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1. Public Administration Reforms in the EEU – Introduction

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Political institutions can change overnight. Illustrative is the fall of the Berlin wall in November 1989, by which the people from then called Eastern Germany were offered the exit option to escape from the communist regime. Within a couple of years, the political regime in the whole region of Central Europe changed from belonging to the Communist bloc towards moving to the Western bloc in which democracy and the free market ideology became dominant.

However, the governmental, administrative and societal institutions that until then influenced the norms, beliefs and actions of individuals and organizations still had to be reformed and this process continues until today. This includes creation of new governance models, organization of the public administration, reform of administrative procedures, development of a civil service, process of decentralization and agencification. The process pointed to several interesting issues, for instance, that what is normally seen as most difficult, changing the constitution proved to be the easiest part of the whole reform process. One would have expected that other reforms would evolve as smoothly because a huge amount of money was released by the affluent world (IMF, World Bank, EU etc.) to provide international technical assistance in order to make the reforms work, and the new Western partners offered an interesting incentive that if the reforms would work out and go in the direction desired by these countries and international organizations, the Central European countries could become member of the European Union, which was judged at the time to be very profitable. The EU also provided a strategic goal for the needed reforms, the model of the European Administrative Space (EAS). The idea of EAS was launched when the Central European countries applied for EU membership in the 1990s. One of the criteria for the potential Member States was that they should have sufficient national administrative capacities to comply with the *acquis* (Trondal & Peters, 2013: 303, see also Trondal, J., & Jeppesen, L., 2006).

It was in the 1980s and 1990s that institutional standards to promote this idea emerged. Scholars point to the advisory role of EIPA and SIGMA. Others see the catalytic effect of the actual emergence of local twinning projects, cross-border regions, and the emergence of the Schengen area, the area without borders within the European Union, on the need for effective enforcement of the Union Law through the EAS (Beck, 2015). Still others point to the decisive impact of the Copenhagen Criteria of 1993, defining whether a country is eligible to join the European Union; the Madrid Treaty, introducing the need for adjustment of administrative and judicial structures so as to be able to transpose the EU Law and effectively implement it; the Luxembourg Treaty of 1997, pointing to the need for strengthening institutions; and the Helsinki Treaty of 1999, with the explicit obligation of candidate countries to share the values and objectives of the European Union as set out in the treaties (Torma, 2011). The standard-setting organization at that moment, SIGMA, rightly pointed out in 1998: “[I]t is clear that the EAS is now beginning to emerge” (SIGMA 1998: 15).

At the time, the “future” accession provided an incentive for a huge number of reforms in the CEE-countries. The expanding *acquis*, with its requirements limiting institutional discretion and thus having a profound impact on national administrative styles and structures, made sure that not only the CEE countries, but also the existing Member States were affected (Knill, 2001: 214). This influence varied over different policies, dependent on the basic pattern by which the European policies exerted influence on national administrative styles and structures, and according to the extent to which such needed compliance was in line with national administrations’ beliefs and preferences (Knill, 2001: 227). However, overall, an Europeanization of national administrations was said to have taken place, making Matei and Matei conclude in 2008: It “appears as the closure for a large process that implies convergence, Europeanization and administrative dynamics” (2008: 46).

Also theoretically one would expect a smooth and rapidly progressing process, as institutions are seen as endogenous, that is, that “their form and their functioning depend on the conditions under which they emerge and endure” (Douglas North, 1980, 1990, Przeworski, 2004: 527). Since the conditions had changed dramatically in Central Europe, there was a necessity that administrative and societal institutions would adapt to the new situation

swiftly.

From a rationalist and functionalist perspective, availability of a strategic goal – the model of the EAS and the necessity to reform – needed adaptation to the new conditions, desirability to reform – the incentive to become the EU members, opportunities created through the availability of resources and technical assistance to make the reform happen international resources released to make it feasible, and technical assistance offered, all result in the same expectation, namely that the institutional structure existing in all Central European countries in all its dimensions would quickly change and converge to the Western model.

However, this rationalist and functionalist approach neglects the limitations and inhibitors to such institutional reforms. The best-known inhibitor is posed by the so-called path-dependences. “Institutions are the rules of the game in a society or, more formally, are the humanly devised constraints that shape human interaction” (North, 1990: 3) and often have a life of their own in that it is difficult, if not impossible, to initiate radical changes in the institution or to eliminate it. As Mahoney (2000: 507) argued, “path dependence characterizes specifically those historical sequences in which contingent events set into motion institutional patterns or event chains that have deterministic properties“. When more and complementary institutions are set up, as is usual in societies, it becomes costly to radically change them or to abandon them because changing one institution can have serious implications for other institutions. Often, there are “configurations of complementary institutions in which the performance of each is affected by the existence of others” (cf. de Vries, 2016: 47; Pierson, 2000: 78). Being subject to a communist regime for 45 years had created a system of such complementary institutions in Central Europe and a legacy that would be easily overcome by the reforms. In Central Europe, such path dependences were strengthened by factors at the macro-, meso- and micro-level. At the micro-level the legacy remained visible because individual public administrators who were already in function in the previous regime with all their norms, beliefs and values and inclinations to act in ways acquired in the previous regime, were given the opportunity to stay in function under the new regime, resulting in the conservation of those norms, values and beliefs within the administrative apparatus. At the meso-level, path dependencies are seen in the legalistic traditions being

still dominant in many Central European countries. One of the reasons for this is that, although the EAS requested more efficiency, it also promoted the conservation of that already existing legalism through the bureaucratic procedures it imposed by requiring the Central European countries to adopt the *acquis communautaire* of the EU.

At the macro-level, institutional arrangements at the national level, are not just decided upon and changed because of the emergence of a new regime and on rationalist and functionalist reasoning, but remain subjected to the basics of politics, that is, power and interests. People in power, irrespective of the regime-type, will always be hesitant to renounce that power and will be irrespective of the regime-type have a keen eye after their own interests. This conforms to the theory of Hall and Taylor (1996: 938) and Steinmo (1992) who explain institutional resilience by the actions of the coalitions in power, trying to preserve their prerogatives and avoid reforms that would diminish their power or would counter their interests. This predominance of power and interests is seen in processes of decentralization; processes to change the position of national banks, for instance, processes to increase transparency, etc. (cf. de Vries, 2000).

The above results question what has really happened to the administrative institutions in Central Europe during its transformation and how public administrative reforms are perceived, conceptualized and implemented, and if this could result in additions to the currently dominant theories about public administration reform. It is not a question that can be answered through a general, rather abstract overview of the developments, but needs in-depth analyses pointing out the communalities and differences in the approaches in different countries. That is the topic of this book and is being investigated for the Central European countries.

Vainius Smalskys, Andrius Stasiukynas, Jurgita Domeikienė, Mantas Bileišis investigate the reforms in *Lithuania* and point out that such reforms in Lithuania were challenging for the governments trying, on the one hand, to be the darling of the EU in complying swiftly to its requirements, but on the other hand losing sight of the interests of its citizens, and hardly reforming its administration in so far as it is not required by the EU.

Maris Pukis, Inesa Voroncuka and Olga Starineca argue for *Latvia* that the reforms were accompanied by huge conflicts between the stakeholders, and again that as far as the EU legislation was concerned the reforms went

rather smoothly, but regarding the domestic reforms, conflicts of interest and political considerations were dominant. This resulted in reforms that at times went back and forth, dependent on the distribution of power and the discretion allowed to the public administration.

Mariusz W. Sienkiewicz and Stanisław Michałowski investigate the reforms that have occurred in *Poland*, and note that all these reforms failed to meet the citizens' interests, and that the achievement of all objectives of the reforms can be disputed.

Juraj Nemeč, Beata Mikusová Mericková, Maria Murray Svidronová, and Peter Písař set forth the reforms in *Slovakia*, and although certain reforms were effective, the overall system is still overpoliticized and the reforms uncontrolled, not modeled according to a rational design, and having hardly any benefits for the population.

György Gajdusček, Tamás M. Horváth and Károly Jugovits argue for *Hungary* by stating that the reforms lacked a coherent strategic vision and political support, and emerged out of contradictory reform models as Poland went back and forth dependent on the dominant political coalition in power.

Polonca Kovač and Primož Pevcin argue for *Slovenia* by stating that although there are radical changes of previous governance approaches visible due to internal incentives and the Europeanization process there always have been and still are implementation gaps, and that it all depends on political consensus rather than technical and operational measures to improve on this.

For *Croatia*, that although in the light of the EU membership many reforms were initiated, as analyzed by Ivan Koprić, the size of its public sector, history, administrative tradition, and other administrative particularities in combination with the existence of a number of influential trade unions who follow the internal bureaucratic resistance to reforms, inhibited in-depth public administration reforms.

Călin Emilian Hînțea and Tudor Cristian Țiclău highlight the reforms in *Romania*, and observe that despite, or perhaps due to all the reforms that have been initiated during the last 25 years and are still ongoing in the field of legislation, intergovernmental relations, human resource management and financial management, the predictability and coherence of the civil service is still severely lacking, the managerial performance has not improved, that one cannot yet speak of a rational use of public resources, and finally, that the popu-

lation did not profit from the reforms.

Tatyana Tomova and Simeon Petrov present the reforms in *Bulgaria* that were hardly following a coherent strategic plan. Instead, they point out that Bulgaria witnesses a strong fragmentation in the field of strategic planning and a huge number of strategic documents. What strategy to follow seems to depend on the international and supranational commitments of the State, which are a result of financial dependence (International Monetary Fund), donor programs (World Bank, EU), or the voluntary inclusion in general political and normative space (EU).

All this implies there was no common conceptual model underlying the reforms that took place in Central Europe. Reforms were initiated only if they were really needed based on external pressure, but not out of a coherent reform model, such as New Public Management, New Public Governance, Value Based Governance, New Public Administration, and the like. Certainly, such models were referred to with the purpose to give the intended reforms some credibility and legitimacy, but they did not present the basis out of which one could understand the outcomes of the reforms.

From the perspective of public administration as a discipline, the findings that reforms in Central Europe were not based thereon and also were hardly done on behalf of the interests of the population, but rather on the interests of administrators and politicians, is on the one hand weird, but at the same time very interesting. It makes one inquisitive in the answer to the question whether there is any convergence to the Western model, whether all the reforms are just temporary instead of structural and whether the return to the central state model as is happening in Hungary could also be possible in other Central European countries if the EU fails to deliver on its promises. As all the authors in this book argue, most of the reforms in Central Europe were conducted seemingly reluctantly. The consequence is that all these reforms are far from stable and structural and can easily be reversed if their payoff fails to materialize (cf. Sobis & De Vries, 2014). This is already seen in some way in Hungary and Poland, but could also become reality in other Central European states.

This makes the investigation of institutional change and its driving forces not only interesting from a scholarly perspective, but also from the perspective of a concerned citizen, who was pleased to see the EU expand, but has to reconsider the dangers thereof possibly emerging in the near future.

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