vietnam. Legal Framework.

Palavras-chave: *Autonomia Universitária. Governança do Ensino Superior. Desenvolvimento Sustentável. Vietnã. Marco Legal.*

1 INTRODUCTION

Worldwide, higher education (HE) is experiencing significant structural shifts driven by the transition to a knowledge-based economy and intensifying global competition (Altbach, 2016; Salmi, 2009). Traditional state-centric governance models, characterized by rigid administrative control, increasingly appear ill-suited to the pace of innovation. As a result, university autonomy has become a necessary condition for building competitive institutions and enhancing national education system performance (Salmi, 2011).

The reform trajectory in Europe in the early 21st century offers an instructive reference point for developing systems such as Vietnam. Aghion *et al*. (2007, 2009) demonstrated that Europe's lag in research productivity and innovation capacity relative to the United States stemmed largely from structural constraints on institutional autonomy and limited financial flexibility. Their empirical findings confirmed a positive association between autonomy particularly in staffing and budgeting and institutions' global rankings. These insights underline a key lesson: autonomy must be accompanied by strategic competition, accountability, and resource diversification.

Vietnam's higher education system shares several characteristics with pre-reform Europe, having operated for decades under line ministry governance that constrained decision-making in human resources, finance, and academic affairs. Current legal reforms thus represent not only regulatory adjustments but a systemic effort to enhance institutional responsiveness and creativity (Dobbins, 2017). The contemporary understanding of autonomy has also shifted from Humboldt's ideal of academic freedom toward the "entrepreneurial university" model (Clark, 1998), which positions universities as adaptive, resource-seeking, and innovation oriented entities. This shift raises a critical policy tension: how to strengthen entrepreneurial capacity and financial efficiency without eroding core academic values.

This study conceptualizes sustainable development in higher education across two interdependent dimensions: financial sustainability and social equity. Financial sustainability requires diversified funding streams beyond tuition fees and state budgets (Estermann & Pruvot, 2011). Misinterpretations in Vietnam equating autonomy with fiscal self-reliance have generated tuition dependent models that heighten vulnerability to demographic and market fluctuations (Dao, 2015). Social sustainability, meanwhile, reflects the "equity imperative" (Bassett & Salmi, 2014). Market-oriented reforms risk creating financial barriers for disadvantaged groups, undermining the role of higher education in promoting social mobility (Patrinos *et al*., 2017). Effective autonomy frameworks must therefore balance efficiency with equitable access (Chapman & Liu, 2013).

Politically, Resolution 29-NQ/TW (2013) and the revised Law on Higher Education (Law 34/2018) laid the foundation for shifting governance authority from ministries to university councils. However, the implementation of Decree 60/2021/NĐ-CP exposed structural bottlenecks by treating universities similarly to administrative service units, thereby constraining investment and asset management autonomy (Le, 2021; Do & Mai, 2022).

Recent political developments mark a turning point. Decision 1705/QĐ-TTg (2024) set the national education strategy to 2030 and vision to 2045, while Resolution 71-NQ/TW (2025) signaled the strongest political commitment to transformative reforms. Together with Decree 111/2025/NĐ-CP introduced to amend the limitations of Decree 60 these instruments are expected to provide a "dual legal impetus" intended to remove long-standing financial and administrative constraints.

Despite a growing corpus of research on university autonomy in Vietnam, most studies focus on pre-2020 conditions or on the 2018 Law alone. Few have assessed the latest legal adjustments (2024-2025) through the framework of sustainable development, particularly considering the accelerating role of digital transformation and artificial intelligence in governance (Farrelly, 2023).

Against this backdrop, the present study addresses the following central research question: How should Vietnam's higher education governance framework evolve under the influence of Resolution 71-NQ/TW and Decree 111/2025/NĐ-CP to reconcile pressures for financial autonomy with the imperative of social equity in pursuit of sustainable development?

By combining regulatory analysis with a systematic literature review, the study elucidates both progress and persistent barriers within the legal framework and proposes governance implications to guide Vietnamese higher education institutions as they navigate the demands of digital transformation and international integration.

2 LITERATURE REVIEW

2.1 The shift in university governance models

Globally, higher education has undergone profound transformations in governance philosophy and institutional structures. Historically, universities evolved from medieval (Moore, 2019) and ancient models (Clarke, 2012), where autonomy was protected but institutional influence remained limited. Entering the 21st century, pressures from the knowledge economy and globalization compelled higher education systems to adopt significant reforms (Altbach, 2016; Salmi, 2009). Reports from the OECD (2003, 2008) and Fielden (2008) highlight a paradigm shift from the "state control" model to the "state supervision" model, in which universities receive greater autonomy to enhance efficiency and adaptability.

Modern governance theories emphasize diversity and dynamism. Shattock (2013, 2017) maintains that higher education governance exists in a state of "flux," requiring a balance between institutional autonomy and state expectations. Bleiklie and Kogan (2007) further argue that changes in governance represent not merely technical adjustments but a fundamental redistribution of power. Within this context, Estermann and Pruvot (2011) and Estermann *et al*. (2011) conceptualize university autonomy into four pillars: organizational, financial, staffing, and academic. Nevertheless, autonomy levels vary widely across countries, contributing to disparities in institutional performance (Pruvot & Estermann, 2017).

A prominent model proposed by Clark (1998) is the "Entrepreneurial University," where institutions actively seek resources and foster innovation. However, this model has faced criticism. Nussbaum (2010) and Bok (2006) caution that commercialization may erode democratic and humanistic values. Slaughter and Rhoades (2004) describe these trends as "academic capitalism," where markets increasingly shape research priorities. Yet, Altbach *et al*. (2001, 2018) and Salmi (2011) argue that autonomy, paired with

adequate financial resources, remains indispensable for developing world-class universities.

2.2 Financial autonomy, sustainable development, and social equity

University autonomy is often closely linked to financial autonomy, raising significant concerns about sustainable development. Estermann and Pruvot (2011) argue that financially sustainable universities must diversify revenue streams rather than depend on a single funding source. Johnstone's (2003) cost-sharing theory underscores the need for student contributions to training costs.

However, rising tuition fees pose serious challenges to social equity. Bassett and Salmi (2014) stress the "equity imperative," warning that autonomy must not marginalize disadvantaged populations. In developing economies such as Vietnam, Chapman and Liu (2013) demonstrate that high repayment burdens can become a barrier without effective student-support mechanisms. Chapman, Higgins, and Stiglitz (2014) propose Income Contingent Loans (ICL) as an optimal design that balances economic efficiency and social equity.

Patrinos *et al*. (2017), examining the returns to education in Vietnam, also show that although investment in education yields substantial economic benefits, public policy is necessary to prevent rising inequality. Glewwe *et al*. (2017) add evidence regarding learning disparities, emphasizing that governance and financial policies significantly influence whether schools reduce or exacerbate such gaps.

2.3 Digital transformation, ai, and human resource governance in the new era

Sustainable development in higher education is increasingly inseparable from technological innovation. The rapid expansion of digital transformation and artificial intelligence (AI) is fundamentally reshaping university governance. Lederer *et al*. (2017) and Yoo *et al*. (2010) highlight the transformative role of digital innovation in organizational and business process management. Price and Kirkwood (2014) and Ayotunde *et al*. (2023) argue that technology enhances not only teaching and learning but also evidence-based governance. Farrelly (2023) raises crucial questions regarding the

implications of generative AI for higher education practice, requiring agile regulatory responses.

Digital environments also introduce behavioral and cultural challenges. Chesney *et al*. (2009) show how behavior in virtual spaces raises new concerns related to student management and digital ethics. Smart Schools (2016) document Malaysia's experience with technology-driven educational reform, offering relevant lessons for regional systems.

During periods of crisis such as pandemics or economic turbulence the role of human resource management (HRM) becomes even more critical. Aitken-Fox *et al*. (2023) propose a shift in HRM from "response" to "recovery," emphasizing the need for flexible staffing mechanisms an essential component of autonomy discussed by Shattock (2014).

2.4 Legal framework and governance practices in Vietnam

Vietnam has undergone extensive reforms in university governance over the past two decades. Resolution No. 29-NQ/TW (Communist Party of Vietnam, 2013) established the ideological foundation for comprehensive educational reform. Resolution No. 19-NQ/TW (Communist Party of Vietnam, 2017) on public service unit reform provided momentum for financial restructuring. Most recently, Resolution No. 71-NQ/TW (Politburo, 2025) marked a historic turning point, widely described as a "second revolution" in education, reaffirming the highest political commitment to substantive autonomy and positioning higher education as a central driver of national development.

Legally, the 2012 Law on Higher Education (National Assembly, 2012) and its 2018 amendment (National Assembly, 2018) formally expanded institutional autonomy and strengthened university councils. However, early scholars such as Hayden and Thiep (2007) and Tran (2014) highlighted inconsistencies between decentralization intentions and persistent centralized control. Recent studies by Do and Mai (2022) and Mai *et al*. (2020) confirm that despite legal advances, implementation remains constrained by the "line ministry" management legacy.

Financial autonomy and quality assurance dominate domestic debates. Decree No. 60/2021/NĐ-CP (Government, 2021) outlines financial autonomy mechanisms, but Le (2021) and Dao (2020) argue that it imposes significant fiscal burdens on institutions. Decree No. 111/2025/NĐ-CP (Government, 2025), enacted to revise Decree 60, is viewed as a critical step toward alleviating these constraints. Policy instruments such as Decision

No. 69/QĐ-TTg (Prime Minister, 2019) and Decision No. 1705/QĐ-TTg (Prime Minister, 2024) demonstrate the government's long-term strategic vision.

Regarding quality assurance, Official Letter No. 2274/BGDĐT-QLCL (Ministry of Education and Training, 2019) and studies by Dao (2015), Cuong, Suong, and Trieu (2025) emphasize the role of internal quality assurance units. Nonetheless, Nguyen (2024, 2025) argues that Vietnam's higher education system still requires a more future-oriented autonomy model. Research by Dinh (2018), Do (2018), Trinh *et al*. (2021), Vo and Laking (2020), Phi (2025), and Pham *et al*. (2019) collectively illustrate the challenges of transitioning from administrative to service- and performance-oriented governance. Data from the General Statistics Office (2019) and Ministry of Education and Training (2022) provide key empirical insights supporting these assessments.

2.5 International experience and comparative lessons

International comparisons are essential for positioning Vietnam's autonomy reforms. Aghion *et al*. (2007, 2009) provide empirical evidence from Europe and the United States demonstrating positive correlations between governance quality, financial autonomy, and research productivity. Dobbins (2017) examines the "Europeanization" of governance reforms in France and Italy, while Matei and Iwinska (2018) explore academic freedom within the European Higher Education Area.

Across Asia, neighboring countries offer relevant parallels. Wang (2010) describes China's autonomy reforms, characterized by strong state steering. Jarernsiripornkul and Pandey (2018) analyze Thailand's Autonomous Universities, and Lin and Yang (2020) discuss centralization-decentralization dynamics in Taiwan. Hussin and Asimiran (2010) provide insights into governance reforms in Malaysia. Tandon *et al*. (2016) expand the conversation toward "knowledge democracy" and social engagement, echoing Trow's (1996) emphasis on trust and accountability.

Studies on liberal education and German educational culture (Horlacher, 2016; Frambach, 2015), publishing culture (Jarvey *et al*., 2012), corporate social responsibility (Verma & Kumar, 2012), social interdependence (Johnson & Johnson, 2009), and cultural influences (O'Malley, 2015; Dobson, 2009) all offer lenses through which to interpret Vietnam's autonomy reforms as not merely legal and administrative adjustments but as a broader cultural transformation.

3 METHODOLOGY

3.1 Regulatory document analysis

Regulatory document analysis serves as the primary methodological approach to examine the structure, content, and evolution of Vietnam's legal framework for higher education. Rather than merely listing legal provisions, the study applies comparative analysis and content analysis to identify shifts in state governance logic across different periods. The analytical procedure follows established principles of contextual interpretation, legal language analysis, and assessment of practical impacts, drawing on summary reports issued by the Ministry of Education and Training (2019, 2022).

The legal corpus analyzed encompasses three levels of regulatory authority to ensure comprehensiveness.

At the Act level, the study compares the 2012 Law on Higher Education with the 2018 amended version, with a focus on the redistribution of authority from line ministries to university councils and the redefinition of autonomy and accountability.

At the Decree and Policy level, the analysis centers on Decree No. 60/2021/NĐ-CP to uncover structural limitations in the financial autonomy mechanism. The most recent Decree No. 111/2025/NĐ-CP is incorporated as a new policy variable to evaluate its potential to remove constraints related to public assets and faculty income, alongside Resolution No. 29-NQ/TW and Resolution No. 19-NQ/TW, which provide political foundations for reform.

At the Strategic level, national strategies such as Decisions No. 1705/QĐ-TTg and 69/QĐ-TTg are examined to elucidate the link between university autonomy and Vietnam's sustainable development goals for 2030 and 2045.

3.2 Systematic literature review

To ensure rigor and scientific validity, a systematic literature review was conducted based on 82 carefully selected references. Inclusion criteria emphasized: (1) direct relevance to university governance, financial autonomy, and sustainable development; (2) scientific reliability, prioritizing international peer-reviewed articles, World Bank and

OECD reports, and doctoral dissertations; and (3) up-to-date evidence, including publications from 2024 and 2025.

The reviewed literature is coded and categorized into three main groups:

(1) Foundational theories including seminal works on entrepreneurial universities (Clark, 1998), multi-level governance, and world-class university frameworks (Salmi, 2009; Altbach, 2016), which provide conceptual grounding for assessing Vietnam's model.

(2) International empirical evidence such as policy analyses from Europe (Aghion *et al*., 2007; Estermann & Pruvot, 2011) and case studies from Asia (China, Thailand, Taiwan) used to derive comparative lessons.

(3) Vietnam-specific studies including research on tuition burdens (Chapman & Liu, 2013), quality assurance capacity, governance effectiveness, and contemporary policy developments (Nguyen, 2024; Phi, 2025), constituting the core empirical foundation for contextual analysis.

3.3 Analytical framework

To systematically evaluate the degree of autonomy, this study adapts the European University Association (EUA) Autonomy Scorecard, originally developed by Estermann *et al*. (2011), to Vietnam's legal context. The framework is operationalized through four traditional autonomy dimensions:

1. Organizational Autonomy - assessing the authority of university councils under the 2018 amended Law.
2. Financial Autonomy - examining control over tuition setting, borrowing, and public asset management as defined in Decrees 60 and 111.
3. Staffing Autonomy - evaluating hiring mechanisms and remuneration flexibility amid the transition away from quota-based payroll systems.
4. Academic Autonomy - assessing institutional authority to open programs and design curricula in alignment with accreditation requirements.

Beyond these traditional pillars, the study introduces a fifth dimension Sustainability & Equity, derived from Bassett and Salmi (2014) and Chapman *et al*. (2014). This additional axis captures whether current autonomy mechanisms ensure

equitable access for disadvantaged students and whether institutions are prepared for technological disruptions (Farrelly, 2023).

3.4 Synthesis procedure and data triangulation

Data synthesis is conducted using triangulation, contrasting regulatory analysis (de jure) with findings from the literature review (de facto). This approach aims to identify policy gaps areas where legal provisions diverge from actual implementation. A notable example is the legal allowance for staffing autonomy juxtaposed with continued constraints imposed by state determined staffing quotas, as reported by Do and Mai (2022). By integrating legal analysis with empirical insights, the study moves beyond textual interpretation to provide a multidimensional assessment of the effectiveness of Vietnam's higher education governance reforms.

4 FINDINGS

4.1 Governance transformation

The 2018 amended Law on Higher Education (Law No. 34/2018/QH14) represents the most significant legal breakthrough in Vietnam's governance reform, marking a shift from the traditional State Control model to the State Supervising model described by the OECD (2003, 2008). Prior to 2018, although university councils technically existed under the 2012 Law, their authority was largely symbolic; substantive power resided with line ministries and rectors. The governance structure summarized as "Party Committee leads, Rector manages, Council consults" commonly produced overlap and conflict (Hayden & Thiep, 2007; Salmi & Ly, 2019).

The 2018 Law fundamentally restructured this system by conferring real authority on university councils. Article 16 defines the council as the governing body representing institutional ownership and stakeholder interests. Table 1 summarizes key differences between the 2012 and 2018 frameworks.

Table 1

Comparison of Council Autonomy and Authority under the 2012 and 2018 Laws

Criteria	2012 Law (Old Model)	2018 Law (Autonomy Model)
Legal position	Council exists but is subject to line ministry direction	Highest governing authority representing institutional ownership
Executive appointment	Council recommends; line ministry appoints	Council appoints; line ministry only confirms
Financial authority	Approves budgets symbolically; dependent on state allocations	Determines tuition policies; approves budgets and settlements
Membership	Few external members	≥ 30% external members (industry, investors, society)
Accountability	Primarily to line ministry	To MOET, society, and learners

Despite a clear legal framework (de jure), implementation (de facto) remains uneven. Decision 1705/QĐ-TTg (2024) reaffirms the council as the highest authority, yet studies by Do and Mai (2022) show persistent ambiguity between the roles of Party Secretary and Council Chair, resulting in nominal rather than substantive reform. MOET (2022) reports that many public universities have struggled to constitute functioning councils due to internal conflicts. Drawing on path dependence theory, Vo and Laking (2020) argue that long-standing bureaucratic traditions and "ask-give" administrative culture continue to shape institutional behavior. In some cases, line ministries still intervene in executive appointments through Party-related personnel regulations, reducing the effectiveness of the 2018 Law.

4.2 Financial autonomy

Financial capacity is the "lifeblood" of university autonomy. The transition from state allocation to financial self-governance has created both opportunities and profound challenges. Under Decree No. 60/2021/NĐ-CP, public service units including universities are classified by autonomy levels (Group 1: full autonomy in recurrent and capital expenditure; Group 2: autonomy in recurrent expenditure, etc.). However, applying this decree uniformly to higher education has exposed significant limitations.

Studies by Le (2021) and Dao (2020) indicate that the policy has been interpreted as synonymous with budget reduction. Universities have been forced to generate their own recurrent funds, prompting heavy reliance on tuition. Chapman and Liu (2013) previously

cautioned that without diversified revenue streams, financial pressure inevitably shifts onto students.

Table 2 summarizes the revenue structure of autonomous Vietnamese public universities (2019-2024), revealing heavy dependence on tuition income and underdeveloped third-stream revenues.

Table 2

Average Revenue Composition of Autonomous Public Universities in Vietnam (2019-2024)

Revenue Source	Share (%)	Trend	Remarks
Tuition and fees	75-82%	Increasing sharply	Primary income source; high vulnerability when enrollment declines
State budget allocation	5-9%	Significant decrease	Mainly for priority fields or public investment projects
Research & technology transfer	3-5%	Slow increase	Much lower than global benchmarks (20-30%) (Estermann, 2011)
Other income (services, sponsorships)	8-12%	Stable	Mostly short-term services; public assets remain underutilized

Source: Compiled from the 2022 National University Autonomy Conference Report and Vietnam General Statistics Office.

One of the most significant structural barriers is the conflict between the Higher Education Law and the Law on Public Asset Management. As Do (2018) notes, although universities are legally permitted to leverage assets for joint ventures, the Public Asset Law imposes strict approval procedures and complex valuation requirements. This legal mismatch prevents universities with large land holdings from collaborating with industry to build dormitories, laboratories, or innovation hubs due to fear of being accused of "loss of state assets." This paradox results in massive underutilization of public resources and contradicts the entrepreneurial university model (Clark, 1998).

The introduction of Decree No. 111/2025/NĐ-CP marks a critical policy response to these constraints. Legal analysis reveals three major breakthroughs:

1. Public-Private Partnerships (PPP): Simplified approval processes for using public assets in income-generating activities and permission to count brand value and locational advantages as capital contributions removing long-standing barriers.

2. Income distribution reform: Full autonomy (for Groups 1 and 2) to determine supplementary income without previous caps, creating stronger incentives for faculty and staff.
3. Development funds: Clearer rules for establishing institutional development funds to reinvest in infrastructure and digital transformation, promoting long-term sustainability.

4.3 Human resource governance

Staffing autonomy remains one of the most problematic areas despite being a key pillar of the EUA Autonomy Scorecard (2011). In Vietnam, personnel management continues to be constrained by the civil service framework. Demombynes and Testaverde (2017) highlight a striking contradiction: although returns to higher education in Vietnam are high (14-15%), public university salaries lag behind private sector or foreign employers. Data from the General Statistics Office (2019) show that starting salaries for public-sector lecturers with a Master's degree are comparable to those of skilled factory workers. This dynamic contributes to brain drain and overwork, reducing time for research (Jarvey *et al*., 2012).

Legally, Article 32 of the 2018 Law grants universities autonomy to define job positions, staffing structures, and salary scales. However, in practice, lecturers remain classified as civil servants, subject to rigid wage tables. Aitken-Fox *et al*. (2023) argue that HRM under conditions of crisis requires maximum flexibility something incompatible with permanent tenure protections and limits on wage budgets. Under previous rules, universities were unable to offer market-competitive compensation.

Decree 111/2025/NĐ-CP is expected to address these issues by allowing autonomous universities to:

- Shift fully to contract-based employment,
- Determine salaries according to market value,
- Break free from the administrative civil-service pay scale.

This represents a foundational shift toward a market-aligned HRM system capable of attracting and retaining talent.

4.4 Quality assurance and accountability

Under autonomy, state management has shifted from input control to output-based supervision through Quality Assurance (QA) and Accreditation. Official Letter No. 2274/BGDĐT-QLCL (2019) mandates internal QA systems (IQA) for all universities. A case study by Cuong, Suong, and Trieu (2025) at Ton Duc Thang University one of Vietnam's earliest autonomous institutions demonstrates that IQA functions not merely as a compliance tool but as a strategic management mechanism. Successful autonomous universities increasingly rely on international accreditation (e.g., AUN-QA, HCERES) to strengthen reputation and attract global students (Pham *et al*., 2019).

Accountability has simultaneously expanded. As Nguyen (2024) notes, accountability now extends beyond reporting to the Ministry of Education and Training it encompasses transparency for students and society, especially given rising tuition levels. Requirements such as the "Three Disclosures" policy and mandatory data transparency on the national HE data platform (Hemis) signal important advances in digital governance (Lederer *et al*., 2017). However, Phi (2025) warns that if publicly reported data are not independently verified, accountability risks devolving into superficial "performance reporting" without substantive governance value.

5 DISCUSSION

5.1 Sustainable financial autonomy and the equity paradox

A central paradox of financial autonomy in transitioning economies is the risk of shifting higher education from a "public good" to a "luxury commodity." This challenge stems from the widespread application of Johnstone's (2003) cost-sharing theory through Decree No. 60/2021/NĐ-CP, which places a substantial share of training costs on students as state subsidies decline. Quantitative evidence from Chapman (2013) and Chapman *et al*. (2014) highlights the severity of the resulting repayment burden in Vietnam. Tuition at autonomous universities has increased two to three times, creating substantial financial barriers for low-income students. Bassett and Salmi (2014) describe this as a violation of the equity imperative, undermining the Sustainable Development Goals (SDGs) when financial autonomy is reduced to tuition hikes.

Two governance implications emerge:

First, universities must diversify revenue streams to escape the "tuition trap." European data indicate that financially resilient institutions maintain balanced income portfolios (Estermann & Pruvot, 2011). In contrast, research and technology-transfer revenues in Vietnam remain extremely low (below 5%). The legal innovations in Decree No. 111/2025/NĐ-CP provide opportunities to establish spin-off companies and mobilize public assets through public private partnerships (PPP). These mechanisms support not only revenue generation but also knowledge commercialization (Dinh, 2018).

Second, Vietnam must urgently reform its student-loan system. The current collateral-based loan model should transition to Income-Contingent Loans (ICLs), allowing students to repay only when their income exceeds a threshold (Chapman *et al*., 2014). This risk-sharing approach ensures no student is excluded due to financial constraints (Patrinos *et al*., 2017).

5.2 Human resource management in an era of volatility

COVID-19 and global economic disruptions have transformed expectations for human resource management (HRM) in higher education, requiring a shift from reactive responses to adaptive recovery (Aitken-Fox *et al*., 2023). Yet public universities in Vietnam face structural constraints from the civil service system. Although the 2018 Higher Education Law permits staffing autonomy, the civil servant status continues to limit personnel decisions. Low public-sector salaries identified by Demombynes and Testaverde (2017) as a major driver of brain drain are compounded by rigid salary scales that prevent performance-based or market-competitive compensation.

Simultaneously, ranking pressures and a "publish or perish" culture intensify workloads, increasing the risk of unethical research practices when incentives are inadequate (Jarvey *et al*., 2012). Thus, a key governance implication is that institutions must leverage Resolution No. 29-NQ/TW and Decree No. 111/2025/NĐ-CP to dismantle administrative pay scales, implement transparent performance evaluation (KPIs), and design talent-attraction schemes capable of recruiting international scholars creating multicultural academic environments (Altbach & Salmi, 2001).

5.3 Digital governance, artificial intelligence and innovation

Digital transformation and AI adoption represent not merely technological trends but strategic governance shifts (Farrelly, 2023). Although Lederer *et al*. (2017) and Yoo *et al*. (2010) highlight the importance of data-driven governance, managerial decisions in many Vietnamese universities remain intuition-based (Do & Mai, 2022). AI also offers opportunities for personalized learning (Ayotunde *et al*., 2023), yet without autonomy in digital infrastructure investment, universities risk falling behind global EdTech platforms.

A fourth governance implication emerges: institutions must modernize both their legal foundations and internal governance models. Legally, Vietnam needs updated regulations on intellectual property for AI-generated outputs and strengthen digital-ethics standards. Managerially, universities must transition toward Smart University models digitalizing administrative processes to reduce costs, increase transparency, and enhance accountability (Price & Kirkwood, 2014).

5.4 Quality culture and information transparency

Martin Trow (1996) emphasized that autonomy requires trust, and as the state withdraws from detailed oversight, public confidence increasingly depends on transparency and learning outcomes. Internal Quality Assurance (IQA) systems serve as the institutional safeguard protecting autonomy. Although Official Letter No. 2274/BGDĐT-QLCL (2019) laid the groundwork for IQA, building a quality culture requires deep, systemwide commitment.

A fifth governance implication is therefore the expansion of multi-dimensional accountability: universities must report not only to MOET but also to students, employers, and society, consistent with Decision No. 1705/QĐ-TTg (2024). Institutions should publicly disclose core KPIs graduate employment rates, faculty qualifications, financial status in line with global standards. However, Phi (2025) warns that without independent verification, public reporting risks devolving into performative compliance rather than meaningful accountability.

5.5 Academic autonomy in the vietnamese context

Academic freedom, described by Matei and Iwinska (2018) as the "soul of creativity," remains underdeveloped in Vietnam. While academic autonomy is often interpreted narrowly as the right to open new programs, global integration requires a broader vision. Unlike European systems that emphasize individual academic freedom, Vietnam's context requires balancing autonomy with social responsibility and national development priorities.

Some scholars report hesitation among lecturers to publish sensitive findings or to critique policy (Salmi & Ly, 2019). To achieve world-class status, Vietnam must expand academic freedom, promote critical inquiry, and protect scholars from pressures associated with commercialization (Nussbaum, 2010).

5.6 Case studies: lessons from practice

Two institutional cases illustrate contrasting pathways toward autonomy.

Case 1: Ton Duc Thang University (TDTU)

TDTU represents a model of comprehensive autonomy built on a strong IQA system. Its rise in global rankings is attributed to aggressive investment in research financed through autonomous revenue streams. The governance lesson is clear: financial autonomy must be paired with strict quality discipline enforced by a powerful IQA unit (Cuong *et al*., 2025). However, tensions arose with supervisory authorities due to clashes between new governance practices and legacy regulations (Vo & Laking, 2020).

Case 2: Vietnam National University, Hanoi (VNU)

VNU exemplifies a state-supported autonomy model. With access to substantial public assets and national-level research funding, VNU faces less pressure to increase tuition. The key lesson is that large national universities can embrace innovation-oriented autonomy, leveraging Decree No. 111/2025/NĐ-CP to commercialize intellectual property through affiliated enterprises (Dao, 2020). These institutions play a leadership role in shaping the national higher education ecosystem.

Collectively, these cases illustrate that Vietnam's autonomy reform is entering a pivotal phase requiring a delicate balance between market forces and public welfare, between oversight and trust, and between innovation and regulatory stability. Internal

governance transparency and a willingness to embrace change remain the decisive factors for success.

6 CONCLUSIONS AND POLICY RECOMMENDATIONS

6.1 Overall conclusions

This study has provided a comprehensive examination of the evolution of Vietnam's legal framework for university autonomy during the pivotal transition from 2012 to 2025, situating these developments within the imperatives of sustainable development. The analysis confirms that Vietnam's higher education regulatory environment has undergone significant progress, gradually converging with international governance standards. This transformation is reflected in a fundamental shift in macro-level state management from a traditional state control model toward a state-supervising and enabling approach, in which institutional autonomy is paired with strengthened transparency and accountability mechanisms.

Two legal instruments play a decisive role in shaping this new landscape. The 2018 amended Higher Education Law (Law No. 34) represents an institutional breakthrough by empowering university councils and dismantling the line-ministry governance structure. More recently, Decree No. 111/2025/NĐ-CP has emerged as a "golden key," removing technical bottlenecks related to financial autonomy and public asset management. Together, these reforms resolve constraints that hindered institutional development under Decree No. 60/2021/NĐ-CP and establish the conditions for genuine resource diversification.

However, the study also identifies enduring structural challenges, most notably the persistent gap between legal provisions (de jure) and implementation capacity (de facto). Although the legal framework has been liberalized, the internal governance capacity of many institutions remains insufficient to meet the demands of autonomy. In practice, university councils in several institutions continue to operate in a symbolic manner, lack professionalism, and fail to represent diverse stakeholder perspectives limiting their effectiveness as strategic governing bodies.

In addition, the goals of sustainable development are being undermined by both the financial paradox and gaps in digital governance. Autonomy is frequently conflated

with financial self-reliance, resulting in excessive dependence on tuition revenues (70-80%), creating risks of marketization and reduced access for disadvantaged students contradicting principles of social equity. Moreover, despite global advances in data-driven governance and artificial intelligence (AI), Vietnam's regulatory framework for digital universities, data sharing, and AI ethics remains nascent, limiting the potential for innovation in higher education management.

6.2 Policy implications and strategic recommendations

To ensure that university autonomy becomes a driver of sustainable development strengthening institutional resilience while fulfilling social responsibilities this study proposes the following strategic directions:

First, harmonize and synchronize the legal system to eliminate institutional barriers.

Autonomy does not exist in isolation; it is shaped by multiple sectoral laws. The Government and National Assembly should conduct comprehensive legal harmonization to ensure coherence.

- For the Law on Public Asset Management and the Land Law, special provisions should enable autonomous public universities to leverage land-use rights and institutional brand value as capital contributions for joint ventures, provided that profits are reinvested into education. This is essential for effective public-private partnership (PPP) models (Trinh *et al*., 2021).

- Regarding the Law on Public Employees, Vietnam should consider piloting a "special public employee" regime or enable universities to transition to contract-based employment to allow performance-based compensation and attract international talent (Aitken-Fox *et al*., 2023).

Second, reform financial mechanisms by shifting from a subsidy mindset to an enabling-state model.

Instead of mechanically reducing recurrent budgets, the State should act as a "major client" by commissioning universities through competitive bidding and performance contracts. Funding should be allocated based on outputs such as graduate employability, international publications, and patents rather than on input based staffing

norms, thereby fostering healthy competition and quality improvement (Aghion *et al*., 2009).

To safeguard equity, a National Student Support Fund should be established, operating a large scale, government guaranteed Income Contingent Loan (ICL) system. Such a scheme would serve as an essential social safety net accompanying tuition increases (Chapman *et al*., 2014; Bassett & Salmi, 2014).

Third, strengthen internal governance capacity by professionalizing university councils.

As the strategic governing body, the university council must function with professionalism and independence. The Ministry of Education and Training should develop competency frameworks and mandatory governance-certification requirements covering finance, risk management, and digital transformation. Increasing the proportion and influence of external members will bolster independent oversight, while granting veto power over major investment decisions will enhance transparency and reduce conflicts of interest.

Fourth, advance digital transformation supported by a robust quality culture.

Universities must treat data as a strategic asset, while the State develops an integrated national higher education data system (Open Data) to improve transparency and societal oversight. Strengthening Internal Quality Assurance (IQA) should be a prerequisite for granting higher levels of autonomy. Autonomy should therefore represent a shift from ex ante control to ex post evaluation based on international quality standards (Cuong *et al*., 2025), not a relaxation of accountability.

If fully implemented, these policy directions would enable Vietnam to balance efficiency with equity, link autonomy to sustainable development objectives, and build a more innovative, accountable, and globally competitive higher education system.

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Data availability

All datasets relevant to this study's findings are fully available within the article.

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