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FOREIGN PRACTICE OF PUBLIC ADMINISTRATION STRATEGIC REFORMS AND ITS TRENDS

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Abstract

Public administration reform can not be considered as completed in any country. Exactly the opposite, there are all grounds to assume that they are transformed into a permanent element of public administration. In the reform process, the ministries' system is subject to significant changes, which relate both to functions and procedures of the ministries' activities and their place and role in public administration mechanisms.

Keywords: strategic management, administrative management, procedural and structural reforms, public administration, tactical issues.

The ideas and practical preconditions for the reforms in public administration system, as well as concrete steps for their implementation were originated already in the XIX century and continue up to date. French professor R. Drago has noted in due course that, in some sense, public administration reform is a myth since administration is in a constant state of reformation, which is a sign of its health [1]. Stability of the country, such rates of economic growth, which will make possible security of the population and country and improvement of the living standard are of importance for the society and its each member (citizen). The key to success in solving these issues is the efficient public administration. In the article below the author has primarily addressed the strategic aspect of public administration system, without, however, disregarding those reforms of tactical nature in the absence of which the first ones can not be realized and implemented in life. Foreign practice of strategic management of public administration system is especially important for Armenia, which is currently on the path of transition from a presidential to a parliamentary system of governance [2].

Public administration system of any country always tries to adapt itself to unstable conditions, globalization of economic and social phenomena, and

growth of information flows and technologies. The necessity of reforms was caused by dissatisfaction with public administration and loss of public confidence in the state apparatus. The crisis of the state was reflected in inefficient use of taxpayers' money, decline in quality of services rendered to the population, betrayal of confidence in the state authorities and public service, etc. [3].

Each country has accumulated its own experience in the field of reforms. At the same time, the objectives, main directions and types of reforms can be generalized and individualized. Certain countries have been oriented toward multilateral reforms, others have sought to maintain the established practice and considered acceptable only minor modifications of it.

The objectives of reforms are primarily predetermined by the peculiarities of public administration of one or another country.

Thus, in Anglo-Saxon countries, in the sphere of public administration establishment of a system of protection of private interests in the administrative management system was traditional. "Rigid framework" was set for public administration system with legal framework, focusing on responsibility of public administration system and rules of procedure.

Involvement of civil society institutions in administrative decision-making took on great importance for Romance and Germanic countries.

In the countries of Eastern Europe and post-Soviet Union territory, under the conditions of administrative departmental management established based on the nationalized economy "excess" public administration was observed in economic and social spheres. Therefore, for this group of countries the reforms pursued the objectives typical for them. In the first case, the attention was focused on transparency of public administration and improvement of administrative and judicial procedures. In the second case, solution of issues related to improvement and enhancement of efficiency of administrative institutions and their activities was prioritized. In the countries of the third group, the issues of democratization and decentralization of public administration were of high priority.

Professional literature outlines various objectives of reforms, particularly, enhancement of efficiency of administrative activities, introduction of a principle of competitiveness in public administration system, decentralization of organization of public administration, restructuring of administrative decision-making mechanism [4]. At the same time, all the authors insist that administrative approach always remains at the heart of administrative reforms.

Starting from the 2000s, in the literature one may come across various classifications of public administration reforms (often referred to as administrative). Reforms differ based on their implementation manner, particularly, reforms carried out with the help of committees, reforms put in

place based on experience, reforms implemented through private organizations, etc. are distinguished [5].

Depending on the main content of reforms, functional, procedural and structural reforms are also distinguished [6]. No distinct borders are set between these reforms, and it is unlikely that they have been implemented in their “pure form” anywhere, on a stand-alone basis. Rather on the contrary their ideas are intertwined, admixed and interlinked. Nevertheless, functional and procedural reforms, as ideally clear ones, should precede the structural, more complicated reforms.

Researchers also often assert that the ministries lose their significance in the structure of executive power [7]. This conclusion is justified in the sense that the ministries cease occupying a monopoly position, since the idea of “everything must be done by the ministry” is already out of circulation, and functions are basically performed by decentralized or deconcentrated institutions.

The main subject of **functional reforms** is the optimization of tasks and authorities of the state bodies, rejection of unnecessary and repetitive functions.

In foreign countries, different directions are classified into functional reforms of ministry systems, in particular:

1. Decentralization - transfer of a number of functions to independent agencies, public corporations, and other organizations.

Decentralized institutions were first established at the edge of the XIX and XX centuries.

2. Reallocation of functions in the ministry system, creation of super departmental institutions, and changes in the ministries’ functions in view of this.

In public administration, the ministries traditionally express the commencement of sectoral management. The principle of sectoral management has advantages, concentration of resources in the directions of key importance for the economy and social development, construction of “classic executive” verticals with a clear mechanism of making and executing administrative decisions.

At the same time, in case of sectoral principle, the necessity arises to synchronize and coordinate the activities of separate ministries, which, as a function, is performed by the government in a more generalized way. However, in parallel with the growth of public administration and complication of tasks and functions, coordination by the government of activities of the sectors as such is not enough. The necessity for coordination based on individual “horizontal” functions arises. Thus, gradually the sectoral principle of construction of central bodies’ system of public administration is transformed into functional, which was clearly observed in the mid XX century.

As an example of special services established for this purpose can serve the Merit System Protection Board and staff management service that are interdepartmental authorities overseeing policy implementation in the sphere of the USA civil service and assisting ministries and departments. In addition, the ministries were often given the authorities of intersectoral coordination, in other words, they stopped playing role of merely sectoral management bodies.

Under the influence of these changes the functions of the ministries themselves are also changed. Immediate administration and direct management are replaced by functions of regulation, coordination and control. The government primarily reserves for strategic management issues and moves beyond all those unnecessary functions that can be performed by economic entities and self-regulatory organizations.

During the XX century, the tendency of growth of number of ministries was observed. In the course of reforms, another tendency to create “super ministries” emerged. Super ministries are established based on consolidation of a number of sectoral ministries or ministries and services operating in related spheres.

For example, as a result of consolidation of separate transport ministries, a unified ministry of transport is established, consolidation of ministries in the economic sphere leads to creation of the ministry of economy and so on. As an example of a super ministry can serve the Ministry of Labor and Economy established as a result of consolidation of the Ministry of Economy and Ministry of Labor of Germany in 2002. Currently, this ministry is divided into two ministries, the Ministry of Labor and Social Affairs, and Ministry of Economy and Energy [8].

Another example is the USA Department of Homeland Security, established in 2003, according to the USA Law on Internal Security, effective from 11 September 2001. It consolidated 22 different services that were responsible for the security, coast guard, border protection, emergency services, etc. The objective of this super ministry is coordination of efforts for combating terrorist threats in the USA.

At the end of 2006, the Ministry of Emergency Situations was established in Azerbaijan, which is also often referred to as a super ministry. Thus, for protection of special purpose facilities in case of probability of occurrence of man-made accidents and natural disasters and threat of terrorist acts, a special militarized protection institution was created in the system of the ministry. Specialized emergency rescue vessels and ports, civil defense, fire protection, water rescue services and government reserve system were transferred to the ministry. In addition, the ministry reserves the right to conduct operative investigation activities and establish rescue service of the ministry [9] (in our country, the RA Ministry of Emergency Situations [10]), by incorporating in its structure separated subdivisions and state bodies, agency of

“Seismic Protection Service”, Accreditation and Licensing Agency, State Fire and Technical Security Inspectorate, State Reserve Agency, Rescue Service.

1. Reallocation of functions between centralized public administration bodies and local self-governing bodies.

Local self-governing bodies are entrusted with the issues of local significance, that is municipal property management, formation and execution of local budget, imposing local taxes and duties, etc. In addition, local self-governing bodies may be vested with certain state authorities by the state.

Many specialists state that decentralization improves the level of public services delivery. However, this conclusion is justified only when the scope of powers transferred by the state is equivalent to material and financial capacities of local authorities required for their resolution.

Procedural reforms:

During procedural reforms, administrative decision-making practice is changed and, accordingly, the place and role of public servants in that mechanism are changed as well. Administrative procedure, which is often referred to as public administration, represents a procedure established for performance of actions consistently put in practice for execution of authorities by the authorized bodies [11]. Typically, regulatory, organizational, supervisory and coordinating types of procedures are distinguished.

During the process of procedural reforms:

1. Legal regulation of administrative procedures is improved.

In particular, until the 1950s no special regulation of administrative procedures was practiced. At first, such a law was adopted in the USA (1946). In the 1960s, one after another the Western European countries adopted laws on administrative procedures. At present similar laws are also effective in many Eastern European countries and countries formed on the territory of the former Soviet Union.

Laws on administrative procedures regulate relations of a citizen with the state authorities, contain the procedure of communicating the citizens about the activities of public administration system, procedure on activities of relevant authorities and other regulatory provisions. Many USA states have their own laws on administrative procedure. The law on administrative procedure of the Federal Republic of Germany defines ways of ensuring execution of acts to be adopted, ways of correction of errors therein, etc.

2. Complicated bureaucratic procedures are eliminated or at least simplified.

An essential direction of administrative reforms is the simplification of administrative procedures, the existing procedures are analyzed aiming to eliminate needless consents, avoid submission of unnecessary documents and completion of various forms.

3. The transparency of administrative procedures is improved.

Transparency of administrative procedures is one of the guarantees of protection of a citizen from arbitrariness of public administration authorities.

As a result of reforms creation of an “information state” is ensured. Through the use of modern information technologies the institutions of public administration system can promptly exchange information, thus significantly strengthening the equability and efficiency of interdepartmental decisions.

In many countries, the “e-Government” program is a component of information activity. The objective of the program is to ensure for the e-Government projects not only to provide information to citizens, but also to promote the increase of efficiency of the state apparatus activities.

In different countries (Great Britain, Canada, Germany) the issue of transferring all public services to “online” regime has been solved. The “e-Government” program is implemented with varying success in a number of other countries that carry out administrative reforms. Tax payment system via internet is being developed, ultramodern information portals are being created for citizens and electronic “supermarkets” are being practiced.

During administrative reforms:

1. State service is assigned with the tasks of improving the quality of service delivery.

Administrative reforms are designed to bring the management of state organizations in line with business management aiming to improve the quality of services and efficiency of administrative decision-making and execution.

For example, in France public servants are obliged to accept by signature all applications of citizens, and must introduce themselves to citizens, mentioning surname and position.

2. In the countries implementing administrative reforms, state service is viewed as a service to the society.

Solution mechanisms are developed for situations of conflict of private interests of a public servant and public interests. Solution mechanism of conflict of interests is usually viewed as a real or potential contradiction between private interests of a public servant and impartial performance of his/her official duties. Thus, according to the Values and Ethics Code for the Public Sector of Canada, the main way of preventing the conflicts of interests is the compulsory completion of a confidential report by public servants in the form developed by the Treasury of Canada. Confidential report of the public servant includes information about his/her income and property, receipt of gifts and services, places of work and all other factors that may cause the conflict of interests. Even if there is an apparent contradiction between private interests and official duties, public servant may be obligated to abstain from certain activities that give rise to conflict of interests, to sell or transfer to trust administration the property possession of which creates such a conflict [12].

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