

Europeanization of Public Administration in Eastern and Central Europe: The Challenge of Democracy and Good Governance

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This paper deals with the Europeanization of public administration and public policy in the context of participative democracy and good governance. The main argument is that without a strong participative democracy, neither the efficiency nor the political legitimacy can develop properly in Central and East European (CEE) new democracies. This theoretical paper analyses the stages of development of the modern states in a comparative way as the polity, politics and policy stages. It points out that while CEE states are still only coping with the difficulties of the second stage, the most advanced member states are already in the third stage. Since the new democracies have

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to be evaluated against the background of these latest EU requirements in the period of global crisis, the conclusion is that they have to catch up not only in the economic field but also in the respect to their public administration and public policy systems.

Key words: Central and East Europe, public administration, public policy, democratization, Europeanization

1. Introduction: The Three Stages of Political System

The mainstream analyses of public administration have usually concentrated on the formal-legal Europeanization and democratization in the Central and East European (CEE) states, not only at the central state level but at all levels of public administration. This formal-legal establishment of the CEE institutions has been the dominant approach so far, although the big international ranking institutes have pointed out that there has been an increasing gap between the »formal« and »substantive« democracy in CEE. Public opinion surveys have also confirmed this gap, since most citizens in CEE have considered that there has been formal democracy but it has not been working well. The main reason behind the low performance and the missing good governance in new CEE democracies is the lack – or at least the miserable development – of participative democracy in its subsequent stages of development. Consequently, the formal-legal Europeanization of the CEE institutions has also proceeded without their real, substantive Europeanization based on the meaningful public participation. Actually, the mainstream analyses (e.g. Meyer-Sahl-ing and Veen, 2012) have emphasized this feature, but the issue of participative democracy has not been sufficiently elaborated in CEE yet.¹

¹ CEE countries are Poland, the Czech Republic, Slovakia, Hungary, Croatia and Slovenia, in addition to CEE, the Baltic States, Bulgaria and Romania are new member states (NMS). This paper deals with CEE states, in some regard to all NMS and the Balkan states as well, but it does not deal with the special national developments of CEE countries, since it relies on a NISPAcee research that has covered all of them with their idiosyncrasies. I have written a Progress Report the CEE political developments in general (Ágh, 2013a), and this paper deals with the specific character of the CEE public administration developments in particular. In the second part of this paper, Hungary as the worst-case scenario will be analysed.

Since the systemic change, all CEE countries have undergone a radical change in public administration and public policy. This process has also been discussed in the terms of Europeanization and democratization. However, the real process of implementation and »domestication« of the European system of democratic institutions has been a crazy ride on a roller coaster between professionalization and politicization, Europeanization and peripheralization, or decentralization and over-centralization. There has been an intensive research effort to study public administration reforms in CEE, where this twenty-year period could be and should be reconsidered in its entirety. This theoretical paper tries to rethink the conceptual framework of the CEE developments based on the experiences of the last twenty years. It outlines the general features and the common perspectives of CEE countries and it has been completed by the second paper that offers the Hungarian case study as the worst-case scenario in CEE.²

The main message of this theoretical paper is that the Europeanization and democratization of public administration and public policy in CEE cannot be accomplished without participative democracy, i.e. without the participation of large masses of population in the new institutional structures. The paper deals with the comparative analysis of the CEE public administration and public policy developments within the EU. This »regional« CEE analysis is based on Progress Report (Ágh, 2013a) with a large database on the gap between the formalistic and performance Europeanization and democratization, resulting in the democracy, governance and sustainability deficit in CEE. This paper concludes that without a major turn towards participative democracy – that provides the high performance of public administration and public policy – CEE states cannot be competitive in the global world (Ágh, 2013b).³

² I presented a long paper under this title at the IPSA RC 32 Dubrovnik conference (Europeanization of public administration and policy: sharing values, norms and practices, 4–7 April 2013). This paper is the first, theoretical part of the presentation on CEE and the second, paper deals with the empirical Hungarian case study. These twin papers actually support and complete each other, therefore I do not repeat all the references, etc.

³ Bertelsmann Transformation Index (BTI, 2012a, 2012b) is a conceptual innovation by separating these status-indices (SI) from management indices (MI) of how the given country is able to perform. This system has been even more sophisticated in the Sustainable Governance Index (SGI) for the OECD (CEE inside, the Balkans still outside). The indicators have become more and more complex and composite, embracing all social sciences, yet »Political science has probably the longest relationship with public administration, given the importance of the bureaucracy for governing« (Peters and Pierre, 2003: 7).

The three stages of political system developments can be outlined following the key terms of polity, politics and policy. Historically, the first stage is to create the modern *polity* with its institutional system in the formal-legal framework. The second stage widens it to a more articulated and deeply structured *politics* with numerous actors and processes in the public sector. Finally, the »governance turn« in the 2000s indicates the long transition to the *policy* stage, when the detailed and sophisticated public policy structures permeate the whole society. Analytically, as differentiating the »ideal types«, these three stages can be separated and described in wide outlines as the milestones for further deeper analysis. In the real historical process, of course, they have overlapped to a great extent; even in those Western developed states that have covered the »classical« way of socio-political development.⁴

In the paper, first there is a brief description of the analytical-normative structures of the conceptual framework to identify the historical milestones for public administration and public policy reforms in CEE with some regard to the Balkans or South-East European states. This conceptual framework can be summarized as the good governance pyramid with three stages or three historical faces of the developmental state, with an emphasis on the present stage. These achievements of the Western development appeared as the requirements of the accession and further adjustments for the New Member States (Nicolaidis, Kleinfeld, 2012). However, readers must be warned at the very beginning of the analysis that these historical stages with their particular tasks have appeared in CEE in a cumulative way because of its historical delay in the political transformations, i.e. with the tasks of various stages – at least partly – at the same time. It is even more so in the Balkan region. Therefore, both the effects and counter-effects of these necessary reforms have caused many troubles and conflicts in the historical process, in which the different tasks supported and disturbed each other with their positive and negative spill-

⁴ There has been a large literature on public administration in CEE, and this paper relies on the former analyses, for instance see Goetz, 2001; Goetz and Wollman, 2001; Meyer-Sahling, 2001, 2004, 2009; Meyer-Sahling and Veen, 2012; Zubek and Goetz, 2010; Zubek, 2011. See also Ágh, 2003; Ágh, 2009, 2010a, 2010b, 2011a, 2011b. On the widening meaning of governance, see Tollefson et al. (2012) summarizing the result of the Symposium. On party patronage in public administrations in the EU – including the CEE states – see Kopecky et al., 2012. On the »forgotten crisis« in CEE, see Handelsblatt, 2013, or Crouch (2004) on »post-democracy«, and the warnings of Lucas (2013) about the CEE region. See The NISPAcee Journal 2012–2013 the Special Issue on The Politics of Agency Governance (and also Batory, 2012) presenting Agency Governance in CEE as supposedly independent professional organizations operating in fact »at arms' length of government«.

over effects and/or feedbacks. This cumulative nature of transformations has generated reform fatigue in CEE, also known in some other member states, since the Southern member states were not too busy to accomplish the necessary administrative reforms before the global crisis (Magone, 2011, 2013). This is why one has to first analyse the conceptual framework in its purest form without the historical, regional and national idiosyncrasies and only later the colourful form of the historical coexistence of different stages in CEE.

Actually, the WEF Global Competitiveness Index (GCI) shows some similarities with the above model, since it embraces more than a hundred countries at very different levels of socio-economic and political development (WEF, 2012a, 2012b). It also identifies three stages: (1) factor-driven (institutions, infrastructure, macro-economic stability, public health and basic education), (2) efficiency-driven (higher education, flexibility of commodity market, flexibility of labour market, and development of money market), (3) innovation-driven (development of technology, size of the market, development of business life and innovation). For the simplicity sake, these stages can be called basic democracy, middle-rank democracy and top democracy, because in the first stage only the basic institutions and policies appear; than it is widened to the rich variety of institutions and policies, most characteristically at the middle level as »meso-governments«; and finally, the comprehensive structure gets a management from the top as »metagovernance«. In brief, one can distinguish between (1) the basic-formal democracy as the emerging democratic polity, (2) the substantive-active »political« democracy as participative democracy and (3) the inclusive-innovative democracy with sustainability as »policy« democracy. Closed public affairs in »state« stage, open public affairs in the »governance« (or »public sector«) stage and innovative public affairs in the »policy« stage have dominated. In this analytical approach, however, the author tries to identify both the turning points and transitory periods between these developments.

The stormy transformations of the public sector and public institutions in the past twenty years have pointed towards the complex social and/or public management. The state capacity and the social capacity, or the capacity of public institutions with their performance in general and the public capacity versus private capacity, or the macro versus the micro competitiveness in particular have recently been high on the political science agenda. The big international agencies like the OECD and the World Bank have played an initiative and coordinating role in this global trend with projects like »Governance matters«, but also by elaborating the

indices and rankings in public administration and public policy matters. In addition, in the last five years the advance globalization has pushed the issue of competitiveness and/or sustainability to the fore. Accordingly, the complex or composite indexing of socio-political developments has become a growing industry in political science (and beyond, since all social sciences are concerned). This comprehensive outline gives us an opportunity to characterize these three stages as »the bare bones« or the Road Map of public administration and public policy developments in a systematic way.⁵

1.1. Government (State-centric Democracy at the Bottom Level) – The Countries Concerned: The Candidate States in the West Balkans

Public administration whose original features in the early modern state and/or early industrial state included »stateness«, the rule of law and basic human rights, stability of its basic political institutions and no political violence within the country. The basic institutional structures were in the making or they had been recently created. The »stateness« figures here as a legitimate legal-political working unit (*polity*) based on the stability of its basic political institutions. The state was able to implement its decisions and enforce judicial sentences, and it had the monopoly of violence within the internationally acknowledged borders, i.e. the new polity worked without political violence within the country. Polity emerged by the separation of bureaucracy from the public life as a separate world with its own rules and disciplines in the »Weberian« universe. A simultaneous separation of the public and the private in general occurred as well.

Public policy in this original, early stage existed only in the hierarchical, »pre-public« form of state administration. The minimally organized civil

⁵ Actually, there is no space here to describe in detail the model that can also be presented e.g. in the case of the three levels of citizenship (legal, political and social, see T. H. Marshall). I have begun to develop a new conceptual framework in my Progress Report (Ágh, 2013a), and I have tried in this paper to further develop and systematize it in the field of public administration. For instance, the good governance pyramid in its simplest way can be described at the three levels as (1) the stateness, rule of law and basic human rights, the stability of its basic political institutions and no political violence within the country; (2) political participation, fight against corruption, political and social integration, and the clear separation of state administration and local-territorial self-governance; and (3) openness (open access to state administration) with transparency, accountability (responsible democracy), and large social capacity in close cooperation with the state capacity.

society with its basic units and limited activities played a marginal role. The basic feature of public policy is *effectiveness* as the effective rule of state in implementing its decisions on the entire territory. Overall, the state provides only the basic functions and delivers only the basic public services.⁶

1.2. Governance (Participative Democracy at the Mid-level) – The Countries Concerned: South and East, particularly in CEE and/or NMS

Public administration in the mature modern state or late industrial state with its main features: political participation, fight against corruption, political and social integration, and the clear separation of state administration and local-territorial self-governance. The re-uniting the public and the private took place on the new base in the partnership structures of governance, when the capacity to deliver came to the fore and it led to switching from the Weberian to the Wilsonian universe. The demand for participative democracy enhanced not only the efficiency of governance but also fulfilled the functions of political legitimacy of state.

Public policy entered in this stage as a genuine system. Therefore, its basic feature was *efficiency*, since the emphasis was on the efficient workings of the political system as a whole with functional organized interests and NGOs, advised by the professionals. The issue was not any more whether the state could implement its decisions in order to be effective, but how the state as the public sector can work efficiently. Although the gap or contradiction between the formal and substantive democracy, or between the formal and effective human rights is still a great problem, human rights have still been extended from the basic rights to a wide circle of effective human and political rights. Public policy has gradually entered many fields, from economic to cultural policy, so their policy coordination becomes indispensable for working efficiently.⁷

⁶ There is also a large literature on the Balkan administrative reforms, it is enough to mention Juncos, 2012; Kopecky et al., 2012; Koprić et al., 2013; Nakrosis, Gudzikas, 2013; Thiel et al., 2013; Tollefson et al., 2013 and Whitford, Lee, 2012.

⁷ The *Handbook of Public Administration* provides a precise overview of the transition from the first to the second stage and makes indications to transition from the second to the third stage. Thus, »The growing interest in governance during the 1990s highlighted these forms of cooperation between the state and civil society. The governance perspective draws on broad strategies of interest mobilization across the public-private border. This is

1.3. Meta-governance (Inclusive Democracy) Policy Democracy – The Countries Concerned: North and/or the Core Continental Europe

Public administration in a well-established democracy may be characterized as the *top* level of the good governance pyramid: openness (open access to state administration) with transparency, accountability (responsible democracy), and a large social capacity in close cooperation with the state capacity. Various kinds of organized interests form a system of »social corporatism« and policy networks are in the making as well. Participative democracy appears on a higher level, since both the state and the society structures have been permeated at the macro-, meso- and micro-levels by political participation. The institutional reintegration of public administration to the public life has been accomplished through self-regulating agencies and open, transparent institutions.

Public policy becomes the decisive side of this public administration-public policy twin, where the basic feature of public policy is *efficacy*, which means that the public services are delivered in a citizen-friendly, accountable, interactive and human manner. The highest value is the satisfaction of society that has been maintained with positive feedbacks and the closest connections of citizens to public service deliveries. In such »policy« democracy, there is a coherence of public policies producing their synergy. Policy communities/networks and issue communities/networks are the main actors in public policy.⁸

Finally, the institutional structure of polity can be grasped at four levels; at two state levels and two societal levels that give the complete map of politics-policy relationships. The upper state level appears as *politics* in the

a pattern which has for long been established in the 'corporatist' democracies in Western Europe.« (Peters, Pierre, 2003: 3). Afterwards, in the top stage the dominating trend is in managing the public sector »to reduce the distance (both physical and intellectual) between the bureaucracy and the individual citizen« or »the comprehensive strategy of bridging the distance between citizens and the public service« (Peters, Pierre, 2003: 3).

⁸ The main criteria of public policy – effectiveness, efficiency and efficacy – have changed their importance from stage to stage, and efficacy as the social satisfaction of those concerned has become the highest value in the top, »policy« stage in the North, or in the Scandinavian countries: »Lessons of effectiveness are also important as governments are increasingly being judged by their capacity to deliver, and the contemporary emphasis on performance management provides quantitative indications how well governments are doing their jobs«. Yet, »efficiency may be the least important value for the public sector, especially in the eyes of the public. They may mind much more that services are delivered and that they are delivered in an accountable and human manner« (Peters, Pierre, 2003: 8).

government (S1) and as *policy* below the government level with the special state agencies (S2). The upper societal level appears as the top social actors (organized interests and NGOs, etc.) with a more *politicized* side (S3) and at the basic societal level as a more *policy-oriented* side (S4). These four levels give a good orientation to evaluate the progress of Europeanization and democratization of public administration and public policy in CEE. In fact, the state as a collective actor is present at all four levels: at the middle and basic levels as regional and local state administration, as well as through the four faces of the public sector with its services. It has to be added that in a democratic system the social debate as a deliberative process also goes through these four stages of participative democracy. It starts with »opinion-givers« at the basic level in the widest circle of general social discussion (S4), and it continues at the upper societal level (S3) as the structural social dialogue between the organized social actors, in which the professionals serve as »advice-givers«. The social debate reaches the state at the agency level (S2) with »policy entrepreneurs« and the process comes to an end at the government level (S1) with »decision-makers« as »political entrepreneurs«, including their strict legal regulations and responsibility. Again, this is the ideal model, so it is necessary to make a distinction from its distorted version in the CEE case due to the missing »participative« Europeanization and democratization.⁹

2. The Conflict of Public Administration and Public Policy in CEE

The central question of this theoretical paper is how to develop good governance in a participative democracy in CEE. Therefore, having presented the general historical outlines above, one must turn to the CEE specific issues. In the Western classical, organic development, there was no conflict between public administration and public policy in the polity and policy stages, since their developments went hand in hand, and the hardware and software developed quasi parallel by supporting each other. This conflict is characteristic for the second, governance stage – as a »paradox« (see the title of Hesse, Peters, 2003) – due to the painful

⁹ For a wider theoretical background, see Bale, 2008; Best et al., 2012; Bevir, 2011; Brincker et al., 2011; Coombes, 2001; Crouch, 2004; Hesse, Peters, 2003; Kelemen, 2011; Ladrech, 2010; Levi-Faur, 2012; Nemeč, Peters, 2010; Pal, 2010; Peters, Pierre, 2003; Peters et al., 2005; Rabrenović, 2001; Roberts, 2009; Trondal et al., 2011; Verheijen, 2001.

emergence of the »federative«, multilevel structure of the EU as the birth pangs of meta-governance overburdened by Europeanization of the national political systems. In the Western world, there have been periods of preparing, earmarking and accomplishing the long transition between the second and the third stages, although with large historical overlaps and extreme national idiosyncrasies even among the most developed EU member states as: (1) the completion of representation in all kinds of organized interests and in all fields of society, (2) the emergence of good governance with »governance turn« with »performance democracy« or »quality democracy« and (3) multilevel governance (MLG) within both the EU and its member states.

In the new member states, the EU has put a considerable effort into Europeanization and democratization of public administration and public policy through institution and policy transfers. After twenty years, »history matters« in the sense that at the historical turning point of the EU accession »the EU has had a profound impact on national executives and their relationship to other domestic institutions«. However, this impact has to be tackled with care, because there has been a large capacity of the national administrative traditions to modify, accommodate and neutralize the pressure of Europeanization. Namely, resisting the EU influence, the tradition of »far-reaching politicization« of the core executives as the main tendency has still prevailed in CEE (Bale, 2008: 83–84; see this argument first in Goetz, 2001; Goetz, Wollmann, 2011).

In my former analyses of Europeanization and Democratization in CEE a distinction has been made between the anticipative and adaptive Europeanization. It is clear that all CEE states in the anticipative period made hard effort before the accession to meet the Copenhagen membership criteria. This was a more or less successful process, but after the accession there was a process of adaptive Europeanization that has put a transformation pressure on the CEE public administrations in general and on their core executives in particular. CEE new member states have been coping rather unsuccessfully with the high complexity of the EU multi-level system of governance, which I have called the post-accession crisis. The permanent process of adjustment to the European politics and policy requires »sustainable reforms« that have not taken place in CEE. Therefore, the latest OECD Report on the Europeanization and democratization of public administration and public policy in these countries has called in a rather normative approach for »rethinking« of the EU strategy in order to »redefine« democracy and to emphasize the rule of law requirements within the EU. In this long Report, Nicolaidis and Kleinfeld

have demanded a strategy, »for a radical overhaul of the manner in which both the EU and aspiring member states define and implement what the Copenhagen criteria refer to as the 'Rule of Law' in pursuit of the elusive goal of sustainability« (Nicolaidis, Kleinfeld, 2012: 6).¹⁰

The conflict between public administration as hardware and public policy as software has been by far the biggest within the EU in CEE since after the systemic change the democratic institutions have been built on quick sands. Europeanization has been the history of the corrosion-erosion of Western democratic institutions in CEE due to the missing civic political culture. The EU accession meant first a massive institutional import, followed by several waves of policy transfer, with their positive and negative side effects. Basically, both changes brought in a system of hardware-software of a much higher complexity, whereas it is well known that the more complex a system is, the more it needs decentralization and active public participation in order to have better performance. CEE states reacted to the growing complexity of the systemic change with recentralization that increased after the EU accession, and they have repeated the same mistake by answering the global crisis. This failure in Europeanization and democratization has led to the »triple crisis«, as the transition crisis has been followed by the post-accession crisis and global crisis. Nowadays, the long tail of these crises can be still observed as the »transition backlash«.¹¹

The conflict between public administration and public policy in CEE was caused by the controversial social transformation in the early nineties. CEE countries have paid a very high social price for the political and economic systemic change, whereas the social systemic change has been withering away. The systemic change cleared the way for drastic and rapid transformations to the market economy and post-industrial society that had a devastating negative side effect on the social network as well. The

¹⁰ Ladrech (2010: 195) refers to my distinction between anticipative and adaptive Europeanization. It would be indeed interesting to analyse the anticipative Europeanization before the membership through the »normative« Sigma and Puma programs with their continuing effects in the adaptive Europeanization (e.g. centre of government, COG). There have been many papers indicating that the decline of democracy in CEE has necessitated redefinition of the Copenhagen criteria as a message for the West Balkan states.

¹¹ The book *The Future of Representative Democracy* (2011) by Sonia Alonso, John Keane and Wolfgang Merkel has described that the key pillars of the representative democracy are facing a crisis of confidence everywhere in Europe. This crisis is much deeper in ECE in its current »transition backlash« (Neil Buckley »Transition backlash in eastern Europe« in *Financial Times*, on 13 March 2013, p. 2).

social texture or fabric was fundamentally damaged, since the system of social and public functions was radically reduced. The collective life of society in CEE was violated, and deeply disturbed. The system of public services quasi collapsed in social policy and healthcare, and was impoverished in education, while not replaced by a new comprehensive public service system yet. The emptied social space was in many ways without its basic functions and proper institutions. The declining budgets for public policies created a social desert because some public utilities did not work and/or they could not be paid for.

What was most characteristic of this negative process in the nineties was the growing social gap in general, and »social emptying« of the countryside leaving a huge territorial gap in particular, according to the data on the increasing inequality in CEE reported by the OECD (2009, 2011a, 2011b, 2013). As a result, given the negative social circumstances, participatory democracy did not emerge, and public administration as hardware and public policy as software collided. The essence of this conflict was that formally Europeanized institutions were established, but they did not have the policy content as the really working functions. The same problem has deepened due to the global crisis, i.e. even if the institutions are there, they are not able to deliver properly, and the lack of »policy« leads to the corrosion-erosion of this hardware. Since so far there has been no solution in CEE for the countrywide reorganization of public functions, social encounters used for building social capital and trust in the official institutions are on decline. If the social fabric is broken, or fatally damaged, participation may even become dangerous, generating extreme reactions and extremist movements.¹²

Thus, the decades of early democracy produced the inflation of civil society and hatred of the elite, generating rift and animosity between them, since ordinary citizens put no pressure, had no control of or monitoring over the elites' activities. Therefore, there was no »breeding reactor« for the new elite, neither politically nor professionally-administratively. According to the data of the Transparency International, corruption has been growing in CEE because there has been no »Chinese Wall« between the business elite and the political elite; on the contrary, there has been a parallel, joint emergence of political and business classes, whose clear sep-

¹² According to the World Economic Forum Annual Reports, CEE countries are among the worst as far as trust in the political institutions is concerned. This situation would deserve a detailed empirical analysis but there is no space for this here. Empirical underpinnings can only be provided in the second paper concerning Hungary.

eration is still missing. Consequently, the lack of participative democracy has become one of the hot topics in CEE, just emerging on the mental map of these countries in various mindsets – liberal or conservative, rightist or leftist, but predominantly populist. This »transition backlash« or »backsliding of democracy« has to be answered by some kind of progressive social constructivism, creating new terms and ideas for the long-term vision about the future developments in democratization and Europeanization. Nowadays, the young generation is in the streets worldwide, since current demonstrators refuse the fake participatory democracy and false trade-offs between the incumbent governments and pseudo-representative organized interests. In CEE, they have developed some innovative and creative ideas for their own life management with positive perspectives and opportunities in a Europeanized democracy. This invites and obliges the analysts to rethink and reconsider the developments of public administration and public policy in CEE in the last two decades in order to offer a new conceptual framework for the future developments.

3. Public Administration Reforms: From Professionalization to Politicization

This paper has been written in the belief that history matters and that regions matter. Given the long common history of the CEE region, its general features are different from both the East European and Balkan regions, especially in their administrative traditions. Public administration reforms in CEE can be approached from the more general dimensions of professionalization and politicization that also indicate a change in the social and political statuses of the administrative elite. Two main international trends can be observed in this respect – the *separation* trend and the *fusion* trend. First, the relationship between the politicians and bureaucrats in the theory of executive politics has usually been described as a principal-agent relationship, in which the administrative side tries to maximise their independence from their principals to keep their ability to shape policy, while the political side makes big efforts to limit this »policy drift« (Hix, Hüyländ, 2011: 24–25). Second, there is still a tendency of fusing the political and administrative roles in the core executive, uniting both into one unit. Traditionally, »detachment« of public administration presupposes neutrality, i.e. the refusal of political pressure or demand by civil servants, since they »believe that the long-term interest of society is

best served by their detached policy advice«. Thus, the »roles have traditionally distinguished between politicians' responsiveness to society demands and bureaucratic advice rooted in experience and analysis, which require detachment from the immediate desires of citizens«. Nevertheless, nowadays there is a new kind of relationship between detachment and responsiveness: »However, more civil servants currently emphasise responsiveness at the expense of detached analysis ... As a consequence, the attitude of civil servants in developing public policy is more likely to be indistinguishable from that of actors who have political functions« (Montpetit, 2011: 1250).

Navigating between the Scylla and Charybdis of the bureaucratic rigidity of formalistic procedures and the enhanced political appointments, the developed democracies have tried to find a proper balance between the two dominant trends with a large variety from country to country, depending on their historical traditions. Thus, it is vitally important to distinguish »between patronage as a component of democratic governance (labelled *open patronage*) and patronage as a tool of corrupt or pre-modern governance (referred to as *closed patronage*)« with a trap situation of the enforced loyalty. Open patronage provides a form of risk-reduction for politicians, while closed patronage is the »colonization of the state« with »clientelistic practices, and the use of appointments as rewards for loyalty or payments for previous support«. The closed patronage has also been called *sottogoverno* as a system of distributing politically loyal positions in state enterprises, agencies, boards and commissions (Flinders, 2012: 269). As a bottom line, Pollitt states that there has been indeed »a discernible pattern to the public management reforms«, namely »re-balancing« of the two main tendencies, the separation and fusion in a historical cycle: »Decentralizing measures are followed, after an interval, by centralizing measures«, since »opting for one direction brings benefit but also inevitably penalties ... so that a new generation of reformers turn back to the opposite direction.« (Pollitt, 2011: 2–3).

Although there is a strong research interest in the West to concentrate on the impact of the NPM on public administration reforms in general and on the selection of the administrative elite in particular, this impact has been felt in CEE far less than in the Western democracies, or especially in the Anglo-Saxon countries. Its direct impact has been only marginal, since when it reached the East, serious criticism had already emerged in the West (see Rochet, 2010 and Heinrich, 2011), and CEE states had many other vital problems to cope with (see e.g. Coombes, 2001). Certainly, the NPM trend in CEE has not been coupled with a serious

change in the administrative elite structure in particular, or with that in the social, educational or career profile of the elites in general. Tremendous changes can be observed in public administration reforms with their ups and downs, but these cannot be meaningfully connected to the NPM trend. The marginal effect of the NPM on NMS has been pointed out in the NISPAcee (The Network of Institutes and Schools of Public Administration in Central and Eastern Europe) publications (see for instance Pal, 2010). Bale also mentions that the adoption of NPM was not a condition for the EU assistance to CEE (Bale, 2008: 79). It has to be noted that other influential trends such as the Neo-Weberian Administration might have been more influential in CEE (on the current governance debate see Thiel, 2013; Tollefson et al., 2012 and Trondal et al., 2011).

Actually, the urgent professionalization and the perverse politicization of the CEE administrative elites have produced a divergence from these international patterns and from their balancing efforts between the separation and fusion trends. It can be clearly seen from the mainstream analysis of the NISPAcee on the enhanced politicization that has brought along the emerging »new nomenclature«, or on the drastic closed political patronage with party captures of political administration. The NISPAcee has been the main research centre in the analysis of public administration reforms in the new democracies from the early nineties until today (Vintar et al., 2013). After the first decade of the CEE democracies, the NISPAcee launched a thorough study on the »politico-administrative relations« in CEE countries by reformulating the classic question, »Who governs?« into a question more suitable for the region: »Who rules?« Project head was Tony Verheijen from the UNDP Regional Support Centre, and both the international and regional experts were involved in this effort. After a decade, the general outcome of Westernization-Europeanization in the politico-administrative relations was rather dismal. The emerging system was very different from the Western model because of its over-politicization and high volatility of jobs in the CEE public administrations, especially in the top civil service, which had a negative influence on its professionalization, too. The research concluded that in CEE countries »their new Civil Service systems cannot be considered *irreversible and sure to survive a change of government*. Defining the politico-administrative interface was highlighted as one of the most difficult elements in the process, as this requires a change in the attitude and role perceptions among politicians and officials alike.« (Verheijen, 2001: 7). This statement has described the general features of the new CEE civil service system well, and

after twenty years, the latest developments have confirmed the validity of this in-depth analysis.¹³

The enhanced politicization of the civil service has become the mantra of the NISPAcee analysis. What the term really meant was closed political patronage. This issue appeared again five years later, when Verheijen returned to the topic and referred to the 2001 study: the emergence of the »new civil service systems is well documented, and the use of traditional European solutions to the problem of managing politico-administrative relations has so far not brought the desired results ... This poses the questions about whether traditional European approaches of managing politico-administrative relations will ever take root in the new EU member states.« (Verheijen, 2005: 7, 11). This analysis was performed in 2005 when CEE countries had already joined the EU, which presupposed profound administrative changes in the accession process. Nonetheless, in 2010 when a next overview was prepared after twenty years of democratization, it confirmed that the enhanced politicization or closed political patronage was still the main direction in CEE. First, the two analyses on Poland described very clearly that the general features in CEE were post-communist legacy and the emergence of the new nomenclature (Gadowska, 2010 and Majcherkiewicz, 2010). In fact, in the analysis of the CEE public administrations, the argument of communist legacy has often been exaggerated, whereas the former, centuries-long tradition of state-centrism and closed political patronage has been largely neglected.¹⁴

¹³ Regarding administrative reforms, for instance, Andrew Roberts (2009) gives an analysis of the quality of democracy in CEE, but he reduces this concept to the responsiveness of political elites to the preferences of the electorate, which is an important, but just one aspect. He analyses five factors for evaluating democratic quality: authoritarian legacies, constraints of transition, socio-economic modernization, civil society traditions and political institutions as common features in CEE. On the political and administrative elite, see also Real-Dato et al., 2012.

¹⁴ Meyer-Sahling (2009: 512) points out the »limited effect of communist traditions« and argues that »the administrative history of CEE cannot be reduced to some ideal-type communist administration that has generally inhibited post-communist administrative reforms«, since there are »many different legacies of the past«.

4. Conclusions: The Missing Participatory Democracy and Bad Governance in CEE

All in all, the systemic change in CEE began in 1989–1990 with far reaching consequences in both politicization and professionalization. In principle, the emerging democratic states required a profound professionalization of public administration on one hand and a decent, transparent or open politicization of the administrative elite in the multiparty political system on the other. Instead, both processes have been overloaded with serious weaknesses and contradictions, since the dominance of closed political patronage has led to the blurred borders between politics and administration or to the confusion between political loyalty and expertise. While some weaknesses like poor professionalization have persisted throughout the entire twenty-year period, others like the enforced political loyalty have changed drastically from government to government. Therefore, it is justified to speak about the bumpy road of the CEE public administrations in general and – to use the NISPAcee term – that of the »politico-administrative elite« in particular. As a result, the social status of the CEE top civil service has declined in both social position and social prestige over the last twenty years.

Actually, the most influential reform idea in CEE countries was the model of centre of Government« (COG) in the 1990s, propagated by the OECD and the World Bank through the Sigma project (see OECD, 2009, and recently Nicolaidis and Kleinfeld, 2012). As the current analysis points out, »Recent studies suggest a pendulum shift from New Public Management reform measures in public sector organizations towards empowering administrative centres«. The COG reform intended »to build action capacities within government(s) generally, and ambition of governmental steering of sub-ordinate agencies particularly ... enhancing the role of Prime Ministers' and Presidential Offices«. Furthermore, »Administrative centre formation has two ingredients to it: First, an *ambition* to centralise executive powers within government organizations, and second, the concentration of *power resources* around executive leaders.« (Trondal et al., 2011: 86-87). In fact, this tendency came to the fore in CEE in the nineties because it promised more efficiency combined with more power centralization in the centre of government, as a unit composed of politicians and professionals. Therefore, it is still haunting the CEE public administrations due to the pressure of global crisis, today even more than before. Again, the COG reform has pointed at a good direction and served to

accommodate the rapidly changing world, but it has become distorted in CEE because of enhanced politicization and high power concentration.

These controversial processes can be clearly seen in the Hungarian case, which has followed the general CEE tendency closely. The incumbent Hungarian government has made a rather negative turn in that regard. Thus, Hungary offers itself as the worst-case scenario, which demonstrates all the weaknesses of the CEE developments that will be analysed in the second paper, *Bumpy Road of the Hungarian Administrative Reforms: From Political Over-centralization to Public Policy Failures*. The general tendency of administrative developments in CEE, i.e. weak participatory governance combined with the state capture by the political parties through the closed patronage system can be seen in Hungary most clearly.¹⁵

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¹⁵ Discussing government effectiveness by analysing cross-national evidence, Whitford and Lee (2012) have confirmed that the decline of democratic character in governance produces also the decline in the effectiveness that can be well illustrated with the poor performance of the incumbent Hungarian government.

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EUROPEANIZATION OF PUBLIC ADMINISTRATION IN EASTERN AND CENTRAL EUROPE: THE CHALLENGE OF DEMOCRACY AND GOOD GOVERNANCE

Summary

The paper deals with the Europeanization of public administration and public policy in the context of participative democracy and good governance. The main argument is that without strong participative democracy, neither the efficiency nor the political legitimacy can develop properly in the East-Central European (ECE) new democracies. This theoretical paper analyses the stages of development of the modern states in a comparative way as the polity, politics and policy stages. It points out that while the East-Central European states are still only coping with the difficulties of the second stage, the most advanced member states are already in the third stage. In addition, the new public administration systems have developed from the early professionalization to the enhanced politicization in a distorted way because they have created a kind of the »politico-administrative elite« as a low efficiency »new nomenclature«. In this respect, the paper relies largely on the extensive comparative research by the Networks of Institutes and Schools of Public Administration in Central and Eastern Europe (NIS-PAcee). Since the new democracies have to be evaluated against the background of these latest EU requirements in the period of global crisis, the conclusion is that they have to catch up not only in the economic field but also with respect to their public administration and public policy systems.

Key words: Central and East Europe, public administration, public policy, democratization, Europeanization

EUROPEIZACIJA JAVNE UPRAVE
U ISTOČNOJ I SREDNJOJ EUROPI:
IZAZOVI PARTICIPATIVNE DEMOKRACIJE
I DOBROG UPRAVLJANJA

Sažetak

Rad se bavi europeizacijom javne uprave i javne politike u kontekstu participativne demokracije i dobrog upravljanja. Glavna je teza da se bez jake participativne demokracije ne mogu pravilno razvijati ni učinkovitost niti politički legitimitet u novim demokracijama srednje i istočne Europe. Usporedno se analiziraju faze razvoja modernih država – faza početne političke zajednice (polity), politička faza (politics) te faza javnih politika (policy). Dok se države srednje i istočne Europe još uvijek bore s teškoćama u drugoj fazi razvoja, najnaprednije države članice EU već su u trećoj razvojnoj fazi. Novi sustavi javne uprave razvijali su se od rane faze profesionalizacije do faze pojačane politizacije na na iskrivljen način jer je stvorena svojevrsna političko-upravna elita kao nisko učinkovita vrsta nove nomenklature. Rad se oslanja na opsežna komparativna istraživanja provedena od strane Mreže instituta i škola javne uprave središnje i istočne Europe (NISPACEe). Budući se uspjeh novih demokracija ocjenjuje s obzirom na najnovije zahtjeve EU koji se pojavljuju u doba globalne krize, zaključuje se da te zemlje moraju sustići naprednije zemlje ne samo na gospodarskom polju već i u pogledu načina funkcioniranja upravnog i političkog sustava.

Ključne riječi: središnja i istočna Europa, javna uprava, javne politike, demokracizacija, europeizacija