

IPSA (RC 32) 2013 Conference

**‘Europeanization of public administration and policy:
sharing values, norms and practices’**

April 4-7, 2013, CAAS, Dubrovnik, Croatia

ABSTRACTS

Zagreb, March 2013

Opening Session:

Europeanization of public administration and public policy

Friday, 5 April 2013: 9.00-11.00

Professor Dr Robert Hoppe, University of Twente, The Netherlands / IPSA RC32 Chair

Europeanization as political narrative

Governance is as much about problematisation (the governance of problems) as it is about problem-solving (governance of capacity for effective performance). Both governance as problematisation and as problem-solving implicitly assume that there is a 'real' problem, 'out there'. Politically credible stories about those 'problems', or rather, 'problem-solution couplings', are the stuff of policy analysis and design; they form the all too often implicit interpretive backgrounds or frames and discourses that inevitably legitimize and (co-)shape the more technical, procedural or bureaucratic ways of tackling 'problems'. Hence, the question of this address: If 'Europeanisation' is the solution, what is/are the problem(s)?

Professor Dr Ivan Koprić, Faculty of Law, University of Zagreb / Institute of Public Administration, Croatia

Europeanization as a remedy for muddled governance in South Eastern Europe

Muddled governance is a governance with strong reliance on the classical government with weak forms of inter-jurisdictional and third-party governance that arise when vague European (EU) ideas about public administration and governance reform flow into shrinking domestic ideas on governance. Management of public affairs by domestic actors is characterized by a strong reliance on the central state government and administration, a reactive approach and an overall lack of strategic vision about main developmental and policy goals.

South Eastern Europe (SEE) gradually lost the significance it had during the Ancient World and can now be seen as a part of European periphery. Famous tradition of Roman law and Greek democracy has been overlaid with complex historic layers of various governance ideas, doctrines, and practices. The SEE space encompasses a narrower circle of South Slavic nations, as well as the Greeks, the Albanians, and the Romanians. While most of them experienced socialist experiment in the second part of the 20th century, the Greeks had a different development path. Within the circle of socialist countries, there is a narrower group of the countries on the territory of the former Yugoslavia. Cultural and historical ties are especially visible between those countries, but links and interdependences are wider. Certain cultural and governance commonalities can be identified in the whole South East region.

The frame for governance development in the SEE countries is characterized by the Europeanization process, modernisation policy, search for national identities, and regional cooperation and learning. Despite all efforts, almost all the countries suffer from corruption, lack of political legitimacy, weak administrative capacities, etc. The presentation will focus especially on three governance processes in the region. These are the introduction of direct election of mayors and other forms of participative democracy; the promotion of modern human resources management and development of administrative education; and strengthening the legal protection of citizens' rights in their contacts with public administrations.

The EU *acquis communautaire* with the right to good administration from the EU Charter of Fundamental Rights, the standards of the European Administrative Space, and other

European standards are among the ways and instruments of healing domestic governance hardships and strengthening genuine domestic forces for overwhelming governance traps.

Key words: Europeanization, South Eastern Europe, muddled governance, management of public affairs, right to good administration, European Administrative Space, participative democracy, administrative education

Professor Dr Atilla Ágh, Corvinus University, Budapest, Hungary

Europeanization of public administration in the NMS: The challenge of participative democracy and good governance

The main message of this paper is that the Europeanization of the public administration and public policy in NMS cannot be completed without the participative democracy, i.e. without the participation of the large masses of population in the new institutional structures. The paper offers a comparative analysis of the NMS public administration and public policy developments in the EU based on a big database about the gap between the formalistic and performance democracy, and about the democracy, governance and sustainability deficit in NMS. It concludes that without the major turn towards a participative democracy - providing the high performance of public administration and public policy - the NMS cannot be competitive in the global world.

Professor Emeritus Dr Fred Lazin, Ben Gurion University, Israel

Local government reforms in Eastern Europe after the collapse of the Soviet Union; Some observations

This paper explores the building of administrative and democratic institutions and processes of local government in newly emerging democracies in parts of the former Soviet Union and its satellite states in Eastern Europe. It studies the restructuring of local government systems in these countries with a focus on reforms in public administration and public representation at the local level. The role and influence (or lack of it) of the European Union is also studied. The proposed paper looks at several case studies of local government reform in Eastern Europe following the collapse of the Soviet Union and subsequent regime changes in the early 1990s.

The countries examined are Russia, Poland, Czech Republic and Romania. The case studies are based on papers presented at an international conference "Reform and Democracy in Local Government of Countries in Transformation" held in Israel in 2004. The IPSA Research Committee on Local Government and Politics sponsored the conference. The papers later appeared in a book on the conference which appeared in 2007*.

The overall picture composed of the findings in the several countries is all but homogeneous and unidirectional: though democratization and decentralization are claimed by many central governments as non-negotiable, the analysis clearly demonstrates how their actual policies are implemented over time and across nations in an often inconsistent manner.

* Fred Lazin, Matt Evans, Vincent Hoffmann-Martinot and Hellmut Wollman (Eds.). *Local Government Reforms in Countries in Transition: A Global Perspective*. Lanham, MD: Lexington Books, 2007.

Session 1:

The networked governance in Europe

Friday, 5 April 2013: 11.30-13.15

Dr Nikola Popovic, Council member at HAKOM and ARTZU, the Croatian national regulatory authorities for electronic communications, post and railways.

Horizontal approach to network industries in Croatia

More than two decades ago in the European Union law, competition has started to be introduced in economic activities organised traditionally under the concept of services of general economic interest. Special and exclusive rights have gradually been abolished in important industries like telecommunications, post, energy or railways. European Union policy has opted to prioritize efficiency over social issues in those industries by adopting liberalisation agendas. Previous monopolies have undertaken long restructuring processes to meet upcoming competition. However, entering and positioning in the market has not proven to be a short process for new-comers either. Although these network industries display differences among themselves, common trans-sector issues exist that allows a horizontal approach. This brings into focus the actual role of different national regulatory and competition authorities and future ways of coordinating their function in multi-sector patterns.

Dr Dario Ćepo, Senior Research Assistant, Faculty of Law, University of Zagreb, Croatia

National public administrations and the democratic deficit of the European Union: A comitology conundrum

European Union is a complex political system whose institutional framework encompasses, amongst others, representatives of European citizens, and of member states, "eurobureaucracy" through European Commission and different agencies, national parliamentarians, as well as members of national public administrations. Such a complex institutional arrangement was a byproduct of constant reforms European Union went through in order to include as many stakeholders as possible in its decision-making process, with the ultimate goal of delivering democratically adopted rules that have legitimacy in the eyes of the citizens. The democratic deficit of the European Union, on the other hand, is a sign that the European Union lacks full legitimacy of European citizens. Aim of this paper is to show that obscurity of certain parts of decision-making process, the so called comitology system, is one source of said democratic deficit. It shows the reasons national public administrations of member states got involved in the decision-making process of the European Union, and the role they have in not only drafting legal acts and implementing measures, but also in overseeing the proper implementation of adopted measures in member states. Paper also shows the reasons why comitology, as it now stands, is a threat to democratic accountability of the European Union, pointing to the working practices of the Council as the main source of that threat. In the end the paper tries to provide ways of reducing the democratic deficit of the European Union, not by excluding national public administrations but by empowering their representatives to work in transparent manner.

Key words: comitology, national public administrations, European Commission, Council, working groups

Dr Anamarija Musa, Assistant professor, Faculty of Law, University of Zagreb, Croatia

Reforming EU agency governance: more control, greater accountability

The agencification in the European Union, as in most of its member states, has mainly proceeded without firm legal framework and horizontal measures, leading to a creation of numerous more or less independent specialised administrative organisations with diverse structure and functions. The EU institutional setting, the relationship between the levels of governance, as well as the nature of the EU regulation represented powerful engines of agencification. Despite their importance for the EU governance, the existence of agencies was not envisaged nor recognised in the primary legislation before the Lisbon Treaty, while the more extensive data on agencies emerged only recently, due to the attempts to put agencies under more control.

This descriptive paper aims to explore the elements of the EU agency governance and to highlight the drivers and the directions of the recent reforms of the EU agencies. The paper first outlines the rationale and legal basis for agencies, then presents a short overview of the development of agencification, and finally gives insight into recent agency reforms. The main argument of the paper is that although the agencies in the EU have been perceived as being diverse, due to the numerous agencies in different policies and with various tasks, the recent developments inspired by the political and economic reasons show that the construction of common norms and practices for agencies is taking place, aimed at more control and greater accountability of agencies. These developments might have influence on the agencification process and agency models in the member states.

Session 2:

New trends in local governance West and East

Friday, 5 April 2013: 14.30-15.45

Dr Miro Haček, Associate Professor, Dr Irena Bačlija, Research Fellow, Faculty of Social Sciences, University of Ljubljana

Dynamics of administrative capacity in Slovenian municipal administrations

A suitable quality level of the main functions and tasks of municipal administrations is a fundamental condition for the existence and development of every activity, not only for market-oriented organisations but also the public sector. Municipalities in Slovenia have not adopted a general policy on quality and it is therefore difficult to speak of the optimisation of work in a municipal administration, the efficiency and rationality of work, cost reduction, nor to evaluate the performance of an administration and the individual civil servants it employs. The authors of this article analyse the results of an empirical research projects on administrative capacity carried out in 2007 and 2012 among the directors of Slovenian municipal administrations and an analysis of the topic in the context of reorganisation of local administrations. By means of the Administrative Capacity Index, they evaluate the degrees of individual municipalities' administrative capacities and establish at what size (according to its population) a municipality can be regarded as capable of administration.

Dr Marta Lackowska, Assistant Professor, Department of Local Development and Policy, Faculty of Geography and Regional Studies, University of Warsaw, Poland

Europeanization of post socialist cities as a type of outward political rescaling: The case of Poland

Access of the Central-Eastern Europe states to the European Union has opened a new promising field of empirical research for students of European integration. In parallel, a growing body of literature deals with the presumed increased space for urban political manoeuvre, linked to the phenomenon of de- and renationalisation. Within this approach, the impact of Europeanization on urban politics can be analysed as a special type of outward political rescaling. In the paper I take this perspective. I look at the political strategies the post socialist cities adopt in front of the EU political multilevel system as a part of their wider strategy of political internationalisation.

The empirical evidence is based on the study of the 12 largest Polish cities, members of Eurocities and other lobbying organisations. Leaning on the Klijn and Koppenjan (2000) typology of possible orientation of public authorities in front of the global pressures, I discuss the character of urban strategies developed in three fields of activities:

- networking (activities in Eurocities, Union of Baltic Cities etc.);
- bilateral activities (cities twinning);
- individual undertakings (like beating for and hosting big international events, or using the EU funds).

Simplifying, we may connect reactive policies with top-down Europeanization (adjusting to new possibilities), and creative ones (corresponding to the more advanced stages by Klijn and Koppenjan) with bottom-up Europeanization. The main question of the study is: What is the character of the internationalisation activities of the largest Polish cities? Is it rather reactive or creative?

Considering post socialist context means tracing some interesting specificities steaming from the fact that Polish cities have entered the global (and EU) system only recently. As a result we may expect them to act rather passively and reactively than dominantly in the new context. Moreover, taking into account previous studies showing the weakness of strategic management in local policies in Poland, we can assume that non-strategic conformist behaviour prevails also in internationalization. Keeping this in mind I am especially interested in detecting any signs opposing this thesis, that is showing strategic thinking and creative activities of Polish cities in front of the new possibilities created by the domestic political transformation, globalization pressures and the EU membership.

Session 3:

Civil servants and politicians in European and international perspective

Friday, 5 April 2013: 16.15-17.30

Professor Dr John Halligan, ANZSOG Institute for Governance, University of Canberra, Australia:

Changing roles and relationships between politicians and civil servants

The public service's relationships with politicians in 2013 in Anglophone countries would be hard to recognise by observers in the 1980s and impossible to envisage. What was understood then as basic tenets of the relationship are either gone, been decisively modified or exist in a fragile, contested environment. In the three decades between these dates, a high level of contestation emerged as politicians exploited unused powers to direct and influence, while observers critiqued the expansions of executive power. Did this foreshadow the end of Whitehall (Campbell and Wilson 1995; Page 2010) or was it being reinvented for a different era? Does Aucoin's (2008) diagnosis of the emergence of 'new political governance' portend the deterioration of public services?

The core argument and analysis is about the breakdown in long-held norms that regulated the relationship. An extended period of relative stability in which the permanent component of the relationship prevailed was replaced by one of relative instability – depending on the country – under the dominance of the political executive and short-term leaders.

What has changed that is critical to the relationship? Three core elements can be defined in the literature of political executives and civil services: ministerial resources and their potential for extending political influence; the character of the appointments to the higher civil service (and in the Anglophone case, appointments, tenure and oversight of the senior public service); and the roles of ministers and the senior public service (and their relative dependence on politicians), which includes both specific roles and general positioning of the public service.

The four countries – Australia, Canada, New Zealand and the United Kingdom – have shared an administrative tradition and practice (Halligan 2011), yet each has moved significantly from a traditional political–bureaucratic relationship while displaying distinctive approaches to the handling of the change. This paper examines different ways of defining and engaging the relationship, the different options used by political executives for exercising direct influence on the public service and securing recognition of their preferences and the long-term impact on the character of the relationship. Finally, the developments in the Anglophone group will be related to patterns of change in the relationship between politicians and civil servants in European countries.

Professor Dr Zoran Lončar, Faculty of Law, University of Novi Sad, Serbia:

Ministerial accountability: regulation and practical issues

One of the main demands for the legal regulation of the ministerial function is to establish an adequate system of ministerial responsibility. Specificities of ministerial function are such that require the issue of ministerial responsibility to be regulated in a special way. In terms of responsibility for their function, the ministers differ from each other, not only from the holders of other governmental functions, but also from all those who work in the administration. Specificities of ministerial function require special responsibility regime. Therefore, in most

modern countries responsibility of ministers is usually stipulated by special regulations. Regardless of the different solutions in terms of modes of regulation of ministerial responsibility, the responsibility of ministers everywhere appears as a special and complex legal institution, consisted of different (sub)types of responsibility subject to different legal regimes. Successful creation of legal prerequisites for the exercise of ministerial functions in a legal system depends on how well this institution has been legally regulated.

In addition to the establishment of an adequate legal regime, a number of important practical issues are relevant for an effective exercise of ministerial responsibility, such as the mode of operation of the political system, the political composition of the government and the executive branch, the level of development of the party system, the degree of factual independence of the judicial system, the importance of independent national institutions, level of development of the media, as well as the power and influence of public opinion, etc. Only by studying all aforementioned issues one may understand the functioning of the institution of ministerial responsibility in every particular legal system. Therefore, in addition to pointing out the different methods of legal regulation of this institution, the paper also tackles practical issues that have proven essential for successful implementation of ministerial responsibility, primarily on the basis of decades of experience of the functioning of this institution in the legal system of the Republic of Serbia.

Session 4:

Citizens, administration and the protection of human rights in an enlarged Union

Saturday, 6 April 2013: 9.00-11.00

Dr Iskra Akimovska Maletic, Assistant Professor, Faculty of Security – Skopje, University “St. Kliment Ohridski” – Bitola, FYR Macedonia

Human rights and public services: Towards a more effective approach

When we discuss for the implementation of public administration reform in contemporary conditions especially is important to focus on public services users and in general on the process of modernization and improvement of services that are complemented by human rights values. That are those aspects of the reform that deal with the way public services are designed and delivered, such as the emphasis on service users and improvement of public service delivery standards, that are relevant to human rights. Once these common links are identified, the question arises how the human rights approach can give a special contribution for achieving improvements in public services. In this context, public services are considered as services of public economic and noneconomic interest.

The aim that should be achieved with this approach of delivering public services is adoption of legislation that should prohibit actions by public authorities which are incompatible with the European Convention on Human Rights and to avoid breaches of people's human rights. According to the "positive obligations" doctrine, public authorities should adopt a proactive approach for implementation of Convention rights. The legislation should provide a rights-based framework for designing policy and delivering services and should incorporate principles of fairness, equality, dignity and respect. These values are well recognized as fundamental to ensuring the delivery of high quality public services.

Human rights are characterized with universality and their approach helps to put the public service user into the heart of their design and delivery. When services are designed with the user in mind, it encourages recognition that people are entitled to be treated fairly and with dignity and respect.

In general, quality of service delivery depends of the application of the human rights approach that highlights the importance of the existence of a clear corporate strategy and high-quality training of staff that provide services. Of course of crucial importance is the existence of a human rights framework for making and reviewing policy decisions, including processes for taking into account the perspective of users.

In order to achieve better public services the public authorities should determine for adoption of proactive human rights approach. For that purpose it should be accepted one broader context of related "initiatives, frameworks, concepts and standards" that will apply to service delivery. Still there is a little chance that real changes will occur within the public services delivery unless a human rights approach is not adopted during the process of their modernization. In this aspect, is crucial the question of awareness and attitudes of delivering the public services in the context of the principles of human rights among public services users.

The paper will analyze the international standards for ensuring human rights approach in the performance of public services, corporate social responsibility, established by the United Nations, the European Union and the OECD. That is in order to determine more precise their

links and to identify priorities that countries within their public administration reform should undertake for achieving more effective implementation of the principles of protection of human rights in improving the performance of public services.

Dr Polonca Kovač, Associate Professor, Faculty of Administration, University of Ljubljana

Participative authority in administrative proceedings: European impacts and Constitutional court practice in Slovenia

The scope and meaning of administrative relations in contemporary society is increasing. Modern model of public governance is therefore contrary to traditional one grounding execution of power by rather participative networking and partnerships. It reflects tendency to redefine top down authoritative and unilateral decision-making by higher level of bottom-up cooperation of ruled ones. Inevitably the importance of public administration as decision-maker is changing and growing as well. In this respect, crucial part of modern governance is "good administration", incorporating classical procedural safeguards in relation towards the (state or administrative) authority as defined by Council of Europe, EU ombudsman and Article 41 of Charter of fundamental rights of EU (2010). Administrative proceedings and the relations among participants in the regulation and implementation thereof thus enable to put into operation the development of the theories on the role of the state: from enabling through ensuring to collaborative state, with comprehensive participation of individuals in public governance. The paper will in this context address the right to be heard (*audi alteram partem*) as a fundamental principle or key value within rights of defence in democratic state, as seen in the theory, comparatively and in Slovene administrative and judicial praxis.

The notion of the right to be heard, arising from human dignity and equal protection of rights, is in administrative relations theoretically and in the judicature a bit different as compared to criminal or civil proceedings. Namely, there are certain specifics to be taken into account like the primacy of material truth, hence limitation of the adversary principle. On the other hand the parties must have *locus standi* to participate in authoritative decisions, since public interest prevails over their private entitlements. The research will be carried out to analyse Slovene praxis on the subject. We will examine the hypothesis that European convergence impacts on Slovene authorities' conduct - especially after full membership of Slovenia in EU (2004) - led to higher awareness of the right to be heard as not merely administrative-processual but constitutional guarantee. The primary research method used besides historical, descriptive and comparative ones will be the thorough analysis of case studies from Slovene Constitutional Court in administrative matters. We will define basic origins and expose necessary minimal standards of participatory principle as processual aspects of right to be heard, access to the file and information, use of one's own language, notification, assistance and representation, statements of reason and effective legal protection etc. On these grounds we will identify major trends and challenges facing Slovenia and comparable states in the region with socialist heritage when democratizing their societies.

Dr Ivana Dobrotić, Research Assistant, Dr Teo Matković, Assistant Professor, Professor Dr Siniša Zrinščak, Faculty of Law- Social Work Centre, University of Zagreb, Croatia

Gender equality policies and practices in Croatia – The interplay of transition and late Europeanization

This article contributes to understanding change in gender regimes in post-communist countries. Using Croatia as a case, it juxtaposes the observed change in key indicators of the position of women in various walks of life with the context of the European gender agenda and the positions of actors involved in the national political arena and policies introduced throughout the transition period.

The article reviews the previous enlargement waves and indicates that the gender agenda was added to the negotiation process rather late – primarily via the EU accession conditionality requirement. Although narrow in scope and often limited in impact to just 'paper compliance' with EU legislation, it opened discussions in the gender equality area in post-communist countries and empowered women's organizations. In all the countries, the implementation of the European agenda was heavily influenced by the power and discourses of the main actors involved.

The article provides a map of social actors involved, together with gender-related policies as they have changed in three distinct periods in Croatia. The final analysis of observed practices and structures indicates very slow change and the crucial impact of structural and institutional developments as well as economic cycles, but little association of observed developments with dominant discourses or policies implemented over the past two decades.

Keywords: gender equality; post-communism; Europeanization; Croatia

Session 5:

The implementation of social policy

Saturday, 6 April 2013: 11.30-13.15

Professor Emeritus Dr Michael Hill, Brighton University, United Kingdom

Researching implementation: Reflections on studies of payments for social care

The English government has been developing schemes under which people in need of social care may have cash payments to make their own purchases of care rather than the direct provision of services. Responsibility for payments is delegated by central government to local governments. Variations between the latter offer scope for the exploration of the factors that contribute to or impede the development of this policy. The author has been involved in research to examine the implementation of this development. In this paper he will outline the main findings of this research and suggest lessons that may be drawn from it about researching the implementation of a complex and emerging policy.

Professor Dr Kristina Urbanc, Faculty of Law - Social Work Centre, University of Zagreb, Croatia

Reconceptualising the idea of participation of students with disability in higher education system

According to UNESCO (1994.) participation of students with disabilities in mainstream schools, as well as in higher education is an important goal. Students with disabilities in Croatia are guaranteed equal access to higher education, still it remains complex social, political and cultural challenge, because, often their physical presence in the classroom is taken as an indicator for equal opportunity to participate in all aspects of student's life, as well as it is perceived a sign of their psychological, physical and social well-being. However, being present at the lectures does not mean yet that the student is included; it can lead into further isolation. On the other hand, responding appropriately to needs of students with disability (Beaumont and Cemlyn, 2005) promotes good practice for all students and academic community in whole. Not so far in the past, disability was seen as an individual and dominantly medical problem. Now, in 21st century we claim disability is not the cause of many disadvantages that people with disability experience in everyday life, as well as in higher education. We blame society for failing to accommodate the needs of people with disability, relying to a concept of independent living, as a theoretical answer and practical solution to the problem of disability (Barnes, Oliver and Barton, 2002.). While presenting results of qualitative research on equality and inclusion in University of Zagreb, from the perspective of students and teachers, this paper aims to explore tensions within "guaranteed equal access" and develop some more understanding about opportunities and challenges of involving students with disabilities into the process of higher education.

Key words: students with disability, higher education, implementation of equal access policy

Professor Dr Tony Evans, Royal Holloway, University of London, United Kingdom

The moral economy of street-level service

The analysis of street-level policy tends to be conducted in terms of political economy— that people who design, deliver and consume public services are primarily economically minded individuals. The aim of political economists' to de-romanticise policy analysis has, it can be

argued, resulted in a paradigm of policy analysis that struggles to engage with the mess of humanity and the ethical dilemmas of policy and service delivery. However, at street-level, policy implementers and deliverers have to engage with human problems and ethical issues challenge policy assumptions. Diverse needs and conflicting claims often create tensions for policy implementers in balancing ideas of consistency and responsiveness to individual circumstances. In this paper I want to examine some of the tensions in policy implementation and service delivery by considering the practice of professional workers who implement policies through their service provision role. I will draw on empirical research with professional staff in adult social services to consider the responses of these practitioners to the tensions and dilemmas they encounter in particular cases. The paper will consider the role of professional values in policy implementation and service delivery. The aim of the paper is to suggest that the idea of 'moral economies of practice' can offer valuable insights into street-level policy implementation and service delivery.

Session 6:

Public administration under pressure: the effects of financial crisis on public sector

Saturday, 6 April 2013: 14.30 -16.15

Dr Panagiotis Karkatsoulis, National School of Public Administration, Institute for Regulatory Policy Research, Athens, Greece

Administrative reform in crisis environment: The Greek case

The sense of urgency for action that is present during the current generalized crisis is considered to create the necessary prerequisites for administrative reforms. Looking closer at the results we realize that plenty of discussions, project proposals, drafts, even some regulatory changes might have occurred but, in toto, they are poor both in quantity and quality. Furthermore, they suffer even more because of the lack of social and administrative legitimacy, since they are forced to be in place by certain international bodies/agencies through irregular procedures.

We use data from the ongoing, since the early 2010, Greek crisis to prove that mimicking reforms by introducing regulations which are not monitored for their implementation, or by checking boxes in "reform measures checklists" designed outside the Greek context, does not ensure the long term sustainability of the results. Furthermore, as any reform process is a continuous effort rather than a one-off exercise, the current reform measures storm may lead to an undesirable result: Reform fatigue. The aggressive austerity policy is pushing for anti-reformative actions such as horizontal cuts of public wages and unjustified firing of civil servants. This approach leads to the culmination of a negative image of the public sector, through measures much more rapid and harsh even than those of the most liberal policies during the early privatization area or the NPM measures of the 80s, which have been repeatedly proven to fail.

Reforms need not only a broad vision within a context, which is currently missing in the EU, but also a deep reform movement inside the public sector of each country. Reform movements should be based on a self-reflexive understanding of its strong and weak (both formal and informal) points leading to eigen-solutions for any different case. There is no "one size fits all" solution to the need for public administration reforms. We use the self-referential systems theory in order to explain what is going wrong with the Greek public administration reform efforts and to make the case for an urgent need for differentiated approaches according to the specific characteristics and national identity of the country, whose public administration is reformed.

Key words: public administration reform, Greek crisis, system theory, identity, administrative science

Professor Dr Stanka Setnikar Cankar, Veronika Petkovšek, MSc, University of Ljubljana, Faculty of Administration, Slovenia

Austerity measures in public sector in Slovenia and other selected European countries

The financial and economic crisis has burdened the public finances of EU Member States, including Slovenia. The current priority of each country is to ensure sustainability of public finance. Countries respond to the consequences of the global financial and economic crisis with measures and different approaches that aim to achieve fiscal consolidation and

sustainable economic growth. In 2012, officially there were still the majority of EU member states in excessive deficit procedure for exceeding the maximum level of three percent of GDP, which allows the Stability and Growth Pact.

In the most EU countries measures to consolidate public finances are aimed at reducing government expenditures, which mainly include changes in the organization of public sector, social security and pension transfers. Most countries have started to streamline the public sector and froze or reduced employment in the public sector and several countries are also reducing public wages. On the other hand, the countries also apply measures on the revenue side, mainly by raising taxes and introducing new taxes.

In May 2012, Slovenia adopted the Act to balance public finances which aims to achieve the following objectives: to ensure sustainable public finances, to provide a legal framework for the effective management of public finances, to ensure macroeconomic stability, sustainable and stable development of the national economy and to establish rules for greater fiscal discipline. In accordance with the Act measures have been taken in the areas of civil servants, social security, retirement, labour market, taxes, economic growth promotion, etc.

In addition to the adopted Act to balance public finances, in December 2012 Slovenia adopted a pension reform, the Law on Changes and Amendments to the Law on Higher Education and the Law on execution of the budgets of the Republic of Slovenia for the years 2013 and 2014.

Short-term, adopted austerity measures are a necessary step to reduce the public finance deficit below the limit of three percent of GDP. But, for the sustainability of public finances radical structural interventions and reforms in the public sector are needed.

The aim of the paper is to show the current state of public finances in the time of economic crisis and austerity measures in Slovenia and compare them with the selected European countries. The objective of the analysis and comparison of austerity measures in selected countries is to gain an insight into the similarities and differences between them and on that basis make policy recommendations for changes in implementation of austerity measures.

Dr Elena Davitkovska, assistant professor, American College University, Skopje, FYR Macedonia, Dr Dragan Gocevski, research assistant, Faculty of Law 'Justinijan Prvi', University Sv. Kiril i Metodije, Skopje, FYR Macedonia

Evaluating organizational effectiveness

The paper covers a theoretical review of the key principles of governance: effectiveness, efficiency and economics, followed by a methodological approach to evaluating organizational effectiveness of administrative organizations. The paper presents two case studies of organizational effectiveness for the independent state agencies in the Republic of Macedonia: Agency for Administration and State Directorate for Personal Data Protection.

Key words: Public Administration, Reforms, Economics, Efficiency, Effectiveness, Republic of Macedonia, Agency for Administration, Directorate for Personal Data Protection

Closing session:

Theory and Practice of Public Administration and Policy

Sunday, 7 April 2013: 9.00 – 11.30

Professor Dr Paweł Swianiewicz, Department of Local Development and Policy, University of Warsaw, Poland

Europeanization in operation of local and regional governments

The article refers to Börzell and Risse concept of top-down Europeanization, which allows distinguishing between three levels of impact: *absorption*, *accommodation* and *transformation*. The main focus is on changes in operation of Polish local and regional governments, resulting from the access to EU funds. Results of three empirical research projects (related to implementation of regional operating programmes, urban renewal programmes and absorption of EU funds available for pre-school education) are analysed from the point of view of the impact of EU funds on (i) the administrative structures, (ii) priorities of local and regional policies as well as (iii) styles of policy preparation and implementation. The main conclusion is that thin learning processes are dominant (*absorption level*), but there are also cases of developments going into direction of a thick learning which reminds *transformation* in the meaning of Börzell and Risse theory.

Professor Dr Nenad Zakošek, Faculty of Political Science, University of Zagreb, Croatia

Civil society and the policy process in Croatia

In this paper I would like to give a preliminary inquiry into the modes in which civil society influences the policy process in Croatia. While there are studies which analyse the development of civil society in Croatia, there is less research into the ways how civic organisations and social movements participate in and interfere with policy-making. In this paper I will try to discuss the following theses:

- political mechanisms which determine the policy process in Croatia are underdeveloped and make insufficient use of expertise and policy networks which are rooted in civil society
- the policy process is based predominantly on informal rather than formal channels of interest intermediation
- the policy process is biased towards partisan and clientelist interest articulation, which allow for very limited influence of civil society
- Croatian civil society has developed a range of strategies with the aim to influence the policy process, from informal lobbying and public advocacy to protests, but it is generally more effective in exerting negative influence (preventing things to happen) rather than giving positive contributions to policy-making.

The theses will be illustrated by cases in which civic actors in certain ways influenced policy-making. As a conclusion I propose possible solutions which might improve the impact of civil society on the policy process and thus more generally alleviate acute deficiencies of policy-making in Croatia.

Wolfgang Rusch, formerly Principal Administrator in OECD/SIGMA, Paris, France

**Good Administration through a modernised system of administrative procedures:
Recent reform efforts in South-eastern European countries**

The challenge of reforming public administration has been substantial part of the political agenda of the South-eastern European countries on their way to join the European Union. Guiding principle for this reform process is the concept of Good Administration as it has emerged within the European Union and its Member States as a system of values stemming from the principles of rule of law, democracy and human rights.

The Charter of Fundamental Rights of the European Union proclaims in its Article 41 that every person has the right to Good Administration. Some key elements of this fundamental right are stated in the Charter itself, while other principles and standards of good administration derive from other EU legislation and judicature as well as from good administrative practice of EU Member States. Long-time experiences of administrative practice, supported by scientific elaboration also provide important contributions. The elements and standards of good administration represent part of the "non-formalised *acquis communautaire*" that has to be adopted by candidate countries to become EU member.

The implementation of the principles of Good Administration requires a well-designed and solid platform consisting of four components: i) a system of administrative procedures regulating the administrative decision-making process; ii) a clearly structured organisation of the public administration and its bodies in all policy areas and territorial levels; iii) professional, competent and independent personnel; and iv) a system of effective judicial control of administrative actions. Each of them is equally indispensable for good administrative practice.

This paper describes the recent efforts Albania, Croatia, Macedonia, Montenegro and Serbia made in order to put the principles of Good Administration into practice through an adequate system of administrative procedures. Such system ensures the quality of an administrative action as much as its legal correctness, while avoiding unnecessarily complicated, formalistic and lengthy processes. As a result of these reform efforts Croatia has adopted a new Law on General Administrative procedures (in force since 1st January 2010), Albania, Montenegro and Serbia introduced a draft of a new law into the legislative procedure; in Macedonia the process of drafting a legal text is expected to start in the beginning of 2013.

The paper will outline some key elements, which all the recent legislative solutions have in common. Further it will show for the four former Yugoslav countries how legislative novelties could be built on and integrated in a long, more than 80-year legal tradition that goes back to the famous Austrian administrative procedure law of 1925. The paper is closing with some methodological aspects of the law drafting process - in all of these countries the European Commission has been supporting the reform of administrative procedures by providing experts' assistance through the SIGMA programme - and with very practical proposals for preparing proper implementation of the new legislation during a period of *vacatio legis*.

PhD WORKSHOP

Thursday, 4 April 2013: 15.00-19.15

Marko Kovačić, PhD Candidate in Public Policy Analysis, University of Ljubljana, Slovenia,

The role of civil society in the policymaking process on the example of youth policy: Comparing Croatia and Slovenia

The aim is to determine whether it is possible to upgrade the policy style approach by introducing the analysis of outcomes in the perspective and emphasizing the role of non-state actors, more concretely civil society. In other words, author proposes a model which combines policy style concept with actors' theory as well as some features of evaluative research in order to get a comprehensive tool for assessing processual dimension of policies. In the second part of this dissertation the given model will be tested by a comparative analysis of Croatia and Slovenia with regard to youth policy.

Research questions are: (1) Is it possible to build a model which will comprehend a policy style framework, actors' theory and evaluative research? Can the policy style model be upgraded with introducing civil society as a pivotal actor in the focus enclosed by the analysis of outputs and outcomes?; (2) Is there a difference in creation of youth policies between Slovenia and Croatia? What are the impacts of civil society actors on policymaking process of youth policies? What are outputs and what are outcomes of those youth policies? How many original inputs of civil society can be identified in the end of policy process (in outcomes)?

Aida Liha, Faculty of Political Science, University of Zagreb, Croatia

Institutional adjustment to the EU regional policy in the pre-accession phase in Croatia

The main aim of the PhD research is to explore the factors which conditioned institutional adjustment to the EU Cohesion policy in Croatia, in the period from signing of Stabilisation and Association Agreement (which is understood as the start of the EU pre-accession stage) until today. The basic research hypothesis is that Europeanization in the area of regional policy is characterized by its coerciveness and institutional inertia. (H1) Having institutions as dependent and Europeanisation adjustment pressure (goodness of fit) as independent variables, evolution of the regional policy in Croatia can be divided into two stages: the first one which lasted until 2010 characterised by the policy and institutional inertia (Börzel, 2005), coercive Europeanisation driven solely by the external incentives model of Europeanisation (Schimmelfennig and Sedelmeier, 2010), while the second phase has been marked by policy learning and lessons -drawing explained by the model.

Qualitative research methodology will be the principal research tool, consisting of two types of research: questionnaires to be forwarded to all members of three (former) county partnership committees in Croatia as well as interviews with decision-makers and other formal actors of regional policy in Croatia. Using the neoinstitutionalist approach, this research tests institutional adjustment through the 'lense' of creation and institutionalisation of partnerships on the national and subnational level. Partnership principle has been one of the most prominent EU (regional) policy instruments, and in Croatia it provided with particularly strong adaptational pressures on institutions and policy to adjust. Partnership is defined as 'close consultation between the Commission, the member state concerned and the competent authorities designated by the latter at national, regional, local and other level,

with each party acting as a partner in pursuit of a common goal. (EEC Regulation 2052/88). Introduction of the partnership principle in the stage of programming of regional policy in Croatia, although with limited initial effects, has enhanced planning, implementation and the quality of the pre-accession programmes in Croatia. (H3) Nevertheless, there were significant barriers to adjustment at national and subnational levels. On subnational level the partnerships were set up largely to fulfil the requirements of funding and central government dominates the policy process. (H4)

Jasmina Džinić, PhD candidate, Faculty of Law, University of Zagreb, Croatia

Impact of quality improvement instruments on organizational learning in administrative organizations

The aim of the research is to conduct a preliminary verification of the hypothesis regarding the impact of quality improvement instruments on organizational learning in administrative organizations, on the basis of set theoretical framework and empirical research conduction. The basic research hypothesis is that organizations which do not apply the quality improvement instruments have less chance for organizational learning in comparison with organizations which apply those instruments (H1). Considering the importance of communications for organizational learning process, the impact of quality improvement instruments as independent variable on organizational learning as dependent variable by intermediation of communications in administrative organizations, will be examined. Namely, further assumptions are that application of quality improvement instruments increases the communication intensity in administrative organizations (H1a) and that higher communication intensity stimulates organizational learning (H1b).

Furthermore, whereas administrative organizations apply a variety of quality improvement instruments that differ from each other according to complexity degree, it will be examined if and which kind of impacts different instruments have on organizational learning in administrative organizations, i.e. if organizational learning type is conditioned by complexity degree of quality improvement instruments. Complexity will be determined on the basis of quality improvement instrument origin (private or public sector), accepted quality concept, number of the phases in the quality instrument implementation process, components of the quality instrument and actors included in the implementation process. The basic assumption is that complexity degree of quality improvement instruments influences organizational learning type (H2). More precisely, it is expected that administrative organizations applying more complex quality improvement instruments are more inclined to develop generative learning compared to those applying simpler quality improvement instruments (H2a) as well as that latter are more inclined to develop adaptive than generative organizational learning (H2b).

The PhD thesis will comprise following thematic areas: 1. identification of scientific and practical problems of quality management and organizational learning in administrative organizations, 2. setting up of theoretical framework for conduction of research and interpretation of the results, 3. identification, review and classification of quality improvement instruments in the public sector, 4. review of different perspectives on organizational learning, identification and assessment of different organizational learning types, 5. in order to test set hypothesis, conduction of the empirical research using questionnaire and other methods of data collections in selected administrative organizations, 6. analysis of the research results and formulation of final conclusions.

Teo Giljević, PhD Candidate, Faculty of Law, University of Zagreb, Croatia

Impact of autonomy of administrative organization on the level of interorganizational coordination

The main research question of this doctoral dissertation is the impact of autonomy of administrative organization on interorganizational coordination. The goal of every administrative organization is to keep its autonomy or, in other words, to survive (at any cost) - otherwise the administrative organization would be abolished and merged together with another administrative organization. The main thesis of the dissertation is that the autonomy of an administrative organization is in reverse proportional relation with the level of its interorganizational coordination. Interorganizational coordination is defined as the process of consolidating decisions and actions of several administrative organizations with the purpose of achieving a specific goal which could not be accomplished through decisions and actions of a single organization. High level of interorganizational coordination is based on the high level of control (the assumption is that the government, as the central point within the administrative system, can rationally connect elements of the system, which results in its need and tendency to strengthen its central role). Low level of interorganizational coordination implies spontaneous adjustment and interrelation of administrative organizations (analogical to the market-based model of coordination, if the market is perceived as an interorganizational system, in which mutual benefits of all involved parties become clear - exchange of goods and services is possible only if all parties participate together, but impossible if any party acts on its own). The autonomy of administrative organizations consists of the following elements: regulative power, their own income in the total amount of the available financial resources needed for their proper operation, supervision – ex ante/ex post, legality/purposefulness, and type of act of their establishment (law/decreed), participation of citizens in political internal control mechanisms. When considering administrative functions, the assumption is that all agencies are of the same importance, yet under certain conditions some appear more important than others. An indicator which supports this assumption is the replacement of agency lead persons, which often ensues upon the shift in government (change of government is the turning point). The culture of the organization affects the level of interorganizational coordination, which means that the predominant attitude of public servants towards work – professional-proactive or bureaucratic-reactive - affects the level of interorganizational coordination to a certain extent. Administrative organizations with predominantly professional-proactive attitude toward work (legalistic, participative and entrepreneurial) tend to achieve higher level of interorganizational coordination, while administrative organizations with bureaucratic-reactive attitude toward work (bureaucratic, authoritative or steering) tend to achieve lower level of interorganizational coordination.

Nikola Baketa, MA, PhD candidate, Faculty of Political Science, University of Zagreb, Croatia

The effects of the European higher education initiatives on the national policy making - Case study of Croatia

The research objective of this PhD project is to analyze the relationship between European higher education initiatives and its implementation on the national level. More precisely, the aim is to analyze the position of the first tier (Bachelor) presented in the Bologna Declaration through mutual relation between institutional level (seven Croatian universities), system level authority and employers using neo-institutional approach – historical institutionalism.

The research questions covered are - what are the roles of policy actors – state, universities and employers – in implementation of European higher education initiatives (case of the Bachelor level in Croatia)? And what are the results of implemented heterogeneous system of higher education? To which extent are Bachelor diploma holders, as a product of European higher education initiatives and its implementation on the national level, recognizable at the labor market and employable? How is the relation between national policy actors (universities, authority and employers) structured in order to regulate position of Bachelor diploma holders?

The answers to these research questions should provide two types of information. On the one hand, there is an interaction between European level and different national actors through process of acceptance of European higher education initiatives. It is highly important to understand when, how and why these initiatives were implemented and what role individual actors had in that process. On the other hand, this research would provide deeper insight into the position of specific higher education policy. The problems related to the employability and recognition of Bachelor diploma holders were covered in high extent by researchers in other European countries. However, this problem in Croatia was not covered enough until now. In order to obtain answers to the research question following methods will be used - qualitative interviews, questionnaires, data and document analysis.

Anka Kekez Koštro, PhD candidate, Faculty of Political Science, University of Zagreb, Croatia

Clientelism, governance and administrative reforms: Implementation of social policy in Croatia

The study of reforms in relation to public policies has, thus far, been divided between a literature which traces different reform practices in developed, Western democracies, and those which address reforms in other contexts, including new democracies, countries in transition, post-conflict societies, and societies in the developing world. Of course, any attempt to break down this distinction has to deal with the fact that the 'prevailing conditions' in different societies are very different. This means that reforms implemented in one setting can never be merely transplanted to another, without the specific historical legacies and political agency rendering the effects of these reforms very different. At the same time, models developed in one context do have an impact, albeit not always the desired one, when implemented elsewhere.

The aim of this PhD project is to analyze administrative reform practices in Croatia while looking at social policies, as a core element of public administration. Croatia is selected as a case because of its specific political and social context. Its democratic path was marked with the fact that during 1990s and 2000s party that was in power for 17 out of 20 years based its reelection calculus, and consequently it's governing, dominantly on the clientelistic linkages with citizens. After decade of centralized governing that was resistant to reforms and external influence, Croatia entered the consolidation phase in 2000. This opened the space for the transformation of governance practices towards harmonization with Western governance modes and reform paradigms. Within that process significant efforts were made to reform social policies towards greater effectiveness, efficiency and, to an extent, equity. Whilst a 'crowded playground' of international actors emerged, there was general agreement on the needed reforms and of the importance of decentralisation, diversification of providers and community-based social planning. Nowadays, as Croatia prepares for EU membership, the results of those reforms are limited and uneven, generating various unintended and unexpected consequences, particularly evident in the implementation process.

While seeking to account for why this has been the case this PhD project proposes a model which explores different forms of citizens-politician linkages, with emphasis on clientelism, and their impacts on the transformation of Croatian social policy governance. Specific research focus is placed on the implementation process which is viewed as the operational governance. The main expectations are that the reform of operational governance in Croatia will differ among particular social policies and that the absence, or modified adaptation, of reform package will be strongly related with the existence of clientelistic linkage of politicians with beneficiaries or implementers of certain policy. By applying the most similar cases design, proposed model and hypothesis will be tested through a sub-national comparative research of specific social policies that are oriented toward different target groups including elderly, children without parental care, veterans and persons with disability.