

Public Administration Reform: A Few Remarks on Libyan Case

Norbert Wimmer^{*}

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In specific national environment, every country should find reform solutions with regard to the institutional development, procedural consolidation and administrative personnel development. Administrative leadership is also important, especially in the context of the new public management ideas. Certain connections between current managerial philosophies, searching for good governance, and some basic characteristics of the Libyan system are identified. The new public management has been seen as a necessary reform element, which can be in-built in the picture of public administration system grounded on the values of good governance. Management systems, products and contracts, benchmarking, and controlling are stressed as the main elements of the new public management. Public-private partnership, reform of general administrative procedure, human resources development and management are mentioned as the additional reform elements.

^{*} Professor Dr. Norbert Wimmer, Centre for Public Reform, Austria, retired professor of Administrative Science at the University of Innsbruck (Centar za reforme javnog sektora, Austrija, umirovljeni profesor nauke o upravi Sveučilišta u Innsbrucku)

The main reform risks are connected with corruption and unethical behaviour of administrative personnel at all levels, from administrative leaders to the street-level bureaucrats.

Key words: public administration reform, new public management, good governance, public values, administrative leadership, administrative personnel

I. Introduction

1. Reform in general

Reform is the dynamic element of public administration.¹ It is only by this institutional mobility that Public Administration is able to meet the will of the people and the goals of its political leaders. The reform topics are changing: the development of democratic structures, introduction of social performances, improvement of the cooperation between the public and the private sectors, reduction of state responsibility by means of deregulation and privatisation, etc.²

The effect and benefit of reform measures always have to be assessed in the context of the administrative environment in which they take place. This is the understanding of the plurality of experts who are involved in activities of reform states. Manfred Röber expresses it as follows: »The idea that all countries learn from a certain blueprint and follow the same route of public sector modernization ... is obviously far too naive. And it also seems absolutely unrealistic to believe – even in the West and Central European context – that reform concepts and experiences can be transferred from one country to another in the form of single-loop-learning.«³ Therefore, reforms must be linked not only to the values that are accepted in general or in some states but also – and this is even more important

¹ Amended version of a lecture held on behalf of (German) GTZ (Gesellschaft für Technische Zusammenarbeit) at the Second National Conference of Administrative Development and Training, organized by Libyan National Institute of Administration, December 2008.

² In general, see i.e. Wimmer, 2007: 635 ff.

³ Röber, 2008; see i.e. the progress report regarding the recent draft of a Croatian Law on General Administrative Procedure in Koprić, 2008: 563.

– to the existing provisions and institutions and the practical framework of decision-making process in the country. In so far, reforms cannot be generated as a mere theoretical construct on the grassroots (maybe established by foreign experts or by domestic institutes). Such attempts are usually expensive as well as unsuccessful. Moreover, the reform means shaping the existing structures and instruments and the extension or restriction of public tasks and services in the light of the will of the people. Having this in mind, it is of high necessity to make impact assessments before introducing foreign ideas and patterns into the framework of public administration.

2. Administrative leadership

Defining the term in a first attempt from a negative point of view, one would say that the mandate of an administrative leader is neither to develop political visions or make political decisions nor to act as a bureaucrat executing the instructions of his superior without considering their results. To define it from a positive point of view: administrative leadership is strictly in charge of the political decisions and tries to optimize them by its performance. It is not enough only to follow the instructions, the result is decisive. And this result must come within a short time.

One does not expect charisma from an administrative leader – this is a political dimension. What is expected is commitment, in-depth capacity in substance, obedience and ability to handle the administrative machinery. This job description of an administrative leader implies a lot of requirements, both personal and institutional.

- Personal qualifications of administrative leadership are covered by the values of Good Governance (see Bundschuh-Rieseneder, 2008: 26 ff; further Bauer et al., 2005).
- Institutional preconditions of administrative leadership can be met by means of modern public administration, which are summarized as the New Public Management (in general see i.e. Mastronardi, Schedler; Mitterlehner, Kyrrer 1998; OECD, 1997a).

II. The Libyan concept of democratic participation and its relation to the rule of law

1. The rule of law

The leading constitutional principles of the European Union, which, for instance, are stipulated in the so called Copenhagen Criteria (see i.e. Schweitzer et al., 2007: 32 f) from 1993, are: democracy, the rule of law, human rights and respect for and protection of minorities. Among these principles – which are also »essential elements« of the bilateral association treaties in the framework of the European Mediterranean Partnership – the rule of law is the most important instrument to regulate the administrative decision-making process. The idea behind lies in the generation of laws by the parliament – which means by its representatives – and that this process determines the whole administrative process. The rule of law is linked to the principles of hierarchy and bureaucracy. All persons authorized to perform public functions do this in strict subordination and do nothing but apply legal provisions to the facts of a certain case. In general, they do not have any discretionary power. By this the objectiveness and predictability of public administration – and of course of the courts – should be guaranteed.

Legality also has a dark side. New legal regulations need new administrative capacities to execute them, in other words, legality generates bureaucracy. This bureaucracy is a waste of money and often a burden for citizens. Therefore, one of the major areas of public administration reform⁴ is the legal reform, in particular deregulation. Its overall issue is the reduction of legal provisions in order to simplify the existing bureaucratic system and – hand in hand – to reduce the costs of public administration.

2. Guidance by participation

Libya followed a special way to democracy, which is in a way contradictory to the rule of law. The representative democracy based on the rule of law is partly replaced by the concept of the sovereignty of people. Contrary to the law as a product of parliamentarian representatives and implemented by bureaucrats, this concept – which is nowadays somewhere between an

⁴ To the major areas of reforms see Wimmer, 2007: 643 f.

idea and reality – demands direct participation of the people in the political decision-making process.

Participation, the fundamental principle of Jamahiriya, means decision making power of the people at all steps of administration. It is organized in People's Congresses at local, regional and national levels.⁵ These entities define the political issues and goals for the parallel existing administrative bodies that are responsible for the implementation of the people's decisions.

The formal characteristics of the administrative decision making process in Libya are:

- Participation, which means the involvement of citizens in the decision making process and creating opportunities to make meaningful contributions to it;
- Openness, which means that the decision making institutions work in an open manner, which is accessible to and understandable for the general public;
- Transparency is also a consequence of participation and includes the availability of information to the people and clarity about political decisions (Bundschuh-Rieseneder, 2008: 28 f).

Openness, participation, legitimacy, transparency, etc. are also leading values of good governance (European Commission, 2001: 17 f). An interesting aspect of the existing administrative system in Libya is the modified meaning of the hierarchical principle as it is established under the rule of law. In the system of Jamahiriya, the decision making process is subdivided according to the local, regional and national levels of the People's Congresses. It does not only work by order and obedience but also by providing political objectives and goals, which conduct – beside the existing laws and central directives – the performance of administrative bodies. This decision making process, which is a logical consequence of participation and autonomy of the People's Congresses, corresponds – in a way – with the core elements of the New Public Management. Apart from its risks, it offers a more appropriate structure for administrative leaders to face the complex challenges of the new global environment.

⁵ Regarding the organization of public administration in Libya see Mattes, 1982; Wimmer, 1983: 440 f; about recent political, social, and administrative situation see Werenfels, 2008.

III. The values of good governance: Institutional setup and civil service management

1. Definition

In a wide sense, good governance means favourable political framework conditions for social, ecological, and market orientated development as well as responsible use of political power and public resources by the state. Public institutions should conduct public affairs free of abuse and corruption and in an effective way (Bundschuh-Rieseneder, 2008: 27 f).

The Cotonou Partnership Agreement⁶ defines good governance as »the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development, in the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law« (Cotonou Partnership Agreement, Art. 9.3).

2. Characteristics

Some of them are openness, participation, legitimacy and transparency. Further on, good governance is characterized by the principles of effectiveness and efficiency: policies have to be effective in delivering what is needed, on the basis of clear objectives, evaluation of future impacts and – in case of availability – of past experience. Effectiveness, moreover, depends on implementing policies in an appropriate manner and on making decisions at a most appropriate level. The management of effectiveness in particular includes a technical dimension. Effectiveness concerns the ability of public bureaucracies to skilfully and efficiently transform public resources into services and infrastructure, which correspond to publicly determined priorities (Bundschuh-Rieseneder, 2008: 29 f). An example for these efforts may be referred to TRACECA – Transport Corridor Europe Caucasus Asia – whose main goal is – based on the idea of restoration of the historic »Silk Route« – to develop economic relations, trade and transport communications along this corridor. Its extension by developing the Euro Mediterranean Transport Project (Cairo – Benghazi

⁶ OJ 2000 L 317, 3 ff as amended by Agreement of 25th June 2005, OJ 2005 L 209, 27 ff.

– Tripoli – Tunis – Rabat) also affects Libya as an observer. The construction of a network of multi modal transport routes – maritime, rail, water ways, road, and air transport – which cover 13 countries requires the highest efficiency of all involved institutions, in particular the European Neighbourhood Policy and TRACECA-institutions (see in general Wimmer, Wallnöfer, 2009).

The key factors of the effective New Public Management are: motivation, trust, professional skills and knowledge, activity and commitment, and performance orientation. An associated element of regulatory effectiveness is the need to minimize unintended outcomes. This includes avoiding unnecessary barriers which may frustrate and inhibit innovation. To say it simply: The principles of effectiveness and efficiency mean doing the right things in the right way. Of course, this is a challenge that is easy to formulate but difficult to achieve.

3. Civil society

One precondition of good governance is the mobilization of civil society, which can be defined as an arena of policy where groups, movements and individuals organize themselves and attempt to articulate values, create associations and solidarities and are able to advance their interests relatively autonomously from the state. The relationship between civil society and government is characterized by multiple understanding such as:

- Civil society as a source of stability and legitimacy for the government;
- Civil society as a source of resistance against an arbitrary, oppressive and over winning government;
- Civil society as developing in partnership with government;
- Civil society as substituting for the failings of government.

In Western countries, civil society includes trade unions, employers' organisations, non-governmental organisations, professional associations, grassroots, charities independent of social movements, neighbourhood associations, religious groups, and intellectual organisations. All these entities are the platforms of specific interests and try to influence the governmental machine in the form of lobbies (see in general i.e. Benedek, 2006).

As mentioned before, the Libyan way of democracy has generated an additional structure of civil society, which is constituted by the democratic

platforms of Jamahiriya, which have the same significance for administrative leadership as the civil societies. Thus, it may be of some interest to describe the attributes as well as institutional and personal instruments of good governance.

IV. New institutional approaches to good governance: the New Public Management

1. The philosophy and elements of the New Public Management

The New Public Management is not an isolated reform issue – it is an element of the philosophy and politics of the »lean state«, which means the transformation of the welfare state to a liberal state dominated by slogans like deregulation, liberalisation, free market and competition (Wimmer, 2007: 642 f). All these principles are also typical for the EU and its Neighbourhood Policy, which particularly includes the improvement of the quality and efficiency of service delivery by public administration and the fight against corruption.

The elements of the New Public Management are:

- Management systems: the New Public Management is made up of series of principles and elements linked together. The starting point is the implementation of modern management models (Wimmer, 2004: 234 ff) in public administration (such as management by objectives, by exception, by delegation, etc). Competences within a public body are shifted top down thus improving motivation and efficiency of the authorities as a whole. The necessary guidance is given by a description of issues and goals and not – as in the »old« system – by rules and instructions.
- Products and contracts: A core element of the New Public Management is the assessment of public tasks in form of products. Between the political level (mandatory) and the executive level (contractor) contracts (Wimmer, Müller, 2006: 2 ff; Schmidt, 2008: 760 ff) are concluded that define the output and the financial resources. Within this frame, the contractor is free to decide on the modalities of its output. In that matter, he/she is responsible for the results of his/her performance.

- Benchmarking: The idea behind this contracting management is to stimulate competition between suppliers of the same product. Benchmarking projects and »best practice« models help to find out how to realize certain public administration task best. As a long-term goal, an advanced form of functional benchmarking should enable the top administrative level to decide whether it is better and more efficient to realize a defined product by themselves, by another administrative unit or, finally, by private enterprises.⁷
- Controlling: There are close relations between the New Public Management and controlling, which also serves for the steering of decision-making processes. By providing the necessary information regarding programming, budgeting, execution and evaluation of the administrative activities controlling is an integrated element of the New Public Management (see Bundeskanzleramt, 1996; Promberger, 1995; Strehl, 1994: 131 ff; Wimmer, 2004: 257 ff).

2. Steps of implementation

Speaking about good governance and performance orientated public administration means to implement the New Public Management (see i.e. Bogumil, Kißler, Verwaltungsmodernisierung, in Budäus et al., 1998: 123 ff; Neisser, Hammerschmid 1998; Mitterlehner, Kyrer 1998; OECD 1997; Wimmer, 2004: 243 ff). Of course, the transformation of public administration to the system of New Public Management cannot happen at once but only step by step. Just to get an idea of how much work is related to this issue some implementation steps of the New Public Management shall be described:

- As a first step each task of each unit or department of the public authorities and its outcome has to be defined (product).
- Also the number of employees who are involved in the task,
- further the necessary time which will have to be spent on each task,
- and, finally, the necessary equipment or other prerequisites.

⁷ Regarding benchmarking see i.e. Camp, 1994; Griebble, Scheer, Grundlagen: 5 ff; further Wimmer, 2004: 251 f.

The anchor of the New Public Management is the definition of administrative products that have to be delivered by the public units and departments and according to this, the distribution of the financial resources required. On the basis of these definitions and the specified budgets, contract management between the political and executive levels can be installed (Wimmer, 2004: 249 f).

The New Public Management cannot substitute all hierarchical structures in Public Administration. However, there is no doubt that the New Public Management has brought modernisation to public authorities, bodies and enterprises. One cannot ignore this model if one wants to improve administrative leadership.

3. First results

At the moment, it is too early to give a final qualification of the results New Public Management has brought to the administrative practice in Western countries. But there is no doubt that our administrative system with its very long tradition has been changed in different ways and directions, as there are: introduction of management methods, improvement of performance-orientated management, introduction of quality management, benchmarking, citizen-orientation, etc. In fact, the New Public Management is not a solution to all the problems of modern public administration but doubtlessly it may bring a new wind of change and modernisation to public authorities and their leaders.

V. Additional reform steps

1. Public-private partnership

a) Cooperation between the public and private sectors

This term is generally used for very different kinds of cooperation between the public sector (government) and the private sector (private enterprises) (see in general i.e. Bremer, 2005; Budäus, Eichhorn 1997; Budäus, Grüb, 2007: 245 ff; COM(2005)569 final; Viehauser, Aigner, 2004: 42 ff; Ziekow, 2003; Ziekow, Windoffer, 2008). In a legal sense, the term usually describes an institutionalized and long-term cooperation between the public and private sectors executing a project or a service typically pro-

vided by the public sector. Very often funding, construction, renovation, management or maintenance of a structure or the provision of a service is the main issue covered by a public-private partnership.

In Europe PPPs are often used to implement large scale projects, above all in the transport and construction sectors, but also in public health, education and national security. Also international projects are often based on public-private partnerships. One example is TRACECA – Transport Corridor Europe Caucasus Asia – which continues the idea of the ancient »Silk road« and intends to associate the states of Eastern Europe, Caucasus and Central Asia within an integrated transport corridor.

b) Operator – Concession model

PPPs make it possible to allocate various risks to that party which in the respective case is best able to manage them. In many cases, private partners are better prepared to minimize and control arising risks and costs at the same time. There are two different models of PPP:

On the one hand, there is the purely contractual model and the concession model. It is characterized by the direct link between the private partner and the final user: the first one provides a service to the public, in place of the public partner. According to another type of the contractual model, the private partner is called on to carry out an infrastructure for the public authority which also pays for this service.

On the other hand, there is the institutionalized PPP, which involves the establishment of an entity held jointly by the public partner and by the private partner (COM(2004)327 final, 8 ff).

c) Concession law and public procurement

This is not the time to speak about the detailed conditions for successful PPP. However, there must be a clear vision and policy for the private sector participation and its principles, targets and efforts. This includes a modern concession law⁸ which creates a sound legislative foundation for concessions and provides easy access to a clear, fair, predictable and stable legal environment for projects with the private sector participation.

⁸ For instance Spain (Law of 23 May 2003 on Works Concessions), Italy (Merloni Law of 1994 as amended), France (Spain, Law of 1993).

The granting of the project is completed by a PPP agreement, including the following main topics: purpose and object of the agreement; definition and allocation of risks; obligations of the private and public partners; quality of services; payments; supervision; payments of the customers; cancellation of the agreement; compensation, etc. (in general, see European Commission, 2003; Babic & Partners, 2006).

Concerning the selection of the concessionary, public procurement procedures have to be provided in order to promote fairness and transparency of the tendering process. As a rule, the concession should be granted on a competitive basis and only in limited exceptions by direct negotiations.

2. Reform of general administrative procedure

Administrative procedures have a direct effect on citizens' everyday life. The purpose of procedural rules is to ensure that all activities of public authorities are transparent, efficient and adequate. Administrative procedures reflect the public values, thus demonstrating how the state treats its people. So it is not enough to draft and set in force a legal framework for the civil service but it is also necessary to provide provisions describing how the functionaries of the state have to handle and perform the contacts with citizens. In other words, general administrative procedures are also a precondition for professional administration. Besides, the predictability of public actions is an essential precondition for the safety investments of foreign enterprises (Bundschuh-Rieseneder, 2008: 27; Wimmer, 2007: 635 ff).

Having this in mind, it cannot be tolerated that, for example:⁹

- procedural rules are laid down only fragmentarily in different provisions of various laws and in numerous normative legal acts,
- each public authority independently defines the rules applicable to its relationship with citizens,
- the procedural rules are often changed,
- the instructions, decrees and other documents which set out these rules are hardly ever published, which means that citizens cannot inform themselves about them,

⁹ See the case history regarding Azerbaijan, which stands for the status quo for public administrations in many countries by Herrmann, Hye-Knudsen, 2006: 99 f.

- it is usually impossible for a citizen to obtain application forms or answers to his/her questions on the telephone or by other means of communication. Rather, he/she must go to the administrative authority in person and hope that one of its employees is able and willing to answer his/her questions.

These shortcomings, which exist more or less in most developing countries of Eastern Europe and Asia, must be remedied by introducing quality standards of modern public administration and the standards of best practice legislation. Regarding the European Charter of Human Rights the following milestones are essential:

Human rights: Human dignity and individual freedoms and rights must be the background of the relation between citizens and public administration. Additionally, public administration is called upon to supply the citizens with basic services.

Democracy: Every administrative authority, no matter be it at the state, regional or local levels, derives its power from the peoples' will. The role of public administrative bodies towards citizens must be characterized by service-oriented activities under the auspices of public interest. Only open, fully transparent and objective administrative procedures comply with a democratic public administration.

The rule of law and separation of powers: The principle of the separation of powers constitutes public administration as a state power of equal rank along the legislative branch and the judiciary. According to this principle, public administration has its own, exclusive authority.

The relation between legislative and executive branches of government is marked by the rule of law. This means that all decisions of administrative authorities and other bodies vested with public authority shall be based on the law. This guarantees that citizens can foresee possible state action affecting them by making the system predictable. The rule of law also comprises clearly defined responsibilities of administrative authorities, transparent organisation and fixed and objective administrative procedure. Further, the rule of law requires legal remedies to ensure legal control of administration and the protection of individual rights (Wimmer, 2004: 296 ff; European Commission, Promoting Good Governance: 57 ff).

Some of the quality standards of the European Convention of Human Rights, in particular the values of democracy and of an open, transparent and objective public administration, are also characteristic for the Libyan system.

VI. Professional Civil Service

1. Human resources management

Institutions and procedures are only one part of good governance – the second one is the human factor. One priority of the public administration reform must be to ensure the effective performance of the administrative system as a whole and the development of an effective human resources management system, including the enhancement of skills and training capacities. This is also the core issue of this conference as it is dedicated to the selection, preparation and development of administrative leadership.

Human resources management has undergone tremendous changes over the past 20 to 30 years. Nowadays it includes a variety of activities to fulfil the needs of the employees, such as recruiting and training the best employees, ensuring their high performance, ensuring that personnel and management practices conform to various regulations. The activities also include managing the employee benefits and compensation, employee records and personnel policies. Based on the above-mentioned principles, human resources development is a framework for the expansion of human capital within an organisation. Human resources development is a combination of training and education that ensures the continuous improvement and growth of both the individual and the organisation (McNamara, Human Resources Management; Keeley, 2008).

Human resources management has been developed by industrial and organisational psychology. Nowadays it is also a part of good governance and influences the approach to the management of the most valued public administration assets, the civil servants, who individually and collectively contribute to the achievement of the objectives of the state. Many aspects of human resources management are also reflected by the analysis of the status quo of civil servants, in particular of the improvement of their quality management. Multiple trends and attempts regarding public administration reform are summarized under the roof of HRM such as (Röber, 2008: 6) outsourcing, quality management systems, service and client orientation, contractual arrangements, stress on the private sector styles of management practise, focus on results, clearly defined responsibilities and accountability, performance measurement and management, improved financial management, flexibility in organization and staffing, shift to greater competition or new relationship and new division of labour among the state, private enterprises and civil society (public governance) etc. The following remarks show some crucial juridical strategies to delete

obvious lacks and deficits of administrative behaviour and improve administrative culture.

2. Deficits

A comparison of different public administrations in different countries shows that there are typical factors that affect the performance of civil servants. Among them the politicisation of public administrations at all levels, governmental, regional and local, is of special gravity. The politicisation of not only the very top positions in public administration but also along the whole organisational hierarchy, including professional positions, leads to the result that the political criteria overcome the professional ones (Kopric, 2008: 560). Professional education of the civil servants is one of the most important incentives to limit political influence on professional tasks. This is an essential requirement for the implementation of the political will of democratic bodies.

Under the title of »politicisation« a lot of well-known behaviours and deficits are hidden, like

- Appointments on the basis of informal contacts and not on a competitive basis;
- Lack of work balance: some officials are trusted and given excessive work, others have a much lighter work load;
- Lack of concept for carrier development.

All these gaps and shortcomings hinder the unfolding of public administration to higher efficiency and effectiveness.

3. Strategies

a) *General measures*

According to good governance, a number of measures is necessary to improve public administration. In general, the following basic conditions must be given:

- A clear definition of civil servants' responsibilities and job description;
- Definition of duties, rights, liabilities;

- Transparent rules regarding recruitment and appointment;
- Adequate salary and pension;
- Carrier structure, in particular promotion to a higher rank;
- Performance appraisal (Bundschuh-Rieseneder, 2008: 33 ff; Wimmer, 2007: 653 f).

Usually, these ordinary elements of the status of a civil servant are regulated by a law on civil service. In some countries, special provisions have been made for combating corruption, as well as for ethical conduct and conflict of interest regarding civil servants.¹⁰

b) Combating corruption

Regarding the fair and objective behaviour of civil servants, legal provisions regulating combat against corruption are essential. The law must have a clear structure and has to define the phenomena of corruption and give some cases and to specify offences related to corruption. The law on combating corruption can be implemented only if it is open for citizens' complaint. Corruption is a social phenomenon that, naturally, cannot be defeated by one law. Nevertheless, the anti-corruption legislation is a first approach to a fair procedure of public administration.

c) Ethical conduct of civil servants

Ethical rules and enforcement should guide civil servants when clarifying the standards of behaviour expected from them. The establishment, implementation and enforcement of ethical standards are important components of an effective corruption prevention strategy. In particular, ethical conduct is necessary in the context of the New Public Management because a wide space of discretionary power generates opportunities for misbehaviour.

Ethical rules should defend the civil servants against inappropriate offers and equip them with the skills for solving ethical dilemmas. The rules of ethical conduct are based on values and elements like civilized behaviour, loyalty, obedience, transparency, confidentiality, conflict of interest prevention, use of public property, political activities, etc. Of course, the exact meaning of these rules is not entirely clear and, consequently, a lot

¹⁰ For the following, see the case study of Quentin Reed, National Strategy.

of training is needed to transform these values into standards the civil servants observe automatically.

d) Conflict of interest

The objective behaviour of civil servants may also be endangered by the so called conflict of interest. Such conflicts arise by the use of official powers for private interest, in relation to additional payments and gifts, business and financial relations, restrictions on political activities, etc. Rules regarding ethical conduct and conflicts of interest must also be seen in context with the efforts to fight corruption. Therefore, legal procedures and sanctions must be provided for dealing with the violations of the rules of ethical conduct. One might say that the anti-corruption law is the toothbrush of good governance.

VII. Public administrations between democratic spirit and professional efficiency

Situation in public administration can be improved by measures including both: the institutional setup of public administration and its human factor. »Milestones« of successful reforms are:

- Clear visions regarding the future way of the people;
- Definition of the public administration goals;
- Commitment and readiness to action and change;
- Proper reform cycle management;
- Impact assessment and implementation.

The reform cycle process must be stimulated by the major values of public administration – democracy, participation, the rule of law, efficiency and effectiveness. Of course, there are some frictions and tensions among these values. Participation takes its time and therefore it is not always the best guarantee for quick and professional management of public tasks. And vice versa, bureaucratic efficiency as a single issue may remove democracy. So it is crucial to find the proper mixture between the reform tools which have been presented – human resources management, the New Public Management, ethical conduct, rules against conflicts of interest, etc.

In the long run, all institutional reforms only can succeed on the basis of civil servants' personal qualities as follows: gifted, social minded, motivated and experienced people with team spirit, who are willing not only »to play with words« but are committed to action and change. Together with adequate legal instruments and institutions, this modern type of administrative leaders should be able to set free their spirit for the welfare of the people.

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PUBLIC ADMINISTRATION REFORM: A FEW REMARKS ON LIBYAN CASE

Summary

In specific national environment, every country should find reform solutions with regard to the institutional development, procedural consolidation and administrative personnel development. Administrative leadership is also important, especially in the context of the new public management ideas. Certain connections between current managerial philosophies, searching for good governance, and some basic characteristics of the Libyan system are identified. The new public management has been seen as a necessary reform element, which can be in-built in the picture of public administration system grounded on the values of good governance. Management systems, products and contracts, benchmarking, and controlling are stressed as the main elements of the new public management. Public-private partnership, reform of general administrative procedure, human resources development and management are mentioned as the additional reform elements. The main reform risks are connected with corruption and unethical behaviour of administrative personnel at all levels, from administrative leaders to the street-level bureaucrats.

Key words: *public administration reform, new public management, good governance, public values, administrative leadership, administrative personnel*

REFORMA JAVNE UPRAVE: NEKOLIKO NAPOMENA U POVODU LIBIJE

Sažetak

Svaka bi država trebala pronaći reformska rješenja koja se tiču institucionalnog razvoja, konsolidacije upravnih postupaka i razvoja upravnog osoblja unutar vlastitog specifičnog okružja. Upravno vodstvo također je važno, posebno u kontekstu ideja novog javnog menadžmenta. Pronađene su određene veze između današnjih menadžerskih filozofija koje su u potrazi za dobrom vladavinom te nekih temeljnih značajki libijskog sustava. Novi javni menadžment smatra se nužnim dijelom reformi, koji se može ugraditi u okvir sustava javne uprave temeljenog na vrijednostima dobre vladavine. Upravni (menadžerski) sustavi, orijentacija na »proizvode« i ugovore, usporedba kvalitete te kontrola navode se kao glavni elementi novog javnog menadžmenta. Javno-privatno partnerstvo, reforma općeg upravnog postupka te razvoj i upravljanje ljudskim potencijalima spominju se kao dodatni elementi reforme. Glavni rizici reforme tiču se korupcije i neetičkog ponašanja upravnog osoblja na svim razinama, od rukovoditelja do najnižih činovnika.

Ključne riječi: reforma javne uprave, novi javni menadžment, dobra vladavina, javne vrijednosti, upravno vodstvo, upravno osoblje