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þÿ R e o r g a n i z a t i o n ¿ f P u b l i c A d m þÿ a n d L o c a l A d m i n i s t r a t i o n • e c e political choice?

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Reorganization of Public Administration and Local Administration Necessity or political choice?

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Recent governmental interventions in Public Administration, (such as annulment of Ministry of Public Order and alteration to Sub Ministry of Interior, Public Administration and Decentralization, annulment of General Secretariats, e.t.c) bring at forefront the, always crucial, matters of modernization of the Country's Administrative Structures, crack on bureaucracy, etc.

Bureaucracy has already engrossed European Union. A Commission's recent research about bureaucracy in Member States enlists Greece to the category of countries that bureaucratic burdens, which are usually being shouldered by entrepreneurs, amount annually a percentage of 6,8% of G.D.P., (practically 15.000.000.000 euro.). The corresponding average for 25 Member States is 3,5%.

Baltic Countries, Cyprus and Malta also belong to this group. On the antipode there is the group of countries with very low percentage of bureaucratic burdens. This group includes Great Britain and Finland.

After the verification of all the relative data, Commission's ambition is the reduction of these burdens until 2012 to a percentage of 25% of relative figures. The achievement of this goal will lead, (according to optimist scenarios), to G.D.P. raise, in eurozone at a percentage of 1,5% annually and in Greece at a percentage of 2,4%.

Governmental interventions and research's findings once more bring the whole matter of the organization of Greek State, the Greek Public Administration and the Local Administration.

Thoughts and opinions that are being presented below should be considered, on the one hand as an honest approach of the subject and on the other hand as a starting line for examination and further creative wonder and approaches.

Despite the danger to be considered as stereotyped, a reminder should be made at this point: The matter of organization of human groups, (earlier) and states, (later), preoccupied people, humanity as a whole and not only experts or politicians, especially

after the invasion of communication codes, (alphabets)[1] which accurate appearance has not been specified yet.

Emanation of this necessary and urgent interest is the formation of several constitutional and administrative systems for human societies' governance. Sometimes they were incomplete, or barbarian. Once they were democratic, functional. Some other time they were fruitless, depending on the circumstances at local, regional, national, international level of civilization, economic parameters, etc.

Hence, in the field of state organization[2], for example, Public Administration, occasionally becomes reason for several systems, which they all have a common attribute: None can be applied purely, in an absolute manner. Such systems are: The centralized and decentralized administrative organization system, self-government, administrative organization system with Public Servants and organization system with honorary functionary, organization system with one-member or collective institutions, doctrinal or rational system, provincial or historical system, etc.

A potential rhetorical question could be why there is no administrative system that could be applied purely and totally. The answer to that is that if there was an absolute application it would not be possible to achieve the maximum expected results because of inborn weaknesses which could lead fatally to malfunctions, since it is a fact that every system has its advantages and disadvantages.

Under this notion the thing leads, each time and according to specific circumstances, to the choice of best believed system or pair of "counterbalancing" systems. The conditions under which the choice is being made are related to every country's regime, the cultural level, the demographic and racial composition, the parameters of international economic situation, the prosperity, the national "visions", etc.

It is understood that every choice is not in effect ever – during. The duration of its application depends on several uncertain factors, natural events, economic crises, wars, immigrations, integrations in International Economic, Cultural and military organizations, etc.

Among all the applied, so far, administrative systems, the more preferred, especially from west type states and societies, are the Decentralisation and Self-government systems.

It is noted that the subjects of the selected administrative system and discussing about Greece, the subjects of Decentralisation, Local Self-government and generally Public Administration have particular importance. And this importance acquires larger dimensions from time to time due to each country's specific conditions. And our Country is characterized by special conditions, due a lot of and various reasons. Indicatively:

Generally, the decentralisation of Public Administration is not yet completed, despite the fact, that there is a constitutional dictate and a dream of decades. This is due

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1. See: Const. GE. ATHANASSOPOULOS: Public Relations. Athens, 2006, p. 71.
2. See: Const. GE. ATHANASSOPOULOS: Administrative law. Athens, 2006, p. 71.

to a lot of factors. Among them there are not always objective reasons of weakness but there are reasons related to political choices towards the direction of not full implementation of the law, despite the declared here and what is being done elsewhere, where corresponding mechanisms are being applied practically for long (eg France, Italy, etc.)

The Local Self-government, of A and B degree, didn't always enjoy a better fate. Our Country which "captured" its Idea many centenaries ago, shuttling abandoned from time to time at its fate, A degree of Local Self-government and just recently managed to deal with B degree.

The recent attempt for revision of the relative provisions of our Constitution is reinforcing these opinions.

Public Administration "follows" usually the fate of the above mentioned institutions. The recent regulations of Government and the proclamations of the Opposition for various subjects of Public Administration, (among them there is the one of the regional administration), note the problem of its "malfunction", which seems to be crucial and causes many side – effects to the Country.

Thus, is not fortuitous event that Minister of Interior, Public Administration and Decentralisation mentioned in Recommendatory Report of Law, no', N. 2839, the following, among others, that enhance the above mentioned thoughts:

"It constitutes common view the ascertainment of the need for more effectiveness of Public Sector...".

"The success of any reforming effort prerequisites exemption of Public Administration from its introversion... The axes of changes in Public Administration it is imposed to be searched within collaboration, communication and acceptance, not only among Political Parties, but also among all the legitimated Institutions of Society (Public Servants, Users of public services, Trade-union Representatives, Generative Classes, etc.). The goal should be the exploitation of all the conclusions and suggestions of theory with increased social legitimate".

"Apart from those, a consultative Body is being established under the Ministry of Interior, Public Administration and Decentralization. This Body is the National Council of Administrative Reform...Proposals of Minister of Interior, Public Administration and Decentralization, regarding interventions in Public Administration, of major importance shall be applied to this Body for discussion and opinion. Representatives of the Parliament of Parties, Social and Economic Institutions etc will participate in this Council...."

Additionally, Minister of Interior, Public Administration and Decentralization, talking recently in the ECONOMIST Congress underlined, inter alia, and the following:

"One of the greatest challenges, that we have to face concerning the upgrade of quality of Democracy and also regarding the utilisation of new technologies and especially the digital technology, is the alteration of the relations between the State and the Citizen, based on the fact that the Citizen should stop being one passive

receiver of services and behaviours of Public Administration and should become an active participant in the whole administrative process towards two directions ".

"From one point of view the Citizen should have access not only to the administrative information which he is eligible for, but he should have access even to the issuance of those administrative acts that technology itself, allows, without the intervention of the so far known classical methods of public servants".

"And the second direction is the ability of the Citizen, -and this is exactly the upgrade of the quality of Democracy - simultaneously through the transparency to become a controller of legitimacy and transparency of administrative mechanism itself. This means that Citizen should be able using technology and digital technology itself to have the information he wants, but also to control, what he merits to control, based on the available controlling mechanisms and to the extend the digital technology allows".

On the other hand, the nature of the applied or proposed, occasionally, solutions on subjects of Decentralisation, Local Self-government and Public Administration generally, is usually fragmentary. They are not included in a wide, cohesive, functional, fruitful grid of policies and measures. Those characteristics of the proposals, negate the indeed lofty intentions of their Rapporteurs, and definitely didn't lead to the desirable results.

The continuous modification of relevant regulations (of both legislative and administrative character), the incomplete application from time to time of relative provisions and the sometimes observed idleness on law application from State Bodies or Local Government Institutions do anything else but lead to the "production of administrative" work, which especially today is so necessary.

The above-mentioned phenomena should not be continued. The Country's general situation and the international economic situation, under which the country "lives" and "moves", according to the arrangement of Treaties of Maastricht,[3] Amsterdam and Nice and the expected new Lisbon's Treaty necessitate other rythms, more explicit, more expedient, more bold (with prudence of course...).

Also, it should be noticed that beyond the well meant service to Citizens on subjects of present administrative character, rational, organised and completely functioned Public Administration under condition of complete Decentralisation and Local Self-government, consist condicio sine qua non of important subjects, such as development, with the wide significance of term (economic, social, cultural etc.) and in every level (national, regional, local) etc[4]. Thereupon the relative research of Committee of EU is definite.

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3. See in details Const. GE. ATHANASSOPOULOS: European Union's Law. A' Edit. 1996. New edit. 2006, Athens.

4. See in details Const. GE. ATHANASSOPOULOS: Institutional Framework of regional development. Vol. A,B,C. New Edit. Athens 2007. Also see V. DELITHEOU: Legal Framework for protection of foreign capitals and investments of development character in Greece. Athens, 1996, pp. ?.