

# Globalization and Europeanization. A Projection on a European Model of Public Administration

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***Abstract.** The specialized studies and literature present moreover and insistently the connection between globalization and Europeanization, more precisely between globalization and a European model of integration, whose features aim to set up a global-type European society.*

*The development of the European model of integration starts with economic elements, it reveals nowadays the Economic and Monetary Union and in perspective it will be structured within a sui generis system of transnational governance.*

*The values of the European model of integration become fundamental values of a social process, with powerful economic and political determinations, aiming the multi-causal interference between individual, community and European construction.*

*This process, remarked increasingly in the specialized literature, being assigned with the name of Europeanization, has got original, functional features in the spectrum of significations of the globalization paradigm.*

*As essential global-type formula, within Europeanization, we shall find models with economic, political or social finality, integrating also a model of administration among the latter ones. When we say administration, we refer to its up dated and adequate contents to the new European developments.*

*This assertion derives from a less economic modality to conceptualize the relationship between globalization and Europeanization, presenting Europeanization more as a political adaptation to globalization and even a political expression of globalization.*

*In this context, the development of a system for European governance on several levels (local, regional, national, intergovernmental and supranational) suggests its evolution towards globalization. In fact, the literature specific for Europeanization asserts the fact that the European model has also features with integra-*

*tive nature related to the supranational and trans-governmental dimensions, as well as features with normative nature in view of harmonization, also by standards.*

*These assertions, to which we can add also others, are leading to a new model of public administration, whose area overlaps with the space of European Union, incorporating the effects of globalization under its European expression, Europeanization. Consequently, the proposed model, emphasizing the process of European Union construction will comprise transparency, accountability and participation of the interested parties to public decision. The new public administration aims to use efficiently the resources in order to create favourable conditions for its citizens to become more competitive on the world market and to reduce the gap between the poorest and the richest inhabitants of the world.*

*The current paper aims to conceptualize and to describe a model of public administration. The architecture of this model will be that of a complex system, with a mixed architecture, emphasizing connections with different intensities among its various levels: European, regional, national etc.*

*The feedback mechanisms will be different and specific for each level and they will be ensured by different institutions on compatible normative grounds<sup>(1)</sup>.*

**Key words:** globalization; Europeanization; administrative space; systemic model.



**JEL Codes:** F15, P 35

**REL Codes:** 13G, 20B

## **I. Globalization versus Europeanization and the impact on public administration**

Among the numerous studies on globalization, we'll start from Beck's approaches (2003), which propose a clear distinction between globalization, globalism and globalness. The above mentioned author, as shown in Dinu (2004), tries not only to re-establish the meanings of the notions as such, but also to emphasize the wrong tracks of some analyses on globalization, even though they are in fashion. One of them leads to the meaning of the extreme and ultimate variant

of control over the whole globe, which is synonymous to the market imperialism. The other one actually refers to globalness, as a synonym of the interdependence between the parties, directing the analysis towards the specific sense of the common problems of mankind, more or less solvable, like poverty, crime, pollution, development, etc. Globalization is neither globalism, except as a deviant or incidental formula, nor globalness in itself, as stated in Dinu (2004, p. 19).

From the perspective of our analysis, globalization will be regarded as an expansion process of the good and capital markets with the aim of integrating people, of practicing new approaches of the government focused on transparency, responsibility and involvement in political dialogues and debates.

We place the manifestation dimension of globalization at a world level, at the level of international and regional dialogue forums, in which the strong, competent national governments should integrate and negotiate within a global framework (www.undp.org-governance-public.htm), efficiently using their resources to create the conditions for asserting the human resource competitiveness on the world market.

The Europeanization, also interpreted as a globalization process in the European realm, represents a state which is contiguous to the European integration, encompassing, among others, its impact upon the national administrations (Matei, 2004).

Parallel to the Europeanization process, or by contrast with it, the European integration constitutes the political process of adopting, by the national actors, of new Community mechanisms and norms. Furthermore, Europeanization presupposes both normative and adaptive (contextual) actions.

### I.1. The Europeanization concept and “models”

The range of significances of the Europeanization concept is impressive: from the Europeanization as a transnational process (the dissemination of “Western” norms, styles and conducts within Europe), through the Europeanization as institutional adjustment to the E.U. requirements, to the Europeanization

as a counter-weight to globalization or even to a specific strategy of solving conflicts around the world (Featherstone, 2003).

The interest in the study on the Europeanization process has become visible in the last decade, thus during 1996 – 2004, over 2000 significant articles about Europeanization were identified (Figure 1). Featherstone (2003) describes the reality as shown after monitoring over 116 academic journals: 33% deal with issues of public policies, 16.7% with international relations or 12.5% with political parties.

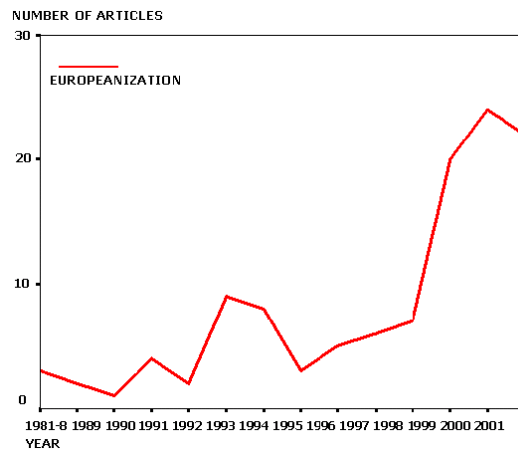


Figure 1. Number of relevant articles about Europeanization (Featherstone, 2003, p. 6) adapted)

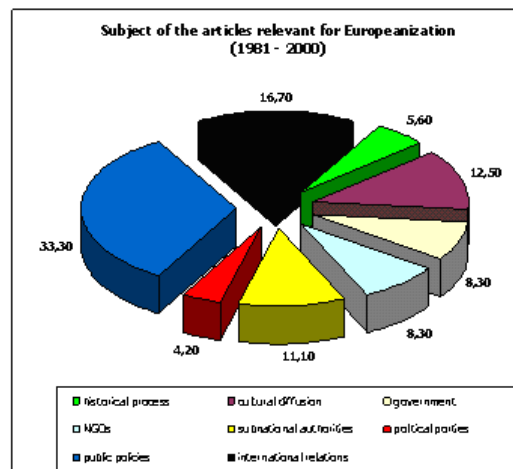


Figure 2. Subject of the articles relevant to Europeanization (Featherstone, 2003, adapted)

As seen in Figure 2, the Europeanization process includes several other areas of social life, such as those of governance, culture, national administration or civil society.

Continuing the above analysis, Radaelli (2003) attempts to respond to two questions, namely: what is Europeanising and to what

extent. In this context, the author has developed a model for the Europeanization areas (Table 1) including the public administration and one for the Europeanization mechanisms, referring to inertia, absorption, transposition and resistance.

Areas of Europeanization (Radaelli, 2003, p. 35)

Table 1

Internal structures	Public policies	Cognitive and normative structures
1. Political structures a. institutions; b. public administration; c. legislative structures	a. actors b. political problems c. style d. instruments e. resources	a. discourse b. norms and values c. political legitimacy d. identities e. state traditions – understanding the governance f. paradigms of policies
2. Representation structures a. Political parties b. Pressure groups c. Social structures		

Among these, the “*Europeanization – institutional adjustment*” approach, specific to the public administration in the first place, has generated the most diversified uses, as well as the most debated distinctions.

Europeanization is an independent variable with an impact upon the national processes, policies and institutions (Borzel, Risse, 2003, p. 3).

*The diversity and differentiation of the contents of the Europeanization process* result, on one hand, from its multiple definitions and, on the other hand, from the distinction related to other concepts, achieved by many actors.

Analysing in a progressive perspective, the Europeanization process was defined as *de jure* transfer of sovereignty to EU (Lawton, 1999) or as a process by which important areas of national policies become moreover subject of the European decision-making process (Börzel, 1999).

We find the framework necessary to the analysis of the Europeanization of public administration in Cowles, Green, Caporaso and Risse’s definition (2001), according to which the Europeanization, or better said its bottom-up dimension coincides with *occurrence and development at European level of distinct governance structures, namely political, legal and social institutions associated to the idea of solving the political issues, finalising the interactions between actors and networks of policies specialised in creating authoritarian European rules*. From a top-bottom approach, the Europeanization is *a progressive process reorienting the direction and form of the political process so that EU economic and political dynamics becomes a component of the organisational logics of the national policy and decision-making process* (Ladrech, 1994).

At the same time, Europeanization should not be confused with other concepts, such as convergence, harmonization, integration and policy making. Europeanization is a process, while *convergence represents its consequence*. Also, Europeanization should not be confused with the harmonisation process, which reduces the diversity of regulations, offering a certain action model. Contrary to harmonisation, Europeanization provides the idea of open diversity. The result of Europeanization may be diversity of regulations, increased competition or its distortions.

## II. The systemic analysis on Europeanization of public administration

Europeanization of public administration, as part of the general process of Europeanization, represents the result of the interactions with systemic nature of the European policies, aimed to reforming and developing the public sector. Therefore, as it is natural, the evaluation, by means of adequate indicators and socio-economic models, of the impact of Europeanization on the public administration becomes a necessary and useful approach, inscribing in the preoccupations of the actual research.

To that conclusion we may add a series of arguments concerning the preoccupation more and more obvious in the practice of United Europe edification, namely for each public policy to emphasise also the mechanisms in order to evaluate the specific impact. The evaluation of the impact takes into consideration thorough knowledge with interdisciplinary nature.

The core ideas of the project derive, on one hand, from the analysis on the current stage of knowledge in the area of Europeanization,

with special mention on Europeanization of public administration and, on the other hand, from the preoccupations of the European and national institutions and authorities aimed to determine and get knowledge about the impact of their own policies, especially in the economic and social field.

In this context, the theoretical, analytical and empirical framework of the current study is grounded on the following considerations, depicted from literature, practice and previous researches:

*Approaching Europeanization as a three dimension process:*

- *top-bottom* – by which EU (as administrative body with its various ways of governance) influences the national, regional and local administrations, leading to administrative convergence in Europe on those levels. Among various examples we mention a relevant one, namely: increased use of action plans and benchmarking at national and regional level as result of using the open coordination method by EU;
- *bottom-up* - by which EU administration and governance are influenced by national traditions and practices;

Also herewith, as eloquent examples we may emphasise the „French” legal-administrative model in order to approach the aspects of public budgeting that was incorporated in the 1950’s within EU budgeting affairs or another example: the use of „German” model, Bundesbank, as model for the institutional construction of the European National Bank System.

- *horizontal* - by which administrations and ways of governance are converging, partially as result of mimetic action in the context of system competition.

Those three dimensions, specific for Europeanization of national public administrations, could be integrated, from a systemic perspective, within another modality of approach, making distinction between *Europeanization by deepening*, endogenous to EC system, equivalent with the mutual impact of the EU and Member States on their national orders and *Europeanization by enlargement*, which corresponds to contracting by the Member States of exogenous models of institutional and/or valuable change, including their adaptation to the candidates' national orders.

A suggestive image of the narrowing Europeanization process is offered by Knill/

Lehmkuhl model (1999), according to which, at the level of each state, there can be more *types of integration – positive, negative or framework –* defined according to the existence or non-existence of a model or to the situation in which the European policy brings about changes at the level of the internal actors' beliefs and expectations. Starting from this approach, based on the above triangle (in Featherstone, Radaelli, 2003), a series of Europeanization mechanisms are emphasized and described (Figure 3), which appear under the form of an *adaptive pressure* whose results oscillate between *coercion* and *mimetism*.

Europeanization mechanisms					
Positive integration: there is a European model		Negative integration: there is no prescribed European model	Framework – integration		
Coercion	Mimetism	Regulating competition	Union framework policies	Convergence around the public policy paradigms	The power balance is irrelevant
Adaptive pressure	Adaptive pressure	Opportunity of internal structure	Legitimacy expectations are changing; EU offers a solution	Open-method coordination	Understanding governance

Figure 3. Europeanization mechanisms (Featherstone, Radaelli, 2003, p. 41, adapted)

A more diversified analysis is carried out by Borzel and Risse (2000), which identifies the *absorption* phenomena – where the member states align their policies, with minor changes – *adjustment* – when the states align their policies through moderate changes – and *transformation* – characterized by major changes.

**II. 1. The Europeanization levels and the institutional reshaping**

From the perspective of a systemic approach concerning Europeanization of public administration, the reality of the European construction determines its approach as a process structured on three levels:

- *the European level* referring concretely to the development of a distinct governance system, a new set of interacting structures and processes;
- *the regional level (infra-European or infra-national)*, whose contents is determined, on one hand, by the relative distinct trajectories of social, economic, cultural development of various regions, as well as, on the other hand, by the European regional development policies;
- *the national level* comprising the national administrations, subject to a continuous process of transformation with different speeds and intensities related to their own

history and traditions, level of economic and social development etc.

The presence of mechanisms specific to Europeanization of public administrations, such as administrative convergence and dynamics, as well as some standards deriving from the principles of the European Administrative Space determines the multidisciplinary nature of our approach.

In this context, the European administration or better said the European system of public administration (ESPA), as result of Europeanization, will be structured as *a dynamic, open system, with a mixed hierarchic architecture, whose mechanisms of adjustment and self adjustment are continuously developing, related to the thoroughness and extension of the Europeanization process of national public administrations.*

Similar with the Europeanization process, ESPA architecture will contain a structure with three layers, corresponding to three subsystems: European, regional and national, for which we shall determine intra and intersystem connections, with different intensities and complex multidisciplinary contents. Taking into consideration the perspective of developing social cybernetic systems, as well as the finality of the proposed research project, the European public administration system will be a *learning* system, more complex than the cybernetic systems as it will contain *a strip of policies.*

The internal mechanisms of functioning and adjusting within ESPA are various. A first category focuses on the emergence of the European institutions as a system of new practices and rules, representation and resource structures, and the second refers to the effect

of these new institutions on those of the Member States, especially on the national public administrations. The first category has long constituted the object of analysis and research, being known as Europeification (Andersen, Eliassen, 1993) or “Vergemeinschaftung” (Communitization). During this period, namely the last decade of the 20<sup>th</sup> century, the theoretical and empirical studies focus on *the role and interaction of the different actors, both European* (the European Commission, the European Parliament, the European Court of Justice, the Regions Committee, EU interest groups) *and national* (governments, interest groups, regions) *in establishing the European policies.*

Also, in the above-mentioned period, Europeanization approaches occurred, which were based on the rational choice and sociological institutionalism, and through which the effect of Europeanization upon the national administrations was represented as a process of institutional change. Most studies are based on two main theoretical directions: *the dependence on resources* – which concerns the European governance system as a structure of political opportunity which changes the distribution of the power resources among the national actors, and *the institutional adjustment* – in which the national actors adopt and internalize new rules and practices.

This second direction resorts to the organizational theories of institutional change. Modern approaches, specific to the years 2000, combine more discourses, such as:

- the national choice and the sociological institutionalism;
- the dependence on resources and the institutional adjustment.

The above framework substantiates the model of institutional dependency (MID) (Borzel, Risse, 2000, pp. 15-19), which treats actors from the utility point of view, in the sense that they act for maximizing their preferences. Not excluding the possibility of a preference change, the model presupposes that the national actors have an essential interest in the organizational survival, autonomy and development, and their preferences are predominantly shaped by the institutions.

The interdisciplinary synthesis that MID presupposes ensures the specific difference

from the institutionalism of the rational choice, emphasizing that institutions include not only norms, but also social norms, regulating the actors' conduct and ensuring the social appropriateness of their actions. MID systemically approaches more factors, on sociological, economic, political or juridical grounds, and one may conclude that choosing certain reform strategies is not only an issue regarding the available resources and the cost-benefit analysis of the expected utility, but also a function of the actors' strategic preferences and options (Figure 4).

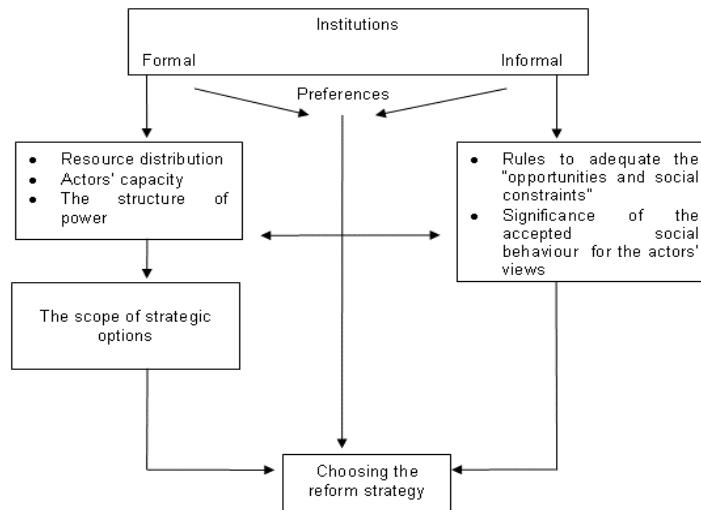


Figure 4. The model of institutional dependency (MID) (Borzel, Risse, 2000, p. 23)

### III. Towards a model of European administration

#### III.1. Characteristics of European administration

The idea of the European administration appears explicitly and implicitly in the EU documents. One of them, concerning the European Constitution stated that “*in achieving their missions, the Union’s institutions, bodies and agencies shall openly, efficiently and*

*independently support the European administration*” .

Otherwise, the same document discusses the promotion of the *good governance* (article 49) or that of *global good governance*.

The above ideas are in the recent Treaty of Lisbon for changing the Treaty on European Union and the Treaty on instituting the European Community.

We should add that so far, the main constitutional legal texts of the European



Union, namely the Treaty of Rome (1957) and the Maastricht Treaty (1992) do not provide a model of public administration to be implemented by EU Member countries.

Still, important administrative law principles are stated in the Treaty of Rome, such as the right to judicial review of administrative decisions issued by EC institutions (article 173) or the obligation to give reasons for EC administrative decisions (article 190). Adding to these are sectoral administrative law provisions, which constitutes what is known as the *acquis communautaire*.

A certain administrative system may be evaluated by researching the limits of the application of the European Administrative Space (EAS) principles; we can as such see how these principles serve as generic standards, and to what degree we can speak of compatibility between different administrative systems.

The European administration is a system with many characteristics described in many reference papers of the literature (Kassim, 2002, pp. 140-142). With the correct adaptation of the context, the above may be formulated as follows:

*a) Lack of an agreed demarcation of competencies and powers between the European Union and the national administrations; we add to this that EU as a unified system has a complex structure, based on three pillars with different decisional powers, structures and procedures.*

*b) Fluidity.* Many studies have described the Union as a “fluid, ambiguous and hybrid” since “there is no shared vision or project or common understanding of the legitimate basis of a future Europe” (Olsen, 1997, p. 165). Of course, these remarks are previous to the Constitution of Europe, yet they are still at least

partially, pertinent. It can not be argued upon the fact that EU is in a constant becoming step, in which its membership, rules, relationships, authorities and institutions are constantly evolving and its competencies and functions ever-changing.

*c) Institutional fragmentation,* by means of which the power at the European level is shared between several institutions, and there is no single authoritative legislator. Legislative power is shared by two institutions – the Council and the European Parliament – that form a “classic two-chamber legislature” (Olsen, 1999, p. 56) and executive authority is spread between the member states (individually and collectively) and the Commission.

*d) The complexity of the EU policy process* is a consequence of the fact that the decision making into EU involves a multiplicity of actors, including, besides the member states the EU institutions and other European bodies and agencies, representatives of the regional and local authorities and lobby groups. Each is at once an actor with its own interests, an institution with its own rules, code of conduct and operating style.

*e) Sectorialization,* which show a specific logic for the construction of the EU. A broad distinction is to be made between constitutional matters, such as treaty negotiations, institutional reform, and enlargement, which involve heads of the state and government and foreign ministries – and routine policy of regulatory, redistributive or distributive nature.

Of course, all the above do have a close connection to the political system of the EU, yet specific connotations for the European administration. With all these characteristics, the European administration is unique and creates a complex system, not fully developed.

### III.2. Self-adjustment in the European administration

Keeping the systemic analysis language, we can note some of the elements that shape the self-adjustment process within the European administration, by looking to the developmental environment of the European administration.

The partial and legal regulation of the European administration' system is actually one of the characteristics of the administrative systems. This is do to the fact that the European administration has a multi-polar nature and many of the European practices and standards are not imposed by specific regulations, but accepted by the Member States.

As such, the self-adjustment process that characterizes the European administration has, amongst the law some other mechanisms, both formal and informal. A clear example in this case is the Europeanization, more generally analyzed in the above sub-chapters.

As a regulatory mechanism, the Europeanization is a synthesis of the connections present between national administrations and the European level of the European administration. From this perspective, we can point out that the national administrations have a pertinent and complex influence upon the EU's decisional process, being important participants to all the decisional levels and involved in all the steps of the policy cycle.

The influence we are referring to becomes concrete once we analyze the institutional presence, seen from the viewpoint of the permanent representations bodies or lobby groups, present both at the

European Commission and the Parliament level and at that of other institutions.

We should note that the national administrations are extremely important to the increase in visibility of the European building and enlargement process, and European identity. There are at least three ways in which EU has influenced the national administrations, thus creating a new form of the Europeanization process.

a) National administrations, next to their national mission, have assumed a new role as implementation agencies of the EU norms. As part of the European administration, the implementation and obligation to respect the EU legislation may lead to further actions, use of new instruments, not completely familiar and recruit and training of personnel.

b) As a consequence of the EU's legislative or judicial decisions, national administrations are determined into modifying or abandoning the existent policies, change or ignore the traditional instruments or reorganize structures and procedures. This fact may lead into diminishing or increase of the administrative capacity or change of the public and private actors' relationships.

c) Adaptation of national administrations to European standards as a consequence of the governmental practical implication in European decision making and the assumption of the above.

National administrations have been encouraged in developing support mechanisms for participation and coordination of actions for their representatives at EU level. Undoubtedly, these self-adjustment aspects may be found in the entire elaboration process of the EU policies.

In the general context of administrative dynamics, an evaluation of the self-adjustment process and its dynamics is necessary.

This dynamics is also influenced by many factors, amongst which the nature of the political system, the centralization degree or the fragmentation of the national administrations dedicated to the integration process, etc.

As such, a conclusion with regard to the European administration stems from its unique character, direct consequence of the EU's unique political system.

Being unique, the European administration offers a complex image, marked by national and European interpretations and interrelation.

National administrations have reached the EU's decisional bodies; they are present in every European area and determine the functioning of every European institution.

In the same time, the national civil services acknowledge adaptations in their structures and practices.

We may add to this, the specific character of the coordination mechanisms at EU institutional level, and, with direct link to the national administrations, mechanisms that are permanently articulated and are formally, increasingly consolidated, thus ensuring the foundation for a European public administration.

### **III.3. The European Administrative Space – standard of the evolution of national administration**

#### **III.3.1 Generalities**

The conceptualization and transformation of the “European Administrative Space” (EAS) into an instrument for

evaluating the public administration reforms in the CEE countries was developed by SIGMA with the support of the PHARE projects, in response to the European Council's requests regarding the process of accession to the EU, formulated at Copenhagen, Madrid or Luxemburg.

The entire effort to build the EAS took into consideration the reality of the constitutional and administrative law principles being key factors for democratic governance and development and elements of an “informal *acquis communautaire*” (OECD, 1999, p. 5), meant to inspire the public administrations reforms in achieving the enlargement criteria.

In this context, the study already mentioned set the objective of:

- Formulating criteria capable to stir the public administration reforms;
- Offering standards to measure the progress of the reforms.

Later on, to these objectives it was added that of technical assistance for supporting the national public administration reforms.

Can one talk of the EAS when there is a European Legal Space (ELS)? In this case, the EAS appear as a specific part of the ELS, territorially limited at being “a geographic region where the administrative law is uniformly implemented” (OECD, 1999, p. 9).

It is obvious that until recently, this administrative space was limited by the national borders of the sovereign states and was the product of the national legislation. The evolutions that followed (gravely marked by the creation and enlargement of the European Union that determined the development of the national administrative

spaces towards supranational dimensions) lead to the dissolution of the traditional boundaries of sovereignty.

In conclusion, the EAS “is a metaphor with practical implications for Member States and embodying, *inter alia*, administrative law principles as a set of criteria to be applied by candidate countries in their efforts to attain the administrative capacity required for EU Membership” (OECD, 1999, p. 9).

The existence of a European Administrative Space implies that the national public administrations are ruled based on common European principles, norms and regulations, uniformly implemented within a relevant territory (Cardona, 1999, p. 15).

The evolution towards the European Administrative Space understands convergence on a common European model and may be seen as a normative program, an accomplished fact, or a hypothesis. Another important question is to be raised: What is “convergence” and what criteria can be used to decide whether an EAS exists (Olsen, 2003, p. 1)?

The development in question is not a simple process. Quite recent analyses show some other possible contradictory evolutions.

Thus, it is stated that “a development of the EAS may be in contrast to the national administrative systems, where the structure of the public administration structure reflects the identity, history and the specific states of the societies” (Nizzo, 2001, p. 2).

Still, as the processes of European integration deepen and enlarge, the EAS develops and evolves pointing out the values expressed by standards and good practices specific to public administration situated closer to the citizen.

### III.3.2. Principles of the European Administrative Space

The current analyses and studies operate, in different national systems, with distinct concepts of the administrative law. Still, “it is possible to agree upon a common definition of administrative law as being the set of principles and rules applying to the organization and management of public administration and to the relations between administration and citizens” (Ziller, 1993, in OECD, 1999, p. 11).

More specifically, we can talk of a set of common principles of administrative law steaming from the Western European countries, organized by a prestigious group of specialists and academics<sup>(2)</sup> (within the SIGMA project – OECD, 1999, p. 8) in:

- reliability and predictability;
- openness and transparency;
- accountability;
- efficiency and effectiveness.

*a) Reliability and predictability.* These attributes derive from the essence of the rule of law which affirms the law supremacy as “multi-sided mechanism for reliability and predictability” (OECD, 1999, p. 12). As an EAS principle, it may be rephrased as “administration through law”, a principle meant to assure the legal certainty or juridical security of the public administration actions and public decisions.

Other connotations of this principle may be observed when we refer to the opposition of the law supremacy in regard to the arbitrary power, cronyism or other deviations of the latter that should not be seen as similar to the discretionary power applicable in cases when, within the legal framework, a certain degree of decisional freedom is allowed.

Exercising the discretionary power is limited by the principles of administrative law by means of which the public administration is forced into acting in good trust, follow the public interest, use fair procedures for equal and non-discriminatory treatment and respect the legal principle of proportionality<sup>(3)</sup>.

*b) Openness and transparency* impose themselves following the reality that public administration is the resonator of the society, assuring the interface with the citizen, the user of its services. The development of different social phenomena, such as the corruption or mal-administration, must be controlled by the society. This urges the administration to become available and to offer sufficient information to the exterior. As such, the openness and transparency refer to these exact attitudes and constitute the necessary instruments for achieving the supremacy of law and the equality before the law and its representatives. Assuring the openness and transparency, we protect both the public and individual interest.

As in the case above, the openness and transparency are supported by the administrative law. We refer here to practices imposed by the administrative principles, like in the case of administrative actions being accompanied by statements of reasons, etc. To this, we may add the necessity to grant the access to public recordings, the restrictions placed for the civil servants and the necessity for the chosen authorities to exactly represent the public interest.

In the European Treaties, transparency appears as a value of the good governance. Of course, openness and transparency become compulsory to the general conduct

of the public administration; yet they should not undermine the national security.

It should be noted that openness gained new characteristics once the public administration was considered to be a public service. In this context, openness becomes acquisitiveness to the citizens or other authorities' initiatives regarding the improvement of public services and their getting closer to the citizen. A new concept emerges – the open administration (OECD/CPAP, 2002).

*c) Accountability.* It is one of the instruments showing that principles like the rule of law, openness, transparency, impartiality, and equality before the law are respected; it is essential to ensuring values such as efficiency, effectiveness, reliability, and predictability of public administration. As it is described by the authors of the EAS, accountability means that any administrative authority or institution as well as civil servants or public employees should be answerable for its actions to other administrative, legislative or judicial authorities.

Furthermore, accountability also requires that no authority should be exempt from scrutiny or review by others, which means that, simultaneously or priority, mechanisms for implementation are created.

These mechanisms contain a complex of formal procedures that give a concrete form to the accountability act, as well as supervision procedures that aim to ensure the administrative principle of “administration through law”, as it is essential to protect both the public interest and the rights of individuals as well.

*d) Efficiency and Effectiveness.* The introduction for the public sector and public administration of the efficiency and efficacy as important values is relatively recent. This is to be understood since today, when serious fiscal constraints and development of the goods and services are in place, talking of an economic optimum for the public sector is possible (Matei, 2004, chapter VI).

In this context, efficiency becomes a managerial value that points towards maintaining the optimum equilibrium between the allocated resources and the obtained results, while effectiveness – a connected value that makes sure that the activity of the public administration achieves the intended objectives and solves the public problems recognized by law and the governance process as in its duties.

The analyses in the field show that it is possible to discuss of contradictory developments between assuring efficiency and the rule of law. The European Commission has already intervened, by creating legal institutional solutions – directives to prevent these developments. European Community law also calls for efficient administration, particularly with regard to the application of Community directives and regulations.

The above principles are not only theoretical in value. They constitute the base for a unitary application of the principles of the administrative law within the national administrations and the construction and enlargement of the EAS. These principles may not function on the basis of a simple

knowledge; in turn, they assume a gradual, daily effort for interiorizing the EAS' principles as inherent to the administration, by means of institutional and legal mechanisms. The European Administrative Space appears as the closure for a large process that implies convergence, Europeanization and administrative dynamics.

#### **IV. Social perception on Europeanization of national administration**

The below data were extracted from a study achieved by a research team of the Faculty of Public Administration of NSPSPA on a sample of 727 civil servants, having a similar structure with that of the corps of civil servants in Romania.

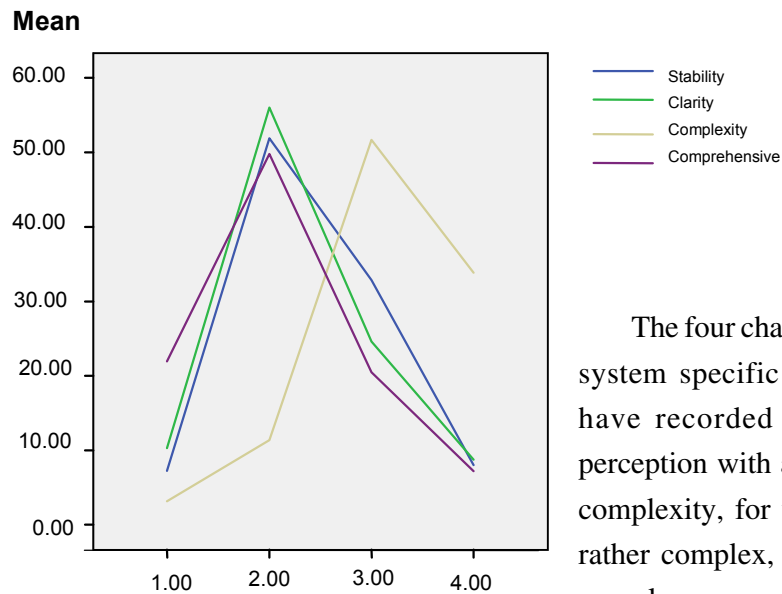
The period for data collecting is January – February 2007.

The questionnaire comprised three dependent variables: administration through law, openness of administration, administration as itself.

From the thematic perspective of this paper, we mention only some items concerning the three variables deriving from EAS principles.

##### **IV.1. Administration through law**

The social perception was directed towards the four independent variables concerning: stability, clarity, complexity, comprehensiveness. The evolution on a scale from 1 to 4 concerning their social perception is presented in Figure 5.



**Figure 5.** Social perception on the characteristics of administration through law

The four characteristics of the legislative system specific for public administration have recorded approximately the same perception with a remarkable difference for complexity, for which 51.66 state that it is rather complex, and 33.85% state that it is complex.

We obtain a more detailed quantitative image calculating Pearson correlation coefficient for the four variables.

**Correlation of the variables for administration through law**

Table 2

		Stability	Clarity	Complexity	Comprehensiveness
Stability	Pearson Correlation	1	.966(*)	.057	.855
	Sig. (2-tailed)		.034	.943	.145
	N	4	4	4	4
Clarity	Pearson Correlation	.966(*)	1	-.177	.938
	Sig. (2-tailed)	.034		.823	.062
	N	4	4	4	4
Complexity	Pearson Correlation	.057	-.177	1	-.464
	Sig. (2-tailed)	.943	.823		.536
	N	4	4	4	4
Comprehensive	Pearson Correlation	.855	.938	-.464	1
	Sig. (2-tailed)	.145	.062	.536	
	N	4	4	4	4

Table 2 presents a powerful positive correlation between the perception on stability, clarity and comprehensiveness and a negative one, smaller as intensity on the complexity related to the other variables.

#### IV.2. Openness of administration

In order to describe this dependant variable, 3 variables have been determined:

Q1: administration for the citizen;

Q2: citizen non-discrimination in his/her relations with public administration;

Q3: equality before law.

The description about the perception of the three independent variables has been designed on two levels: national (Romania) and European (EU).

Figure 6 presents the results obtained in the two above-presented situations.

The perceptions are different essentially between the national and European level. Thus, on national level, on average, 35% appreciate the evolution of the mentioned variables with marks of 3 and 4, while on European level, we record a percentage of 61%.

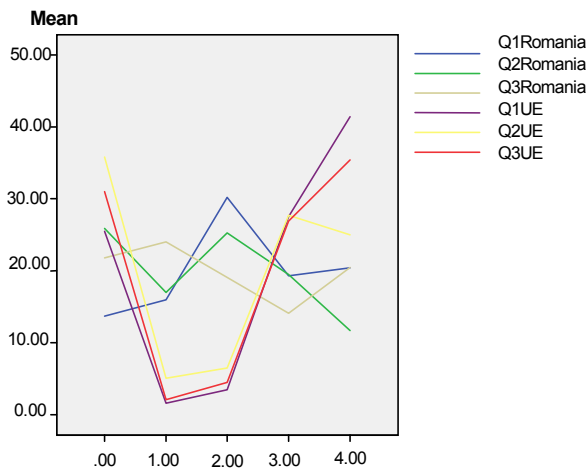


Figure 6. Social perception Romania - EU concerning openness of administration

We obtain a clearer quantitative image determining the correlations between the three variables on national and European level, as well as related with their averages (Mean Q Romania, respectively Mean Q EU).

We may formulate the following important remarks:

- on national level, the inter-variables correlations are negative on a large extent, unlike the European level where these correlations are positive, having a large intensity.
- in line with the characterisation from the current study, for openness of administration, up to the time being, the social perception reveals negative correlations, negative results for the averages of the variables.
- on national level, the intensity of correlation between the variables and their average is smaller than that on European level, which reaches 1, in some situations.

Correlation of the variables for openness of administration on national and European level

Table 3

		Q1Romania	Q2Romania	Q3Romania	Q1UE	Q2UE	Q3UE	MeanQ Romania	MeanQ UE
Q1Romania	Pearson Correlation	1	.172	-.343	-.293	-.526	-.392	.671	-.408
	Sig. (1-tailed)		.391	.286	.316	.181	.257	.108	.248
	N	5	5	5	5	5	5	5	5
Q2Romania	Pearson Correlation	.172	1	-.084	-.449	.065	-.257	.740	-.241
	Sig. (1-tailed)	.391		.447	.224	.459	.338	.076	.348
	N	5	5	5	5	5	5	5	5
Q3Romania	Pearson Correlation	-.343	-.084	1	-.327	-.307	-.307	.115	-.325
	Sig. (1-tailed)	.286	.447		.296	.308	.308	.427	.297
	N	5	5	5	5	5	5	5	5
Q1UE	Pearson Correlation	-.293	-.449	-.327	1	.811(*)	.972(**)	-.633	.966(**)
	Sig. (1-tailed)	.316	.224	.296		.048	.003	.126	.004
	N	5	5	5	5	5	5	5	5



		Q1Romania	Q2Romania	Q3Romania	Q1UE	Q2UE	Q3UE	MeanQ Romania	MeanQ UE
Q2UE	Pearson Correlation	-.526	.065	-.307	.811(*)	1	.923(*)	-.451	.934(**)
	Sig. (1-tailed)	.181	.459	.308	.048		.013	.223	.010
	N	5	5	5	5	5	5	5	5
Q3UE	Pearson Correlation	-.392	-.257	-.307	.972(**)	.923(*)	1	-.569	.999(**)
	Sig. (1-tailed)	.257	.338	.308	.003	.013		.159	.000
	N	5	5	5	5	5	5	5	5
MeanQRomania	Pearson Correlation	.671	.740	.115	-.633	-.451	-.569	1	-.576
	Sig. (1-tailed)	.108	.076	.427	.126	.223	.159		.155
	N	5	5	5	5	5	5	5	5
MeanQ UE	Pearson Correlation	-.408	-.241	-.325	.966(**)	.934(**)	.999(**)	-.576	1
	Sig. (1-tailed)	.248	.348	.297	.004	.010	.000	.155	
	N	5	5	5	5	5	5	5	5

\* Correlation is significant at 0.05 level (1-tailed).

\*\* Correlation is significant at 0.01 level (1-tailed).

### IV. 3. Correlation: legality – openness

Using aggregated variables, legal administration for the first dependent presented variable as well as the averages on national and European level, for openness, we obtain significant correlations, as we can remark from Table 4.

#### Correlation: legality – openness

Table 4

		Legal administration	Openness Romania	Openness EU
Legal administration	Pearson Correlation	1	.686	-.156
	Sig. (1-tailed)		.157	.422
	N	4	4	4
Openness Romania	Pearson Correlation	.686	1	-.680
	Sig. (1-tailed)	.157		.160
	N	4	4	4
Openness EU	Pearson Correlation	-.156	-.680	1
	Sig. (1-tailed)	.422	.160	
	N	4	4	4

As in the previous analysis, we remark a distinct separation between correlations of the variables on national level, respectively on European level, as follows:

- an average correlation between evolution, on national level of the processes concerning legality and openness in public administration;

- negative correlations between the two emphasised levels.

### Conclusions

Without going further with the arguments in favour of Europeanization, restricting the analysis to the level of the national public administrations, Demmke (2004) states that the subsidiary fields of Europeanization are as follows:

- Europeanization of the national administrations, by implementing and applying the European legislation;
- Europeanization of the public service, through a *negotiation, decision-making and implementation process* at a European and national level;
- Europeanization of the national administrations and public service, by administrative cooperation;
- Europeanization of the legislation regarding the public service and of the national personnel policies, through the European Court of Justice jurisprudence and by building networks.

The Treaty of Lisbon concerning the European Union reform narrows the above analysis, making the distinction between:

- The Europeanization of the basic principles (“democracy”, “citizenship”, “efficiency”, “effectiveness”, “rule of law”) and the development of the general principles of the public administration (“good governance”, “openness”, “the fight against the poor administration”, etc.);
- The Europeanization of the national public service, taking into account the narrow interpretation of the principles of the free movement of workers and the restriction regarding the employment in the public service (according to Art. 39.4 EC);

- The Europeanization by implementing and enforcing the secondary legislation (the equality provisions in Art. 137 and Art. 141 EC etc.);
- The Europeanization due to the strict interpretation of Art. 10 EC and of the European Court jurisprudence;
- The Europeanization due to the impact of the competition rules in Art. 86 EC and of the privatization of the former public services and enterprises.

Key works of acknowledged authors approach the issue of Europeanization of the public administration<sup>(4)</sup>, and Demmke (2004) considers that “the public administration Europeanization theory certainly represents an important intellectual interest”.

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## Notes

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<sup>(1)</sup> The paper was presented at the 27<sup>th</sup> International Congress of Administrative Sciences, organised by the International Institute of Administrative Sciences in Abu Dhabi, United Arab Emirates, on 9-14 July 2007.

<sup>(2)</sup> The mentioned Group was formed of: Prof. Denis Galligan, Director of the Centre for Socio-Legal Studies, University of Oxford, United Kingdom, Prof. Jacques Ziller of the Law Department at the European University, Institute in Florence, Italy,

Prof. Jürgen Schwarze, Director of the Institute of Public Law at Albert-Ludwigs University in Freiburg, Germany, and Mr. Jacques Fournier, member of the Conseil supérieur de la Magistrature, France.

<sup>(3)</sup> Arguments which state that discretionary legality cannot operate without the general principles of administrative law, are specifically offered by the European Court of Justice (see Case of Technique University of Munchen, 1991, ECR-I-5469).

- (4) Other relevant papers: Featherstone, K., Radaelli, C.M., (eds.) (2003), „The Politics of Europeanization”, Oxford University Press; Bafail, F., Hibou, B., (2003), „Les administrations publiques et les modes de gouvernement a l’épreuve de l’europeanisation. Un comparaison Europe du Sud, Europe de l’Est”, Les Etudes du CERI, No. 102, dec.; Salgado, S.R., Well, C., (2004), „L’Europeanisation et les acteurs non-etatiques”, Conference „Europeanisation of Public Policies and European Integration”, I.E.P., Paris, feb.; Scharpf, F.W., (1999), „Governing in Europe: Effective and Democratic?”, Oxford University Press; Olsen, J.P., (2002), „The many faces of Europeanization”, *Journal of Common Market Studies*, No. 40(5); Page, E.C., (2003), „Europeanization and the persistence of administrative systems”, in Hayward/Menon (eds.), *Governing Europe*, Oxford University Press, pp. 162-176.

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