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Reforming Public Administration

Emerging Administrations under European Union Rules

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Abstract: The idea of emergence is generally used to indicate the appearance of patterns, structures, or properties that cannot be adequately explained by referring only to the system's pre-existing components and their interactions. The term "emergence" has an interdisciplinary approach specific to administrative sciences, too. In this article, the concept of "emergence" signifies *lato sensu* a kind of change and it will be used to refer to countries that have a high volatility and that are in transition and to define the changes that suffer the public administrations of the countries which are part of the European construction. European Union through its policies and legislation has a great impact on economic and social conditions in Member States. The aim of the paper is to present a theoretical approach on the dimension of emerging administrations understood as changes and reforms that suffer the institutions from the EU member states under the pressure of the European Union rules. The study is using the concept of emergence to research and to analyze the nature of the changes in the public administration starting from the approach of the systems theory.

Keywords: emergence; public administration; reform; European integration

1. Introduction

Since January 2007, 27 Member States have agreed on participating and contributing to common regional, social, agricultural and monetary markets, creating in between a single European space of security and defense. Conceding an amount of their sovereignty to the European Union, Member States have also agreed on accepting the European acts as a special category of external demands to which answering is usually imperative and driven by common formulated models, standards or institutional arrangements. Possible packages of alternative solutions, the latter seem to replace the decrepit internal institutional arrangements, with minimum effort and political debate (Andersen, 2004, p. 21 in Matei, Matei and Iancu, 2010).

The dimensions of cooperation between the EU and Member States, the permanence of those involved in European policies and the need to act at two levels - domestic and European - impose significant requirements to the governments of Member States. These requirements relate to creating and maintaining a complex system of horizontal and vertical connections in each Member State. Governments must make decisions concerning the scope of coordination procedures and structures suitable for the delivery and allocation of responsibilities (Kassim et al., 2000).

In these coordinates, an analysis of institutional change concerns on the one hand, the influence of local institutional framework conditions imposed by the EU accession process and on the other hand, after the time of formal accession, the ability to formulate strategies relations with EU institutions, while preserving institutional autonomy.

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We will refer at these kinds of institutional changes caused by the EU at the state level with the term “emergence”. The “emerging administration” can be considered the administration which is transforming its own system and values under the influences and impact of the external environment (represented in this case by the European Union and its processes of European integration and Europeanization).

2. The Nature of Emergence in the Public Administration System

Regarding from the perspective of general system theory (see, von Bertalanffy, 1968), the term “emergence” has an interdisciplinary approach. We can speak about emergence in biology, sociology, and physics.

When looking the explanation of the word „emergence”, we started from the explanation given to this word in the Explanatory Dictionary which refers to the emerging evolution theory, a metaphysical and idealistic one concerning the „ development process, according to which the appearance of the new qualities is absolutely spontaneous and unpredictable”(DEX, 1996). According to J. Huxley (in Corning, 2002) the emergency phenomenon in the natural world implies a multi-level system which interacts with the two parts –the inferior and the superior of the system and or with the exterior or interior medium. Moreover, these emergent present systems have in their turn an up and down influence – especially in a horizontal plan.

There are a few relevant examples: the scholar system, the ecosystem, the political systems, the local societies, the interacting systems inside small groups and so on. These can be explained as: „an ensemble of unimportant elements which exist in different states or conditions. If the changes of state are measurable we can consider these elements as variable and the state of the system at a given moment will be the values list of these elementary variables”(Corning, 2002).

All these mustn’t take us to the conclusion that it is about a strange thing connected to the physical systems, because the feature of emergence is not limited only to the biological and physical systems but this is also characteristic to other social, economic, political or administrative systems, too (Matei & Berceanu, 2011).

During the last decades the word „emergence” was associated and used especially with the economic systems concerning the emerging economies or markets. The term of „emerging market” was introduced by Antoine W. van Agtmael in 1981 during a conference which was taking place in Thailand¹. Presently, the word “emerging” as Ashoka Mody considers in his paper “*What is an emerging market?*” (2004, p. 4) was referring to countries with a high volatility and which are in *transition*, facing economic, political, social and demographic nature changes.

The countries which became members of the European Union in the last two waves from 2004 and 2007, they have known also this general framework of emerging system, respectively the economic, political, social and demographic nature changes and they have undoubtedly an impact upon the national administrations. These countries are in transitions and they are trying hard to catch up with the other countries to reach the established objective: the accession and integration in the European Union.

Administration, *as an institution*, includes its activity and structure. From the perspective of organizational theory outlined the current institutional framework, which focuses on changes that are happening in organizations, starting from the moment when they are institutionalized.

In a society, institutions are never closed and autonomous entities. Institutions are contaminated by the prevailing of social values and patterns of organizations. As institutions, “public administration is part

¹ In that period Thailand was considered a third world country and this expression used to discourage investors. So, van Agtmael used the word “emerging” to eliminate the negative shade.

of the social order, it transcribing not only essential characteristics, but also contributing to the creation of these characteristics” (March & Simon, 1958, p. 159).

The social values and institution are highly influenced by external stimuli which resonate with the public administration system. In our case, the external stimuli is represented by the European Union, which by its values and rules is causing some transformations in the structures of the member states.

We will refer at these kinds of institutional changes caused by the EU at the state level with the term “emerging”. The term “emerging” will be used to refer to countries that have a high volatility and that are in transition. These countries have to face with political changes, economic changes, social changes and demographical changes. This term will be used to define the changes that suffer the institutions and the public administrations of the European countries under the pressure made by the European Union through its rules.

3. The Processes of Implementing EU Rules: European Integration and Europeanization

The institutional changing is determined by the resize of the instruments and the redistribution structures of the resources at society level (Börzel, 1999). The changing of the administrative component of a process of institutional change at a real level can be considered, from this point of view, part of the European integration process (see Radaelli, 2000).

The European integration, as part of the emerging administrations from EU member states, illustrates the experience of the open systems of *bottom-up* type. The change as a learning process „as a principle of harmonious competition of cooperative nature, which opens the main way of globalization, as a building paradigm of another idea of global order than a hierarchical one” (Dinu, 2007). This European version, which means spreading the EU rules, the political organization and the ways of government beyond its territory and a process of changing in the institutional national practices and of politics which can be attributed to the European integration, can be named *Europeanization* (Hix & Goetz, 2000, p. 27; Olsen, 2002, p. 937 in Trauner, 2009)

The Europeanization, seen as a globalization process in the European field, represents a situation which contributes to the European integration and has, among others, its impact upon the national administrations (Matei, 2004). In this context, the social dimension of the globalization has more importance. The opening degree of an economy can determine the fragility of the work force market of the volatility balance policies and of its efficiency, as well for the countries which are not institutional and functional adapted to the new social and economic conditions (Matei and Dogaru, 2010).

To all these can be added some values that will be common to all countries that want to perform this process, values that make up the European integration model: the market- in its institutional form, the democracy, the cohesion – with its social, economical and territorial dimensions, the multilevel governing or the convergence (economic, administrative). These promoted values can be found in the Europeanization process that was identified for the first time for the countries in Eastern and Central Europe, (Grabe, 2001) and this was then adapted to the states in Balkanic Europe which was in pre-accession process. Regarding these we can identify three types of Europeanization for the candidate countries (see figure 1). The “top-down” approach: the Union gives, while the candidate countries take – type *Ec1*, “bottom-up” approach : the Union gives what was previously influenced by the candidates, the taking being thus facilitated – type *Ec2* and an approach dealing with the policy transfer between Members and Candidates - type *Ec3* (Iancu, 2011).

Probably one of the most original metaphors of the social sciences, which can be used for the study of the European Union, is the *Heineken* metaphor. This was formulated for the first time by Hellen Wallace (2000, p. 381 in Iancu, 2010) and according to this the European Union, thanks to its formulated policies gets to, as the Dutch company (due to the beer it produces), in any corner of the world, does and creates different reactions according to the consumer. Translated and interpreted for the present work, the Heineken metaphor says the fact that the European Union through its demands

(demands that refer to the public administration) generates different changes at the level either of the member states or at the candidates or possible candidate states.

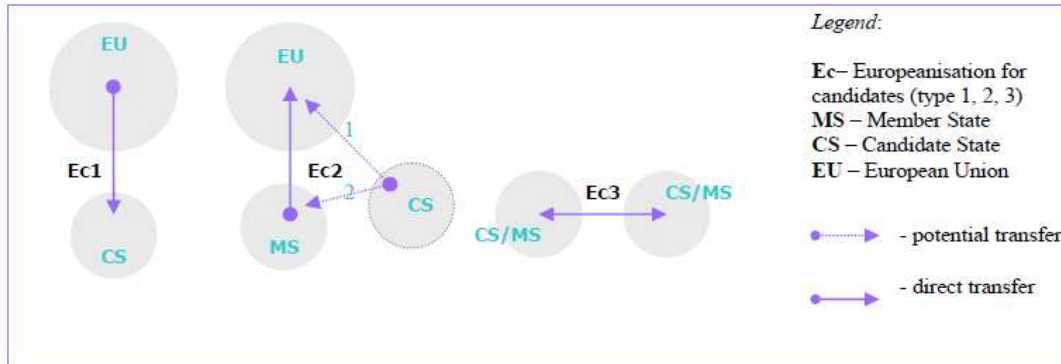


Figure 1 The actors involved in the three types of Europeanization

Source: Iancu, 2011, p. 134

In the support of the statements above, we can say that the European Union has formulated some ever since 1993 some clear rules that were about the its relationship with the countries from the old communist system, criteria which are valid to an expansion in present, too. These criteria can be identified as factors that generate the emergence (seen as a process of reform and evolution) in the states that want to access the European Union:

- permanent institutions which should guarantee the democracy, the rule of law, the human rights, the respect to minorities and their protection;
- a functional market economy;
- the ability to face the obligations that come from the quality of member in the European Union, as well as the joining to the Euro area.

To this there was added in 1995 through The White Carta concerning the preparation of the associated countries from the Central and Eastern Europe, the bureaucratic criteria, that can be translated through a reformation of the national public administrations, meaning the adapting of the administrative machinery and of the whole society to the necessary conditions for the implementing of a new legislation. This is a complex process that presents the creation or the adaptation of the institutions and of the administrative and judicial structures. The overlap between the initiatives to reform public administration and European Union accession process has been felt in most countries which joined the EU recently. Political objective of accession is achieved, post-accession reforms in these countries know the different trajectories, and the main interest is in new condition, increasing the absorption of structural funds. The changes may be associated with a process of Europeanization of domestic institutional mechanisms (Goetz, 2001; Howell, 2004, Knill & Lehmkhul, 2002). This process is ongoing and part of it took place in pre-accession period. The main instrument of this integration is the massive adoption of legislation, as the *acquis communautaire* and transfer policies and courses of action which replaced the domestic training of law by successive agreements constituents. The adoption of the *acquis communautaire*, an objective condition for accession, aimed at providing formal post-accession propagation mechanisms at the domestic European policies (Howell, 2004). In this first sense, the problems relate to the institutional context of European integration. Also, other rules which generate the reformation of public administrations could be considered the type of national coordination of EU policies (Kassim et al., 2006) and the character and the formation of the positions taken by Member States to the public policy agenda of the European Union. Given their scale and their implications in the Member States, the institutional system of training local public policy represented by formal rules and informal decision making structures and reforms initiated characteristics may be associated with representations of this type of reporting to EU institutions. The dimensions of

cooperation between the EU and Member States, the permanence of those involved in European public policies and the need to drive at two levels - domestic and European - member governments impose significant. These requirements relate to creating and maintaining a complex system of horizontal and vertical connections in each Member State. Governments must make decisions concerning the scope of coordination procedures and structures suitable for the delivery and allocation of responsibilities (Kassim et al., 2006).

According to Knill and Lehmkuhl (2005), there can be identified some consequences regarding the implementation of European policies and legislation at the national level, such as:

- *Strategies of compliance.* Under this type of strategy, rules and standards adopted at EU level should be absorbed entirely by the institutional framework of the Member States. Compliance strategy induces an administrative behavior accordingly (process of forming centralized regulation, excessive formalization) to the Member States;
- *Performance strategies.* If this type of strategy adaptation induced at domestic performance is achieved through competition between Member States institutional arrangements. To induce competition, EU regulations take the form of taxation "weak" by drawing some general directions for action, without providing details about the nature of institutional changes to be made at home. Also at the domestic level, the relevant criteria are not represented in a process of institutional change, the costs to replace the old institutions involved, but the performance of the new institutional framework concerned. In this situation, it is likely that the preferences of members of an administrative bureaucracy in the process of institutional change is influenced by social and political pressures that can result in the formation of such a change of premises;
- *Communication strategies.* In this case, the reactions of local-level institutional change rather are directed to transfer policies (best practices), and less to obtain reliable results in a competitive framework. Given the costs of change at local level, strategies to encourage adoption of best governance practices create fertile ground forming a mainstream regarding the adoption of a model for change at home. The implications of these strategies at this level tend to be found in legitimate measures of institutional change through legitimation provided by this mainstream. In this case, institutional change results are predominantly the result of internal legitimacy effort to change directions of the institution rather than identifying the best solutions, given existing institutional framework at home.

4. Conclusions

We called this process of reforming public administration and the institutional transition of institutions in the Member States the process of emerging administrations. It is a consequence of European integration and Europeanization which represent the implementation of common rules and strategies in order to fulfill the objectives imposed by the European Union. As final remarks it is also important to underline that compliance with EU rules is a complex concept. It does not relate to only one stage, it is the outcome of a multi-phase process, including law-making at domestic level(s), which may involve adopting new rules or adapting existing ones; control of these laws with regard to their application in practice; and enforcement in cases where the laws are not followed (Faulkner, 2010). Distinctive national patterns of institutional adjustment "emerge as corresponding to a basic logic of differentiation in dissociable from the integration process itself" (Harmsen 1999, p. 81 in Faulkner, 2010).

At the beginning of this paper we wanted to find out the significance of the connection between policies, legislation and conditionalities that the European Union is imposing at to the Member States and the emerging institutions. We noticed that the system of public administration is inter-related with other systems which influence it. This is a sub-system of the global social system with strong political, social, economical, cultural determination, in a complex connection with its environment (Matei, 2009).

The emergence of public administration was regarded from the perspective of the transition and changes to which the countries are subjected with a stress on the strategies of reform in the public administration under the guidance of the EU rules. In this respect, we present some theoretical perspectives on institutional change and factors that can influence this process. We have shown that the process of accession to the European Union required the initiation of measures associated with the effort out of compliance. Meeting these conditions aimed at among others, without being as inflexible as the process of adopting the *acquis communautaire*, the initiation of measures associated with a process of modernization.

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